



Camden Council

Attachments

Ordinary Council Meeting
12 December 2017

Camden Council
Administration Centre
70 Central Avenue
Oran Park



ORDINARY COUNCIL

ATTACHMENTS - ORDINARY COUNCIL

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ATTACHMENT 1 - RECOMMENDED CONDITIONS

1.0 - General Conditions of Consent

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

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

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Dwg No. 14069 Issue B-5	Perspective plan	Blue Tongue Homes	25 August 2017
	Site plan		
	Lot G ground floor		
	Lot G upper floor		
	Lot G elevations front and rear		
	Lot G elevations left and right		
	Lot G section A-A		
	Lot H ground floor plan		
	Lot H upper floor plan		
	Lot H elevations front and rear		
	Lot H elevations left and right		
	Lot H section A-A		
	Torrens subdivision plan		
	Landscape plan		
Dwg No. 14069 Issue B-6	Strata plan of subdivision	Blue Tongue Homes	31 October 2017

Document Title	Prepared by	Date
BASIX Certificate No. 781508M	Efficient Living	2 December 2016
Waste Management Plan Lot G	Blue Tongue Homes	10 February 2017
Waste Management Plan Lot H	Blue Tongue Homes	10 February 2017

- (2) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) for the development to which this consent applies.

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- (3) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (4) **Home Building Act** - Pursuant to Section 80A(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the PCA for the development to which the work relates:
- a) in the case of work for which a principal contractor has been appointed:
 - i) has been informed in writing of the name and licence number of the principal contractor; and
 - ii) where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.
 - b) in the case of work to be carried out by an owner-builder;
 - i) has been informed in writing of the name of the owner-builder; and
 - ii) if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.

- (5) **Home Building Act – Insurance** - Building work that involves residential building work within the meaning of the *Home Building Act 1989*, shall not commence until such time as a contract of insurance is in force in accordance with Part 6 of that Act.

This clause does not apply:

- a) to the extent to which an exemption is in force under Clause 187 or 188 of the EP&A Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of the EP&A Regulation 2000; or

to the erection of a temporary building, other than a temporary structure to which subclause (1A) of Clause 98 of the EP&A Regulation 2000 applies.

- (6) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
- a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
 - b) where necessary, underpin the building, structure or work to prevent any such damage.

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

A copy of the written consent must be provided to the PCA prior to the excavation commencing.

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- (7) **Boundary Fencing** – All boundary fencing is to be in accordance with the Turner Road DCP 2007.

2.0 – Prior to Issue of a Construction Certificate

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

- (1) **Registration of Land** – Proof of registration with the NSW Land & Property Information of the Torrens plan of subdivision (Stage 1) of this consent shall be provided to the PCA.
- (2) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (3) **Building Platform** - This consent restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2m from the external walls of the building. Where the external walls are within 2m of any property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level shall be used. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (4) **Driveway Gradients and Design** – The design of all driveways shall comply with AS 2890.1-2004 'Off street car parking' and:
- a) the driveway shall comply with Council's Access Driveway Specifications; <http://www.camden.nsw.gov.au/assets/pdf/Development/Residential-Vehicle-Crossing-Specification.pdf>
 - b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
 - c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and
 - d) a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.

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

- (5) **Salinity (Dwellings & Outbuildings)** – The dwelling, landscaping and associated works for the development shall comply with the requirements of the salinity investigation and management plan report, proposed residential subdivision Stage 4 Gregory Hills project No. 76568.00 Dated July 2013 prepared by Douglas Partners.

Alternatively, a site specific analysis including recommendations, prepared by a suitably qualified consultant and referencing Australian Standard AS2870-2011 and Council's Engineering Specifications, shall be submitted to the Certifying Authority.



Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (6) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building work that cost \$25,000 or more.
- (7) **Studio Dwelling** - The studio dwelling(s) shall be fire and acoustically separated from any garage or other part of the building which is not directly associated with that dwelling. Separation shall be provided in accordance the Building Code of Australia.

Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

3.0 - Prior to Commencement of Works

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

- (1) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
 - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
 - f) a telephone number on which the PCA may be contacted for business purposes.
- (2) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;



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- d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the PCA/developer (only where no PCA is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
 - f) the date on which the work is intended to commence.
- (3) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Certifying Authority;
 - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
 - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
 - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
 - e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (4) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
 - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
 - c) the name, address and telephone number of the PCA.
- The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.
- (5) **Sydney Water Approval** – The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to www.sydneywater.com/tapin to apply.
- A copy of the approval receipt from Sydney Water must be submitted to the PCA.
- (6) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing



Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.

- (7) **Protection of Existing Street Trees** - No existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation shall be disturbed, relocated, removed or damaged during earthworks, demolition, excavation (including any driveway installation), construction, maintenance and/or establishment works applicable to this consent, without Council agreement and/or consent.

The protection methods for existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation during all works approved by this development consent shall be installed in accordance with AS 4970-2009 Protection of Trees on Development Sites.

4.0 - During Works

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

- (1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:

- a) preserve and protect the building from damage;
- b) if necessary, underpin and support the building in an approved manner; and
- c) give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact "Dial Before You Dig" prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

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

- (4) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:

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- a) retaining walls shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
 - b) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
 - c) retaining walls shall not be erected within drainage easements; and
 - d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.
- (5) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the street gutter.
- Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.
- All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The PCA shall not permit construction works beyond the frame inspection stage until this work has been carried out.
- (6) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.
- (7) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the PCA prior to the pouring of concrete.
- (8) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.
- (9) **Vehicles Leaving the Site** - The construction supervisor must ensure that:
- a) all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
 - b) the wheels of vehicles leaving the site:
 - i) do not track soil and other waste material onto any public road adjoining the site; and
 - ii) fully traverse the site's stabilised access point.



- (10) **Protection for Existing Trees** – The protection of existing trees (on-site and street trees) must be carried out as specified by AS 4970 Protection of Trees on Development Sites.

5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the PCA.
- (3) **Registration of Land** - Documentary evidence shall be provided to the PCA confirming registration of the subject allotment with NSW Land & Property Information.
- (4) **Driveway Crossing Construction** – A footpath crossing (where required) and a driveway crossing shall be constructed in accordance with this development consent and the driveway crossing approval prior to use or occupation of the development.
- (5) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (6) **House Numbering** – The dwellings on the site (existing and approved, primary and secondary) must be readily identifiable from the street by displaying their Council allocated house numbers. The allocated house numbers will be in accordance with the current Geographical Names Board of NSW Address Policy. E-mail Council at lis.mailbox@camden.nsw.gov.au to obtain the allocated house numbers. Any alternative numbering of the dwellings is not permitted.

6.0 – Ongoing Use

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

- (1) **Residential Air Conditioning Units** - The operation of air conditioning units shall operate as follows:
 - a) be inaudible in a habitable room during the hours of 10pm – 7am on weekdays and 10pm to 8am on weekends and public holidays; and
 - b) emit a sound pressure level when measured at the boundary of any neighbouring residential property, at a time other than those specified in (a) above, which exceeds the background (LA90, 15 minutes) by more than 5dB(A). The source noise level shall be measured as a LAeq 15 minute



7.0 - Prior to Issue of a Torrens Title Subdivision Certificate

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

- (1) **Requirement for a Torrens Title Subdivision Certificate** - The application for subdivision certificate(s) shall be made in accordance with the requirements of Clause 157 of the Environmental Planning & Assessment Regulation 2000.
- (2) **Plan of Subdivision** – The issue of a Subdivision Certificate is not to occur until all conditions Part 7.0 of this development consent have been satisfactorily addressed and all engineering works are complete (where the subdivision involves engineering works), unless otherwise approved in writing by the PCA.

Note: The final Torrens plans of subdivision shall be prepared to a quality suitable for lodgement with the NSW Land & Property Information.
- (3) **Show Easements/ Restrictions on the Plan of Subdivision** - The developer shall acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.
- (4) **Burdened lots to be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions shall also be suitably burdened.
- (5) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
 - a) Energy supplier – Evidence demonstrating that satisfactory arrangements have been made with the energy supplier to service the proposed development.
 - b) Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development.
 - c) Water supplier – Evidence demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.
- (7) **Service Placement Confirmation** – Written confirmation from a registered surveyor shall be provided certifying that there are no services, public utilities or like straddling proposed property boundaries after subdivision.
- (8) **Section 94 Contributions – Monetary (Turner Road and Oran Park)** - A contribution pursuant to the provisions of Section 94 of the *EP&A Act 1979* for the services and amounts detailed below.

Plan Name	Contribution Type	Indexed Rate	Amount Payable
<i>Oran Park & Turner Road</i>	Open Space & Recreation - Land	\$17,384	\$17,384.00

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	Acquisition	per dwelling	
<i>Oran Park & Turner Road</i>	Open Space & Recreation - Works	\$10,312 per dwelling	\$10,312.00
<i>Oran Park & Turner Road</i>	Open Space & Recreation - Project Management	\$226 per dwelling	\$226.00
<i>Oran Park & Turner Road</i>	Community Facilities - Land Acquisition	\$222 per dwelling	\$222.00
<i>Oran Park & Turner Road</i>	Community Facilities - Works	\$1,763 per dwelling	\$1,763.00
<i>Oran Park & Turner Road</i>	Community Facilities - Project Management	\$38 per dwelling	\$38.00
TOTAL CASH CONTRIBUTIONS			\$29,945.00

A copy of the Oran Park and Turner Road Precincts Section 94 Contributions Plan may be inspected at Council's Camden office at 70 Central Avenue Oran Park or can be accessed on Council's website at www.camden.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the applicable Index.

- (9) **Section 88B Instrument** - The applicant shall prepare a Section 88B Instrument for approval by the PCA which incorporates the following easements, positive covenants and restrictions to user where necessary:
- restriction as to user over lots which stipulates that footings shall be designed by a suitably qualified civil and/or structural engineer;
 - restriction as to user preventing the alteration of the final overland flow path shape, and the erection of any structures (other than open form fencing) in the overland flow path without the written permission of Council;
 - restriction as to user directing that the burdened lot shall not be developed other than in accordance with the approved plan DA/2017/167/1;
 - restriction as to user on all lots requiring that all construction works that include earthworks, imported fill, landscaping, roads, buildings and associated infrastructure must be carried out in accordance with the management

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strategies as contained within the salinity investigation and management plan report, proposed residential subdivision Stage 4 Gregory Hills project No. 76568.00 Dated July 2013 prepared by Douglas Partners.

- e) party wall easement identifying the building footprint and the associated common wall ("party wall") easement associated with the development;
 - f) creation of reciprocal easements and positive covenants over both proposed lots shall be provided to drain roof water and maintain gutters, downpipes and stormwater lines;
- (10) **Special Infrastructure Contribution** - The applicant shall make a special infrastructure contribution (SIC) in accordance with the determination made by the Minister administering the *EP&A Act 1979* under Section 94EE of that Act and as in force on the date of this consent. This contribution shall be paid to the Department of Planning and Environment (DPE).

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

Alternatively, the applicant must obtain written confirmation from DPE that the SIC is not required to be paid for the approved development.

8.0 - Prior to Issue of a Strata Subdivision Certificate

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

- (1) **Strata Plan of Subdivision** - Sections 37 and 37A of the *Strata Schemes (Freehold Development) Act 1973* require an application to be provided to Council or a PCA for approval prior to the issue of the certified strata plan of subdivision.

The applicant will be required to submit documentary evidence that the property has been developed in accordance with the plans approved by this development consent DA/2017/167/1, and of compliance with the relevant conditions of consent, prior to the issuing of a Strata Plan of Subdivision.

Note: The final strata plan of subdivision shall be prepared to a quality suitable for lodgement with the NSW Land & Property Information.

- (2) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
- a) Energy supplier – Evidence demonstrating that satisfactory arrangements have been made with the energy supplier to service the proposed development.
 - b) Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development.



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- c) Water supplier – Evidence demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.
 - (3) **Burdened Lots to Be Identified** – Any lots subsequently identified during construction of the subdivision as requiring restriction shall also be suitably burdened.
 - (4) **Subdivision Certificate** - The issue of a Strata Subdivision Certificate is not to occur until evidence of satisfactory frame inspection for both dwellings from an Accredited Certifier has been presented to the Principal Certifying Authority for the subdivision.

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ISSUE	AMENDMENT	DATE
A-0	PRELIM DA PLANS	08.11.16
B-0	DA APPROVAL	16.11.16
B-1	BASIC COMPLIANCE	02.12.16
B-2	COUNCIL LETTER	21.04.17
B-3	COUNCIL LETTER	20.06.17
B-4	COUNCIL LETTER	14.07.17
B-5	RE-DESIGN	25.08.17

Sheet Number	Sheet Name
1	PERPECTIVE
2	SITE PLAN
3	LOT G GROUND FLOOR
4	LOT G FIRST FLOOR
5	LOT G ELEVATIONS
6	LOT G ELEVATIONS
7	LOT G SECTIONS
8	LOT H GROUND FLOOR
9	LOT H FIRST FLOOR
10	LOT H ELEVATIONS
11	LOT H ELEVATIONS
12	LOT H SECTIONS
13	SHADOWS
14	SHADOWS

BlueTongue HOMES

www.bluetonguehomes.com.au
 info@bluetonguehomes.com.au
 Ph: (02) 9279 9090

ALL RIGHTS IN THE PROPERTY OF BLUE TONGUE HOMES ARE RESERVED AND NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION

GENERAL NOTES:
 - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER ARCHITECTURAL & CONSULTANT DRAWINGS & SPECIFICATIONS FOR THE HOUSE.
 - DIMENSIONS IN PARENTHESIS TO CALL OUT CONSTRUCTION.
 - VERIFY ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
 - ALL DIMENSIONS WILL BE APPROXIMATE IN ALL CASES. DIMENSIONS WILL BE TAKEN TO THE CENTRE UNLESS OTHERWISE SPECIFIED AND ANY RELEVANT AUTHORITATIVE STANDARDS AND CODES SHALL APPLY.
 - THIS DRAWING IS TO BE USED FOR CONSTRUCTION PURPOSES ONLY.

OWNER'S ACKNOWLEDGEMENT
 The owner hereby acknowledges that these drawings are correct drawings of the house to be built at the lot shown on the site plan and that the owner has read and approved the building contract between the owner and the builder.
 In addition, the owner acknowledges that the builder is not liable for any errors or omissions in the drawings or for any consequences arising therefrom.

OWNER SIGNATURE _____ DATE _____
 OWNER SIGNATURE _____ DATE _____

CLIENT
BLUETONGUE HOMES

PROPERTY ADDRESS:
 LOT 404, DP 1197230
 KAVANAGH ST
 GREGORY HILLS, NEW, 2867
 N.S.W.

DRAWING
 PERSPECTIVE
 SHEET
 B-5

DATE: 25.08.17
 SHEET: 1/14
 DRAWING NO: 14069
 FIGURE: CUSTOM
 HOUSE NAME: CUSTOM

CONSTRUCTION IS TO BE IN ACCORDANCE WITH BCA AND OTHER RELEVANT AUSTRALIAN STANDARDS.

TERMITES PROTECTION TO AS3660.2-2000

NOTE:
ALL DIMENSIONS ARE TO STRUCTURAL ELEMENTS ONLY. ROOM SIZES ARE SUBJECT TO SELECTED FINISHES.

SMOKE DETECTORS

© ALL RIGHTS IN THE PROPERTY OF THIS DRAWING ARE RESERVED. NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION.

GENERAL NOTES:

- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER ARCHITECTURAL & CONSTRUCTION DRAWINGS & SPECIFICATIONS FOR THE WORKS.
- DIMENSIONS IN PARENTHESIS TO LOCAL CONSTRUCTION.
- VERIFY ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
- ALL DIMENSIONS UNLESS SPECIFICALLY NOTED OTHERWISE ARE TO FACE UNLESS SPECIFICALLY NOTED OTHERWISE.
- THIS DRAWING IS INTENDED TO BE USED FOR INFORMATION PURPOSES ONLY. IT DOES NOT CONSTITUTE A CONTRACT.

OWNER'S ACKNOWLEDGEMENT

The owner hereby acknowledges that these drawings are correct drawings of the house to be built at the lot shown and that the owner has read and understands the building contract between the building contractor, the owner, subcontractors, trades, the builder, a condition that forms part of the building contract and has accepted over these drawings, should there be any discrepancies between them.

OWNER SIGNATURE _____ DATE _____

OWNER SIGNATURE _____ DATE _____

CLIENT
BLUETONGUE HOMES

PROPERTY ADDRESS:
LOT 404, DP 1197230
KAVANAGH ST
GREGORY HILLS, NEW, 2857
S.D.A.
CAMDEN

DRAWING	DATE	SHEET	SCALE
LOT G ELEVATIONS	25.08.17	5/14	B-5
DRAWING NO:	FACE:	HOUSE NAME:	
14069	CUSTOM	CUSTOM	

BlueTongue HOMES
www.bluetonguehomes.com.au
info@bluetonguehomes.com.au
PH: (02) 8729 0090
LOT 404, DP 1197230, S.D.A.

FRONT ELEVATION
1:100

REAR ELEVATION
1:100

CONSTRUCTION IS TO BE IN ACCORDANCE WITH BCA AND OTHER RELEVANT AUSTRALIAN STANDARDS.

TERMITTE PROTECTION TO AS3660.2-2000

NOTE:
ALL DIMENSIONS ARE TO STRUCTURAL ELEMENTS ONLY. ROOM SIZES ARE SUBJECT TO SELECTED FINISHES.

☑ SMOKE DETECTORS

FRONT ELEVATION
1:100

REAR ELEVATION
1:100

GENERAL NOTES:

- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER ARCHITECTURAL & CONSULTANT DRAWINGS & SPECIFICATIONS FOR THE WORK.
- DIMENSIONS IN PREFERENCE TO LOCAL CONSTRUCTION.
- VERIFY ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
- ALL DIMENSIONS UNLESS SPECIFICALLY NOTED OTHERWISE ARE TO FACE UNLESS OTHERWISE SPECIFIED.
- THIS DRAWING IS NOT TO BE USED FOR ANY UNAUTHORIZED REPRODUCTION.

OWNER'S ACKNOWLEDGEMENT:

The owner hereby acknowledges that these drawings are correct drawings of the house to be built at the lot shown and that the building contract between the owner and the builder is subject to the terms and conditions of the contract, including the owner's acknowledgment that the builder is a condition that forms part of the building contract and that the owner agrees to these drawings, should there be any discrepancies between them.

OWNER SIGNATURE _____ DATE _____

OWNER SIGNATURE _____ DATE _____

CLIENT
BLUETONGUE HOMES

PROPERTY ADDRESS:
LOT 404, DP 1197230
KAVANAGH ST
GREGORY HILLS, NEW, 2867
S.D.A.

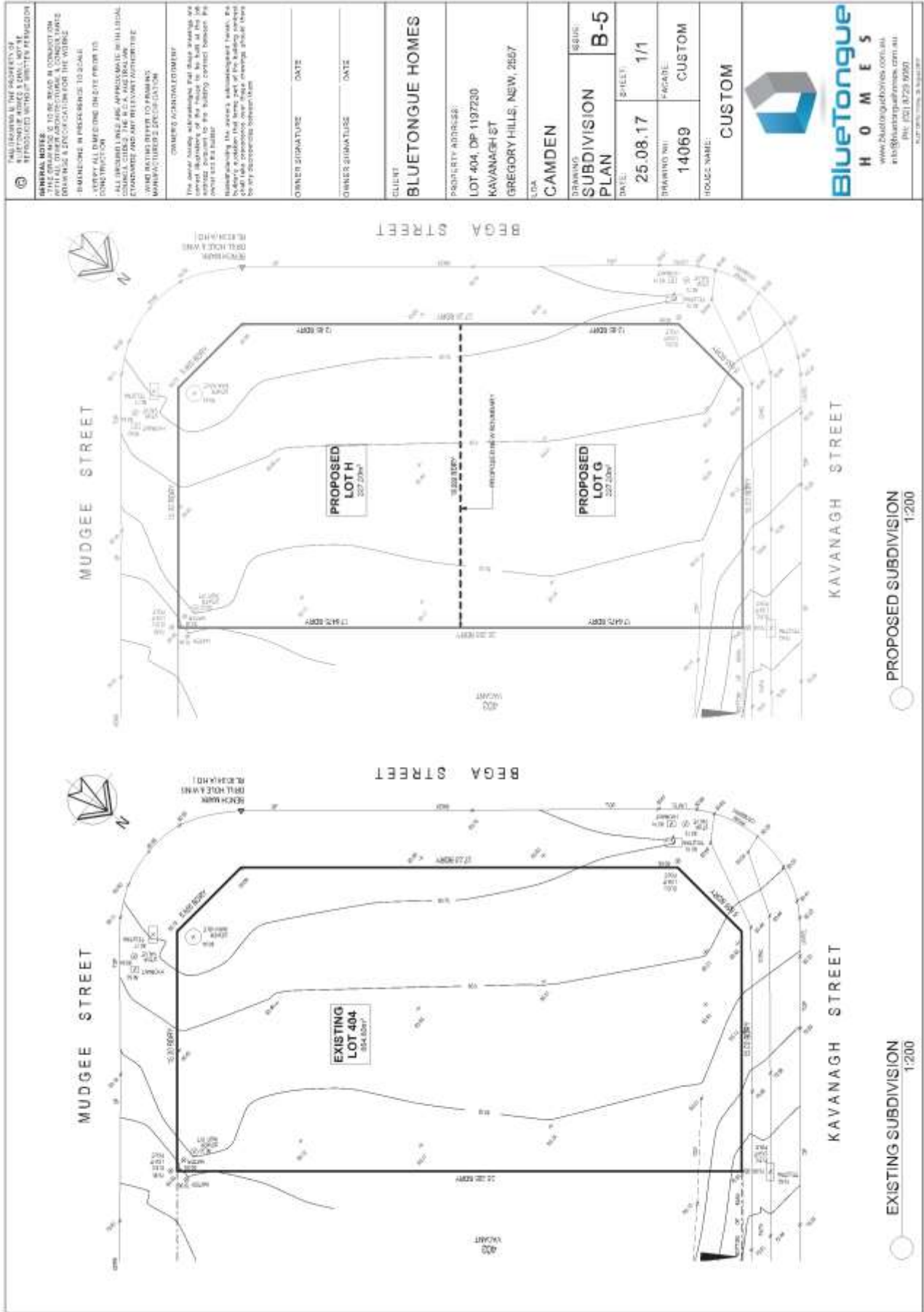
DRAWING
LOTH ELEVATIONS (SCALE) **B-5**

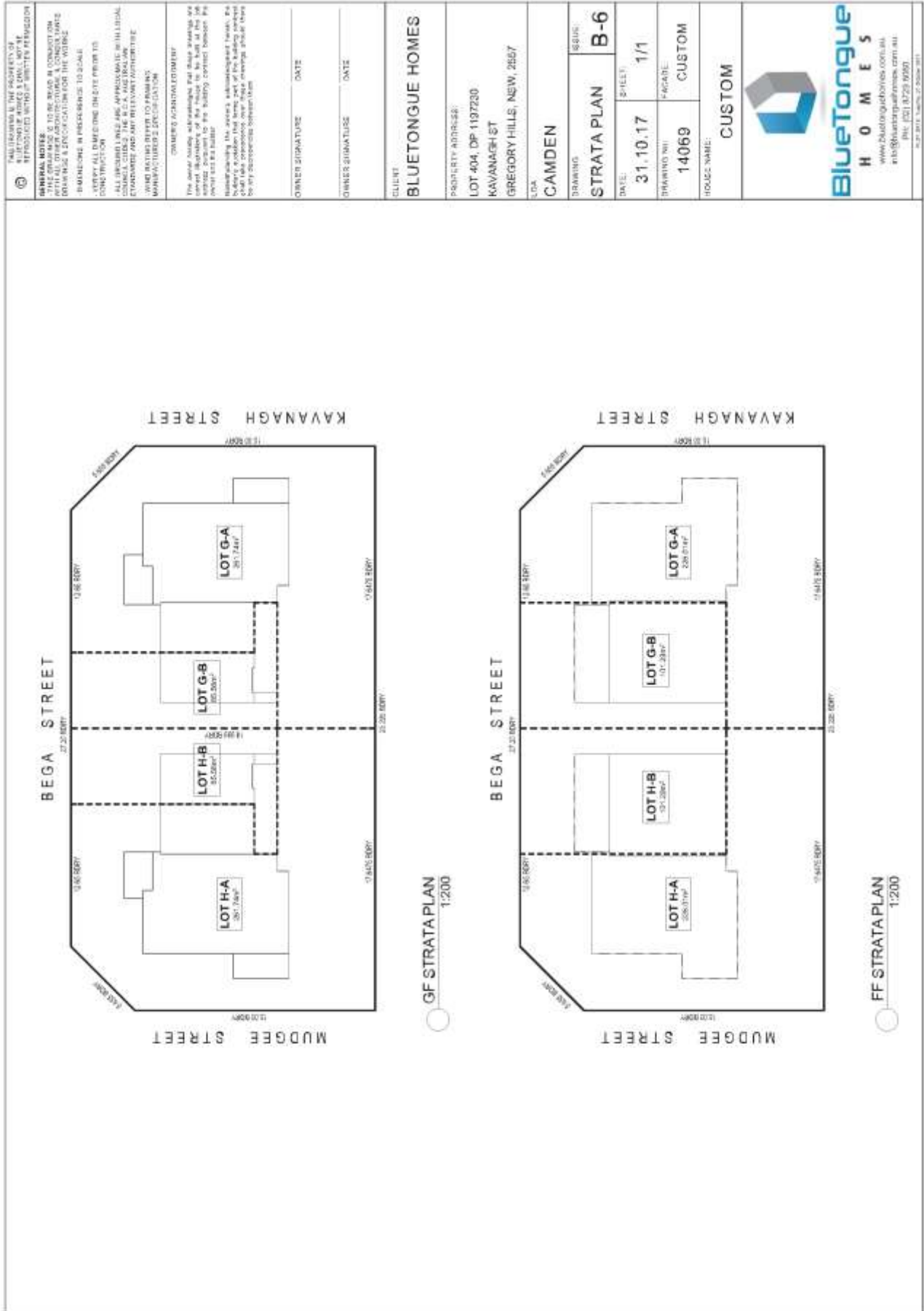
DATE: 25.08.17 SHEET: 10/14
DRAWING NO: 14069 F-SCALE: CUSTOM
HOUSE NAME: CUSTOM

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ORD01

Attachment 2





Details of Conditions:**1.0 - General Conditions of Consent**

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

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

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Untitled	Location Plan		Undated
Sheet 1, Issue D		Hakim Hamzah	21 May 2016
Sheet 3, Issue D	Site plan	RE	6 October 2017
Sheet 4, Issue A	Floor plan	Hakim Hamzah	14 May 2016
Sheet 5, Issue D	Site Layout	Hakim Hamzah	14 May 2016
Sheet 6, Issue D	East Elevations	RE	6 October 2017
Sheet 7, Issue D	West Elevations	RE	6 October 2017
Sheet 8, Issue D	North Elevations	RE	6 October 2017
Sheet 9, Issue D	South Elevations	RE	6 October 2017
Sheet 10, Issue D	Typical Frame Detail	RE	6 October 2017
Sheet 11, Issue D	Site layout – shed, cabins, amenities, office	Hakim Hamzah	14 May 2016
A102	Plant room floor plan	Linea Verde Design	28 November 2016
A103	Plant room elevations	Linea Verde Design	28 November 2016
A104	Carpark dimension plan	Linea Verde Design	20 July 2017
1618 sheet 1 revision B	Stormwater Concept Plan	BMB Engineers	23 October 2017
1618 sheet 2 revision B	Key Diagram	BMB Engineers	23 October 2017
1618 sheet 3 revision B	Stormwater Concept Plan	BMB Engineers	23 October 2017
1618 sheet 4 revision B	Stormwater Catchment Plan	BMB Engineers	23 October 2017
1618 sheet 4 revision B	Cross-section of Bio-Retention Pond	BMB Engineers	23 October 2017
1618 sheet 4 revision A	Cross-Section OSD	BMB Engineers	21 July 2017
705CUTH-01 sheet 1 amendment A	Proposed Carpark, Driveway and Associated Works	EPIC Engineers	October 2017
705CUTH-02 sheet 1 amendment A	Carpark Plan	EPIC Engineers	October 2017

Document Title	Prepared by	Date
Statement of Environmental Effects	Unknown	16 April 2017
Salinity Management Plan – EP0438_02	EP Risk	19 December 2016
Preliminary Site Investigation – EP0438_01	EP Risk	15 December 2016
On-site Wastewater Management Report – REF-17-4381	Envirotech	14 February 2017
Bushfire Risk Assessment Certificate	Douglas Macarthur	30 September 2017

- (2) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (3) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.
- (4) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this development consent.

The following procedures shall be strictly observed:

- a) no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval; and
- b) pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features, are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

- (5) **Prohibition of Burning** - The open burning of waste and other refuse is prohibited throughout the Camden LGA.
- (6) **Noxious Weeds Management** - Any noxious or environmentally invasive weed infestations that occur during or after works must be fully and continuously suppressed and destroyed by appropriate means. New infestations must be reported to Council.

Pursuant to the *Noxious Weeds Act 1993*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material.

Earth moved containing noxious weed material must be disposed of at any approved waste management facility and be transported in compliance with the *Noxious Weeds Act 1993*.

- (7) **Conditional Approval for Tree Removal** - Consent is granted for the removal of only those trees and vegetation located within the footprint of the proposed greenhouses and access road and as shown on the plan prepared by Hakim Hamzah Project Services Consultants drawing no. 191216, sheet 3 issue D dated 19/12/2016

The following conditions apply;

- a) Approved tree works are to be undertaken in accordance with the relevant provisions of AS 4373 'Pruning of amenity trees' and is to be carried out in accordance with the WorkCover NSW Code of Practice for the Amenity Tree Industry.
- b) Approved tree work should only be carried out by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
- c) This consent does not grant access to adjoining land. The applicant must negotiate any issues of access with adjoining property owners.
- d) In the case of obvious nesting hollows being present within the tree/s an experienced wildlife handler (member of NANA or WIRES) is to be present during the tree work. Relocation of wildlife from the nesting hollows and the creation of new nesting opportunities shall be provided elsewhere on the property at a rate of one for one. Relocated hollow sections of nesting boxes are to be installed within existing trees for any animals removed. The design of these boxes is to conform to those designs outlined within the publication: The Nestbox Book. At least one relocated hollow or nest box is to be installed for each hollow removed that has been considered to have accommodated wildlife (irrespective of whether the hollow had an animal in it at the time of removal/assessment).
- e) Green waste and or timber generated from the approved tree work is to be recycled into mulch and reused on site or transferred to a designated facility for composting. Stock piles of green waste or processed timber for reuse including firewood must be stored behind the building line or place out view from the street within 28 days of the tree works authorised by this consent.

- f) All reasonable measures must be taken to protect the remaining vegetation on the site from damage during the approved tree works.
- g) The issuing of this Consent is conditioned upon the planting and maintenance of thirty (30) replacement local native trees as a means to achieve a "No Nett Loss" approach to vegetation management. The plantings shall consist of minimum 25 litre container stock and must consist of one or more of the following species; *Eucalyptus tereticornis* (Forest Red Gum), *Eucalyptus moluccana* (Grey Box), *Corymbia maculata* (Spotted Gum) or *Eucalyptus crebra* (Narrow Leaved Ironbark).
- h) The plantings shall be installed on the subject property positioned on the southern side of landscaping of the greenhouses to assist in providing greater level of vegetative screening between the site and the closest adjoining residence.
- i) Replacement trees must be cared for and maintained until they reach a height of three (3) metres, the point at which the trees are protected by Council's tree preservation provisions. Should any of the tree/s die before they reach the required height of three (3) metres then they shall be replaced with another tree/s.
- j) At the appropriate time the applicant shall make arrangements for a Council officer to inspect the plantings (referred to in the clause above) to ensure that Council's objectives for vegetation management are being achieved.

2.0 – Prior to Issue of a Construction Certificate

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

- (1) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (2) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

A stormwater plan is to be submitted to the Certifying Authority prior to the augmentation of the existing drainage system to accommodate drainage from the approved development and to protect other property to the satisfaction of the Certifying Authority.

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

- (3) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.

Where a Construction Certificate is required by this development consent, a detailed on-site detention and water quality report reflecting the Construction Certificate plans shall be provided to the Certifying Authority with the Construction Certificate application.

Where a Construction Certificate is not required by this development consent, a detailed on-site detention and water quality report reflecting the approved development application plans and Council's Engineering Specifications shall be provided to Council prior to works commencing.

- (4) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (5) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building work that cost \$25,000 or more.
- (6) **Damages Bonds** - The applicant is to lodge a bond with Council to ensure any damage to existing public infrastructure is rectified in accordance with Council's Development Infrastructure Bonds Policy.

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

- (7) **Sewage Management System** – All domestic wastewater generated by this development must be connected to an on-site sewage management system approved by Camden Council. In this regard an Approval to Install a Sewage Management System under section 68 of the Local Government Act 1993 shall be obtained from Council prior to issuing of the construction certificate.
- (8) **Detailed Landscape Plan** - Landscape plan must be prepared and include the following screen planting specifications;
- a. Small trees/tall shrub species capable of reaching a minimum mature height of 4 metres shall be planted within 10 metres outside of the southern, eastern and western sides of the proposed greenhouses and planted in staggered rows as shown in the Figure 1. Planting Matrix of ATTACHMENT A - Advice. The matrix is to be repeated every 4 metres for the entire length of the greenhouses.
 - b. Matrix planting area preparation shall consist of sub grade rips 0.5m apart to a minimum depth of 0.4m followed by cultivation of the top soil at a depth of 100mm.
 - c. Individual planting holes shall be excavated to twice the depth and the width of the new tree root-ball and backfilled with quality garden mix.
 - d. A 75mm layer of leaf mulch shall be applied evenly over the entire planting area after planting.

- e. The planting stock shall consist of minimum 5 litre container stock and must consist of a mix of at least four different species with known performance in the Camden district. Suggested species; Callistemon, Grevillea, Hakea, Leptospermum, Melaleuca, Pittosporum, Viburnum or Syzygium.
- f. Prior to issue of OC the applicant shall make arrangements for a Council officer to inspect the planting/s (referred to in the clause above) to ensure that the screen planting is achieved.
- (9) **Pollutants** - Discharge of pollutants is strictly forbidden. Measures to prevent the pollution of waters, air and land shall be incorporated into the development to comply with the requirements of the *Protection of the Environment Operations Act 1997*.
- Where there is potential for pollutant discharge, a report by a suitably qualified expert shall be provided to the PCA detailing the pollution mitigation measures incorporated into the building design so that any discharges comply with the requirements of the *Protection of the Environment Operations Act 1997*.
- (10) **Sewage Management System** – All domestic wastewater generated by this development must be connected to an on-site sewage management system approved by Camden Council. In this regard an Approval to Install a Sewage Management System under section 68 of the Local Government Act 1993 shall be obtained from Council prior to issuing of the construction certificate.
- (11) **Demolition / Construction / Operational Waste Management Plans** – Suitable plans to address demolition, construction and operational waste as part of the business is required to be written and enforced. Relevant plans must be kept on site and be complied with until the completion of related works.
- (12) **Mechanical Plant Selection and Noise levels** - Noise from the combined operation of all pumps and mechanical plant shall not exceed the following criteria when assessed within any existing or any future residential property boundary or, where the residence is greater than 30 metres from the boundary, at a distance of 30 metres from the residence.
- LAeq, 15min 44 dB(A) Day and 45 Evening.
- Selection of suitable mechanical plant for noise assessment and control must be undertaken with the approval of a qualified acoustic consultant to ensure noise compliance can be demonstrated.
- (13) **Retaining Walls** - All retaining walls shall be designed and certified by a suitably qualified structural engineer, in accordance with Council's Engineering Specifications.
- (14) **Amended plans** – An amended Sheet 3, Issue D, Site plan is provided to the Certifying Authority reflecting the setbacks annotated on the Location Plan.
- (15) **Driveway Crossing Construction** – A driveway crossing shall be constructed in accordance with this development consent and the driveway crossing approval prior to use or occupation of the development.

The design of the B99 appropriate driveway crossing shall comply with AS 2890.1-2004 'Off street car parking' and:

- a) a Driveway Crossing Approval (PRA) must be obtained prior to the commencement of any works.

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

3.0 - Prior to Commencement of Works

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

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.
- (2) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
 - a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
 - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
 - f) a telephone number on which the PCA may be contacted for business purposes.
- (3) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
 - a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;
 - d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the PCA/developer (only where no PCA is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
 - f) the date on which the work is intended to commence.
- (4) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
 - a) a Construction Certificate has been issued by a Certifying Authority;
 - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;

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

The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.

- (6) **Site is to be Secured** - The site shall be secured and fenced.
- (7) **Sydney Water Approval** – The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to www.sydneywater.com/tapin to apply.

A copy of the approval receipt from Sydney Water must be submitted to the PCA.

- (8) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.
- (9) **Dilapidation Report – Council Property** - A dilapidation report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the site shall be prepared. The report must be submitted to the PCA and Council at least 2 days prior to the commencement of works.

Should any public property or the environment sustain damage during the course of and as a result of construction, or if the construction works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the applicant's damages bond.

- (10) **Construction Waste Management Plan** - A construction waste management plan must be prepared for all construction work on the site. The plan must incorporate the concept of recycling and reuse where practicable, include the requirement to dispose of material not suitable for reuse or recycling at a licenced waste facility. The plan must be kept on site for compliance until the completion of all construction works.

- (11) **Environmental Management Plan** - An environmental management plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the PCA.

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

- a) measures to control noise emissions from the site;
- b) measures to suppress odours and dust emissions;
- c) soil and sediment control measures;
- d) measures to control air emissions that includes odour;
- e) any other recognised environmental impact;
- f) work, health and safety; and
- g) community consultation.

- (12) **Water Quality Monitoring Plan** - A water quality monitoring plan shall be provided to the Certifying Authority.

The WQMP shall include monitoring (this extends to water quality sampling and laboratory analysis) for all completed water quality treatment systems that provide water quality treatment to service the development both during the construction and post development stages. Only relevant water quality treatment systems that drain the development should be included in the WQMP.

The WQMP shall include:

- a) quarterly water sampling;
- b) reference to an approved sampling methodology;
- c) location plan of sampling;
- d) frequency of reporting of results to the Consent Authority;
- e) nomination of suitable water quality criteria (i.e., concentration values for pollutants expressed in mg/l) for the purpose of determining compliance.

- (13) **Stormwater Design** – The 3 200 micron *EnviroPods* supplied by *Stormwater 360* as detailed on the approved drainage plan are not to be reduced in size or quantity, nor replaced with an alternative manufacturer's product.

- (14) **Traffic Management Plan** - A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. The plan must be submitted to the PCA.

- (15) **Construction Management Plan** - A construction management plan that includes, dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the PCA.

- (16) **Environmental Management Plan** - An environmental management plan (EMP) prepared in accordance with Council's Engineering Design Specifications shall be provided to the PCA.

The EMP shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment are not

unacceptably impacted upon the proposal. The EMP shall include but not be necessarily limited to the following measures:

- a) measures to control noise emissions from the site;
- b) measures to suppress odours and dust emissions;
- c) soil and sediment control measures;
- d) measures to control air emissions that includes odour;
- e) any other recognised environmental impact;
- f) work, health and safety; and
- g) community consultation.

4.0 - During Works

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

- (1) **Approved and Prepared Plans and Reports to be Complied With** - All plans and reports approved by, and required to be prepared by this development consent, must be complied with.
- (2) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (3) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (4) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the PCA prior to the pouring of concrete.
- (5) **Site Signage** - A sign shall be erected at all entrances to the subdivision site and be maintained until the subdivision has been registered with Land and Property Information. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:

"WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution."

The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.
- (6) **Vehicles Leaving the Site** - The construction supervisor must ensure that:

- a) all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
 - b) the wheels of vehicles leaving the site:
 - i) do not track soil and other waste material onto any public road adjoining the site; and
 - ii) fully traverse the site's stabilised access point.
- (7) **Fill Compaction** - All fill must be compacted in accordance with Camden Council's current Engineering Design Specifications.
- (8) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines 2014 (refer to: www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm)
- Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.
- (9) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (10) **Noise During Work** - Noise levels emitted during works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW Environment Protection authority's Environmental Noise Control Manual.
- (11) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (12) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (13) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Council officers on request and be provided to the Council at the completion of the development.
- (14) **Fill Material (VENM)** - Prior to the importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the PCA.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks; and

- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics; and
- c) be prepared in accordance with;
 - Virgin Excavated Natural Material (VENM);
 - i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity;" and
 - ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW."
- d) confirm that the fill material;
 - i) provides no unacceptable risk to human health and the environment;
 - ii) is free of contaminants;
 - iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
 - iv) is suitable for its intended purpose and land use; and
 - v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m³ - 3 sampling locations; and
- f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for contamination and salinity must be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m ³)
Virgin Excavated Natural Material	1 (see Note)	1000 or part thereof

Note – Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (15) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (16) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).

Soil erosion and sediment control measures shall only be removed upon completion of the works when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).
- (17) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building

rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.

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

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

- (18) **Salinity Management Plan** - All proposed construction works that includes earthworks, imported fill, landscaping, roads, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the "Mandatory Building and Infrastructure Requirements" as contained within Camden Council's "Building In A Saline Prone Environment" policy.
- (19) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the (select option a, b, c or d):
- a) street gutter;
 - b) drainage easement;
 - c) existing drainage system;
 - d) stormwater drainage is to be installed as per the approved hydraulic drainage plan. Stormwater must be clear of and not impact upon the effluent management area as shown on the approved sustainable effluent management plan.

Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.

All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The PCA shall not permit construction works beyond the frame inspection stage until this work has been carried out.

- (20) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.
- (21) **Construction of Permanent Water Quality Facilities** - Permanent water quality facilities must be constructed:
- a) in accordance with the approved plans;
 - b) to Council's standards; and
 - c) when 80% of the catchment is built out.

Earth batters associated with the facilities must be compacted and stabilised to ensure that the integrity of the batters is continually maintained.

- (22) **Site Management** - The following practices are to be implemented during construction:
- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
 - b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
 - c) waste shall not be burnt or buried on site, or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;
 - d) a waste control container shall be located on the site;
 - e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);
 - f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
 - i) be a standard flushing toilet connected to a public sewer; or
 - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
 - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (23) **Traffic Management Plan Implementation** - All traffic management procedures and systems identified in the approved traffic management plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.

5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the PCA.
- (2) **Stormwater – Plan of Management (POM)** - The registered proprietor of the land shall prepare a Plan of Management (POM) for the on-site detention facilities. The POM shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM shall be provided to the PCA for approval.
- (3) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.

- (4) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (5) **Operation of On-Site Sewerage Management** - An 'Approval to Operate' under Section 68 of the *Local Government Act 1993* shall be obtained from Council.
- (6) **Housing of Main Irrigation Pump** – The main irrigation pump is to be housed in a suitably designed ventilated shed with the purpose of the design to reduce noise.
- (7) **Positive Covenant – OSD / On Site Retention / Water Quality Facility** - A positive covenant shall be created under Section 88E of the *Conveyancing Act 1919* burdening the owner(s) with a requirement to maintain the on-site detention, water quality facility and on-site retention/re-use facilities on the property, prior to the issue of an Occupation Certificate.
The terms of the Section 88E instrument with positive covenant shall include the following:
- the Proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures.
 - the proprietor shall have the facilities inspected annually by a competent person.
 - the Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities.
 - The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the OSD and OSR, or failure to clean, maintain and repair the OSD and OSR.

The proprietor or successor shall bear all costs associated in the preparation of the subject Section 88E instrument. Proof of registration with Land and Property Information shall be provided to and approved by the PCA prior to the issue of an Occupation Certificate.

6.0 – Ongoing Use

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

- (1) **Hours of Operation** - The property is only to be open for business and used for the purpose approved within the following hours:

Day	Hours of Operation
Monday	6.00am to 7.00pm
Tuesday	6.00am to 7.00pm
Wednesday	6.00am to 7.00pm
Thursday	6.00am to 7.00pm
Friday	6.00am to 7.00pm
Saturday	7.00am to 5.30pm
Sunday and Public Holidays	Closed

- (2) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.

The loading dock (if provided) shall be used for loading and unloading operations in connection with the approved use.

- (3) **Parking Areas to be Kept Clear** - At all times, the loading, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.
- (4) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* and shall comply with the NSW Industrial Noise Policy 2000 (as amended).
- (5) **No Waste to Be Stored Outside of the Site** – No waste is to be placed on any public land (eg. footpaths, roadways, plazas, reserves, etc.) or any other properties at any time.
- (6) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.
- (7) **Landscaping Maintenance Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.

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

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

At the completion of the 12 month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards, etc) shall be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth.

At the completion of the maintenance and establishment period, the landscaping works shall comply with the approved landscape plans and all improvements be in full working order.

- (8) **Discharge into Waterways** - No wastewater, chemicals or other substances shall be permitted to discharge to the waterway that runs through the site or Council's stormwater system. Only clean, unpolluted water is permitted to discharge. All liquids (such as oils lubricants, hydraulic fluids, fuel, paints, detergents and any other chemicals) shall be stored in a covered and suitably bunded area.
- (9) **Storage of goods** - The storage of goods and materials shall be confined within the building. At no time shall goods, materials or advertising signs be displayed or placed within the designated car parking spaces, landscaped areas or road reserve.
- (10) **Chemical Bunding** - All paints, chemicals and other liquids shall be stored in approved receptacles, which shall be housed in a suitably constructed, covered, impervious bunded area. The bunded area shall be constructed of impervious

material and being able to effectively store a minimum of 110% of the volume of the largest container stalled or 25% of total volume of the stored product for facilities storing small containers.

- (11) **Manure / Fertilizer Waste Stockpiles** – The stockpiling of manure / fertilizer / waste materials is not permitted to occur on- site.
- (12) **Rinsing of Pesticide / Herbicide Spray Tanks** - The rinsing of spray tanks that contains or previously contained pesticides / herbicides is not to be permitted to occur on-site.
- (13) **Procedure for Spraying** – A suitable spray procedure is to be written and followed by person/s to prevent spray drift from leaving the boundary of the business operation.
- (14) **Produce Sales** – the selling of produce direct from the premises / business to the public is prohibited.
- (15) **Irrigation Water Treatment Process** – The flow, capture, and water quality treatment of irrigation water/s is to be consistent with the approved "Irrigation Water Treatment Flow Diagram NTS, Job No: GHCHRC/01 Issue D Dated 14/5/2016".
- (16) **Chemical Storage and Handling** - The storage of dangerous and flammable goods (if kept on site) must fully comply with relevant Australian Standards that includes "AS 1940: 2004 - The storage and handling of flammable and combustible liquids". Persons handling chemicals as part of the business operation must have satisfactory knowledge and experience in their use in accordance with the Pesticides Act 1999, Workcover and, the POEO Act 1997.
- (17) **Traffic** – The largest vehicle permitted to access the new crossing to service the greenhouse development is a B99 vehicle which is a vehicle having a maximum length of 5.2m being up to an including a Ford Transit van or a 1 ton Ute.
- (18) **Rural worker's dwelling** – The cabins are only to be used as a place of residence by a maximum 2 persons (per rural worker's dwelling) employed, whether on a long-term or short-term basis, for the purpose of agriculture or a rural industry on that land.

Reasons for Conditions:

- (1) To ensure that the development complies with statutory requirements including the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, the *Building Code of Australia* and applicable Australian Standards.
- (2) To ensure that the development meets the aims, objectives and requirements of the environmental planning instruments, development controls plans, Council policies and Section 94 contribution plans that apply to the site and development.
- (3) To ensure that the development complies with the submitted plans and supporting documentation.
- (4) To ensure that the development will be constructed/operated in a manner that will minimise impacts upon the environment.

Advisory Conditions:

- (1) **Plan Compliance** – The development consent requires compliance with the approved plans and documents that form part of the approval. Specific conditions of consent are also to be complied with, and amendments to achieve compliance with conditions of the consent are permitted.

All other modifications to plans and documents need to be confirmed with either Council or the certifying authority for the development. Changes to a development may require formal modification via Section 96 of the *Environmental Planning and Assessment Act, 1979*.

- (2) **Shoring and Adequacy of Adjoining Property** – If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- protect and support the adjoining premises from possible damage from the excavation, and
- where necessary, underpin the adjoining premises to prevent any such damage.

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

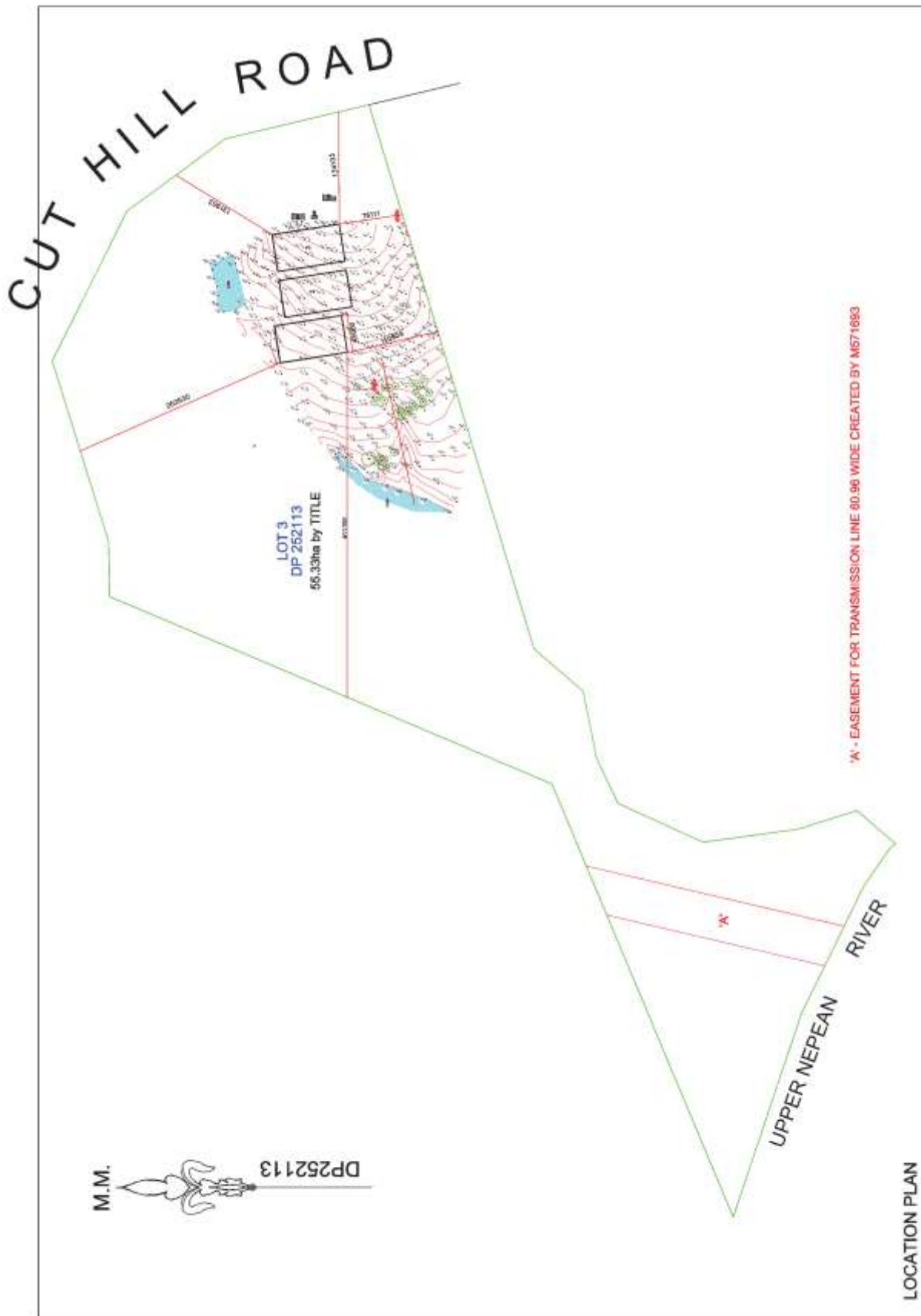
- (3) **Erection of Signs** – A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a) showing the name, address and telephone number of the Principal Certifying Authority (PCA) for the work;
- b) 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; and
- c) stating that unauthorised entry to the work site is prohibited.

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

This clause does not apply to building work carried out inside an existing building that does not affect the external walls of the building.

The PCA and principal contractor must ensure that signs required by this condition are erected and maintained.



KEY DIAGRAM


PROJECT:
**PROPOSED
 3 x 10 MULTI-SPAN
 GREEN HOUSES
 AND ANCILLARY
 STRUCTURES**

ADDRESS:
 NO.705 LOT 3 DP 252113
 CUT HILL ROAD,
 COBBITY, NSW


**DA & CC
 APPLICATIONS**

**CAMDEN
 COUNCIL AREA**


CLIENT:
COBBITY FIELDS PTY.LTD.




**TYPICAL STRUCTURE
 OF SHED**



**SIMILAR STRUCTURES
 OF CABINS**



**TYPICAL STRUCTURES
 OF MULTI-SPAN
 GREENHOUSES**



AREAL PHOTOGRAPH

LOCALITY MAP N.T.S.

SUBJECT SITE:
 NO.705 LOT 3 DP 252113
 CUT HILL ROAD,
 COBBITY, NSW

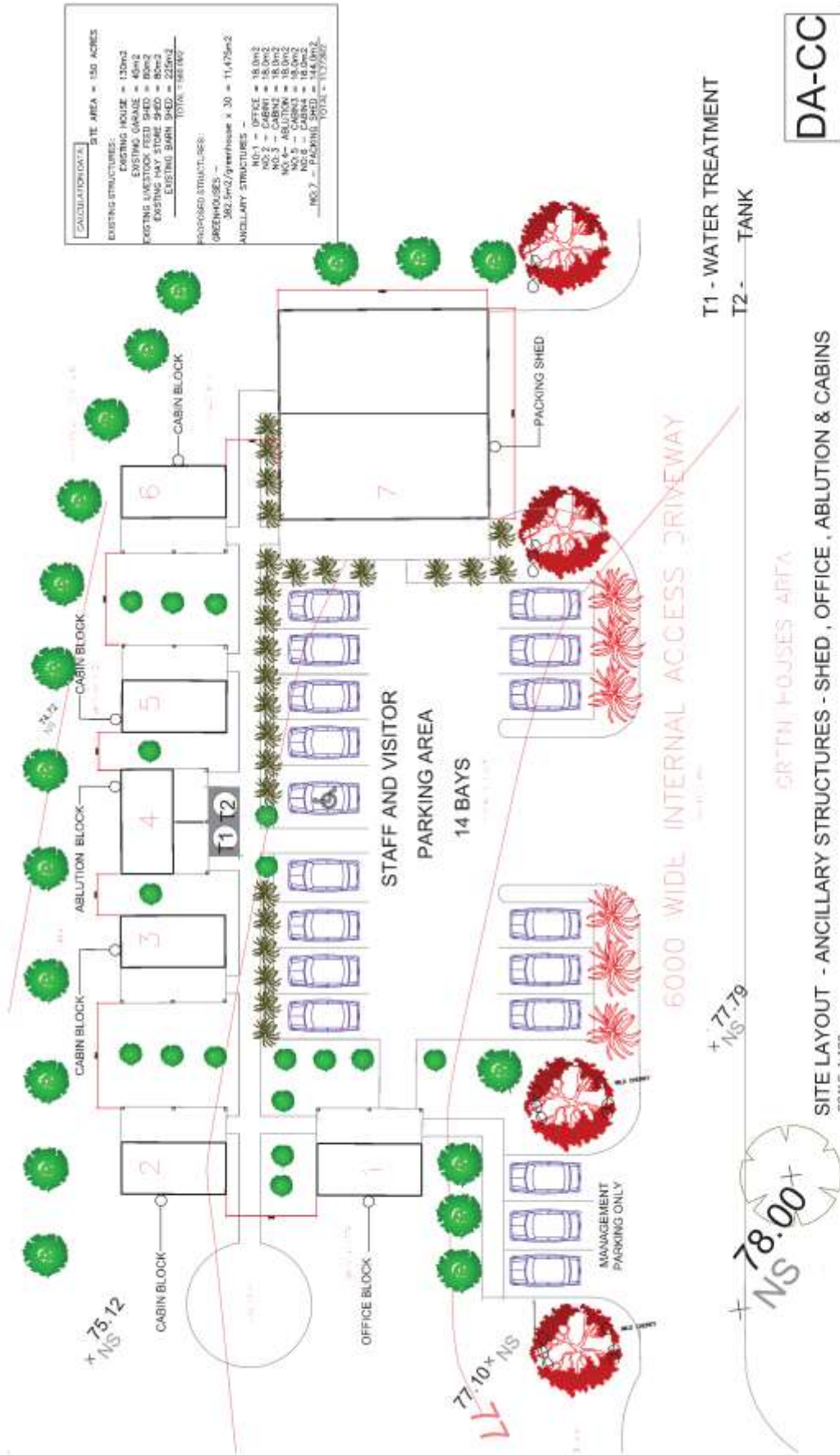
hakim hamzah
 ARCHITECTURE & INTERIORS
 NO. 3 0 8 3 0
 email: hhamzah@hhamzah.com
 mobile: 04 1168 DRAW 3 7 2 9
 po box 8817 CHALLOWA, NSW 2390.

DATE:	21.05.2016	BY:	
SCALE:	NTS	CHECKED:	HMK
DRAWN:	MM	DATE:	01/17
PROJECT:		CLIENT:	D

CALCULATION DATA: SITE AREA = 150 ACRES

EXISTING STRUCTURES:
 EXISTING HOUSE = 130m²
 EXISTING GARAGE = 45m²
 EXISTING LIVESTOCK FEED SHED = 60m²
 EXISTING HAY STORES SHED = 80m²
 EXISTING BARN SHED = 250m²
TOTAL = 560.0M²

PROPOSED STRUCTURES:
 GREENHOUSES = 362.5m²/greenhouse x 30 = 11,475m²
 ANCILLARY STRUCTURES =
 NO.1 - OFFICE = 16.0m²
 NO.2 - CABIN1 = 18.0m²
 NO.3 - CABIN2 = 18.0m²
 NO.4 - ABULTION = 18.0m²
 NO.5 - CABIN3 = 18.0m²
 NO.6 - CABIN4 = 18.0m²
 NO.7 - PARKING SHED = 18.0m²
TOTAL = 11,725M²



CALCULATIONS	
SITE AREA = 150 ACRES	
EXISTING STRUCTURES:	HOUSE = 130m ²
	EXISTING GARAGE = 14m ²
	EXISTING INVESTOR FEED SHED = 80m ²
	EXISTING HAY STORE SHED = 80m ²
	EXISTING BARN SHED = 225m ²
	TOTAL = 188m ²
PROPOSED STRUCTURES:	
GREENHOUSES - 362.5m ² /greenhouse x 30 = 11,475m ²	
ANCILLARY STRUCTURES -	
NO.1 - OFFICE	18.0m ²
NO.2 - CABIN	18.0m ²
NO.3 - CABIN	18.0m ²
NO.4 - ABLUTION	18.0m ²
NO.5 - CABIN	18.0m ²
NO.6 - CABIN	18.0m ²
NO.7 - PACKING SHED	144.0m ²
	TOTAL = 135.0m ²

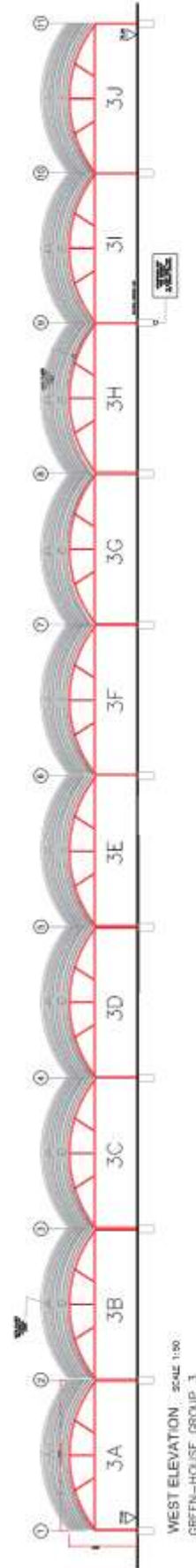
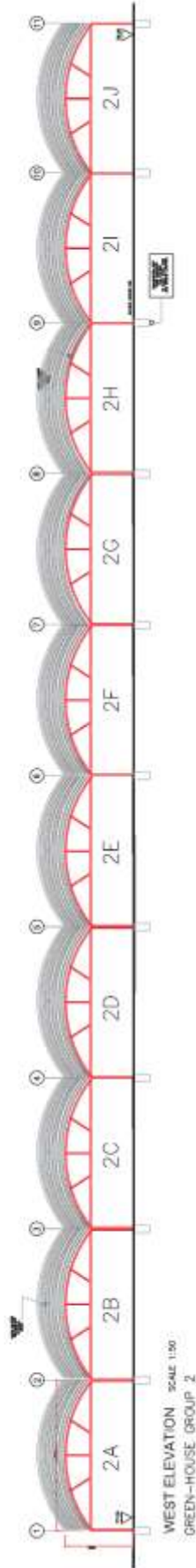
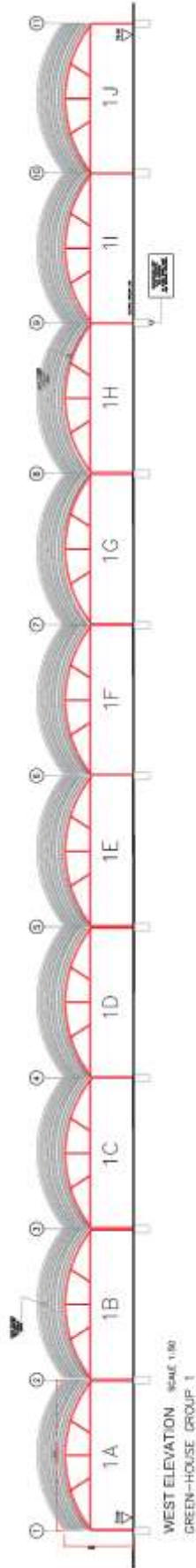
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T1 - WATER TREATMENT
T2 - TANK

SITE LAYOUT - ANCILLARY STRUCTURES - SHED, OFFICE, ABLUTION & CABINS
SCALE 1:100

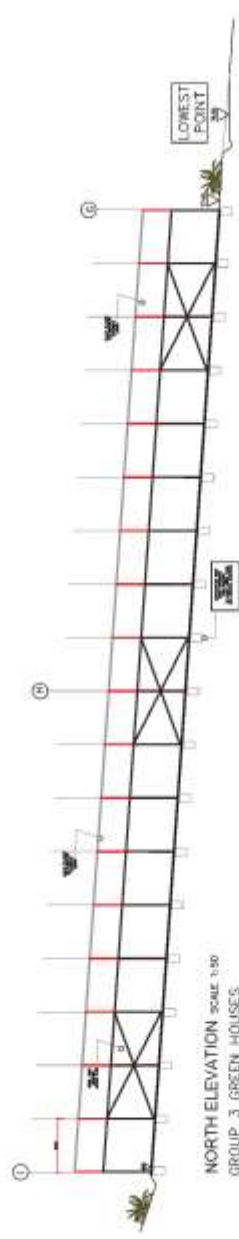
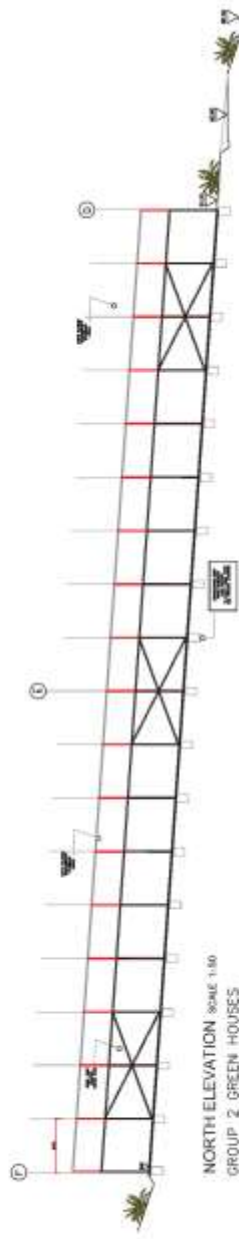
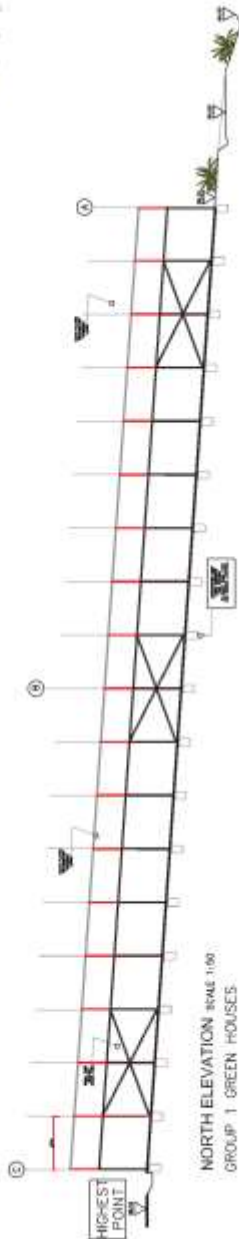
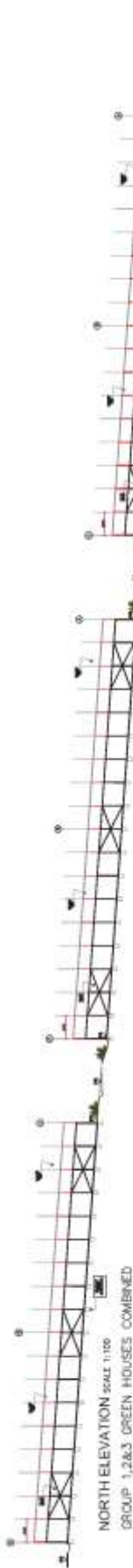
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	<p>AMENDMENTS:</p>	<p>PROJECT:</p> <p>PROPOSED 3 x 10 MULTI-SPAN GREEN HOUSES AND ANCILLARY STRUCTURES</p>	<p>PROJECT ADDRESS:</p> <p>705 CUT HILL ROAD, COBBITY NSW</p>	<p>CLIENT:</p> <p>COBBITY FIELDS</p>

hakim hamzah
PTY. LTD.
PROJECT SERVICES
CONSULTANTS
705 CUT HILL ROAD,
COBBITY NSW 2209
AUSTRALIA
email: hkharch@hmk.com
mobile: 04 1188 8888



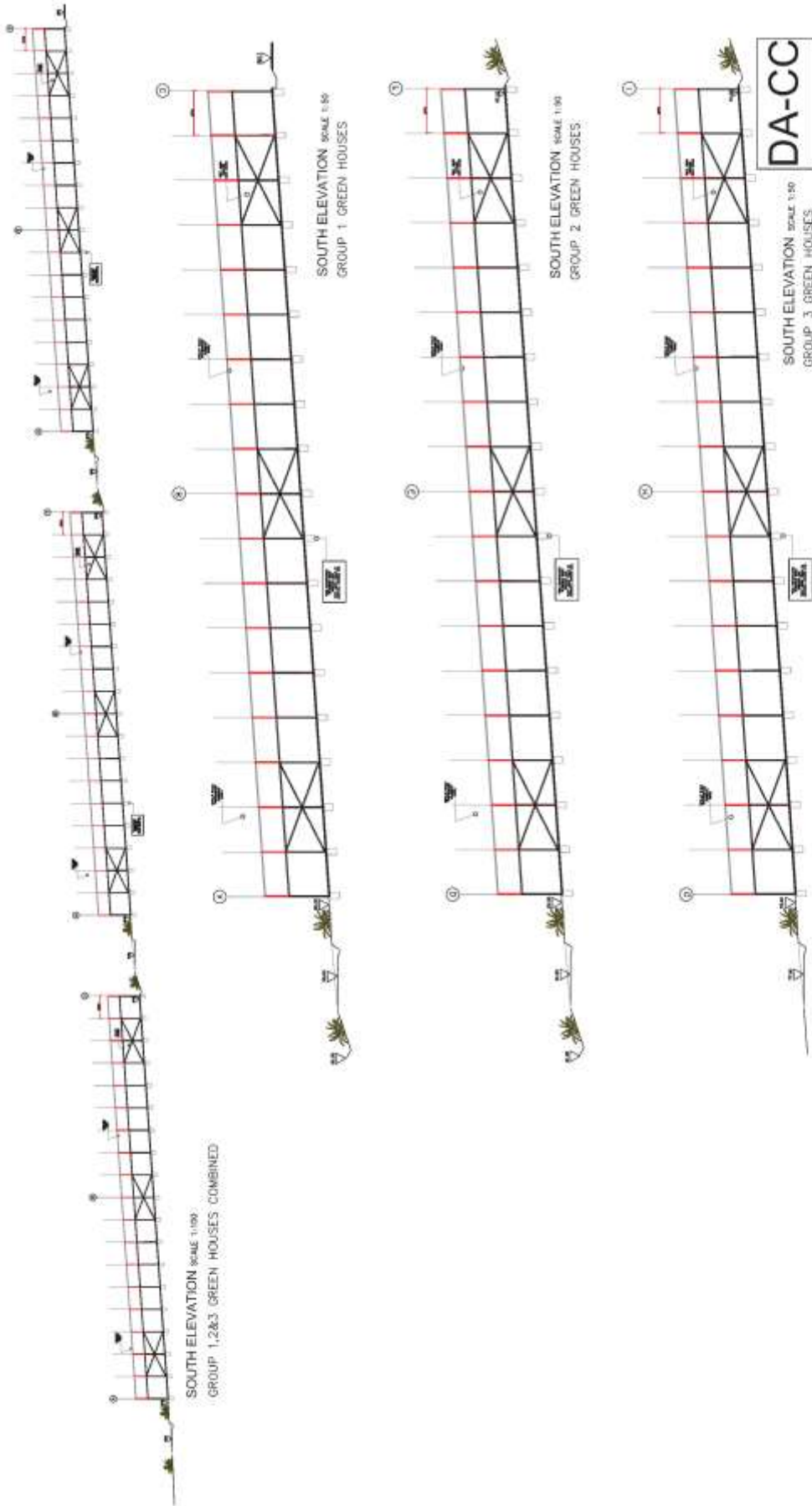
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<p>NOTES:</p> <ul style="list-style-type: none"> 1. ALL DIMENSIONS TO FACE UNLESS SPECIFIED OTHERWISE. 2. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE. 3. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE. 4. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE. 5. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE. 6. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE. 7. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE. 8. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE. 9. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE. 10. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE. 		<p>PROJECT:</p> <p>PROPOSED 3 x 10 MULTI-SPAN GREEN HOUSES AND ANCILLARY STRUCTURES</p>		<p>PROJECT ADDRESS:</p> <p>705 CUT HILL ROAD, COBBITY NSW</p>		<p>CLIENT:</p> <p>COBBITY FIELDS</p>		<p>DATE: 8-10-2017</p> <p>SCALE: 1:100</p> <p>DRAWN BY: RE</p> <p>CHECKED BY: GH-RC01</p> <p>DATE: 07/13</p>	
<p>AMENDMENTS:</p>									



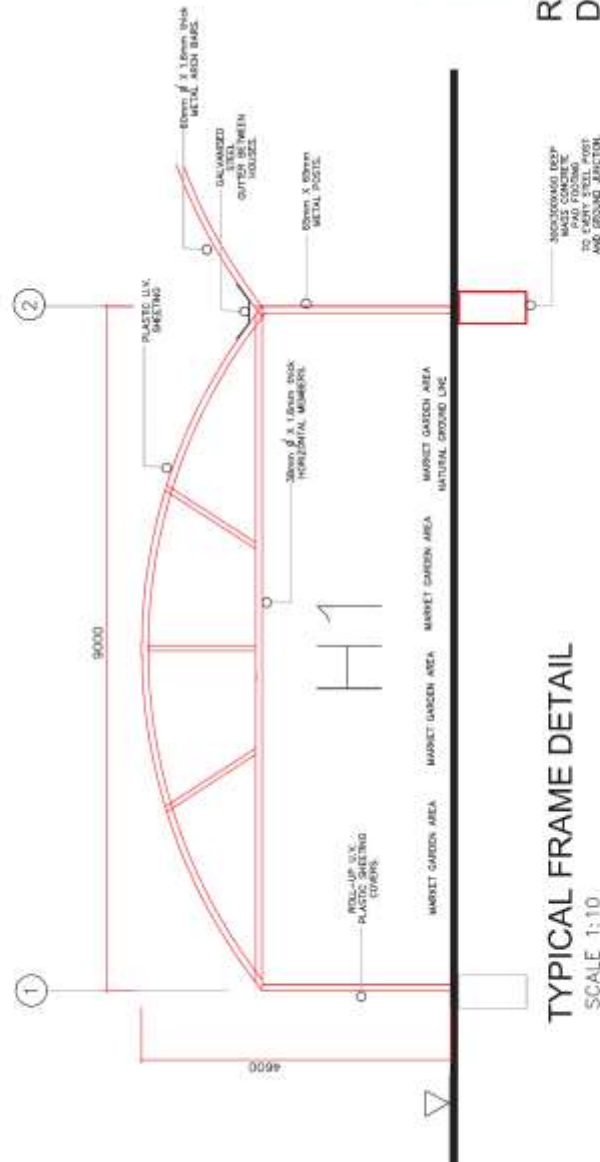
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DATE: 6-10-2017		CLIENT: COBBITY FIELDS	
SCALE: 1:50		PROJECT ADDRESS: 705 CUT HILL ROAD, COBBITY NSW	
DRAWN BY: RE		PROJECT: PROPOSED 3 x 10 MULTI-SPAN GREEN HOUSES AND ANCILLARY STRUCTURES	
CHECKED BY: D		NOTES:	
DATE PLOTTED: 08/12/17		<ul style="list-style-type: none"> 1. ALL DIMENSIONS ARE IN METERS 2. ALL DIMENSIONS TO BE INDICATED 3. DIMENSIONS TO BE INDICATED TO CENTRE UNLESS OTHERWISE SPECIFIED 4. ALL DIMENSIONS TO BE INDICATED TO CENTRE UNLESS OTHERWISE SPECIFIED 5. ALL DIMENSIONS TO BE INDICATED TO CENTRE UNLESS OTHERWISE SPECIFIED 6. ALL DIMENSIONS TO BE INDICATED TO CENTRE UNLESS OTHERWISE SPECIFIED 7. ALL DIMENSIONS TO BE INDICATED TO CENTRE UNLESS OTHERWISE SPECIFIED 8. ALL DIMENSIONS TO BE INDICATED TO CENTRE UNLESS OTHERWISE SPECIFIED 9. ALL DIMENSIONS TO BE INDICATED TO CENTRE UNLESS OTHERWISE SPECIFIED 10. ALL DIMENSIONS TO BE INDICATED TO CENTRE UNLESS OTHERWISE SPECIFIED 	
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DATE PLOTTED: 08/12/17			

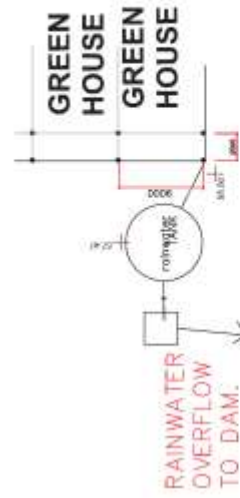


<p>NOTES:</p> <ul style="list-style-type: none"> 1. ALL DIMENSIONS TO FACE UNLESS SPECIFIED OTHERWISE 2. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE 3. ALL DIMENSIONS TO BE IN MILLIMETERS UNLESS SPECIFIED OTHERWISE 4. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE 5. ALL DIMENSIONS TO BE IN MILLIMETERS UNLESS SPECIFIED OTHERWISE 6. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE 7. ALL DIMENSIONS TO BE IN MILLIMETERS UNLESS SPECIFIED OTHERWISE 8. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE 9. ALL DIMENSIONS TO BE IN MILLIMETERS UNLESS SPECIFIED OTHERWISE 10. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE 11. ALL DIMENSIONS TO BE IN MILLIMETERS UNLESS SPECIFIED OTHERWISE 12. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE 13. ALL DIMENSIONS TO BE IN MILLIMETERS UNLESS SPECIFIED OTHERWISE 14. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE 15. ALL DIMENSIONS TO BE IN MILLIMETERS UNLESS SPECIFIED OTHERWISE 16. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE 17. ALL DIMENSIONS TO BE IN MILLIMETERS UNLESS SPECIFIED OTHERWISE 18. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE 19. ALL DIMENSIONS TO BE IN MILLIMETERS UNLESS SPECIFIED OTHERWISE 20. ALL DIMENSIONS TO BE IN METERS UNLESS SPECIFIED OTHERWISE 		<p>PROJECT:</p> <p>PROPOSED 3 x 10 MULTI-SPAN GREEN HOUSES AND ANCILLARY STRUCTURES</p>		<p>PROJECT ADDRESS:</p> <p>705 CUT HILL ROAD, COBBITY NSW</p>		<p>CLIENT:</p> <p>COBBITY FIELDS</p>		<p>DATE: 05-10-2017</p> <p>SCALE: 1:50</p> <p>PROJECT NO: GHCH-RC01</p> <p>REVISED: 09</p> <p>DATE: 09/13</p>	
<p>AMENDMENTS</p>									

CALCULATION DATA	
SITE AREA	= 150 ACRES
EXISTING STRUCTURES:	
EXISTING HOUSE	= 130m ²
EXISTING GARAGE	= 65m ²
EXISTING LIVESTOCK FEED SHED	= 80m ²
EXISTING HAY STORE SHED	= 80m ²
EXISTING BARN SHED	= 225m ²
TOTAL - EXISTENCE	
PROPOSED STRUCTURES:	
GREENHOUSE	= 302.5m ² /greenhouse x 50 = 15,125m ²
ANCILLARY STRUCTURES:	
NO.1 - OFFICE	= 18.0m ²
NO.2 - CABIN1	= 18.0m ²
NO.3 - CABIN2	= 18.0m ²
NO.4 - CABIN3	= 18.0m ²
NO.5 - ABUJAHN	= 18.0m ²
NO.6 - CABIN4	= 18.0m ²
NO.7 - PACKING SHED	= 144.0m ²
TOTAL	= 11,730m ²



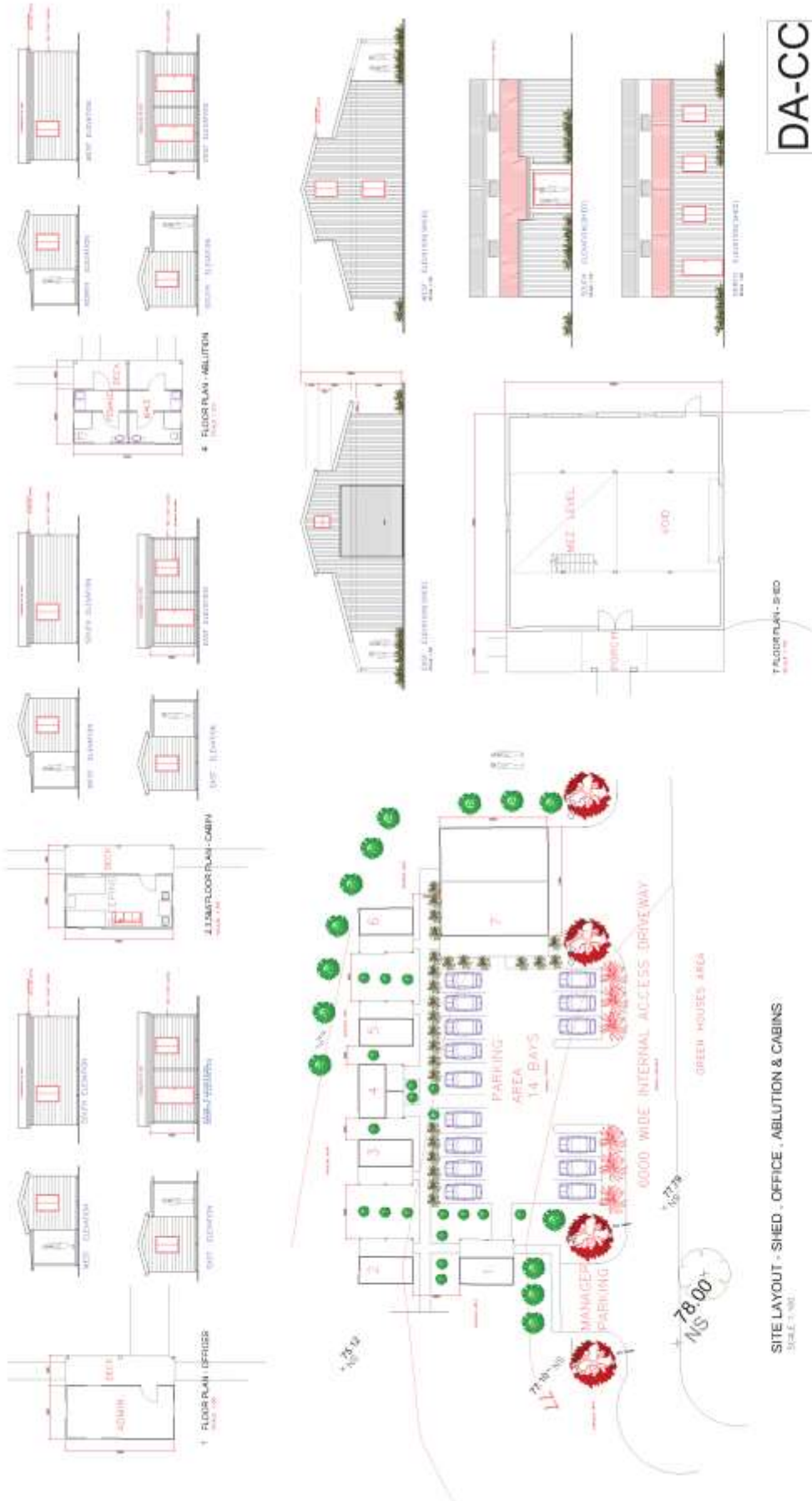
TYPICAL FRAME DETAIL
SCALE 1:10



RAINWATER OVERFLOW DETAIL. SCALE 1:200

DA-CC

NOTES:		PROJECT:		CLIENT:	
1.	ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN METERS.	PROPOSED 3 x 10 MULTI-SPAN GREEN HOUSES AND ANCILLARY STRUCTURES		COBBITY FIELDS	
2.	ALL DIMENSIONS TO BE TAKEN TO THE CENTERLINE OF THE STRUCTURE.	705 CUT HILL ROAD, COBBITY NSW			
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AMENDMENTS:					
DATE	6-10-2017	DATE	6-10-2017	DATE	6-10-2017
SCALE	1:100	SCALE	1:100	SCALE	1:100
PROJECT	RE	PROJECT	RE	PROJECT	RE
CLIENT	D	CLIENT	D	CLIENT	D
PROJECT NO.	10/A3	PROJECT NO.	10/A3	PROJECT NO.	10/A3



DA-CC

DATE	14.05.2018
SCALE	1:100
DATE	MM
SCALE	HMK
DATE	D
SCALE	1
DATE	A3

PROJECT NO: 30830
 email: bharr@hmk.com.au
 mobile: 04 1188 DRAW 3729
 per hour up 304 coastal park view 2000
 A U S T R A L I A



CLIENT: COBBITY FIELDS PTY.LTD.

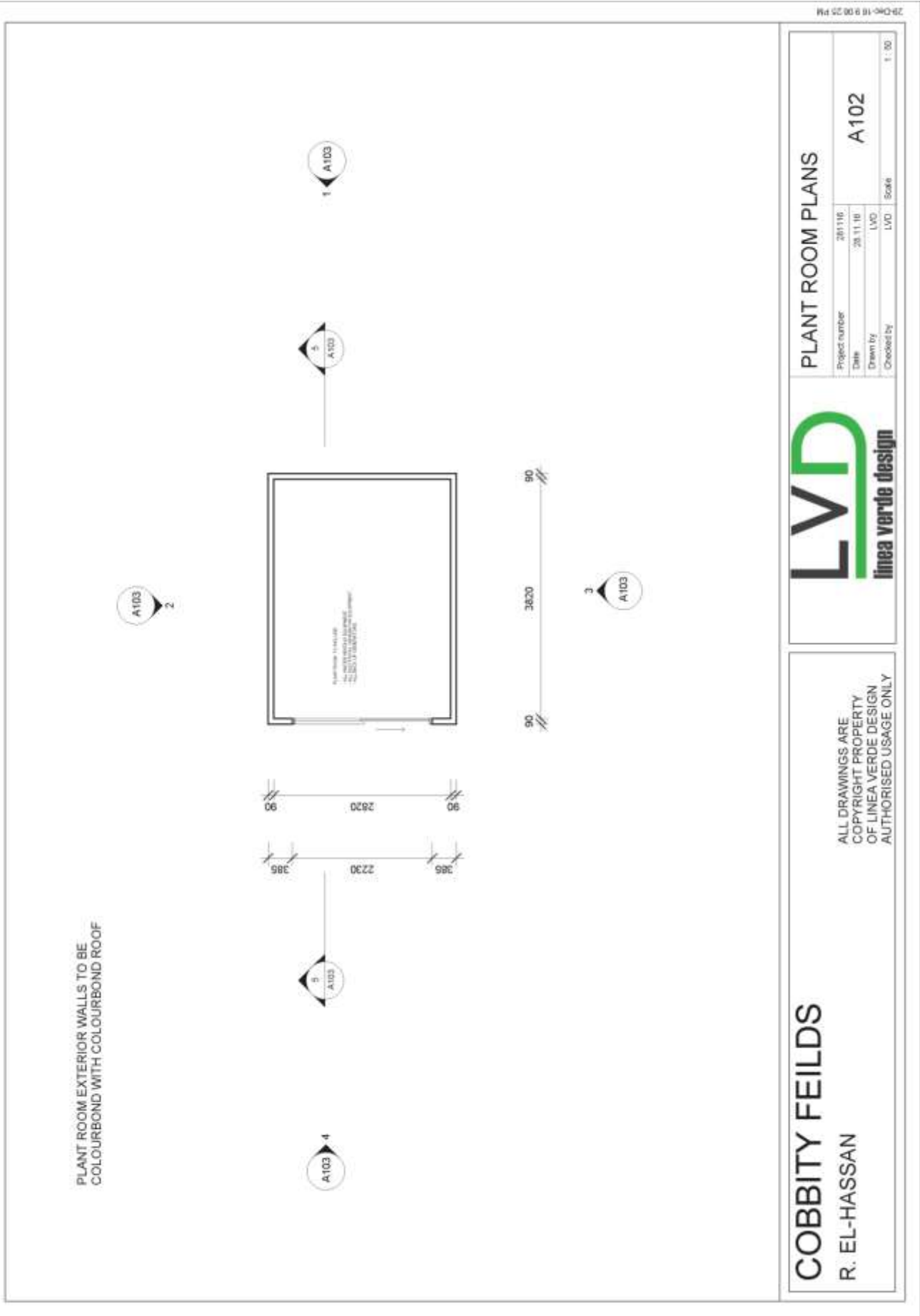
PROJECT ADDRESS: 705 CUT HILL ROAD, COBBITY NSW

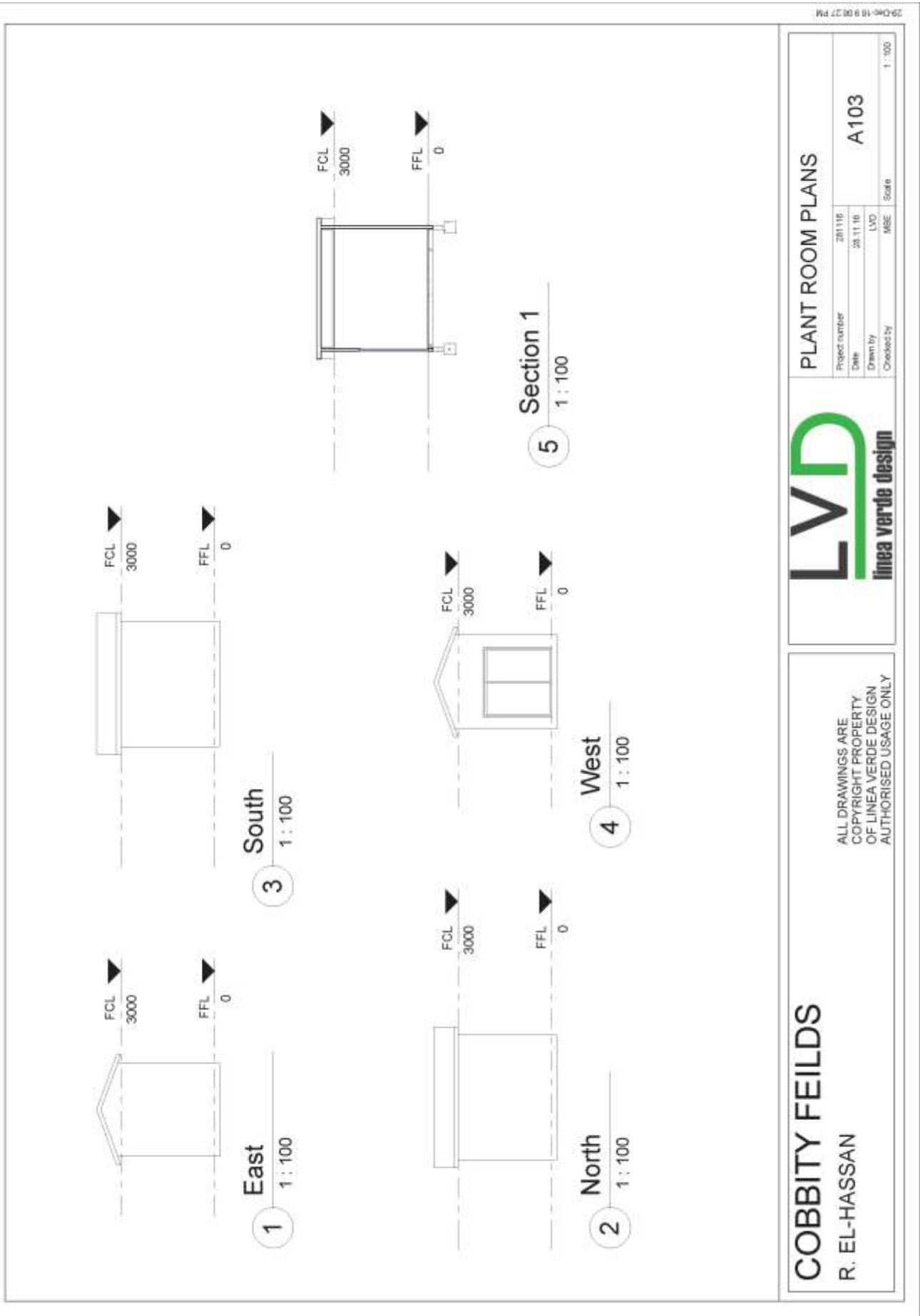
PROJECT: PROPOSED 3 x 10 MULTI-SPAN GREEN HOUSES AND ANCILLARY STRUCTURES

NOTES:

1. CHECK ALL DIMENSIONS
2. VERIFY ALL DIMENSIONS
3. CHECK ALL DIMENSIONS
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AMENDMENTS:





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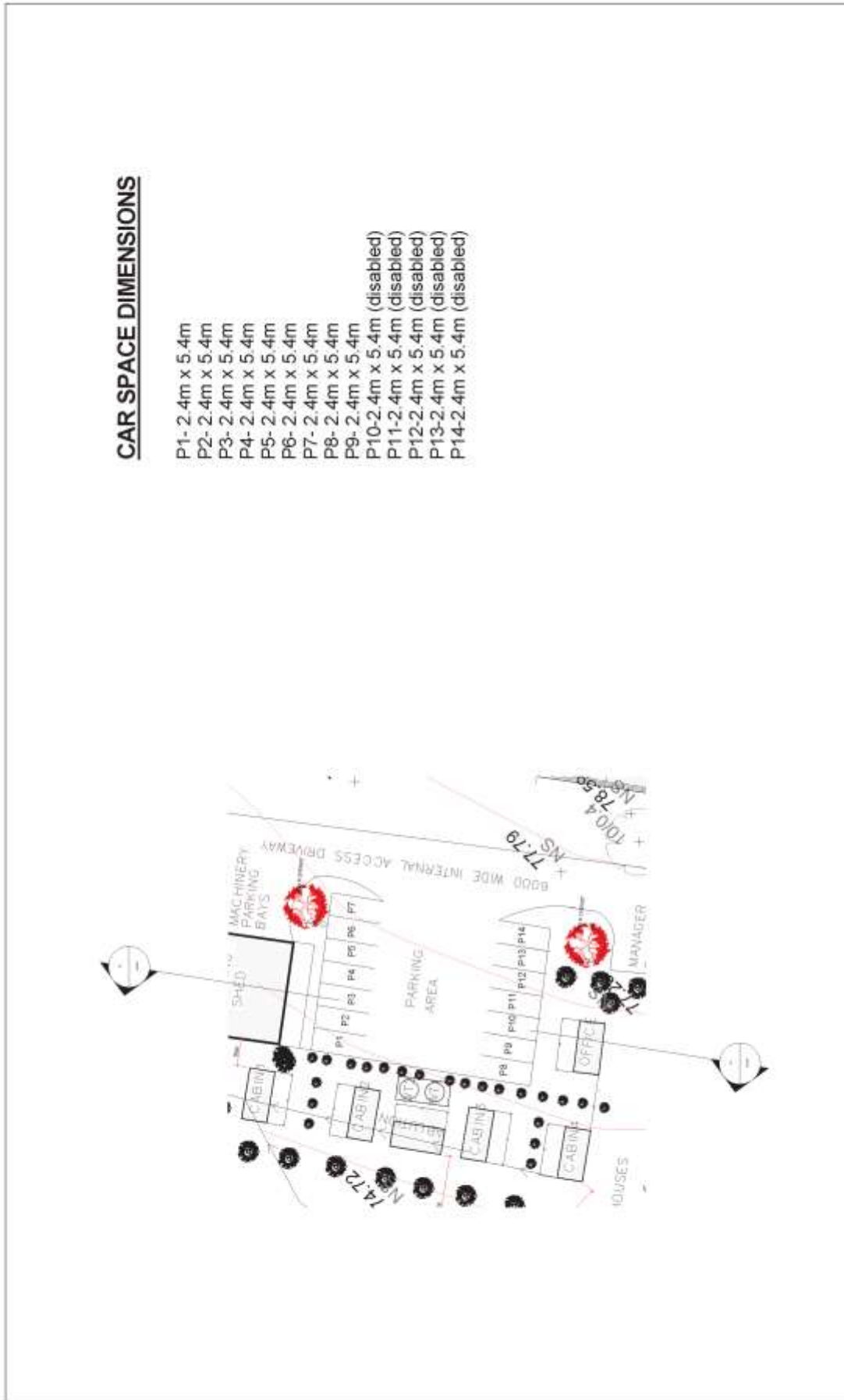
PLANT ROOM PLANS

Project number	201116
Date	20.11.18
Drawn by	LVD
Checked by	MSE
Scale	1 : 100

LVD
linea verde design

COBBITY FEILDS
R. EL-HASSAN

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AUTHORISED USAGE ONLY



CAR SPACE DIMENSIONS

- P1- 2.4m x 5.4m
- P2- 2.4m x 5.4m
- P3- 2.4m x 5.4m
- P4- 2.4m x 5.4m
- P5- 2.4m x 5.4m
- P6- 2.4m x 5.4m
- P7- 2.4m x 5.4m
- P8- 2.4m x 5.4m
- P9- 2.4m x 5.4m
- P10- 2.4m x 5.4m (disabled)
- P11- 2.4m x 5.4m (disabled)
- P12- 2.4m x 5.4m (disabled)
- P13- 2.4m x 5.4m (disabled)
- P14- 2.4m x 5.4m (disabled)

COBITY FEILDS
COBITY, NSW

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CAR PAR PLAN

Project number	19717
Date	30.07.17
Drawn by	Author
Checked by	Checker

A104

19/07/2017 10:00:05 PM

STORMWATER DRAINAGE CONCEPT PLAN

PROPOSED GREEN HOUSES DEVELOPMENT

705 CUT HILL ROAD, COBBITTY NSW

DRAINAGE NOTES

- Stormwater pipes are to be UPVC sewer grade and shall be installed in accordance with AS3500.
- All downpipes are to be sealed and glued joints.
- All downpipes in the green houses are to be 150 mm dia or equivalent and all downpipes in the ancillary structures are to be 100 mm dia or equivalent.
- Downpipes are to be connected to Rainwater Tanks.
- All rainwater tanks for green houses are 25 kL tank each whereas rainwater tank for ancillary structures is 5 kL tank.
- Overflow pipe from Rainwater Tanks are to be connected to the nearest stormwater inlet pits.
- Stormwater from the site is to be treated in the Bio Retention Pond. The outlet of the Bio Retention Pond is then connected to above ground On Site Detention Basin.
- The outlet of the On Site Detention Basin is to be connected to the existing dam.
- Pits in non-trafficable area are to be Polyethylene, precast concrete pit, cast in situ or brick rendered with concrete and pits in trafficable area are to be precast concrete pit, cast in situ or brick rendered with concrete with medium duty grates sized as per plan.
- General layout only, builder to confirm layout and levels.
- All levels are in m AHD.

DESIGN NOTES

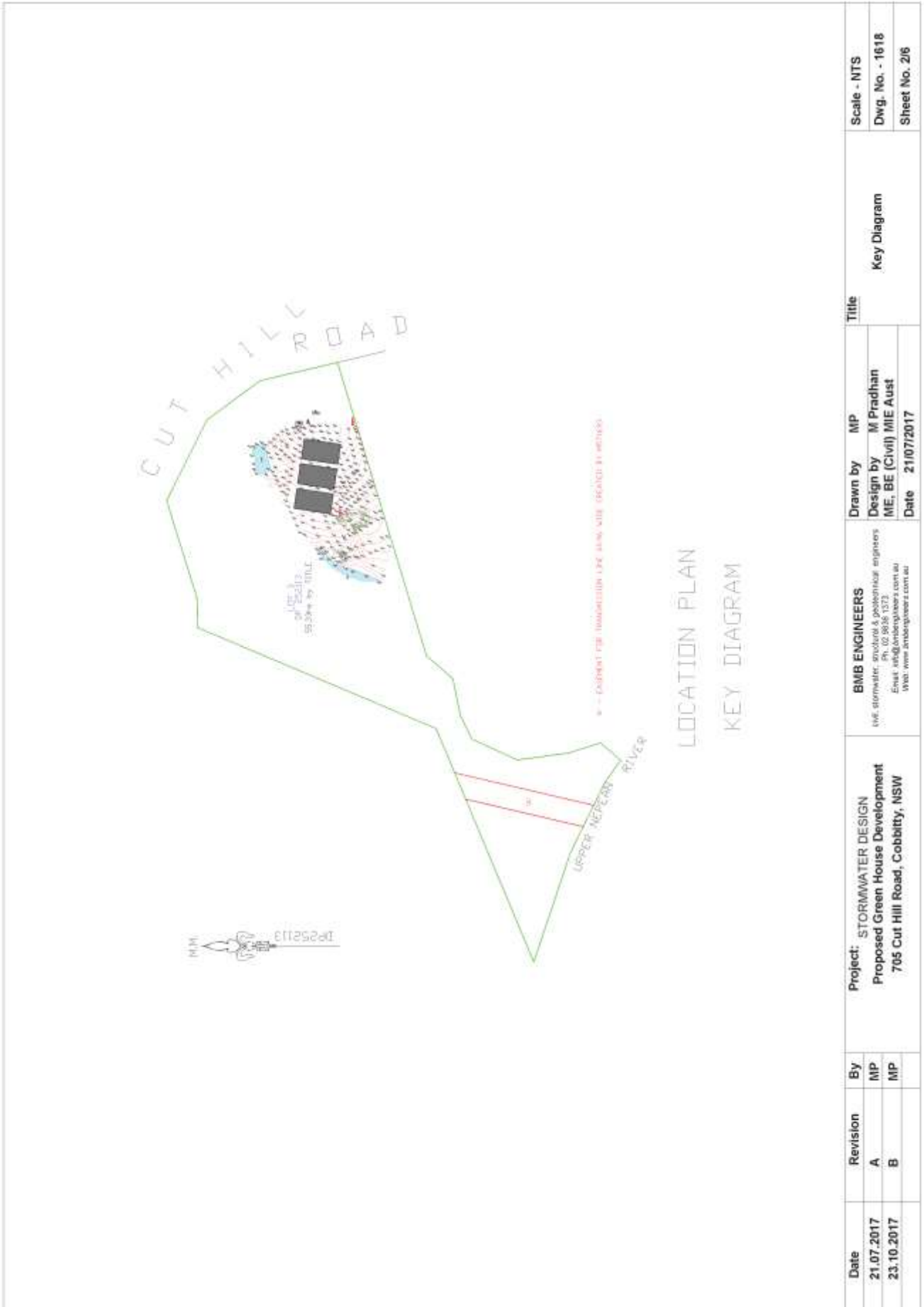
- All gutters and downpipes are designed for 100 year ARI storm event.
- Intensity Frequency Duration (IFD) design chart for Cobbitty, NSW obtained from Bureau of Meteorology has been used to design On site Detention System.
- On Site Detention has been designed using DRAINS/ILSAX model.

RAINWATER TANK

- The system to be installed with the following considerations:
 - A 'First Flush' diversion to remove roof contaminants
 - Adequate screening to prevent mosquito breeding and entry of animal or floating matter
- Tanks to be plumbed to top-up from the potable water supply during dry period when the tank is 80% empty.
- No direct cross-connection with the potable water supply and an air gap maintained above the overflow in the tank.
- Rainwater Tank to be connected to all toilets, laundry and at least one (1) outdoor tap.

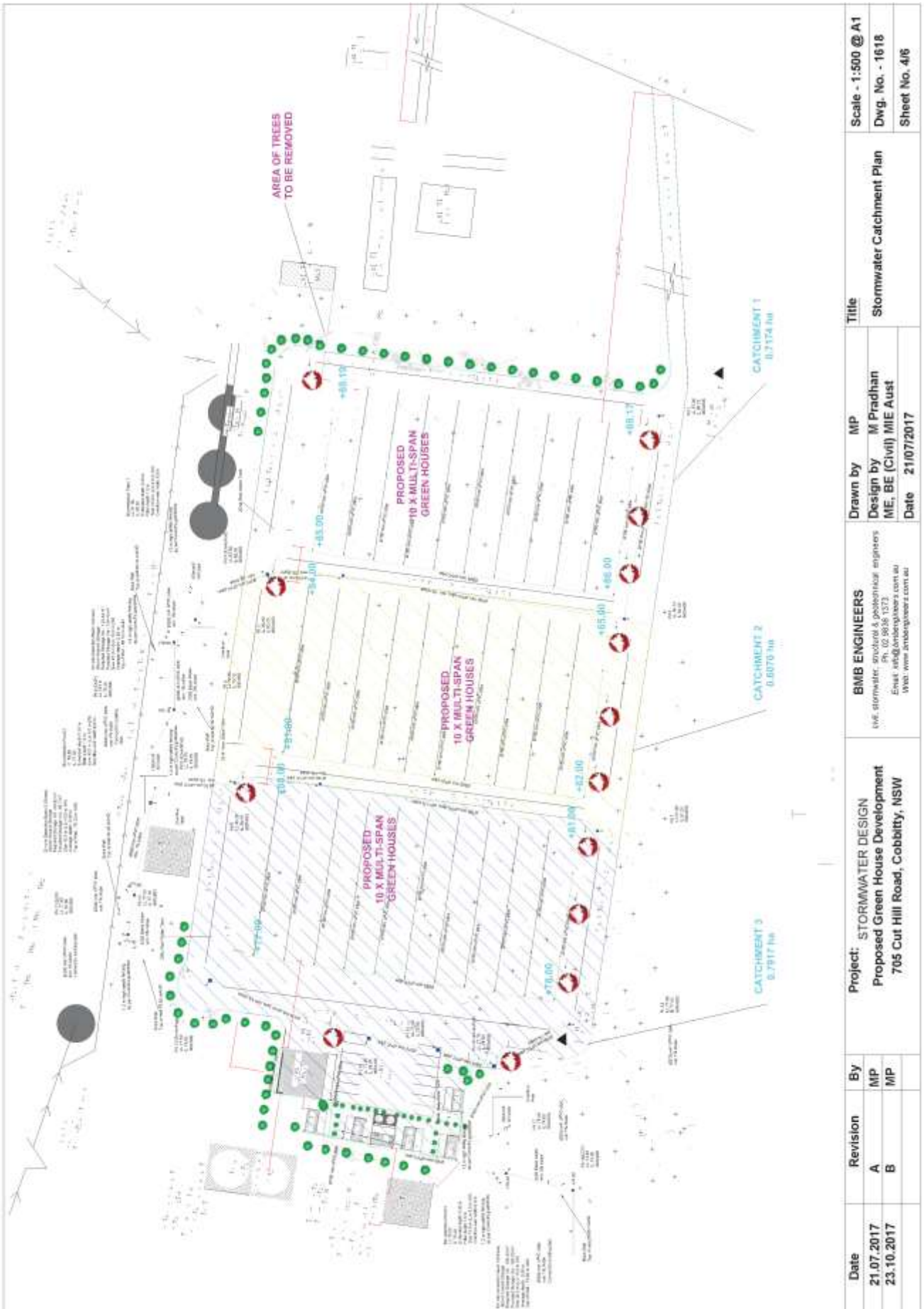


Date	Revision	By	Project:	BMB ENGINEERS	Drawn by	Title	Scale - NTS
21.07.2017	A	MP	STORMWATER DESIGN Proposed Green House Development 705 Cut Hill Road, Cobbitty, NSW	BMB ENGINEERS INC. stormwater, structural & geotechnical engineers 10/106 St Johns Rd Cobbitty NSW 2588 Email: info@bmbengineers.com.au Web: www.bmbengineers.com.au	M Pradhan	Stormwater Concept Plan	Dwg. No. - 1618
23.10.2017	B	MP			(ME, BE (Civil) MIE Aust)	Date 16/06/2017	Sheet No. 1/6

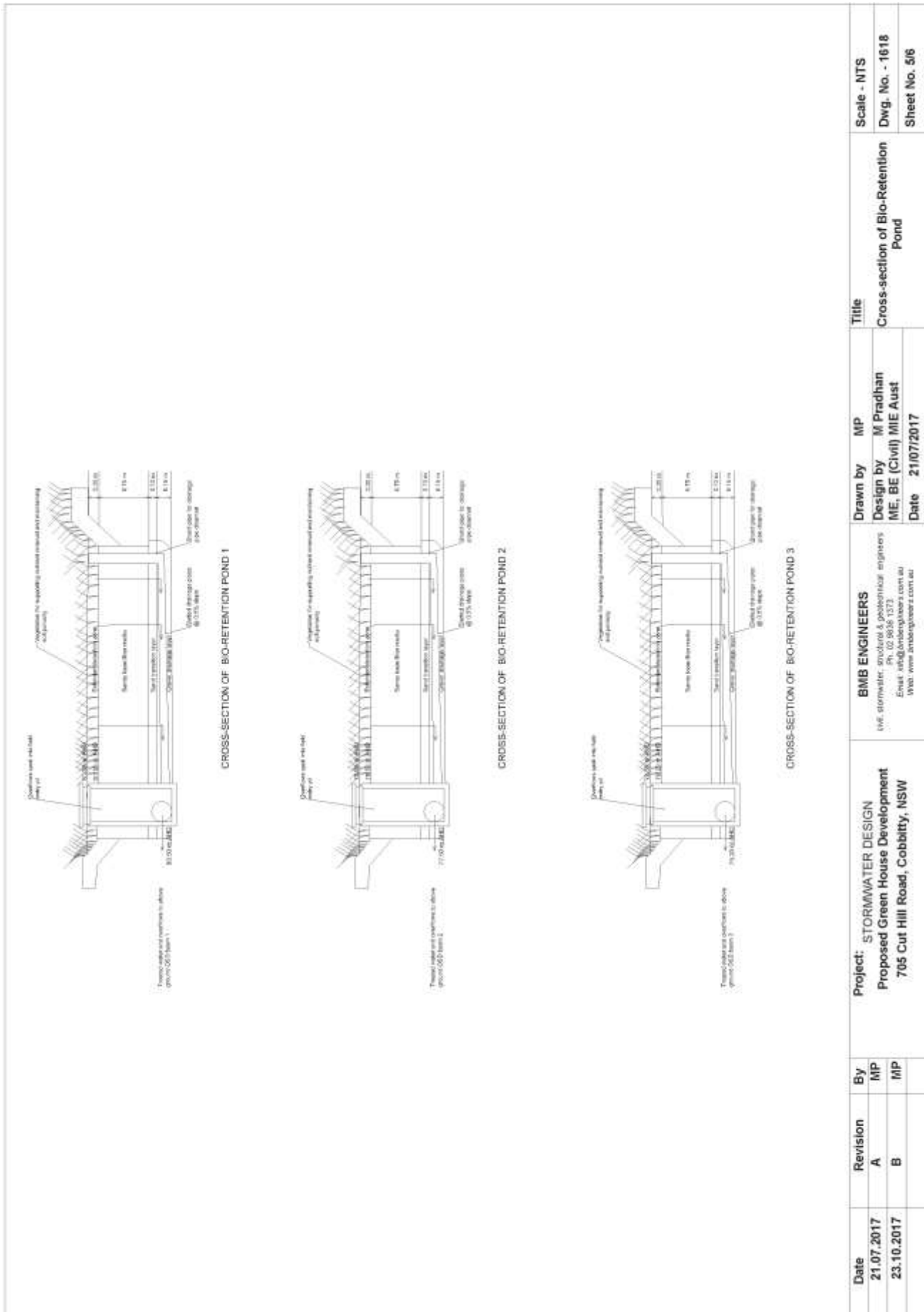




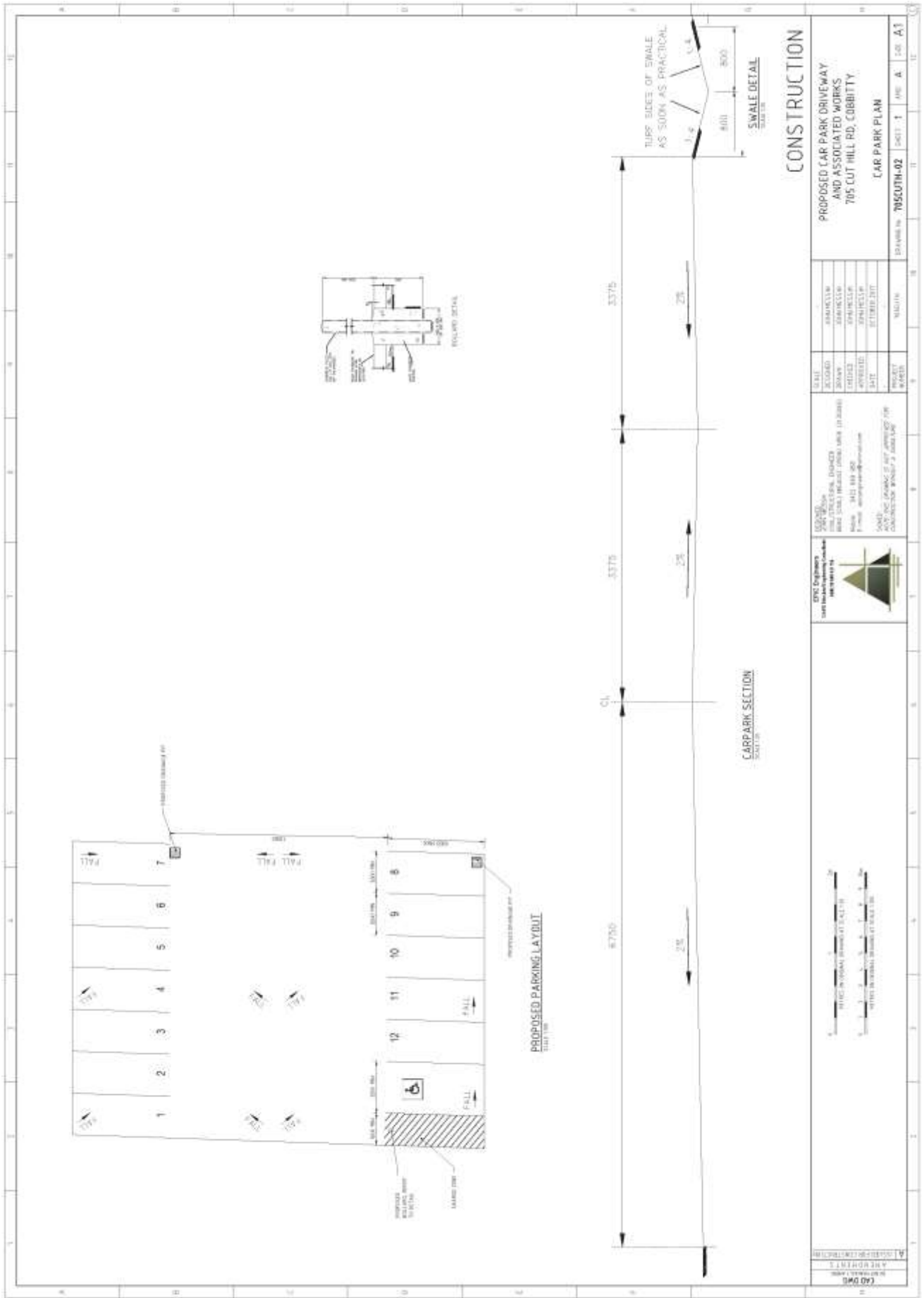
Date	Revision	By	Project:	BMB ENGINEERS	Drawn by	Title	Scale
21.07.2017	A	MP	STORMWATER DESIGN	M.E. stormwater, structural & geotechnical engineers 1/150 St. Johns Rd, St. Johns NSW 1585 Email: info@bmbengineers.com.au Web: www.bmbengineers.com.au	MP	Stormwater Concept Plan	1:500 @ A1
23.10.2017	B	MP	Proposed Green House Development 705 Cut Hill Road, Cobbitty, NSW		M Pradhan (M.E., B.E (Civil) MIE Aust)		Dwg. No. - 1618
							Sheet No. 3/6



Date	21.07.2017	Revision	MP	By	MP	Project: STORMWATER DESIGN Proposed Green House Development 705 Cut Hill Road, Cobbitty, NSW	BMB ENGINEERS civil, stormwater, structural & geotechnical engineers Level 4/100-102, 9055 1373, COBBITTY NSW WWW: www.bmbengineers.com.au	Drawn by MP Design by M Pradhan (ME, BE (Civ)) MIE Aust	Title Stormwater Catchment Plan	Scale - 1:500 @ A1 Dwg. No. - 1618 Sheet No. 4/6
	23.10.2017		B							



Date	Revision	By	Project:	BMB ENGINEERS	Drawn by	Title	Scale - NTS
21.07.2017	A	MP	STORMWATER DESIGN Proposed Green House Development 705 Cut Hill Road, Cobbitty, NSW	M.E. Stormwater, structural & geotechnical engineers 108/108-110 St Johns Rd, Sydney NSW 1585 Email: info@bmbengineers.com.au Web: www.bmbengineers.com.au	M Pradhan (ME, BE (Civil) MIE Aust)	Cross-section of Bio-Retention Pond	Dwg. No. - 1618
23.10.2017	B	MP					



RECOMMENDED CONDITIONS

1.0 - General Requirements

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

- (1) **Landscaping Maintenance and Establishment Period** - All Landscaping works associated with this Consent are to be maintained for a period of 12 months from the Date of Practical Completion.

At the completion of the 12 month landscaping maintenance period, all areas of lawn and plantings, including any nature strip/road verge areas and garden bed areas, shall have signs of healthy and vigorous growth. Any trees, shrubs, grasses, nature strip/road verge areas, garden areas or lawn areas in a state of decline, damaged or missing are to be replaced or restored to a healthy and vigorous condition.

At the completion of the 12 month landscaping maintenance period, the landscaping works must comply with the Consent approved Landscaping plans.

Any landscaping that requires repair or replacement at the end of the 12 month maintenance period is to be repaired or replaced within 60 days following the end date of the 12 month maintenance period.

- (2) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this Consent.

The following procedures shall be strictly observed:

- no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval;
- pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

- (3) **Wet Area Water Proofing** - The application of waterproof membranes in wet areas must comply with the requirements of the *Building Code of Australia*.

- (4) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.

- (5) **Disability Discrimination Act** - This approval does not necessarily guarantee compliance with the Disability Discrimination Act 1992, and the applicant/owner is therefore advised to investigate their liability under the Act.

Your attention is drawn to AS1428 parts 2, 3 and 4 inclusive. This may be used as a comprehensive guide for disability access.

- (6) **Food Codes and Regulations Compliance** - The construction and fit-out of the premises or any part thereof to be used for the manufacture, preparation or storage of food for sale, must comply with Camden Council's Food Premises Code, the Food Act 2003 and the Food Regulations 2004 (incorporating the Food Standards Code).

- (7) **Flyscreens** - Flyscreens must be provided for all window openings and door openings.
- (8) **Salinity Management** - All buildings and services within lot 2, DP 200915, known as 124 George Road, Leppington shall be constructed in accordance with the salinity management plan and erosion and sediment control plan prepared by Ross Morton Sundesign dated 8 May 2009.
- (9) **Approved Plans** - The development must be carried out strictly in accordance with the following approved plans or other documentation:
- Site plan dwg no. 921DA.1/6C dated 1 February 2010 by Ross Morton Sundesign (marked in red and green by Camden Council).
 - Ground and first floor plans dwg. no. 921DA.2/6A dated 20 November 2008 by Ross Morton Sundesign.
 - Building elevations and sections dwg. no. 921DA.3/6A dated 20 November 2008 by Ross Morton Sundesign.
 - Lighting layout concept dwg no. 921DA.5/6A dated 20 November 2008 by Ross Morton Sundesign
 - Kitchen detail dated 9 May 2009.
 - Stormwater concept plans CSW-01 and CSW-02 dated 2 August 2010 by Civil Engineering Services.
 - Landscape concept plan dwg. no. 14000/L01/09B dated 11 May 2009 by Genesis Solutions Pty. Ltd.
 - Artefact protection plan dated 8 May 2009.
 - Statement of Environmental Effects prepared by Ross Morton Sundesign.
 - Waste Management Plan prepared for the Australasian Conference Association Ltd
 - Traffic and parking impact report dated July 2009 by ML Traffic Engineers.
 - Noise assessment report no. 3691 by RSA Acoustic Consultants dated (including updates dated 22 September 2009 and 13 November 2009).
 - Certification of acoustic barrier design change dated 27 January 2015 by Rodney Stevens Acoustics.
 - Proposed waste water system report dated 11 January 2010.
 - Salinity investigation report dated 25 September 2008 by Envirotech.
 - Salinity management and erosion and sediment control plan dated 8 May 2009 by Ross Morton Sundesign.
 - Aboriginal and European Cultural Heritage Assessment dated November 2008 by Dominic Steele Consulting Archaeology.
 - Flora and fauna survey and bushland management plan dated 11 January 2009 by Malcolm Bruce.
 - Bush fire management plan by Malcolm Bruce.
 - Sound wall location survey plan by John Lowe and Associates Pty Ltd.
 - Acoustic assessment dated 15 November 2017 by Koikas Acoustic Pty Ltd.
 - Operational management plan dated 2 May 2017 by Sydney Tongan Seventh Day Adventist Church.

Note: The tennis courts, associated access driveway and car parking spaces, as shown on any of the approved plans, are not approved by this Development Consent.

The development must also comply with the conditions of approval imposed by Council hereunder.

Where there is an inconsistency between the approved plans/documentation and conditions of consent, the conditions of consent take precedence to the extent of the inconsistency.

Amendments or modification of the approved development requires the written prior approval of Camden Council.

(This condition was modified by Section 96 Modification 2008/1107/3 on 12 December 2017).

- (10) **Lighting** - All approved lighting must be designed, installed and permanently maintained to fully comply with AS 4282-1997 "Control of the obtrusive effects of outdoor lighting."
- (11) **Asset Protection Zone** - A 10m wide Asset Protection Zone must be provided and permanently maintained at the rear of the church hall building.
- (12) **Bushfire Construction Standards** - All structures must be constructed to Category 2 of AS 3959-2009 "Construction of buildings in bushfire prone areas."
- (13) **Relic Protection** - The aboriginal relic identified at the rear of the site must be fully protected during all construction works and the ongoing operations of the approved land use. This Development Consent does not approve this relic to be destroyed, defaced or damaged.
- (14) **Advertising Signs Application** - Outdoor advertising structures require prior development consent. A development application must be submitted and approval granted by the Consent Authority (ie. Camden Council) prior to the erection of any advertising signs.

The design, style, colour, height and type of any advertising sign must have regard to the character of the development, any existing advertising theme and Camden Development Control Plan (DCP) 2006.

- (15) **Stormwater Tanks** - In accordance with Part D, Chapter 3 of Council's Development Control Plan, a stormwater tank(s) with a minimum volume of 5,000 litres must be provided for this development. This tank(s) must capture a minimum of 80% of the stormwater runoff from the development's roof area and not impact on car parking spaces, accesses, driveways or landscaping areas. The stored stormwater must also be reticulated across the site as needed.
- (16) **External Glass** - The reflectivity index for glass used externally shall not exceed 20%.
- (17) **Roof Mounted Equipment** - Such as air conditioning units and communication towers, which protrude above the general roofline of the building, shall not be installed except where they have been appropriately integrated into the design of the building and do not dominate the skyline
- (18) **Additional Landscaping** - Additional landscape screening must be provided in the 2 metre set back area between the side boundaries of no. 124 George Road and the approved 3 metre high acoustic fence. This landscaping must comprise the following dwarf cultivars or hybrid crosses, capable of reaching a mature height of at least 3m, of:

- Pittosporum undulatum
- Syzygium luemannii
- Syzygium paniculatum
- Loropetalum chinense

(at a rate of 1 for every 2.5 metres with a minimum container size of 35 litres)

Lomandra (particularly cultivars of Lamandra Longifolia) must be used to separate out the above planting. These must be planted at a rate of 2 for every 1m² with a minimum container size of 200mm.

A 75mm layer of mulch must be provided for all of the above landscaping.

This landscaping must be properly irrigated and be permanently maintained in a complete and healthy condition on the site.

(This condition was modified by Section 96 Modification 2008/1107/2 on 12 May 2015).

- (19) **Approved Acoustic Report** - The recommendations outlined in Section 7 of the acoustic report prepared by RSA Acoustics report no. 3691 must be implemented. This includes roof/ceiling construction, external wall construction, window construction, external doors, acoustic barriers and ventilation.

Notes: The location of the 3m high concrete acoustic barriers shall be in accordance with the updated configuration in the RSA acoustic report dated 13 November 2009 and as marked in red on the approved site plan dwg no. 921DA.1/6C dated 1 February 2010 by Ross Morton Sundesign (marked in red and green by Camden Council).

The barriers must be set back 2m from the property boundaries unless otherwise identified on the approved plans/reports. The only exception to this is the small section of the northern acoustic barrier that has been set back only 1.86m from the site's northern property boundary as shown on the submitted sound wall location survey plan by John Lowe and Associates Pty Ltd.

This 2m setback area must be landscaped in accordance with condition 1.0(18) of this Development Consent.

(This condition was modified by Section 96 Modification 2008/1107/2 on 12 May 2015).

- (20) **Acoustic Attenuation Compliance Report** - A report from a qualified acoustic engineer that contains a certifying statement confirming that the provisions and noise criteria for the consent conditions have been implemented and are compliant must be submitted to the Principal Certifying Authority. The acoustic compliance assessment (that leads to the issue of the certifying statement) must be undertaken within 3 months from the installation of the additional acoustic attenuation measured as detailed in the acoustic assessment by Koikas Acoustics Pty Ltd, project number 3007 revision 6, dated 17 November 2017.

The acoustic consultant must conduct sufficient inspections to verify that all construction aspects of the noise attenuation components/measures have been carried out in accordance with the acoustic assessment by Koikas Acoustics Pty Ltd, project number 3007 revision 6, dated 17 November 2017. The compliance report must

include appropriate monitoring under operational conditions to demonstrate compliance with the scenarios identified in the approved acoustic assessment.

Should the acoustic consultant confirm that:

1. any specific construction aspect does not comply with the final acoustic report recommendations; or
2. constructed noise attenuation components/measures do not achieve the criteria set by the final acoustic report and the consent conditions;

the acoustic consultant must advise the applicant and the Principal Certifying Authority of such non-compliance. The applicant must arrange for the submission of an application pursuant to Section 96 of the *Environmental Planning and Assessment Act 1979* for the modification of the issued development consent to the Consent Authority, Camden Council, for determination. This modification must propose solutions to any identified acoustical non-compliance.

- (21) **Bush Fire Management Plan** - All of the recommendations of the bush fire management plan prepared by Malcolm Bruce and submitted with the development application must be fully implemented.
- (22) **Stormwater Pipes** - All proposed drainage pipes shall comply with the cover requirements specified by their manufacturer.
- (23) **Drainage Discharge to George Road** - All drainage discharge to George Road must be contained within the existing table drain in accordance with Council's engineering specifications.
- (24) **Stormwater Detention** - The capacity of the existing stormwater drainage system must be checked to ensure its capability of accepting the additional run-off from this development. If necessary an on-site detention system must be provided to restrict stormwater discharges from the site to pre-development flows. The system is to provide for all storms up to and including the 1% AEP event. Engineering details and supporting calculations must be prepared by a qualified Hydrology Engineer and submitted to the PCA for approval with the Construction Certificate.

On completion of the on-site detention system, Works-as-Executed plans are to be prepared by a registered surveyor or the design engineer and submitted to the Principal Certifying Authority. If Camden Council is not the Principal Certifying Authority, a copy is to be submitted to the Council prior to the issue of the Occupation Certificate. The plans are to be certified by the designer and are to clearly make reference to:

- the works having been constructed in accordance with the approved plans,
- actual storage volume and orifice provided; and
- the anticipated performance of the system with regard to the design intent.

The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:

Restriction as to user indicating that the on-site detention basin must be maintained at all times to a level sufficient to ensure efficient operation of the basin, and that the

Consent Authority (ie. Camden Council) must have the right to enter upon the burdened lot with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time and without notice in the case of an emergency) to:

- (i) view the state of repair of the basin;
- (ii) execute any work required to remedy a breach of the terms of this covenant if the proprietor has not within fourteen (14) days of the date of receipt by the proprietor of written notice from the Council, requiring remedy of a breach of the terms of this covenant, taken steps to remedy the breach and without prejudice to the Council's other remedies the Council may recover as a liquidated debt the cost of such remedial work from the proprietor forthwith upon demand; and
- (iii) Restriction as to user indicating that the on-site detention basin must not be altered, or removed in part, or structures erected thereon without the prior consent of Council.

Note: In this condition any reference to a basin refers to the surface on-site detention to be provided in the development's car park and as detailed in the approved stormwater concept plans CSW-01 and CSW-02 dated 2 August 2010 by Civil Engineering Services.

- (25) **Grassed Swale** - A grassed swale must be provided to direct stormwater flows from the grass overflow car parking area at the front of the site along the site's north-west boundary and along the south-eastern side of the acoustic barrier to maintain existing water quality levels. The swale may only end at the termination of the adjacent acoustic barrier where the stormwater flows must be dispersed as sheet flow to minimise stormwater impacts or loss on the adjacent properties to the north/north-west of the subject site.
- (26) **Section 96 Modification 2008/1107/3** - Section 96 Modification 2008/1107/3 approves additional activities, operating days and times for the approved development as described in this development consent and the information accompanying the modification application.

In the event of any inconsistency between the modifications approved by Section 96 Modification 2008/1107/3 and any other aspect of the approved development, the modifications approved by Section 96 Modification 2008/1107/3 take precedence to the extent of the inconsistency.

(This condition was added by Section 96 Modification 2008/1107/3 on 12 December 2017).

- (27) **Western Enclosure** - The western enclosure shown in Appendix E of the acoustic assessment by Koikas Acoustics Pty Ltd, project number 3007 revision 6, dated 17 November 2017 is not approved by this development consent and must be subject to a separate application.

(This condition was added by Section 96 Modification 2008/1107/3 on 12 December 2017).

- (28) **Time Limited Approval** - Pursuant to Section 80A(1)(d) of the *EP&A Act 1979*, the additional activities, operating days and times approved by Section 96 Modification 2008/1107/3 are limited to a period of 12 months from the date of commencement of those additional activities, operating days and times. Written notice of the commencement shall be provided to Council prior to commencement.

A further application shall be provided to, and determined by, the Consent Authority prior to the expiration of this 12 month period if the applicant intends to continue the additional activities, operating days and times. If an application is not determined prior to the expiry of the 12 month period, then the approved additional activities, operating days and times shall cease.

It is recommended that the further application be lodged with the Consent Authority at least 3 months prior to the expiry of this consent.

(This condition was added by Section 96 Modification 2008/1107/3 on 12 December 2017).

2.0 - Construction Certificate Requirements

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

- (1) **Fire Safety Measures** - Prior to the issue of the Construction Certificate, the following information is to be submitted to the certifying authority:
 - (a) a list of any fire safety measures that are **proposed** to be implemented in the building or on the land on which the building is situated.
- (2) **Access for People with Disabilities** - Access for people with disabilities shall be provided in accordance with the requirements of Part D3 of the Building Code of Australia. Prior to the issue of a Construction Certificate, the plans shall be amended to reflect the above.
- (3) **Disabled Toilets** - Plans and details of the disabled toilet complying with the provision of AS1428.1 - 2001, shall be submitted to Council or an Accredited Certifier **prior to issue of a Construction Certificate.**
- (4) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with Camden Council's Development Control Plan 2006 and Engineering Specifications and are to be submitted for approval to the Principal Certifying Authority **prior to the Engineering Construction Certificate being issued.**
 - under the Roads Act 1993, only the Council can issue a Construction Certificate for works within an existing road reserve.
 - under section 109E of the Environmental Planning and Assessment Act 1997, Council must be nominated as the Principal Certifying Authority for subdivision work and has the option of undertaking inspection of physical construction works.

Note: The developer must obtain a Construction Certificate prior to commencement of any physical site works.

- (5) **Development Certification** - As the allotment is flood affected, the following information must be submitted **prior to a Construction Certificate being issued**:
- (a) a survey report indicating the position and level of the 1:100 year flood level (1% AEP) affecting the allotment and the proposed floor level of the buildings in relation thereto.
- (6) **Structural Engineer's Certificate** - A certificate must be prepared by a practising structural engineer and must be submitted to Council attesting that the building design is capable of withstanding the effects of water and water pressure due to flooding **prior to a Construction Certificate being issued**.
- (7) **George Road Entry/Exit** - The intersection of the site's access driveway with George Road must be upgraded to a Type AUR intersection in accordance with the RTA Road Design Guide for a design speed of 80km/hr. The intersection design is to be submitted to Council's Local Traffic Committee for approval **prior to the issue of a Construction Certificate**.
- (8) **Retaining walls** - All retaining wall details must be provided with appropriate certification from a structural engineer.
- (9) **Environmental Management Plan** - An Environmental Site Management Plan must be submitted to the Principal Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 - 2005 and must address, but not be limited to, the following issues:
- (a) All matters associated with Council's Erosion and Sediment Control Policy.
- (b) All matters associated with Occupational Health and Safety.
- (c) All matters associated with Traffic Management/Control during construction, which should address issues of access of construction traffic, storage material, location of site office, and parking for workers, use of equipment and other matters which has an impact on the road network or immediate environment.
- (d) All other environmental matters associated with the site works such as noise control, dust suppression, waste management and the like.
- (e) Any construction work which involves access to public road shall be subject to an approval of a Public Road Activity Application to Council accompanied by a Traffic Control Plan prepared by a RTA accredited Certifier.
- (10) **Parking Spaces** - All car parking spaces, and associated access driveways and manoeuvring areas must conform with Camden Council's Car Parking Code (Camden Development Control Plan (DCP) 2006), and must be designed in accordance with a pavement design prepared by a Geotechnical Engineer and the Consent Authority's (ie. Camden Council) standard. Documentary evidence of compliance from an Accredited Certifier/suitably qualified person must be submitted to the Principal Certifying Authority **prior to a Construction Certificate being issued**.
- (11) **Car Parking Design** - The design, construction details of the parking spaces, access thereto and all other external hardpaved areas must conform to the Consent Authority's (ie. Camden Council) standard, and documentary evidence of compliance of above condition must be submitted by a Accredited Certifier/suitably qualified person/Council or the Principal Certifying Authority **prior to a Construction Certificate being issued**.

A work-as-executed plan and/or documentary evidence of compliance with the above, conditions must be provided by an Accredited Certifier or Council **prior to an Occupation Certificate being issued.**

For the purpose of this condition a parking space must only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.

- (12) **Design Standards** - Engineering design drawings are to be prepared strictly in accordance with Camden Council's Development Control Plan 2006 and Engineering Specifications.
- (13) **Civil Engineering Details** - The developer must submit details of all engineering works on engineering plans to the Certifying Authority for approval **prior to a Construction Certificate being issued.**
- (14) **Traffic Management Procedure** - Traffic management procedures and systems must be introduced during construction of the development to ensure safety and minimise the effect on adjoining pedestrian and traffic systems. Such procedures and systems must be in accordance with AS1742.3 1985 and to the requirements and approval of Council. Plans and proposals must be approved by Council **prior to a Construction Certificate being issued.**

The Traffic Management Plan must address the construction process and construction access for the development for all stages of the development, the storage of materials, import of fill materials, location of site offices, turning areas for the delivery vehicles, parking for construction staff, any casting and erection of building components. Appropriate Traffic Control Plans shall be submitted for all stages of constructions including the use of Council's road and foot path for construction purposes.

- (15) **Earthworks** - Proposed earthworks shall be designed to provide a cut and fill balance in order to achieve no loss of flood storage within the site. All proposed filling on the site must be compacted to 95% standard compaction and be tested in accordance with Camden Council's Engineering Construction Specification and AS 1289 by a NATA registered laboratory. The validation of the fill material must be done prior to use of any fill material from an external sources and validation report must be submitted to the Certifying Authority prior to the issues of the Construction Certificate.
- (16) **Public Risk Insurance Policy** - **Prior to the issue of a Construction Certificate,** the owner or contractor is to take out Public Risk Insurance Policy with a minimum cover of \$20 million in relation to the occupation of and works within Council's road reserve. The Policy is to note Council as an interested party and a certificate of currency from the insurer of such policy must be submitted to the Council as evidence of such policy. Where the coverage of such policy expires during the period of construction of the works, the policy must be renewed prior to the expiration of the policy and a Certificate of Currency from the insurer, provided to Council.

Failure to keep the works insured shall be reason for Council to make the works safe and all costs associated with making the works safe shall be a cost to the owner of the land.

- (17) **Drainage Design** - A stormwater management plan is to be prepared **prior to the issue of a Construction Certificate** to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development

site for all storm events. This plan must be submitted and approved by the Principal Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.

- (18) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with the Camden Council's "Soil Erosion and Sediment Control Policy."

Control measures must be maintained during the entire development procedure and can only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised.

Plans containing a minimum of four (4) sets of the undermentioned information must be prepared and submitted to the Principal Certifying Authority for approval **prior to a Construction Certificate being issued**:

- (a) existing and final contours
- (b) the location of all earthworks including roads, areas of cut and fill and re-grading
- (c) location of impervious areas other than roads
- (d) location and design criteria of erosion and sediment control structures
- (e) location and description of existing vegetation
- (f) site access (to be minimised)
- (g) proposed vegetated buffer strips
- (h) catchment area boundaries
- (i) location of critical areas (vegetated buffer strips, drainage lines, water bodies, unstable slopes, flood plains and seasonally wet areas)
- (j) location of topsoil or other stockpiles
- (k) signposting
- (l) diversion of uncontaminated upper catchment around areas to be disturbed
- (m) proposed techniques for re-grassing or otherwise permanently stabilising all disturbed ground
- (n) procedures for maintenance of erosion and sediment controls
- (o) details for staging of works
- (p) details and procedures for dust control.

- (19) **Pre-Treatment of Surface Water** - The external ground surface of the site must be graded to a collection system and covered with a suitable hard surface. The drainage system must flow to a suitable pre-treatment device prior to discharge. The applicant is advised to contact the Appropriate Regulatory Authority for the design criteria.

The pre-treatment devices must collect and dispose of hydrocarbons and heavy metals.

- (20) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, foot paths, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council **prior to the issuing of the Construction Certificate**.

The survey must include descriptions of each photo and the date when each individual photo was taken.

- (21) **Service Pipes** - All service pipes and electrical conduits shall be concealed within the floor, plinths, walls or ceilings.

or

All service pipes and electrical conduits which are not capable of being concealed within walls shall be mounted on brackets so as to provide at least 25mm clearance between the pipe and adjacent vertical surface and 100mm between the pipe and adjacent horizontal surface.

- (22) **Dishwashing Facilities** - The premises must be provided with a:
- (a) commercial dishwashing machine capable of achieving a hot water temperature of at least 77^o celsius that is fitted with a temperature thermostat or gauge; and
 - (b) at least one single bowl cleaning sink or tub containing at least one compartment.
- (23) **Detailed Vegetation Management Plan (VMP) - Prior to the issue of a Construction Certificate**, a detailed vegetation management plan for the site must be prepared and be submitted to Council for written approval. This plan must include:
- Vegetation species composition, planting layout and densities must be identified. Plantings should emulate the ecotone of vegetation naturally or previously occurring on the site.
 - Seed/plant sources must be identified and where possible native plants and seed sources of local provenance should be utilised.
 - Details of the planting program, rehabilitation methods and staging must be provided.
 - Maintenance requirements must extend for a minimum of two years after the completion of works or until such time as a minimum 80% survival rate for all plantings and a maximum five percent (5%) weed cover is achieved.
 - Project tasks must be defined and described, including a schedule detailing the sequence and duration of works necessary for the implementation of the VMP.
 - Maps or diagrams which identify the above detailed works (including existing vegetation to be retained, vegetation to be cleared) etc. must be prepared.
 - Photographs of the site must be supplied and photo points must be identified for future monitoring and reporting purposes.
 - Processes for monitoring and review, including a method of performance evaluation, must be identified. This must include assessing the need for replacing plant losses, addressing deficiencies, problems, climatic conditions, successful completion of works, etc.
- (24) **Special Infrastructure Contribution** - The applicant must obtain a Certificate from the Growth Centres Commission stating that the Special Infrastructure Contribution determined in accordance with Section 94EE of the Environmental Planning and Assessment Act 1979, and the Growth Centres Special Infrastructure Practice Note

for this proposal has been paid. This Certificate must be presented to the Principal Certifying Authority (PCA) **prior to the issue of any Construction Certificate**.

Information on the Special Infrastructure Contribution can be found at the Growth Centre Commission's website www.gcc.nsw.gov.au. To obtain an estimate of the Special Infrastructure Contribution that may be payable for the application please e-mail infrastructurecontribution@gcc.nsw.gov.au.

- (25) **Section 68 Approval - Prior to the issue of a Construction Certificate**, a Section 68 approval to operate must be obtained from Camden Council.

This approval must be in accordance with the approved plans for this Development Consent. Should the Section 68 approval require amendments to the approved development a Section 96 modification application proposing these amendments must be submitted to and approved by Council.

- (26) **Water Supply** - Water services must be provided to the proposed development. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Co-ordinator" under "Developing Your Land" or telephone 13 20 92.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Notice must be submitted to the Principal Certifying Authority **prior to a Construction Certificate being issued**.

3.0 - Prior to Works Commencing

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

- (1) **Sydney Water Approval** - Prior to works commencing, the approved development plans must also be approved by Sydney Water.
- (2) **Signs to Be Erected on Building and Demolition Sites** - Under Clause 98A of the *Environmental Planning and Assessment Regulation 2000*, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the Principal Certifying Authority (PCA) for the work, and
 - (b) 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, and
 - (c) stating that unauthorised entry to the work site is prohibited.

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

This clause does not apply to building work carried out inside an existing building that does not affect the external walls of the building.

Note: The PCA and principal contractor must ensure that signs required by this condition are erected and maintained.

- (3) **Toilet Facilities** - Toilet facilities must be provided at 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 of 20 persons employed at the site.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

- (4) **Notice of Commencement of Work** - Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act, 1979* and Clause 103 of the *Environmental Planning and Assessment Regulation 2000* shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building works.

- (5) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of *Building Code of Australia*. Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.

- (6) **Access from Public Places** - Construction access from public places (reserves, parks, walkways and the like) other than roads shall not occur without the prior consent of Camden Council. Bonds or legal agreements may be required to protect Council's assets if access from these places is approved.

- (7) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

Soil erosion and sediment control measures must be maintained during construction works and must only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

Where a soil erosion and sediment control plan (or details on a specific plan) has been approved with the development consent, these measures must be implemented in accordance with the approved plans. In situations where no plans or details have been approved with the development consent, site soil erosion and sediment controls must still be implemented where there is a risk of pollution occurring.

An Infringement Notice issued under the *Environmental Planning and Assessment Act, 1979*, which imposes a monetary penalty of \$600, may be initiated by the Principal Certifying Authority (PCA) and issued by Camden Council where the implementation or maintenance of measures is considered to be inadequate. In the event that a risk of environmental pollution occurs an Infringement Notice issued under the *Protection of the Environment Operations Act 1997*, which imposes a monetary penalty of \$750 for an individual or \$1500 for a corporation maybe issued by Camden Council.

- (8) **WorkCover Approval** - It is the responsibility of the owner to contact WorkCover Authority with respect to any demolition work or use of any crane, hoist, plant or scaffolding prior to any work commencing on the site.
- (9) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point.
- (10) **Public Road Activity** - An approval under Public Road Act shall be obtained prior to the commencement of any work in public road subject to lodgement of application and relevant fees. Such application must include appropriate traffic control plans which provides details of traffic control measures to be installed to ensure the safety and unobstructed flow of vehicular and pedestrian traffic and such control plan must be prepared by a RTA Accredited Certifier.

4.0 - During Construction

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

- (1) **Nature Strip/Road Verge, Street Trees and Street Tree Protective Guards** - Any nature strip/road verge area, street tree, lawn area, tree guards if applicable, protective bollards if applicable which are disturbed, removed or damaged during the development and maintenance works, shall be repaired and the tree, lawn area, bollards, tree guards, nature strip/road verge area repaired or replaced with the same type, species and maturity.
- (2) **Survey Report (Peg Out)** - The building must be set out by a registered land surveyor. A survey report detailing the siting of the building in relation to the allotment boundaries shall be submitted to the Principal Certifying Authority (PCA) prior to the placement of any concrete.
- (3) **Survey Report (Finished Floor Level)** - A survey report prepared by a registered land surveyor must be submitted to Principal Certifying Authority (PCA) verifying the finished floor level of the building. Finished floor levels must conform to levels approved by the development consent.
- (4) **Hours of Work** - The hours for all construction and demolition work are restricted to between:
 - (a) 7am and 6pm Monday to Friday (inclusive);
 - (b) 7am to 4pm Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8am to 4pm;
 - (c) work on Sunday and Public Holidays is prohibited.
- (5) **Damaged Assets** - All engineering works and public utility relocation shall incur at no cost to Camden Council. Any damage to Camden Council's assets shall be rectified prior to the commencement of use or occupation of a building.

A security deposit of \$10,000 shall be lodged with Council **prior to the issue of a Construction Certificate**.

- (6) **Site Management** - To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
- The delivery of material shall only be carried out between the hours of 7am - 6pm Monday to Friday, and between 8am - 4pm on Saturdays.
 - Stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site.
 - Builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner.
 - Waste must not be burnt or buried on site, nor should wind blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot.
 - A waste control container shall be located on the development site.
- (7) **Footpath Levels** - The ground levels of the footpath area within the road reserve (between the boundary of the subject site to the kerb and gutter) must not be altered (by cut or fill) as a consequence of building design and/or construction.
- (8) **Excavation and Backfilling** - All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- (9) **Support for Neighbouring Buildings** - If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
- must preserve and protect the building from damage, and
 - if necessary, must underpin and support the building in an approved manner, and
 - must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. In this condition, 'allotment of land' includes a public road and any other public place.
- (10) **Protection of Public Places** - If the work involved in the erection or demolition of a building:
- is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - building involves the enclosure of a public place,
- a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

- (11) **Drainage Easements** - No changes to site levels, or any form of construction shall occur within any drainage easements that may be located on the allotment.
- (12) **Compaction** - Any filling up to 1 metre on the site must be compacted to 95% standard compaction and be tested in accordance with Camden Council's Engineering Construction Specification and AS 1289 by a NATA registered laboratory. The validation of the fill material must be done prior to use of any fill material and validation report must be submitted to the Principal Certifying Authority **prior to the issues of the Construction Certificate.**
- (13) **Construction Standards** - All civil engineering work associated with the development must be carried out strictly in accordance with Camden Council's Development Control Plan 2006 and Engineering Specifications for roadworks, drainage and other works associated with subdivisions and other developments.
- (14) **Affected Services** - All services within 1 metre of the crossing and any affected services due the proposed work shall be adjusted in consultation with the appropriate service authority.
- (15) **Gaps Sealed** - All gaps between shelves and vertical surfaces must be sealed to prevent the accumulation of grease and food particles. Alternatively 25mm clearance is required to allow the area to be cleaned.
- (16) **Construction Noise Levels** - Noise levels emitted during construction works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

- (17) **Fill Material - Prior to the importation and/or placement of any fill material on the subject site** a validation report and sampling location plan for such material must be submitted to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- i) be prepared by a person with experience in the geotechnical aspects of earthworks, and

- ii) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- iii) be prepared in accordance with:
 - a) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
 - b) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- iv) confirm that the fill material:
 - a) provides no unacceptable risk to human health and the environment;
 - b) is free of contaminants;
 - c) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
 - d) is suitable for its intended purpose and land use, and
 - e) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes: -

- v) less than 6000m³ - 3 sampling locations,
- vi) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

For (v) and (vi) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of Contamination should be undertaken in accordance with the following table:-

Classification of Fill Material	No of Samples Per Volume of Fill (m ³)
Virgin Excavated	1
Natural Material	(see Note 1)

**Note 1: Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.*

- (18) **Unexpected Findings Contingency** - Upon the identification of any contamination or hazardous materials at any stage of the construction process all construction works in the vicinity of the findings shall cease and the affected area must be made secure from access by personnel. A qualified environmental consultant must assess the extent of the contamination / hazard in accordance with the NSW DECCW

Guidelines. The assessment results, together with a suitable management plan, must be provided to the Consent Authority (Camden Council) for written approval prior to the removal or treatment of such findings contamination / hazardous materials.

- (19) **Dewatering of Dams** - No dams are to be breached for the purpose of water removal. All surplus dam water must be irrigated onto the property and this irrigated water must be contained within the property boundary. Alternatively, the dam water may be used for dust suppression during construction works. No dam water is allowed to discharge or flow directly into any stream, creek, or river unless the water being discharged has been further tested to meet the relevant water quality discharge criteria as contained within Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.

5.0 - Prior To Issue Of Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Survey Report (Completion)** - A survey report prepared by a registered land surveyor shall be provided upon completion of the building. The survey report must also confirm that the height of the two approved acoustic barriers is no greater than 3m from natural ground level (ie. prior to the development commencing) as required by this development consent. The survey report shall be submitted to the Principal Certifying Authority (PCA) upon completion of the building and prior to the issue of an Occupation Certificate.

(This condition was modified by Section 96 Modification 2008/1107/2 on 12 May 2015).

- (2) **Structural Certification (Completed Building)** - Prior to the issue of an Occupation Certificate, a certificate prepared by a practising structural engineer, certifying the structural adequacy of the building, shall be submitted to the Principal Certifying Authority (PCA).
- (3) **Footpath Crossing Construction** - Prior to use or occupation of the development, a footpath crossing must be constructed in accordance with Camden Council's issued footpath crossing information.

To obtain such information a Public Road Activity application must be submitted to Camden Council with the appropriate fee. Applications forms are available from Council's Customer Service Centre, and/or Internet site – www.camden.nsw.gov.au.

- (4) **Fire Safety Certificates** - A Fire Safety Certificate is to be submitted to the Principal Certifying Authority (PCA) prior to the issue of an Occupation Certificate in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*. The Fire Safety Certificate is to certify that each fire safety measure specified in the current fire safety schedule for the building to which it relates:
- (a) has been assessed by a properly qualified person; and
 - (b) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

As soon as practicable after the Final Fire Safety Certificate has been issued, the owner of the building to which it relates:

- (a) must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades, and
 - (b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.
- (5) **Works as Executed Plan - Prior to the Occupation Certificate being issued**, a works-as-executed drawing signed by a registered surveyor must be submitted to the Principal Certifying Authority showing that the stormwater drainage and finished ground levels have been constructed as approved.
 - (6) **Registration and Notification** - Proprietor/s of a business are required to register the business with Camden Council and complete a Food Business Notification Form. The registration form must be returned to Council, whereas the Notification Form may be completed on-line on the Internet (free of charge) or returned to Council with an administration processing fee of \$55 (inclusive of GST).
 - (7) **Certification of Exhaust System** - Where an exhaust ventilation system is installed, a Certificate of Compliance must be submitted to Camden Council, prior to occupation. The certificate must be issued by a suitably qualified person and verify that the kitchen exhaust system as installed, has been tested and complies with Australian Standard 1668 – 1991 Parts 1 & 2 and the Building Code of Australia.
 - (8) **Thermometers** - Any appliance used for the storage of hot and cold food must be provided with a numerically scaled and accurate thermometer.
 - (9) **Compliance Letter** - Where the consent authority is not the Principal Certifying Authority (PCA) an additional inspection of the commercial kitchen must be undertaken by the Consent Authority) **prior to the issue of an Occupation Certificate**. A letter is to be issued from the Consent Authority certifying that the kitchen complies with the Food Codes and Regulations.
 - (10) **Acoustic Compliance** - A certificate of compliance shall be issued to the certifying authority prior to the issue of the occupation certificate that all the recommendations as outlined in Section 7 of the Acoustic report prepared by RSA Acoustics Report No. 3691 have been implemented.
 - (11) **Lighting Compliance - Prior to the issue of an Occupation Certificate**, a lighting compliance report, certifying that all installed lighting complies with AS 4282-1997 "Control of the obtrusive effects of outdoor lighting," shall be submitted to and approved by the Certifying Authority.
 - (12) **Services** - All services (water, sewer, electricity, telephone and gas including the provision of service conduits and stub mains) are to be installed within the proposed public roads before final inspection of the engineering works.

Prior to the issue of an Occupation Certificate the following service authority clearances must be obtained and submitted to the Principal Certifying Authority:

- A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water Corporation.

- A letter from Integral Energy stating that all its requirements and any conditions of this consent have been satisfied.
 - A letter from an approved telecommunications service provider (Telstra, Optus etc) stating that satisfactory arrangements have been made for the provision of underground telephone plant within the development.
- (13) **Acoustic Barrier Construction** - The acoustic barrier construction must comply with the following requirements:
- the acoustic barriers are to be repaired such that there are no cracks or gaps;
 - the internal and external sides of the two approved acoustic barriers must be professionally painted in a dark, neutral, recessive colour. This colour must be permanently maintained in a complete condition;
 - the support posts must be cut so that they are flush with the top of acoustic barriers; and
 - certification from a qualified structural engineer must be provided which confirms the structural adequacy of the acoustic barriers.

Details demonstrating compliance with all of the above requirements must be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

(This condition was added by Section 96 Modification 2008/1107/2 on 12 May 2015).

- (14) **Evidence for Fill Material** - Evidence that all fill material used for the development complies with condition 4.0(17) of this development consent must be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

(This condition was added by Section 96 Modification 2008/1107/2 on 12 May 2015).

6.0 - Operational Conditions

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

- (1) **Hot Storage** - All equipment (including pie warmers, hot food display units, etc) used for the display or storage of hot food shall maintain the food at a temperature of not less than 60°C.
- (2) **Cold Storage** - All equipment used for the display or storage of cold food shall maintain the food temperature of not more than 5°C.
- (3) **Soap Towels** - An adequate supply of liquid soap and single use clean hand towels or other suitable hand drying facilities shall be provided to the staff toilet and near the hand basin, and must be maintained at all times.

- (4) **Offensive Noise** - The use and occupation of the premises, including all plant and equipment installed thereon, must not give rise to any offensive noise within the meaning of the Protection of the Environment Operations Act 1997.
- (5) **(This condition was deleted by Section 96 Modification 2008/1107/3 on 12 December 2017).**
- (6) **Hours of Operation and Maximum Occupancy** - The approved hours of operation, attendees and activities for the approved land-use are:

	Activity	Hours	Attendees
Monday	Weddings and birthdays	10am-6pm	390
	Funerals	8am-10am and 7pm-9.30pm	390
Tuesday	Weddings and birthdays	10am-6pm	390
	Funerals	8am-10am and 7pm-9.30pm	390
	Focus groups / workshops	7pm-9.30pm	100
Wednesday	Weddings and birthdays	10am-6pm	390
	Funerals	8am-10am and 7pm-9.30pm	390
	Prayer meetings	7pm-9.30pm	195
Thursday	Weddings and birthdays	10am-6pm	390
	Funerals	8am-10am and 7pm-9.30pm	390
	Focus groups / workshops	7pm-9.30pm	100
Friday	Weddings and birthdays	10am-6pm	390
	Funerals	8am-10am and 7pm-11pm	390
	Church services	7pm-10pm	195
Saturday	Weddings and birthdays	10am-6pm	390
	Funerals	8am-10am and 7pm-11pm	390
	Congregation worship	9.30am-5pm	390
	Social and sport events	7pm-11pm	390
Sunday	Weddings and birthdays	10am-6pm	390
	Funerals	8am-10am and 7pm-11pm	390
	Church related activities including children's activities and band recitals	10am-6pm	390

In addition, the following additional special activities are approved:

- week of prayer for 195 attendees. This can occur three times a year for one week in January or February, March or April and September or October) for a period of

one week from 7pm-10.30pm. All other proposed activities must be cancelled where there is a schedule clash;

- singing groups and brass band practice for 100 patrons. This can occur twice a week from 7pm-9.30pm; and
- New Year's Eve year end service for 390 patrons. This can occur each New Year's Eve from 6pm-12 midnight.

Where weddings, birthdays and funerals are scheduled to occur at the same time as other approved activities, the other activities must be cancelled.

The ancillary office and meeting rooms are approved to operate at the same days and times as the rest of the development.

All approved activities must be finished by their approved finish times and the site completely vacated within 30 minutes of those finishing times.

All vehicle movements, deliveries and any other operations associated with the use of the premises must be restricted to approved hours of operation. Any alterations to these hours will require the prior written approval of Camden Council.

(This condition was modified by Section 96 Modification 2008/1107/3 on 12 December 2017).

- (7) **Overflow Car Park** - The overflow car park area in front of the church hall building is only to be used once all other constructed car parking spaces on the site have been fully occupied.

All vehicular access to, within and from the overflow car park area is to be controlled and managed by accredited traffic controllers.

This overflow car park area is to be regularly maintained as a mown grass lawn when not in use.

- (8) **Lighting** - All of the approved lighting must be turned off outside of the development's approved hours of operation.
- (9) **Amenity** - The business shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, adjoining occupations, and residential premises.
- (10) **Ancillary Office Area** - The use of the office area shall be ancillary to the use of the premises at all times.
- (11) **Graffiti Removal** - All graffiti must be removed from the building within 48 hours of occurring.
- (12) **Unloading of Deliveries** - All unloading of deliveries must only ever take place within the approved site.
- (13) **Vehicles Entering and Exiting the Site** - All vehicles entering and exiting the site must only do so in a forward direction.

- (14) **Occupation Certificate** - An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) prior to occupation or use of the development. In issuing an Occupation Certificate, the PCA must be satisfied that the requirements of Section 109H of the *Environmental Planning and Assessment Act 1979* have been satisfied.

The PCA must submit a copy of the Occupation Certificate to Camden Council (along with the prescribed lodgement fee) within two (2) days from the date of determination and include all relevant documents and certificates that are relied upon in issuing the certificate.

The use or occupation of the approved development must not commence until such time as all conditions of this development consent have been complied with.

- (15) **Approved Acoustic Report** - The recommendations outlined in Section 10 of the acoustic assess prepared by Koikas Acoustics Pty Ltd, project number 3007 revision 6, dated 15 November 2017 must be implemented. This includes installation of a secondary glazing system with 6.38mm laminated glass with a minimum 50mm air-gap separating the existing 4mm window system along the western façade of the main hall in accordance with appendix E of the report.

The above works must be fully completed prior to the use of the development for any of the new activities, operating days and times approved by Section 96 Modification 2008/1107/3.

(This condition was added by Section 96 Modification 2008/1107/3 on 12 December 2017).

- (16) **Windows and Doors** - All windows and doors are to be closed during services and events. For these periods, sufficient mechanical ventilation must be provided to achieve compliance with the Building Code of Australia.

(This condition was added by Section 96 Modification 2008/1107/3 on 12 December 2017).

- (17) **Modified Operational Management Plan** - The approved operational management plan must be modified to include a requirement to monitor and manage attendees so that they do not cause disturbance to surrounding property occupiers.

This must include providing the occupiers of surrounding properties the name(s) and telephone number(s) of the congregation member(s) responsible for monitoring and managing attendees. The surrounding property addresses that are to be provided with contact details are:

- 132 George Road.
- 114 George Road.
- 35 Riley Road.
- 84 Dwyer Road.
- 115 George Road.
- 121 George Road.
- 129 George Road.

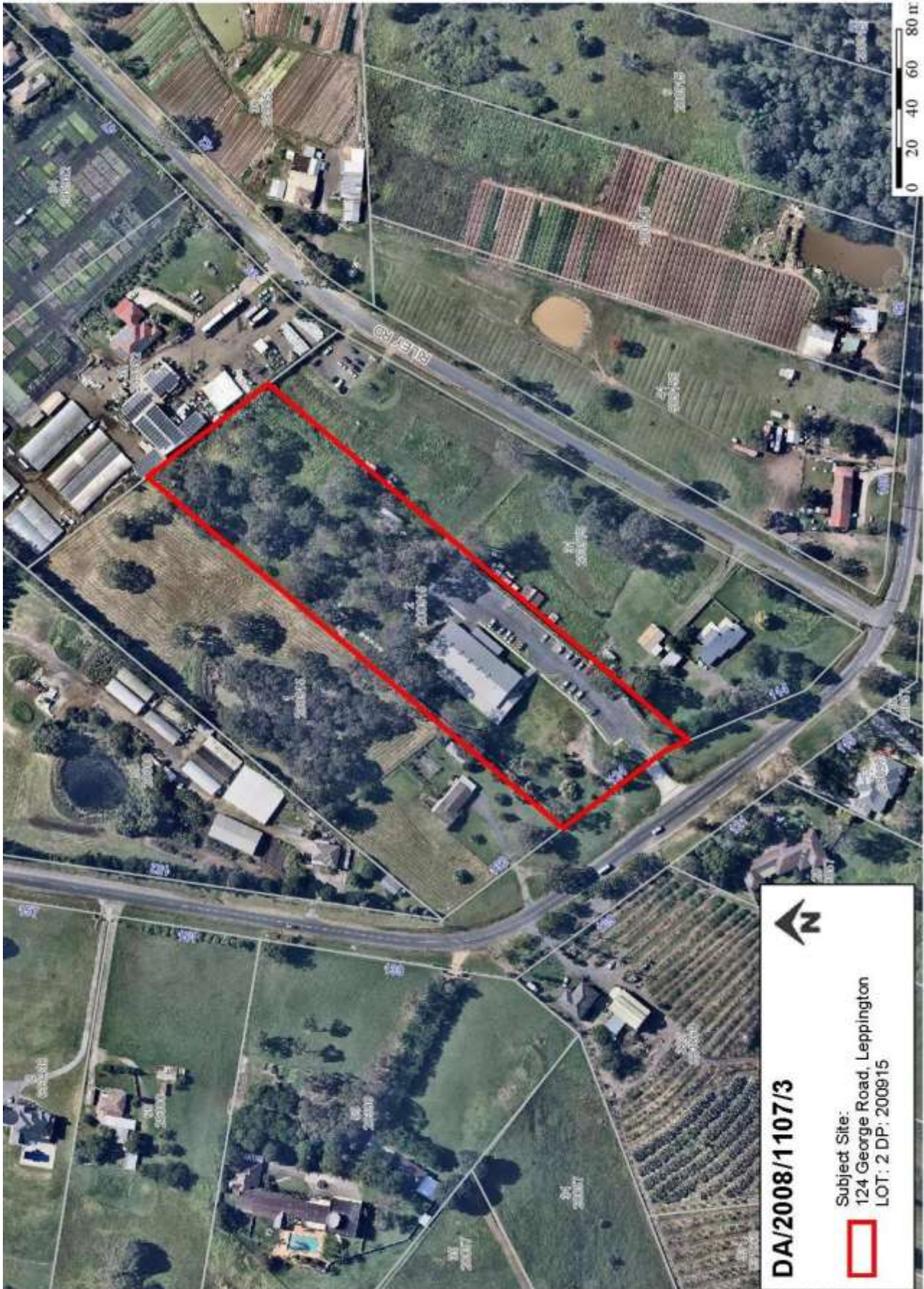
The above must be completed prior to the use of the development for any of the new activities, operating days and times approved by Section 96 Modification 2008/1107/3.

(This condition was added by Section 96 Modification 2008/1107/3 on 12 December 2017).

- (18) **Approved Development** - The approved development is a "place of public worship" as defined by Camden Local Environmental Plan 2010. All activities undertaken on the site must be consistent with this development consent, approved documentation and this land use definition.

All activities must be associated with the operations of the place of public worship at all times and not operate as an independent land use. Any additional use of the site requires separate approval.

(This condition was added by Section 96 Modification 2008/1107/3 on 12 December 2017).



DA/2017/1062/1 – Recommended Conditions – 29 Nicholson Parade, Spring Farm

1.0 - General Conditions of Consent

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

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

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Drawing No. A26980 – Sheet 1 of 9 – Revision G	Site Plan	A&N Designs	25/9/2017
Drawing No. A26980 – Sheet 2 of 9 – Revision G	Ground Floor Plan	A&N Designs	25/9/2017
Drawing No. A26980 – Sheet 3 of 9 – Revision G	First Floor Plan	A&N Designs	25/9/2017
Drawing No. A26980 – Sheet 4 of 9 – Revision G	Elevations	A&N Designs	25/9/2017
Drawing No. A26980 – Sheet 5 of 9 – Revision G	Elevations and Section	A&N Designs	25/9/2017

- (2) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) for the development to which this consent applies.
- (3) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (4) **Home Building Act** - Pursuant to Section 80A(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the PCA for the development to which the work relates:
- a) in the case of work for which a principal contractor has been appointed:
- i) has been informed in writing of the name and licence number of the principal contractor; and
 - ii) where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.



- b) in the case of work to be carried out by an owner-builder;
 - i) has been informed in writing of the name of the owner-builder; and
 - ii) if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.
- (5) **Home Building Act – Insurance** - Building work that involves residential building work within the meaning of the *Home Building Act 1989*, shall not commence until such time as a contract of insurance is in force in accordance with Part 6 of that Act.

This clause does not apply:

- a) to the extent to which an exemption is in force under Clause 187 or 188 of the EP&A Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of the EP&A Regulation 2000; or

to the erection of a temporary building, other than a temporary structure to which subclause (1A) of Clause 98 of the EP&A Regulation 2000 applies.

- (6) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
- a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
 - b) where necessary, underpin the building, structure or work to prevent any such damage.

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

A copy of the written consent must be provided to the PCA prior to the excavation commencing.

2.0 – Prior to Issue of a Construction Certificate

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

- (1) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.

- (2) **Building Platform** - This consent restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2m from the external walls of the building. Where the external walls are within 2m of any property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level shall be used. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (3) **Driveway Gradients and Design** – The design of all driveways shall comply with AS 2890.1-2004 'Off street car parking' and:
- a) the driveway shall comply with Council's Access Driveway Specifications; <https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/Development-Guidelines-and-policies/Access-Driveways-Specifications-and-Drawings.pdf>
 - b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
 - c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and
 - d) a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.

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

- (4) **Salinity (Dwellings & Outbuildings)** – A salinity assessment must be undertaken for the approved development in accordance with the EPA Booklet "Site Investigation For Urban Salinity". Where soils or ground water are aggressive to building materials a separate salinity management plan (SMP) that incorporates the construction requirements of the relevant Australian Standards shall be provided to the Certifying Authority with the Construction Certificate application.

Alternatively, the approved development must comply with the salinity design/management requirements of Council's Engineering Specifications in lieu of a separate SMP.

Or

The dwelling, landscaping and associated works for the development shall comply with the requirements of the salinity management plan [insert report name and report reference] prepared by [insert author of report].

Alternatively, a site specific analysis including recommendations, prepared by a suitably qualified consultant and referencing Australian Standard AS2870-2011 and Council's Engineering Specifications, shall be submitted to the Certifying Authority.

Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (5) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building work that cost \$25,000 or more.

3.0 - Prior to Commencement of Works

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

- (1) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
 - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
 - f) a telephone number on which the PCA may be contacted for business purposes.
- (2) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;
 - d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the PCA/developer (only where no PCA is required) to the effect that all conditions of the consent that are

required to be satisfied prior to the work commencing have been satisfied;
and

f) the date on which the work is intended to commence.

(3) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:

- a) a Construction Certificate has been issued by a Certifying Authority;
- b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
- c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
- d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
- e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.

(4) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:

- a) that unauthorised entry to the work site is prohibited;
- b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
- c) the name, address and telephone number of the PCA.

The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.

(5) **Sydney Water Approval** – The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to www.sydneywater.com/tapin to apply.

A copy of the approval receipt from Sydney Water must be submitted to the PCA.

(6) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.

- (7) **Protection of Existing Street Trees** - No existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation shall be disturbed, relocated, removed or damaged during earthworks, demolition, excavation (including any driveway installation), construction, maintenance and/or establishment works applicable to this consent, without Council agreement and/or consent.

The protection methods for existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation during all works approved by this development consent shall be installed in accordance with AS 4970-2009 Protection of Trees on Development Sites.

4.0 - During Works

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

- (1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:

- a) preserve and protect the building from damage;
- b) if necessary, underpin and support the building in an approved manner; and
- c) give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact "Dial Before You Dig" prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

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

- (4) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:
- a) retaining walls shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
 - b) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
 - c) retaining walls shall not be erected within drainage easements; and
 - d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.
- (5) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the stormwater drainage is to be installed as per the approved hydraulic drainage plan. Stormwater must be clear of and not impact upon the effluent management area as shown on the approved sustainable effluent management plan.
- Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.
- All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The PCA shall not permit construction works beyond the frame inspection stage until this work has been carried out.
- (6) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.
- (7) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the PCA prior to the pouring of concrete.
- (8) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.
- (9) **Vehicles Leaving the Site** - The construction supervisor must ensure that:

- a) all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
 - b) the wheels of vehicles leaving the site:
 - i) do not track soil and other waste material onto any public road adjoining the site; and
 - ii) fully traverse the site's stabilised access point.
- (10) **Protection for Existing Trees** – The protection of existing trees (on-site and street trees) must be carried out as specified by AS 4970 Protection of Trees on Development Sites.

5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the PCA.
- (3) **Driveway Crossing Construction** – A footpath crossing (where required) and a driveway crossing shall be constructed in accordance with this development consent and the driveway crossing approval prior to use or occupation of the development.
- (4) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (5) **House Numbering** – The dwellings on the site (existing and approved, primary and secondary) must be readily identifiable from the street by displaying their Council allocated house numbers. The allocated house numbers will be in accordance with the current Geographical Names Board of NSW Address Policy. E-mail Council at ljs.mailbox@camden.nsw.gov.au to obtain the allocated house numbers. Any alternative numbering of the dwellings is not permitted.

6.0 – Ongoing Use

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

- (1) **Residential Air Conditioning Units** - The operation of air conditioning units shall operate as follows:

- a) be inaudible in a habitable room during the hours of 10pm – 7am on weekdays and 10pm to 8am on weekends and public holidays; and
- b) emit a sound pressure level when measured at the boundary of any neighbouring residential property, at a time other than those specified in (a) above, which exceeds the background (LA90, 15 minutes) by more than 5dB(A). The source noise level shall be measured as a LAeq 15 minute.

Reasons for Conditions:

- (1) To ensure that the development complies with statutory requirements including the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, the *Building Code of Australia* and applicable Australian Standards.
- (2) To ensure that the development meets the aims, objectives and requirements of the environmental planning instruments, development controls plans, Council policies and Section 94 contribution plans that apply to the site and development.
- (3) To ensure that the development complies with the submitted plans and supporting documentation.
- (4) To ensure that the development will be constructed/operated in a manner that will minimise impacts upon the environment.

ATTACHMENT A - Advice

The following matters are included as advice as relevant to this determination.

- 1. **Review of Determination** - Section 82A of the *Environmental Planning and Assessment Act, 1979* provides that the applicant may request a review of this determination within 6 months of the date of the determination, following the payment of the prescribed fee.
- 2. **Offences** - Section 125 of the *Environmental Planning and Assessment Act, 1979* provides that any person who contravenes or causes or permits to be contravened the conditions of this consent shall be guilty of an offence.
- 3. **Penalties** - Section 126 of the *Environmental Planning and Assessment Act, 1979* provides that any person guilty of an offence against this Act shall, for every such offence, be liable to penalties as stated in this section.
- 4. **Contributions** - The contributions (if required) under Section 94 of the *Environmental Planning and Assessment Act, 1979* are set out in the stated Contribution Plans which can be viewed at Camden Council's Customer Service counter during normal business hours.

5. **Tree Preservation** – This consent does not authorise any tree removal unless specifically shown on approved plans and referred to in this development consent. All trees are protected in all areas of Camden. Separate consent is required for any proposal affecting existing trees and native vegetation. Any person who contravenes or causes or permits the removal of a tree/s without consent shall be guilty of an offence and liable to penalty as stated in this advice.
6. **Utilities and Authorities** – Damage to major underground utilities can be avoided by calling the 'Dial Before You Dig Service' on 1100. Individuals and companies may be found to be financially liable for any damage caused to major utilities.

Applicants may also be required to liaise with appropriate authorities and utility providers. These authorities and utility providers may include:
 - a) Endeavour Energy
 - b) Sydney Water
 - c) A telecommunications provider
 - d) Other energy suppliers/authorities
 - e) Australia Post
 - f) WorkCover Authority
 - g) Other relevant State and Federal Government Departments
7. **Telecommunications Infrastructure** – Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Any works or proposed works which may impact upon Telstra Assets in any way are required to be reported to Telstra's Network Integrity Team on Phone Number 1800 810 443.



NORTH EAST ELEVATION 1:100



NORTH WEST ELEVATION 1:100



SOUTH WEST ELEVATION 1:100

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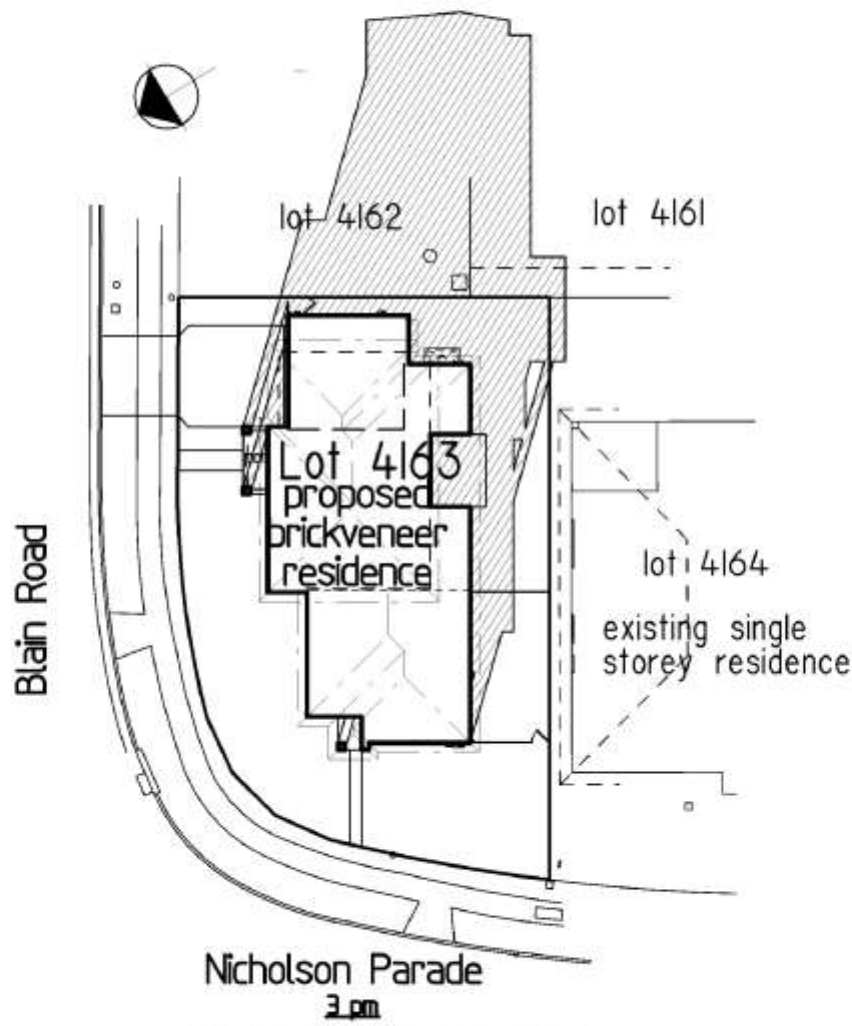
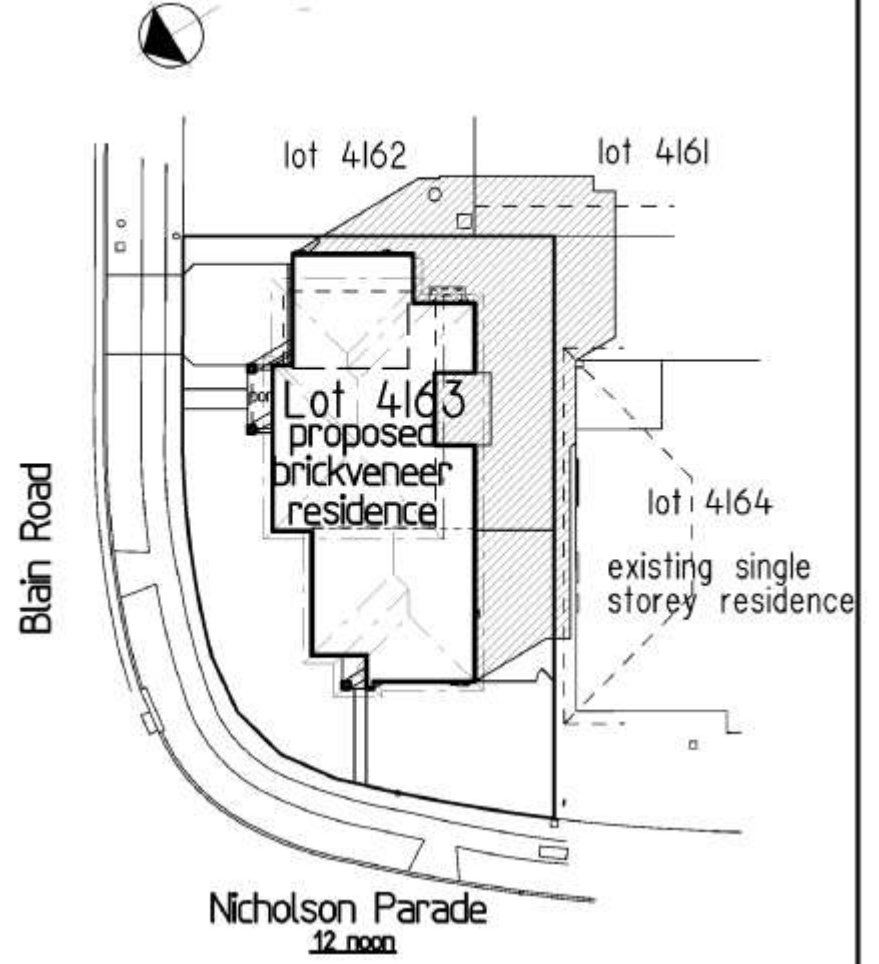
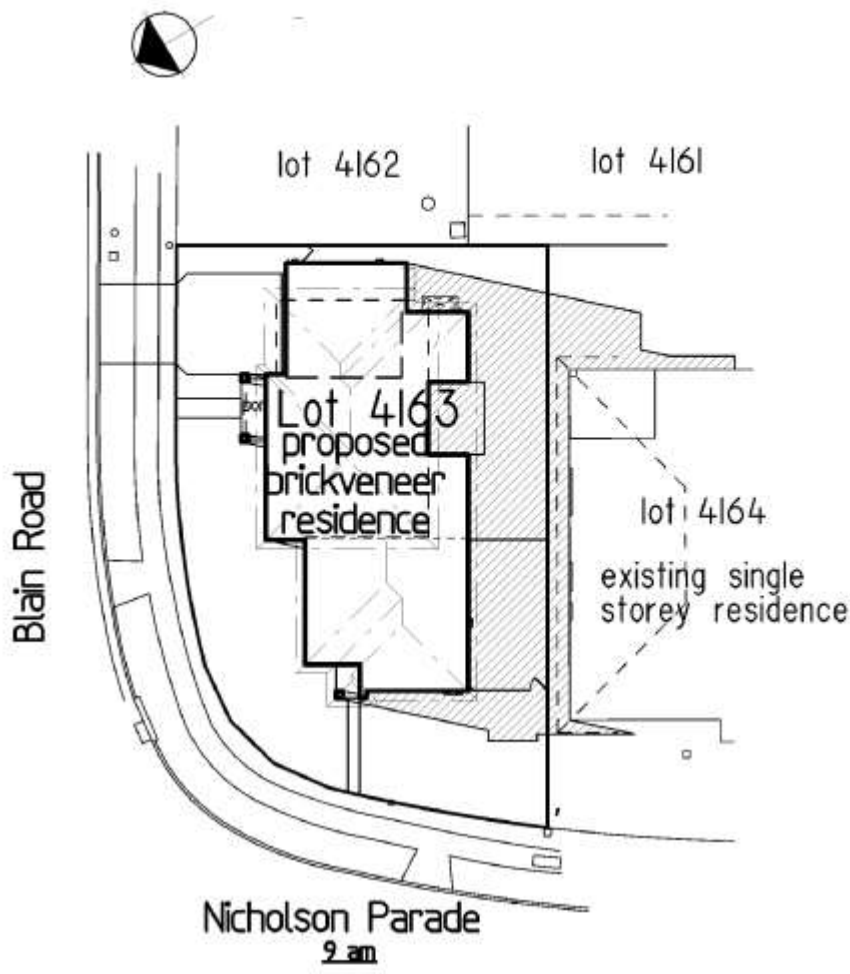
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G	Structural Engineers	PH	30-8-17
F	Architect	JH	19-8-17
E	Master Planners	JH	22-8-17
D	Architect	RL	1-8-17
C	Design Assist	A	16-7-17
B	IT Plans	JH	22-8-17
A	Block Design	A	25-5-17

REV	DESCRIPTION	DATE
House type	Custom Design	DRAWING NO. A26980
Project	Custom	SHEET 4 of 11
Drawn	LH	DATE May 2017

Buckley Building Co. Pty. Ltd.
Lot 4163 Blain Rd Orr Nicholson Pde
Spring Farm DP1154052

LOCAL: Camden ESTATE: Spring Farm

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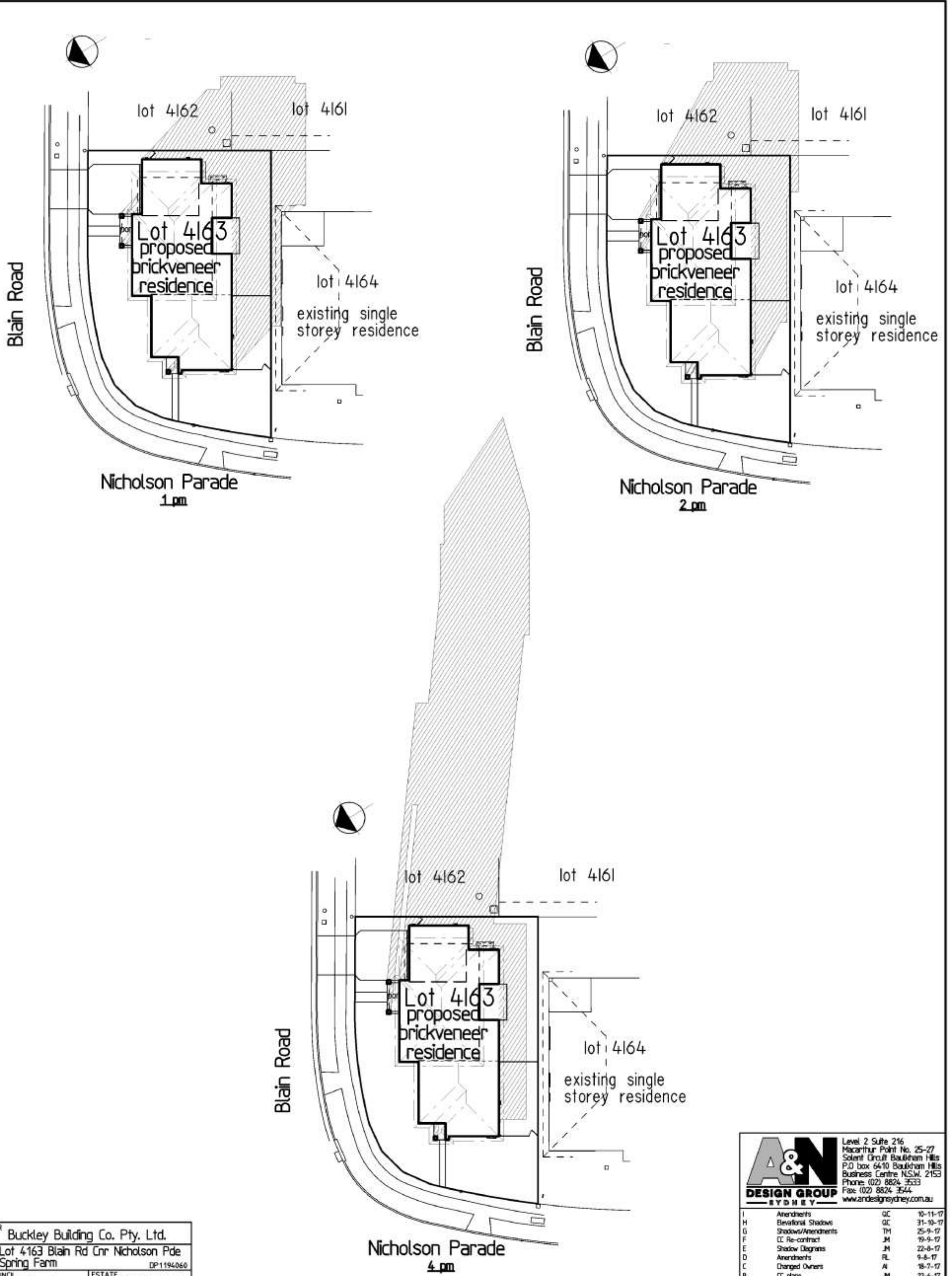


SHADOW DIAGRAMS
JUNE 21ST MID-WINTER 1:350

shadow diagrams to be used as a guide only site conditions may cause variations

FOR Buckley Building Co. Pty. Ltd.
 AT Lot 4163 Blain Rd Cnr Nicholson Pde
 Spring Farm DP1194060
 COUNCIL Camden ESTATE Spring Farm
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I	Amendments	QC	10-11-17
H	Elevational Shadows	QC	31-10-17
G	Shadows/Amendments	TM	25-9-17
F	CC Re-contract	JM	19-9-17
E	Shadow Diagrams	JM	22-8-17
D	Amendments	RL	9-8-17
C	Changed Owners	AI	18-7-17
B	CC plans	JM	22-6-17
A	Sketch design	AI	25-5-17
REV	DESCRIPTION	DWN	DATE
house type Custom Design		DRAWING N°: A26980	
facade Custom		SHEET 8 of 11	
hand LH	JOB N°: 02780	DATE: May 2017	

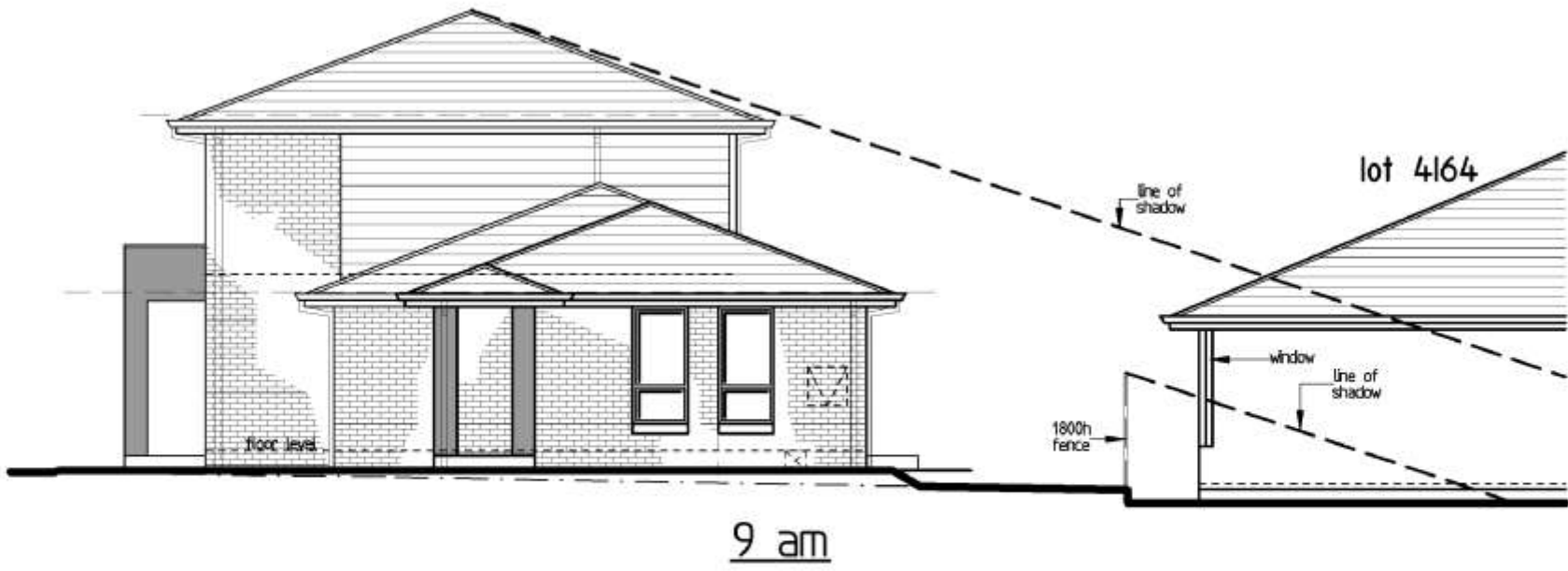


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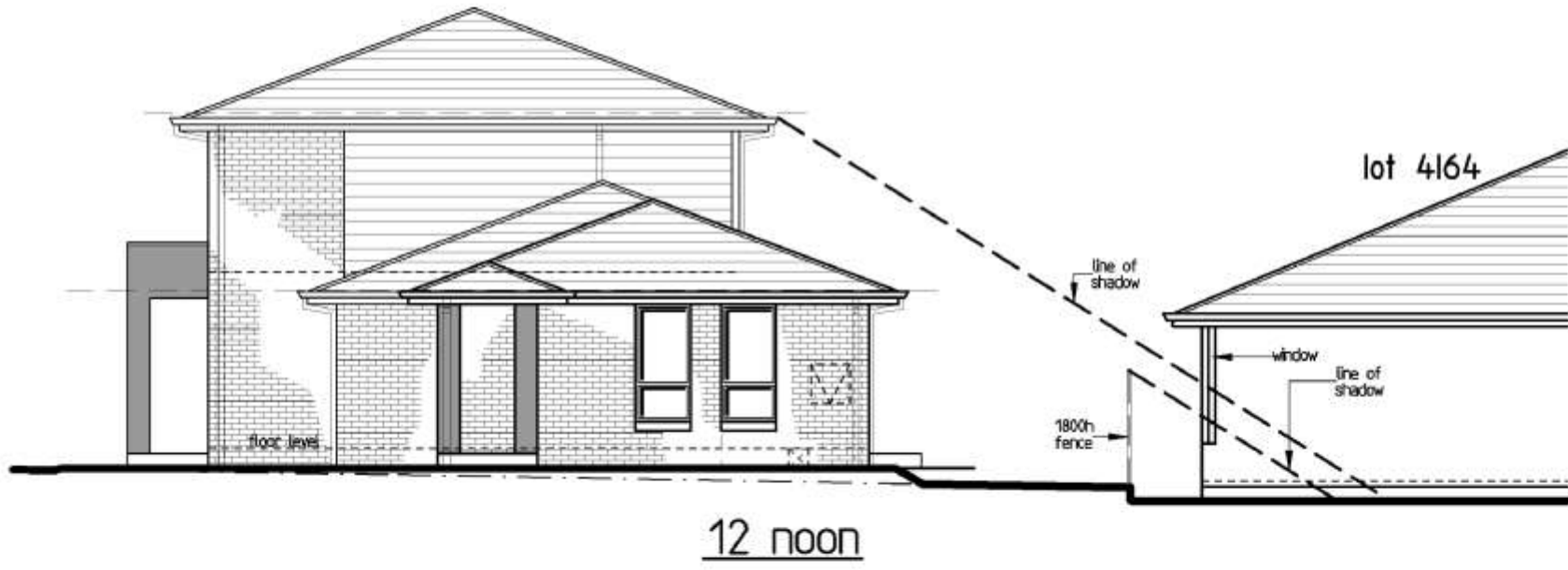
SHADOW DIAGRAMS
JUNE 21ST MID-WINTER 1:350

shadow diagrams to be used as a guide only site conditions may cause variations

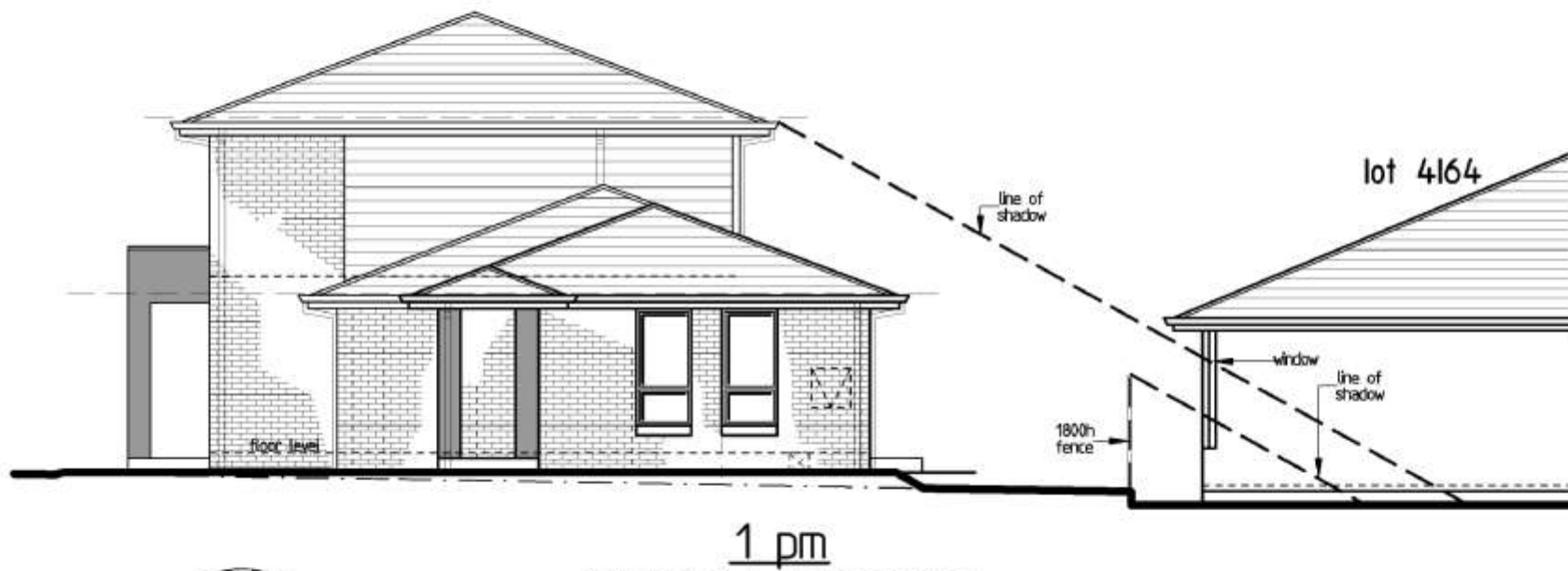
A&N DESIGN GROUP BY D MEY		Level 2 Suite 216 Macarthur Point No. 25-27 Solent Circuit Baulkham Hills P.O. box 6410 Baulkham Hills Business Centre N.S.W. 2153 Phone: (02) 8824 3533 Fax: (02) 8824 3544 www.aandn.com.au	
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C	Changed Owners	AI	18-7-17
B	CC plans	JM	22-6-17
A	Sketch design	AI	25-5-17
REV	DESCRIPTION	DWN	DATE
house type	Custom Design	DRAWING N°:	A26980
facade	Custom	SHEET	9 of 11
hand	LH	JOB N°:	02780
		DATE:	May 2017



9 am



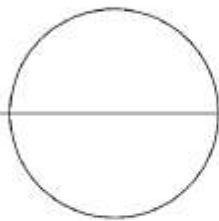
12 noon



1 pm

**SHADOW DIAGRAMS
JUNE 21ST MID-WINTER 1:100**

shadow diagrams to be used as a guide only site conditions may cause variations



FOR Buckley Building Co. Pty. Ltd.
AT Lot 4163 Blain Rd Cnr Nicholson Pde
Spring Farm DP1194060
COUNCIL Camden ESTATE Spring Farm
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I	Amendments	QC	10-11-17
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G	Shadows/Amendments	TM	25-9-17
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REV	DESCRIPTION	DWN	DATE
	house type		DRAWING N°:
	Custom Design		A26980
	facade		SHEET
	Custom		10 of 11
	hand	JOB N°:	DATE
	LH	02780	May 2017

1.0 - General Conditions of Consent

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

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

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Job No. 5103 Sheet No. 01 issue D	Site Plan	Allcastle Homes	28 July 2017
Job No. 5103 Sheet No. 02 issue D	Ground Floor Plan		
Job No. 5103 Sheet No. 03 issue D	First Floor Plan		
Job No. 5103 Sheet No. 04 issue D	Elevations		
Job No. 5103 Sheet No. 05 issue D	Elevations & Section		
Job No. 5103 Sheet No. 10 issue D	Sediment Control		
Job No. 5103 Sheet No. 11 issue D	Concept Drainage		

Document Title	Prepared by	Date
BASIX Certificate No. 798538M_02	Efficient Living	15 November 2017
Waste Management Plan	Allcastle Homes Pty Ltd	1 August 2017

- (2) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) for the development to which this consent applies.
- (3) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (4) **Home Building Act** - Pursuant to Section 80A(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the PCA for the development to which the work relates:
- a) in the case of work for which a principal contractor has been appointed:

- i) has been informed in writing of the name and licence number of the principal contractor; and
 - ii) where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.
 - b) in the case of work to be carried out by an owner-builder;
 - i) has been informed in writing of the name of the owner-builder; and
 - ii) if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.
- (5) **Home Building Act – Insurance** - Building work that involves residential building work within the meaning of the *Home Building Act 1989*, shall not commence until such time as a contract of insurance is in force in accordance with Part 6 of that Act.

This clause does not apply:

- a) to the extent to which an exemption is in force under Clause 187 or 188 of the EP&A Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of the EP&A Regulation 2000; or
- to the erection of a temporary building, other than a temporary structure to which subclause (1A) of Clause 98 of the EP&A Regulation 2000 applies.
- (6) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
 - a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
 - b) where necessary, underpin the building, structure or work to prevent any such damage.

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

A copy of the written consent must be provided to the PCA prior to the excavation commencing.

2.0 – Prior to Issue of a Construction Certificate

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

- (1) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.

- (2) **Section 94 Contributions – Monetary (Turner Road and Oran Park) - A** contribution pursuant to the provisions of Section 94 of the *EP&A Act 1979* for the services and amounts detailed below.

Plan Name	Contribution Type	Indexed Rate	Amount Payable
<i>Oran Park & Turner Road</i>	Open Space & Recreation - Land Acquisition	\$12,323 per dwelling	\$12,323.00
<i>Oran Park & Turner Road</i>	Open Space & Recreation - Works	\$4,968 per dwelling	\$4,968.00
<i>Oran Park & Turner Road</i>	Open Space & Recreation - Project Management	\$109 per dwelling	\$109.00
<i>Oran Park & Turner Road</i>	Community Facilities - Land Acquisition	\$140 per dwelling	\$140.00
<i>Oran Park & Turner Road</i>	Community Facilities - Works	\$966 per dwelling	\$966.00
<i>Oran Park & Turner Road</i>	Community Facilities - Project Management	\$21 per dwelling	\$21.00
TOTAL CASH CONTRIBUTIONS			\$18,527.00

A copy of the Oran Park and Turner Road Precincts Section 94 Contributions Plan may be inspected at Council's Camden office at 70 Central Avenue Oran Park or can be accessed on Council's website at www.camden.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the applicable Index.

- (3) **Building Platform** - This consent restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2m from the external walls of the building. Where the external walls are within 2m of any property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level shall be used. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (4) **Driveway Gradients and Design** – The design of all driveways shall comply with AS 2890.1-2004 'Off street car parking' and:

- a) the driveway shall comply with Council's Access Driveway Specifications; <https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/Development-Guidelines-and-policies/Access-Driveways-Specifications-and-Drawings.pdf>
- b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
- c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and
- d) a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.

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

- (5) **Salinity (Dwellings & Outbuildings)** – A salinity assessment must be undertaken for the approved development in accordance with the EPA Booklet "Site Investigation For Urban Salinity". Where soils or ground water are aggressive to building materials a separate salinity management plan (SMP) that incorporates the construction requirements of the relevant Australian Standards shall be provided to the Certifying Authority with the Construction Certificate application.

Alternatively, the approved development must comply with the salinity design/management requirements of Council's Engineering Specifications in lieu of a separate SMP.

Or

The dwelling, landscaping and associated works for the development shall comply with the requirements of the salinity management plan "*Report on Salinity Management Plan: proposed Residential and Commercial Subdivision Tranche 20 and Tranche 29 Oran Park, prepared by Douglas Partners Project 34272.91 dated March 2014*".

Alternatively, a site specific analysis including recommendations prepared by a suitably qualified consultant and referencing Australian Standard AS2870-2011 and Council's Engineering Specifications, shall be submitted to the Certifying Authority.

Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (6) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building work that cost \$25,000 or more.
- (7) **Amended Landscaping Plan** – The landscaping plan is to be amended to relocate the 6 Lillypillys and the Blueberry Ash to be outside of the drainage easement which extends across the rear boundary.

3.0 - Prior to Commencement of Works

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

- (1) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
 - a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
 - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
 - f) a telephone number on which the PCA may be contacted for business purposes.

- (2) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
 - a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;
 - d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the PCA/developer (only where no PCA is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
 - f) the date on which the work is intended to commence.

- (3) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
 - a) a Construction Certificate has been issued by a Certifying Authority;
 - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
 - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;

- d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
 - e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (4) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
 - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
 - c) the name, address and telephone number of the PCA.

The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.

- (5) **Sydney Water Approval** – The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to www.sydneywater.com/tapin to apply.

A copy of the approval receipt from Sydney Water must be submitted to the PCA.

- (6) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.
- (7) **Protection of Existing Street Trees** - No existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation shall be disturbed, relocated, removed or damaged during earthworks, demolition, excavation (including any driveway installation), construction, maintenance and/or establishment works applicable to this consent, without Council agreement and/or consent.

The protection methods for existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation during all works approved by this development consent shall be installed in accordance with AS 4970-2009 Protection of Trees on Development Sites.

4.0 - During Works

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

- (1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.

- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:

- a) preserve and protect the building from damage;
- b) if necessary, underpin and support the building in an approved manner; and
- c) give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact "Dial Before You Dig" prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

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

- (4) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:
- a) retaining walls shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
 - b) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
 - c) retaining walls shall not be erected within drainage easements; and
 - d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.
- (5) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the drainage easement.

Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.

All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The

PCA shall not permit construction works beyond the frame inspection stage until this work has been carried out.

- (6) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.
- (7) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the PCA prior to the pouring of concrete.
- (8) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.
- (9) **Vehicles Leaving the Site** - The construction supervisor must ensure that:
 - a) all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
 - b) the wheels of vehicles leaving the site:
 - i) do not track soil and other waste material onto any public road adjoining the site; and
 - ii) fully traverse the site's stabilised access point.
- (10) **Protection for Existing Trees** – The protection of existing trees (on-site and street trees) must be carried out as specified by AS 4970 Protection of Trees on Development Sites.

5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

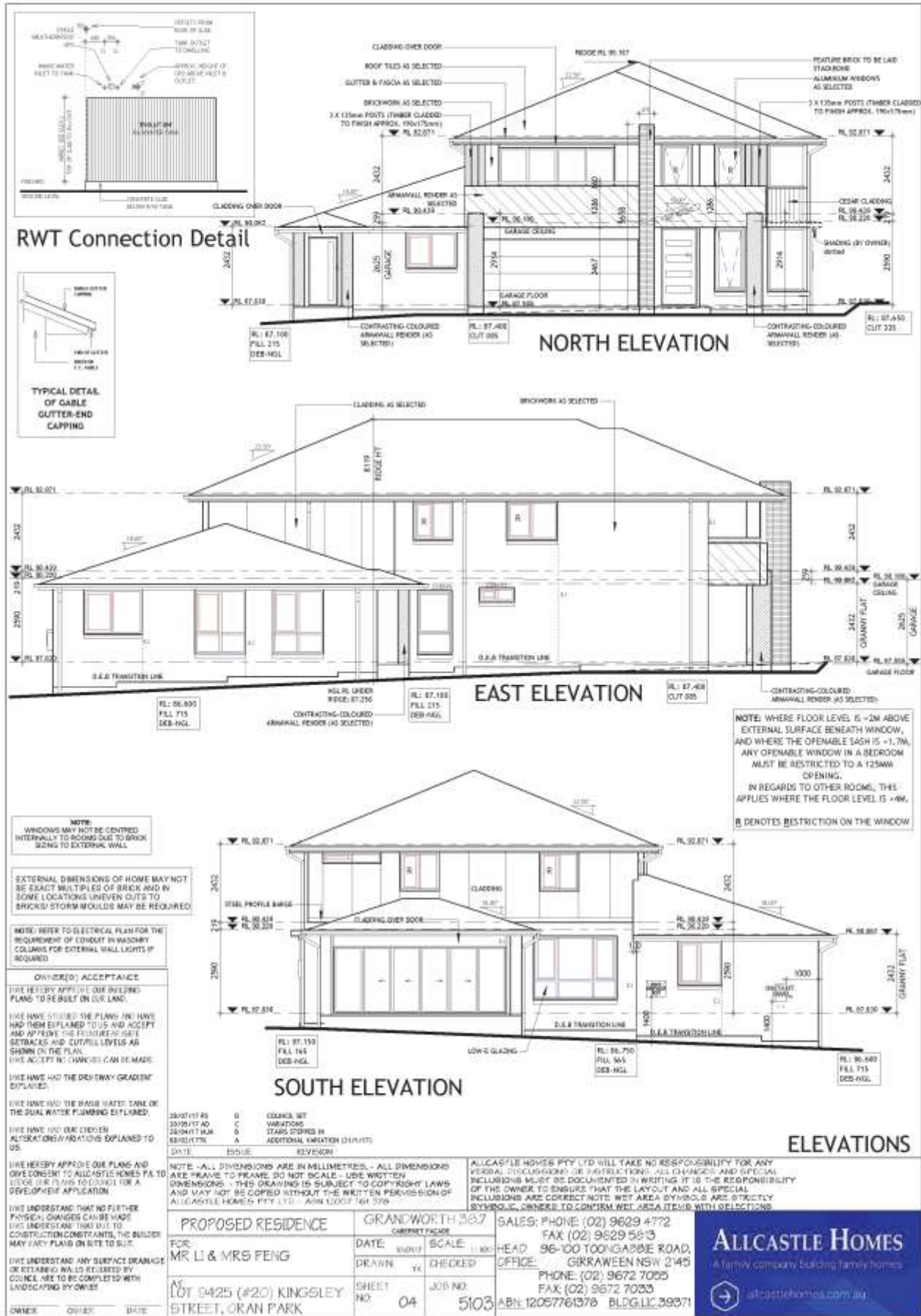
- (1) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the PCA.
- (3) **Driveway Crossing Construction** – A footpath crossing (where required) and a driveway crossing shall be constructed in accordance with this development consent and the driveway crossing approval prior to use or occupation of the development.
- (4) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.

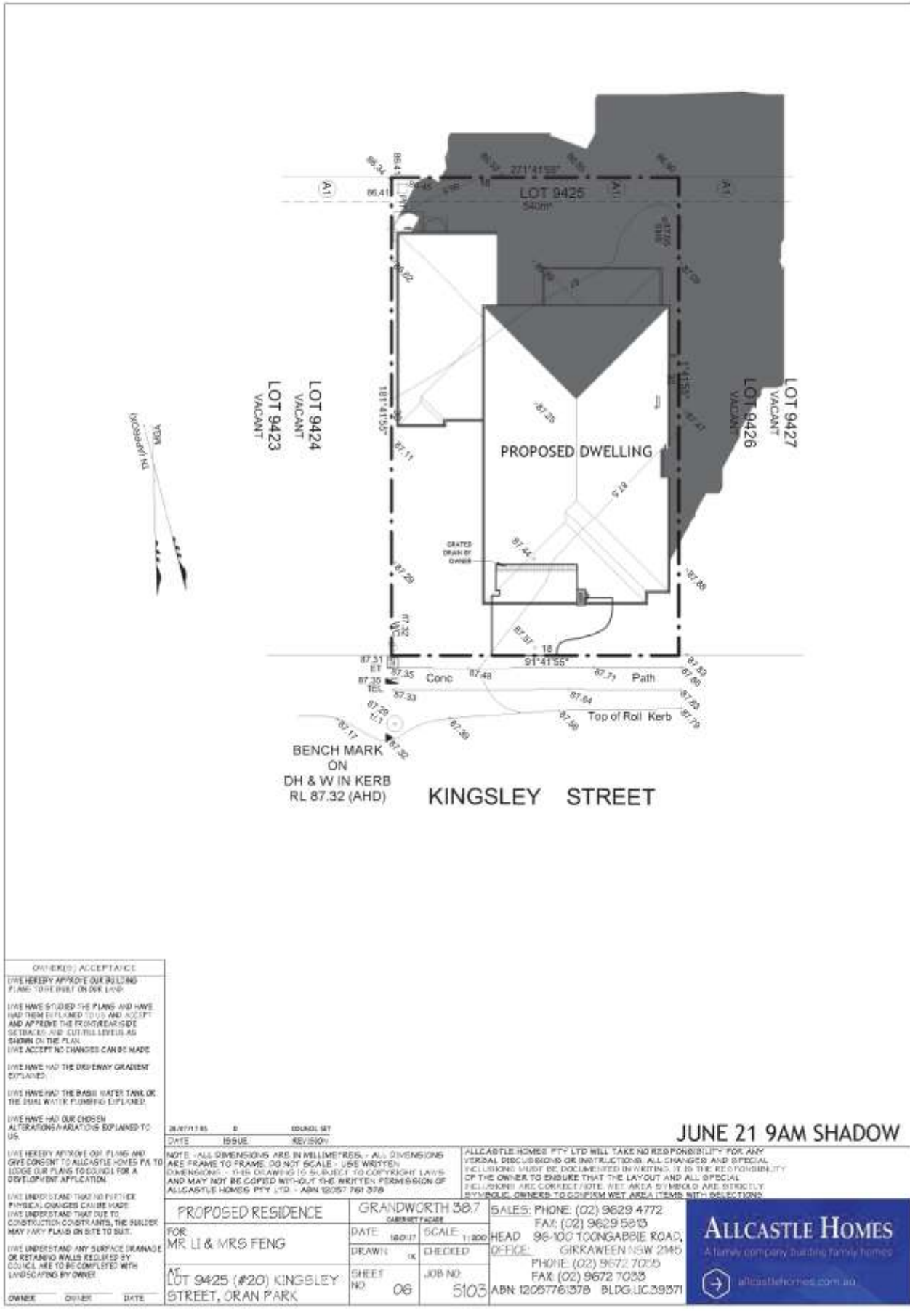
6.0 – Ongoing Use

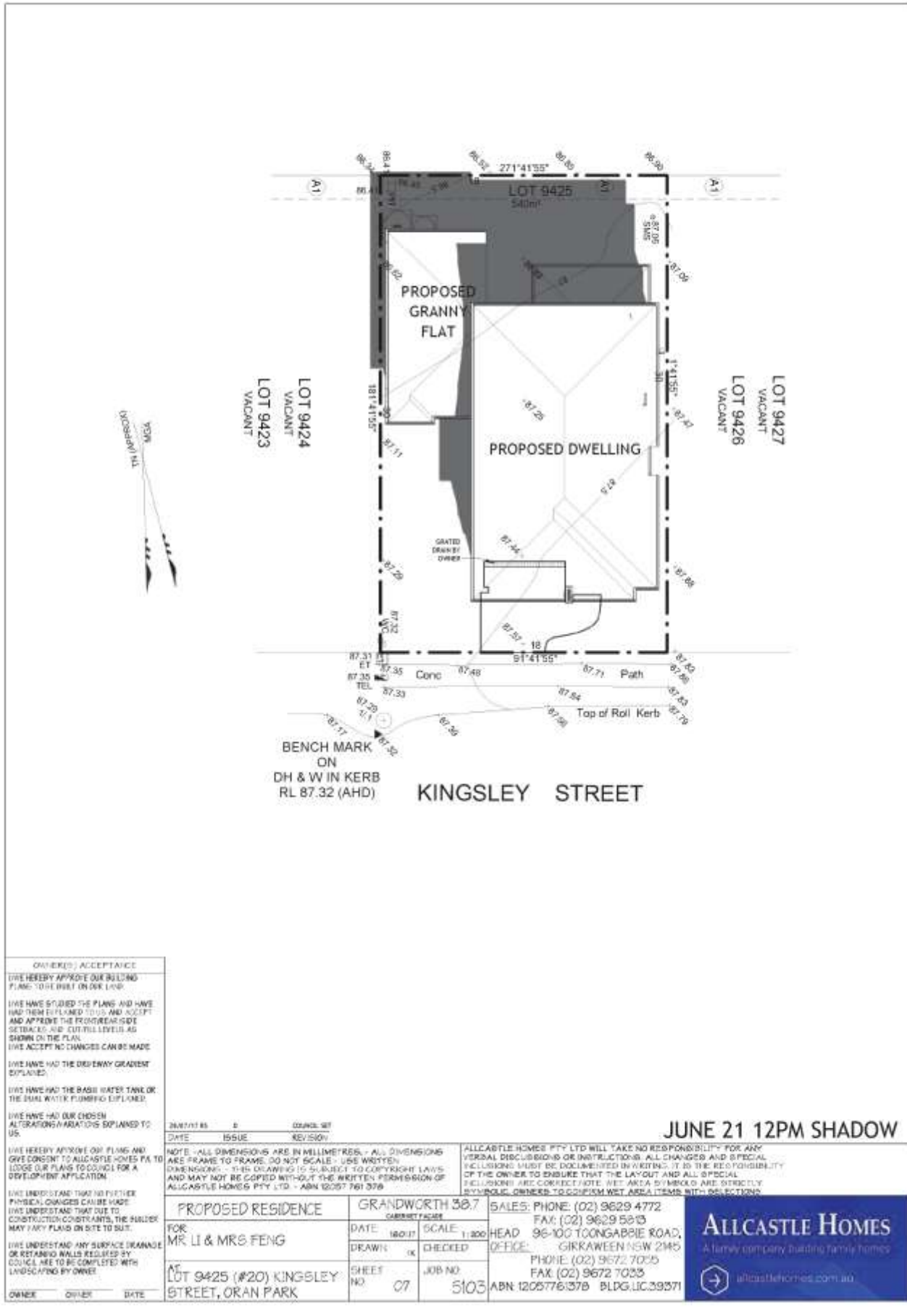
The following conditions of consent are operational conditions applying to the development.

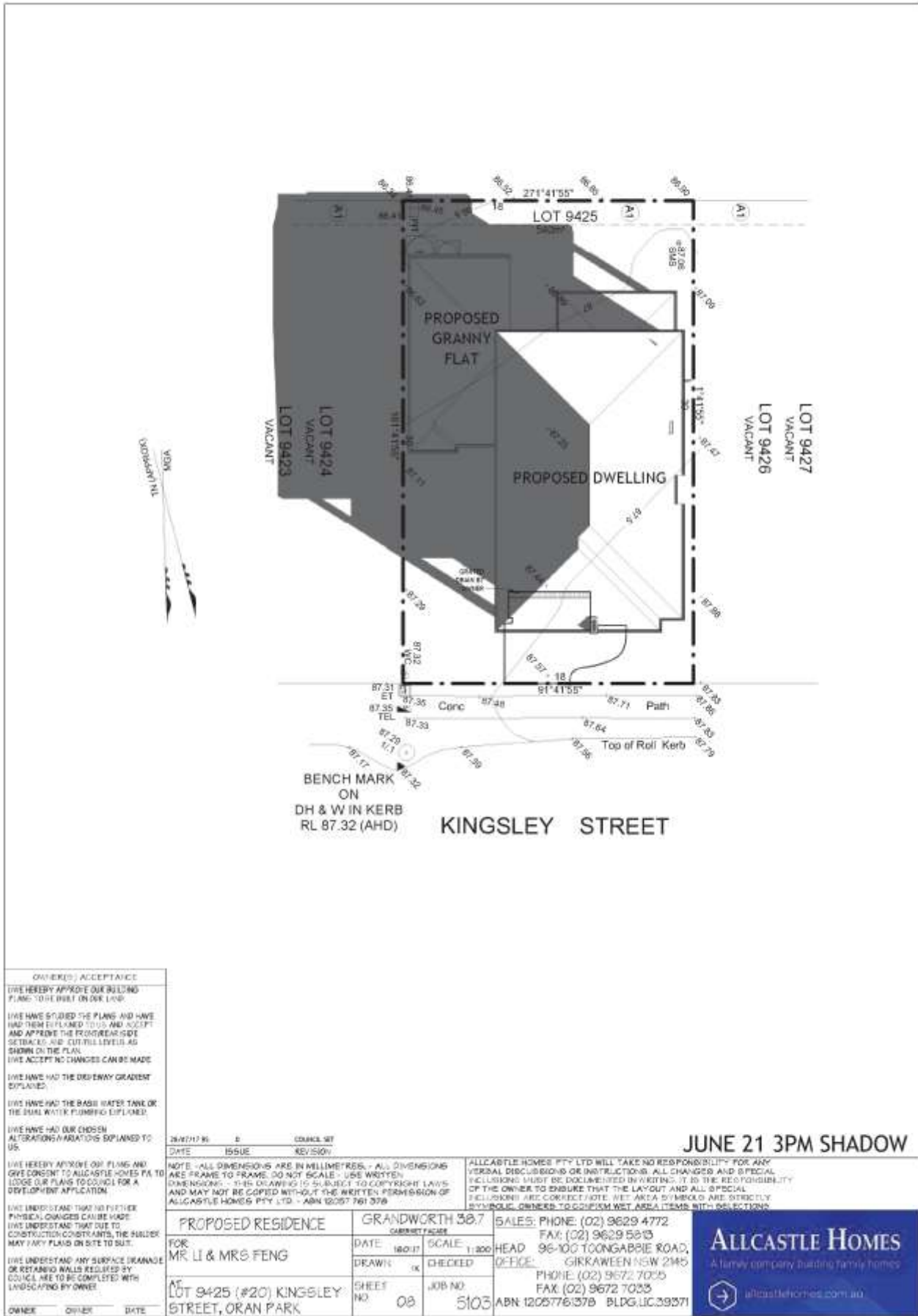
- (1) **Residential Air Conditioning Units** - The operation of air conditioning units shall operate as follows:
 - a) be inaudible in a habitable room during the hours of 10pm – 7am on weekdays and 10pm to 8am on weekends and public holidays; and
 - b) emit a sound pressure level when measured at the boundary of any neighbouring residential property, at a time other than those specified in (a) above, which exceeds the background (LA90, 15 minutes) by more than 5dB(A). The source noise level shall be measured as a LAeq 15 minute.











OWNER'S ACCEPTANCE

I/WE HEREBY APPROVE OUR BUILDING PLANS TO BE BUILT ON OUR LAND.

I/WE HAVE STUDIED THE PLANS AND HAVE HAD THEM EXPLAINED TO US AND ACCEPT AND APPROVE THE FRONT/REAR/SIDE SETBACKS, ALL CUT/FILL LEVELS AS SHOWN ON THE PLAN.

I/WE ACCEPT NO CHANGES CAN BE MADE.

I/WE HAVE HAD THE DRIVEWAY GRADIENT EXPLAINED.

I/WE HAVE HAD THE BASEL WATER TAKE OR THE DUAL WATER PUMPING EXPLAINED.

I/WE HAVE HAD OUR CHOSEN ALTERATIONS/VARIATIONS EXPLAINED TO US.

I/WE HEREBY APPROVE OUR PLANS AND GIVE CONSENT TO ALLCASTLE HOMES PTY LTD TO LODGE OUR PLANS TO COUNCIL FOR A DEVELOPMENT APPLICATION.

I/WE UNDERSTAND THAT NO FURTHER PHYSICAL CHANGES CAN BE MADE.

I/WE UNDERSTAND THAT DUE TO CONSTRUCTION CONSTRAINTS, THE NUMBER MAY VARY PLANS ON SITE TO SUIT.

I/WE UNDERSTAND ANY SURFACE DRAINAGE OR RETAINING WALLS REQUIRED BY COUNCIL ARE TO BE COMPLETED WITH LANDSCAPING BY OWNER.

OWNER: _____ DATE: _____

DATE	ISSUE	REVISION
26/07/17	0	COUNCIL SET

NOTE: ALL DIMENSIONS ARE IN MILLIMETRES. ALL DIMENSIONS ARE FRAME TO FRAME. DO NOT SCALE. USE WRITTEN DIMENSIONS. THIS DRAWING IS SUBJECT TO COPYRIGHT LAWS AND MAY NOT BE COPIED WITHOUT THE WRITTEN PERMISSION OF ALLCASTLE HOMES PTY LTD. - ABN 12057761378

PROPOSED RESIDENCE	GRANDWORTH 38.7
FOR MR LI & MRS FENG	DATE 16/01/17 SCALE 1:200
AT LOT 9425 (#20) KINGSLEY STREET, ORAN PARK	DRAWN CK CHECKED
	SHEET NO. 08 JOB NO. 5103

ALLCASTLE HOMES PTY LTD WILL TAKE NO RESPONSIBILITY FOR ANY VERBAL DISCUSSIONS OR INSTRUCTIONS. ALL CHANGES AND SPECIAL INSTRUCTIONS MUST BE DOCUMENTED IN WRITING. IT IS THE RESPONSIBILITY OF THE OWNER TO ENSURE THAT THE LAYOUT AND ALL SPECIAL INSTRUCTIONS ARE CORRECT. NOTE: NET AREA SYMBOLS ARE STRICTLY SYMBOLIC. OWNER TO CHECKISM WET AREA ITEMS WITH SELECTIONS.

SALES: PHONE: (02) 9629 4772
 FAX: (02) 9629 5813
 HEAD OFFICE: 96-100 TOONGABBIE ROAD,
 GIRRAWEE NSW 2145
 PHONE: (02) 9672 7035
 FAX: (02) 9672 7035
 ABN 12057761378 BLDG.LIC.293371

JUNE 21 3PM SHADOW

AllCASTLE HOMES
 A family company building family homes

allcastlehomes.com.au



ATTACHMENT 1 - RECOMMENDED CONDITIONS

1.0 – Deferred Commencement Conditions of Consent

The following deferred commencement conditions shall be complied with to the satisfaction of Council within 24 months from the date of this Notice of Determination in order to obtain an operational development consent.

- a) **Stormwater Design/disposal** – An amended stormwater management plan, prepared by a suitably qualified Hydraulic Engineer shall be submitted to Camden Council. The amended plan shall provide for the onsite disposal of stormwater from the proposed shed in accordance with Council's Engineering Design Specification. The stormwater disposal system shall not direct water to the drainage easement or impact upon with the properties existing approved onsite effluent disposal area.

The operational development consent will be issued by Council when the applicant provides documentary evidence to Council that the deferred commencement conditions have been satisfied.

The following conditions of consent will be included in the operational development consent.

2.0 - General Conditions of Consent

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

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

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Dwg No. 5 Revision 00	Elevations	Dane Anderson	21 March 2017
No Reference	Colour Schedule	Sydney Sheds	Undated
Dwg No. 1 Revision 01	Location Plan	Dane Anderson	21 March 2017
Dwg No. 2 Revision 01	Site Plan	Dane Anderson	21 March 2017
Dwg No. E296312 Issue A	Stormwater details, notes, legends	Donovan Associates	25 September 2017
Dwg No. E296312 Issue A	Stormwater management plan and details	Donovan Associates	25 September 2017
Dwg No. E296312 Issue A	Stormwater details, notes, legends	Donovan Associates	25 September 2017
Dwg No. E296312	OSD Calculations	Donovan Associates	25 September 2017

This is the report submitted to the held on 7

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Issue A			
Dwg No. E296312 Issue A	Sediment control plans and details	Donovan Associates	25 September 2017

Document Title	Prepared by	Date
Waste Management Plan	Applicant	24 March 2017

- (2) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.
- (3) **Conditional Approval for Tree Removal** - Consent is granted for the removal of only those trees shown on Architectural Plans prepared by Dane Anderson drawing no. 02 revision 00 dated 21/3/2017

The following conditions apply;

- a) Approved tree works are to be undertaken in accordance with the relevant provisions of AS 4373 'Pruning of amenity trees' and is to be carried out in accordance with the WorkCover NSW Code of Practice for the Amenity Tree Industry.
- b) Approved tree work should only be carried out by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
- c) This consent does not grant access to adjoining land. The applicant must negotiate any issues of access with adjoining property owners.
- d) In the case of obvious nesting hollows being present within the tree/s an experienced wildlife handler (member of NANA or WIRES) is to be present during the tree work. Relocation of wildlife from the nesting hollows and the creation of new nesting opportunities shall be provided elsewhere on the property at a rate of one for one. Relocated hollow sections of nesting boxes are to be installed within existing trees for any animals removed. The design of these boxes is to conform to those designs outlined within the publication: The Nestbox Book. At least one relocated hollow or nest box is to be installed for each hollow removed that has been considered to have accommodated wildlife (irrespective of whether the hollow had an animal in it at the time of removal/assessment).
- e) Green waste and or timber generated from the approved tree work is to be recycled into mulch and reused on site or transferred to a designated facility for composting. Stock piles of green waste or processed timber for reuse including firewood must be stored behind the building line or place out view from the street within 28 days of the tree works authorised by this consent.
- f) All reasonable measures must be taken to protect the remaining vegetation on the site from damage during the approved tree works.
- g) Tree work is inherently noisy and potentially disruptive to normal traffic conditions in your street, as such the applicant shall notify (at least 24 hours prior) surrounding neighbours of the time and date of the approved tree works.
- h) The issuing of this Consent is conditioned upon the planting and maintenance of three (3) replacement local native trees as a means to achieve a "No Nett Loss"

This is the report submitted to the held on 7

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approach to vegetation management. The plantings shall consist of minimum 25 litre container stock and must consist of one or more of the following species; Eucalyptus tereticornis (Forest Red Gum), Eucalyptus moluccana (Grey Box), Corymbia maculate (Spotted Gum) or Eucalyptus crebra (Narrow Leaved Ironbark).

- i) The planting/s shall be installed on the subject property prior to the issue of Occupation Certificate.
- j) Replacement trees must be cared for and maintained until they reach a height of three (3) metres, the point at which the trees are protected by Council's tree preservation provisions. Should any of the tree/s die before they reach the required height of three (3) metres then they shall be replaced with another tree/s.
- k) At the appropriate time the applicant shall make arrangements for a Council officer to inspect the planting/s (referred to in the clause above) to ensure that Council's objectives for vegetation management are being achieved.

3.0 – Prior to Issue of a Construction Certificate

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

- (1) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (2) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

A stormwater plan is to be submitted to the Certifying Authority prior to the augmentation of the existing drainage system to accommodate drainage from the approved development and to protect other property to the satisfaction of the Certifying Authority.

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

- (3) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (4) **Detailed Landscape Plan** - A landscape plan must be prepared and include the following screen planting specifications;



- a. Small trees/tall shrub species capable of reaching a mature height of 4 metres shall be planted on the northern and eastern sides of the proposed shed and planted in staggered rows as shown in Figure 1. below. The matrix is to be repeated every 4 metres for the entire length of the abovementioned aspects.
- b. Matrix planting area preparation shall consist of sub grade rips 0.5m apart to a minimum depth of 0.4m followed by cultivation of the top soil at a depth of 100mm.
- c. Individual planting holes shall be excavated to twice the depth and the width of the new tree root-ball and backfilled with quality garden mix.
- d. A 75mm layer of leaf mulch shall be applied evenly over the entire planting area after planting.
- e. The planting stock shall consist of minimum 5 litre container stock and must consist of a mix of at least four different species with known performance in the Camden district. Suggested species; Callistemon, Grevillea, Hakea, Leptospermum, Melaleuca, Pittosporum, Viburnum or Syzygium.
- f. The small trees/tall shrub screen must be cared for and maintained until a continuous screen is established. Should any of the trees/tall shrubs die then they shall be replaced with another small tree/tall shrub.
- g. Small tree/shrub stock to be sourced in accordance with tests and measures contained within AS2303-2015 – Tree Stock for Landscape Use
- h. The landscape plan is required prior to issue of CC.
- i. Prior to issue of OC the applicant shall make arrangements for a Council officer to inspect the planting/s (referred to in the clause above) to ensure that the screen planting is achieved.

4.0 - Prior to Commencement of Works

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

- (1) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
 - a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
 - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
 - f) a telephone number on which the PCA may be contacted for business purposes.



-
- (2) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;
 - d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the PCA/developer (only where no PCA is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
 - f) the date on which the work is intended to commence.
- (3) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Certifying Authority;
 - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
 - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
 - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
 - e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (4) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
 - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
 - c) the name, address and telephone number of the PCA.

The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.



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- (5) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction (the blue book)' and any Sediment and Erosion plans approved with this development consent.
 - (6) **Construction Management Plan** - A construction management plan that includes dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the PCA.
 - (7) **Construction Noise Management Plan** – A construction noise management plan shall be provided to the PCA and include the following:
 - a) noise mitigation measures;
 - b) noise and/or vibration monitoring;
 - c) use of respite periods;
 - d) complaints handling; and
 - e) community liaison and consultation.

5.0 - During Works

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

- (1) **Approved and Prepared Plans and Reports to be Complied With** - All plans and reports approved by, and required to be prepared by this development consent, must be complied with.
- (2) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (3) **Site Management** - The following practices are to be implemented during construction:
 - a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
 - b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
 - c) waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;

This is the report submitted to the held on 7

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- d) a waste control container shall be located on the site;
 - e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);
 - f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
 - i) be a standard flushing toilet connected to a public sewer; or
 - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
 - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (4) **Vehicles Leaving the Site** - The construction supervisor must ensure that:
- g) all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
 - h) the wheels of vehicles leaving the site:
 - iv) do not track soil and other waste material onto any public road adjoining the site; and
 - v) fully traverse the site's stabilised access point.
- (5) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (6) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (7) **Noise During Work** - Noise levels emitted during works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW Environment Protection authority's Environmental Noise Control Manual.
- (8) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).
- Soil erosion and sediment control measures shall only be removed upon completion of the works when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).



- (9) **Minimum standards** - The Principal Certifying Authority shall certify that:
- i. The entire roof area of the shed is connected to and drains to the dual detention storage and rainwater re-use rainwater tank.
 - ii. The dual detention storage and rainwater re-use rainwater tank has a minimum detention storage component of two thousand and eight hundred litres (2,800L) with a 20mm (+/- 1mm) diameter discharge orifice.
 - iii. The gravel driveway has a maximum area of 90.66m².
 - iv. The concrete pad adjacent to the shed has a maximum area of 40.00m².
 - v. The planar roof area of the shed is 90.00m² or less.
 - vi. No other impervious areas have been constructed.
- (10) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the following:
- a) Stormwater drainage plan prepared by a hydraulic engineer approved by Camden Council. Stormwater must be clear of and not impact upon the effluent management area as shown on the approved sustainable effluent management plan.

All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The PCA shall not permit construction works beyond the frame inspection stage until this work has been carried out.

6.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Positive Covenant – OSD / On Site Retention / Water Quality Facility** - A positive covenant shall be created under Section 88E of the *Conveyancing Act 1919* burdening the owner(s) with a requirement to maintain the on-site detention facility on the property, prior to the issue of an Occupation Certificate. The rainwater tank with a dual detention storage and rainwater re-use component is considered to be the on-site detention facility.

The terms of the Section 88E instrument with positive covenant shall include the following:

- a) The Proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures associated with the on-site detention system.



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- b) The Proprietor shall have the entire on-site detention system inspected annually by a competent person.
 - c) The on-site detention system shall be maintained in good working order in perpetuity.
 - d) The Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect the on-site detention facility and repair the on-site detention system if required. The costs of any remedial actions required by Council will be borne by the owner(s).
 - e) The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the on-site detention system, or failure to clean, maintain and repair the on-site detention system.

The proprietor or successor shall bear all costs associated in the preparation of the subject Section 88E instrument. Proof of registration with Land and Property information shall be provided to and approved by the PCA prior to the issue of an Occupation Certificate.

7.0 – Ongoing Use

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

- (1) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.
- (2) **Landscaping Maintenance Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.

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

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

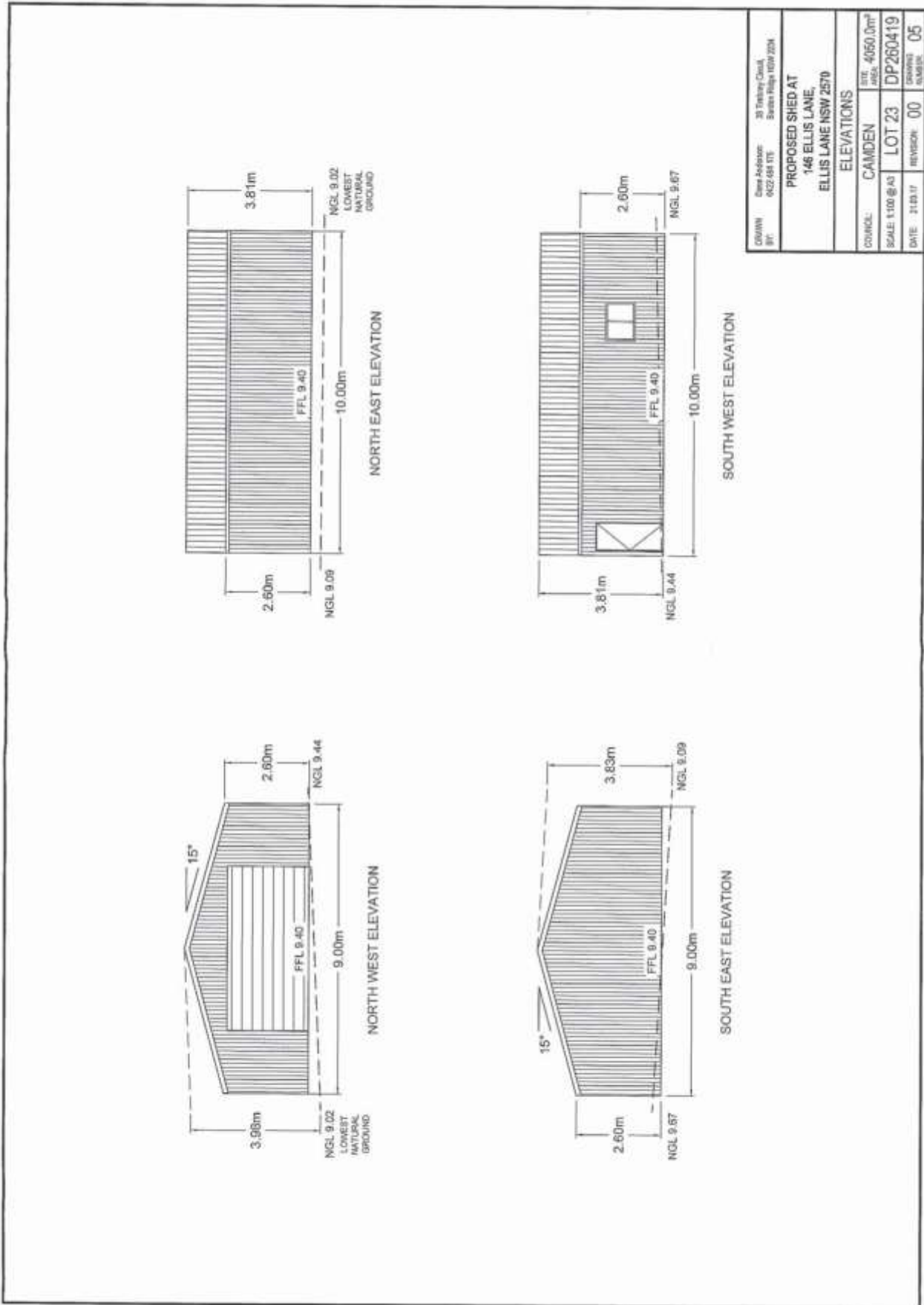
At the completion of the 12 month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards, etc) shall be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth.

At the completion of the maintenance and establishment period, the landscaping works shall comply with the approved landscape plans and all improvements be in full working order.



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- (3) **Use Limitations** - Garden sheds, carports, garages, outbuildings, rural sheds and the like must not be adapted, converted or used for commercial, industrial or residential purposes without the prior approval of Council.

Note – Carports shall not be enclosed in any manner, including solid gates or door, without the prior consent from Council.





Konjenga Pty Ltd T/A Sydney Sheds and Garages
 Unit 14 Building 1
 46-48 Jeddah Road 51 The Old Northern Road
 Prestons NSW 2170 Narellan NSW 2567
 Ph: 02 8783 8177 Ph: 02 4648 0667
 Fax: 02 8783 8422 Fax: 02 4647 8610

COLOUR SCHEDULE

Site Address: 146 Ellis Lane, Ellis Lane 2570

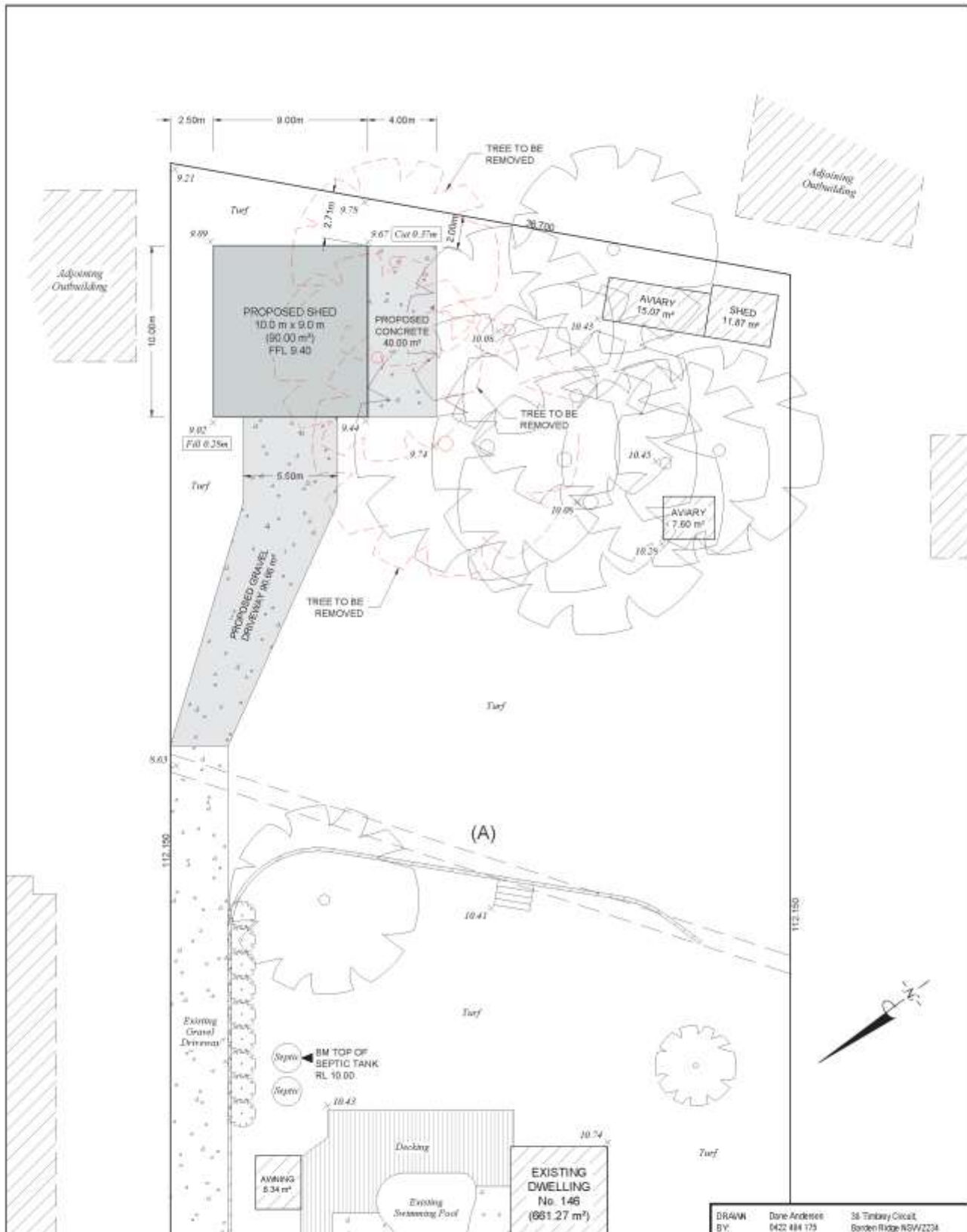
Item	Colour
Downpipes:	Classic Cream
Guttering:	Manor Red
Roof:	Manor Red
Walls:	Classic Cream
Personal Access Door:	Classic Cream
Roller Door:	Manor Red

Gutter Profile: Hi Quad

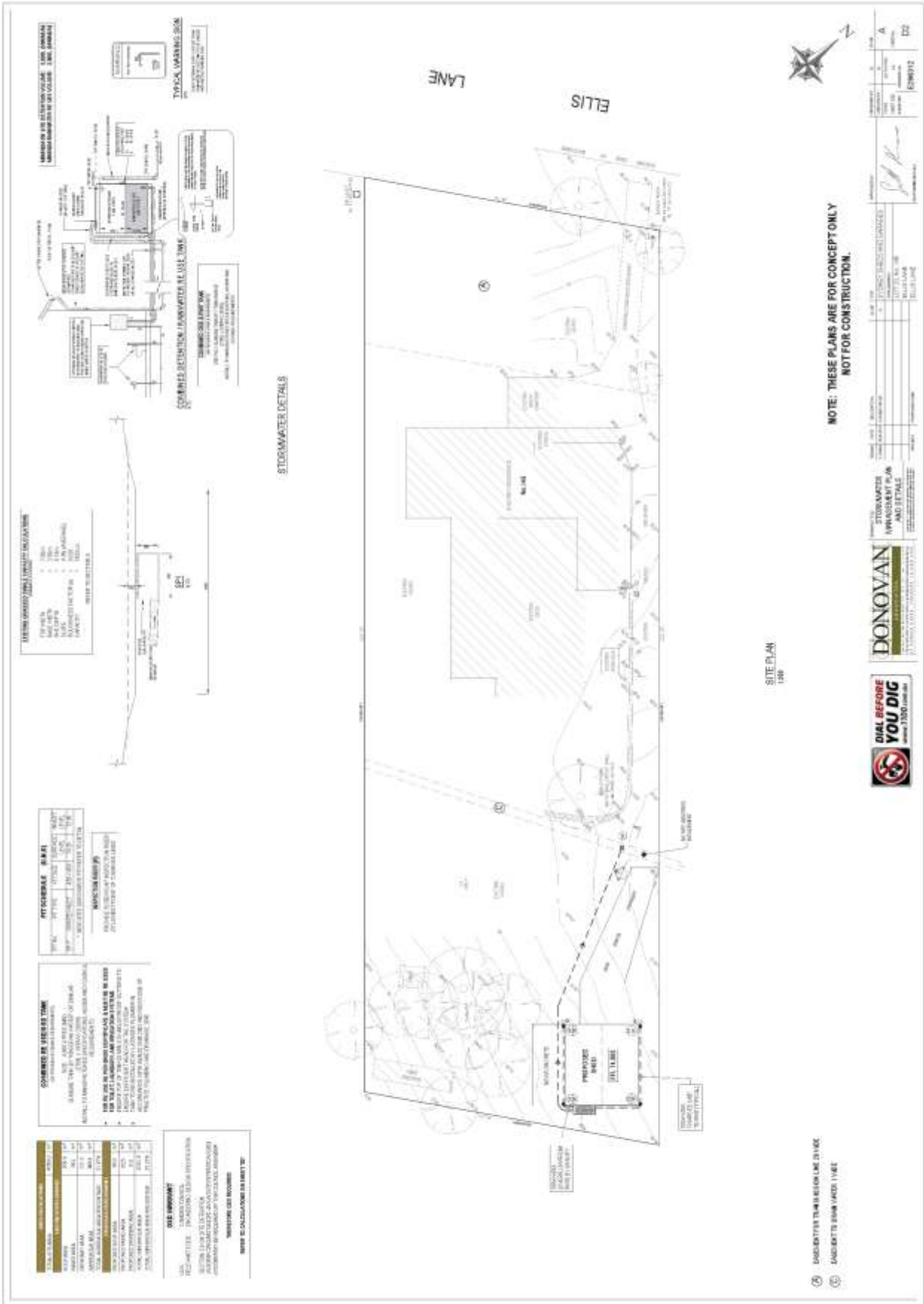
Roof Profile: Corrugated

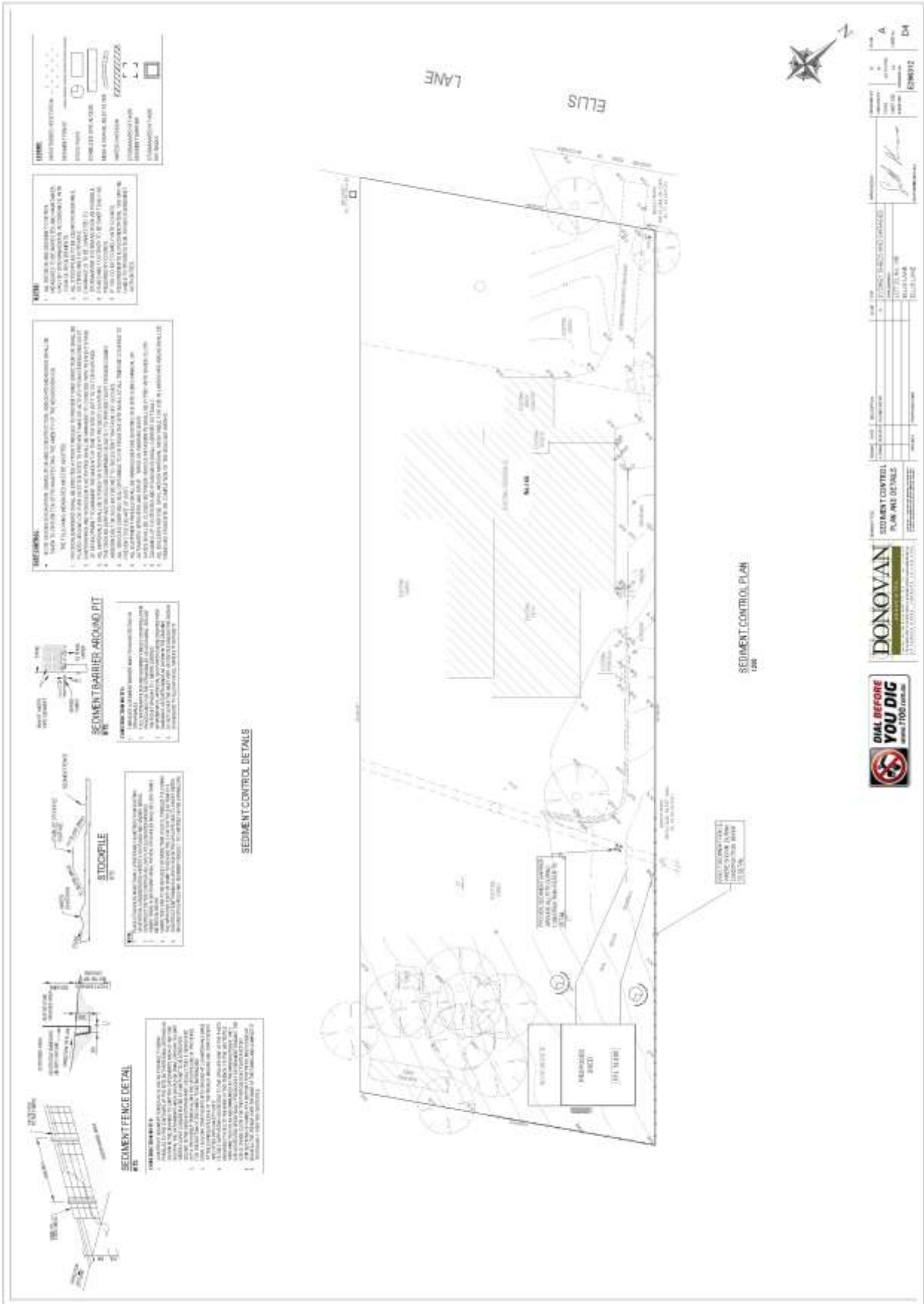
Wall Profile: K Panel





SITE AREA	4050.00 m ²	EXISTING IMPERVIOUS AREA	1273.47 m ²	PROPOSED SHED AT 146 ELLIS LANE, ELLIS LANE NSW2570 SITE PLAN
EXISTING FLOOR SPACE	704.15 m ² 17.39 %	PROPOSED IMPERVIOUS AREA	1494.13 m ² 36.89 %	
PROPOSED FLOOR SPACE	794.15 m ² 19.61 %	PROPOSED LANDSCAPED AREA	2555.87 m ² 63.11 %	COUNCIL: CAMDEN SITE AREA: 4050.0m ² SCALE: 1:200 @ A3 LOT 23 DP260419 DATE: 21.03.17 REVISION: 01 DRAWING NUMBER: 02
EXISTING CONCRETE/PAVED	869.53 m ²			





Recommended Conditions

1.0 – Deferred Commencement Conditions of Consent

The following deferred commencement conditions shall be complied with to the satisfaction of Council within 24 months from the date of this Notice of Determination in order to obtain an operational development consent.

- a) A Construction Traffic Management Plan shall be submitted to, and approved by, Council for the proposed works within the John Street Public Car Park. Such a plan shall detail the estimated length of the construction works within the carpark, the car parking spaces to be rendered inaccessible by the works and methods to retain an adequate carriageway for vehicle circulation within the car park.
- b) The development shall be modified as follows:
 - Additional landscape planting shall be shown within the south-eastern setback selected from the following species:
 - Backhousia citriodora;
 - Acmena smithii;
 - Hymenosporum flavum; or
 - Parthenocissus tricuspidata.
 - The roof form shall incorporate eaves (nominal length to match existing cottage).

The operational development consent will be issued by Council when the applicant provides documentary evidence to Council that the deferred commencement conditions have been satisfied.

The following conditions of consent will be included in the operational development consent.

2.0 - General Conditions of Consent

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

- (1) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (2) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications and the relevant DCP.
- (3) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent including the deferred commencement condition in section 1.0:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
2173 Sheet 6	Site Plan	Reggie's Residential	20 March 2017

Issue D		Design and Drafting	
2173 Sheet 1 Issue D	Lower Floor Plan	Reggie's Residential Design and Drafting	20 March 2017
2173 Sheet 2 Issue D	Upper Floor Plan	Reggie's Residential Design and Drafting	20 March 2017
2173 Sheet 3 Issue D	Elevations	Reggie's Residential Design and Drafting	20 March 2017
2173 Sheet 4 Issue D	Elevations and Details	Reggie's Residential Design and Drafting	20 March 2017
2173 Sheet 5 Issue D	Section and Details	Reggie's Residential Design and Drafting	20 March 2017
170287 A Sheet C1	Site Plan	D & M Consulting Pty. Ltd.	18 October 2017
170287 A Sheet C2	Drainage Concept Plan	D & M Consulting Pty. Ltd.	18 October 2017
170287 A Sheet C3	Car Park Level Plan	D & M Consulting Pty. Ltd.	18 October 2017
170287 A Sheet C4	Details	D & M Consulting Pty. Ltd.	18 October 2017
170287 A Sheet C5	Calculation Summary Sheet	D & M Consulting Pty. Ltd.	18 October 2017
170287 A Sheet C7	Catchment Plans	D & M Consulting Pty. Ltd.	18 October 2017

Document Title	Prepared by	Date
Statement of Environmental Effects	Hawes & Swan	29 June 2017
Waste Management Plan	Reggie's Design and Drafting	12 July 2017
Statement of Heritage Impact	Heritage 21	15/06/2017

- (4) **Separate Approval for Signs** - A separate development application for any proposed signage, shall be provided to, and approved by, the Consent Authority prior to the erection or display of any such signs.

3.0 – Prior to Issue of a Construction Certificate

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

- (1) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (2) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

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

- (3) **Dilapidation Report – Council Property** - A Dilapidation Report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees, the public car park in proximity to the proposed drainage works and any other existing public infrastructure within the immediate area of the subject site. Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.
- (4) **Dilapidation Report – Adjoining Property** - A dilapidation report prepared by a suitably qualified person, including a photographic survey of the following adjoining properties shall be prepared.
- a) 74 John Street, Camden Council.
b) 78 John Street, Camden

All costs incurred in preparing the dilapidation report and complying with the conditions it imposes shall be borne by the applicant.

In the event that access for undertaking the dilapidation report is denied by an adjoining owner, the applicant shall demonstrate in writing that all reasonable steps have been taken to obtain access to and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence shall be obtained from the PCA in such circumstances.

- (5) **Premises Standards** - Prior to the issue of a Construction Certificate details shall be provided to the Principal Certifying Authority demonstrating compliance with the requirements of *Disability (Access to Premises – Buildings) Standards 2010*.
- (6) **Traffic Management Plan** - A Traffic Management Plan (TMP) shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (7) **Retaining Walls** - All retaining walls shall be designed and certified by a suitably qualified structural engineer, in accordance with Council's Engineering Specifications. The entire retaining wall is to be constructed within the subject property. No part of the retaining wall, including footings, drainage or backfill is to protrude on to neighbouring properties.
- (8) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (9) **Environmental Management Plan** - An Environmental Management Plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the Certifying Authority.

The Environmental Management Plan shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining landuses and the natural environment is not unacceptably impacted upon by the proposal. The

Environment Management Plan shall include but not be necessarily limited to the following measures:

- a) Measures to control noise emissions from the site;
 - b) Measures to suppress odours and dust emissions;
 - c) Soil and sediment control measures;
 - d) Measures to control air emissions that includes odour;
 - e) Measures and procedures for the removal of hazardous materials that includes waste and their disposal;
 - f) Any other recognised environmental impact; and
 - g) Community Consultation.
- (10) **Demolition, Construction and Operational Waste Management Plans** – demolition, construction and operational waste management plans must be written to manage demolition, construction and future business waste generated from activities conducted on the site. A copy of each plan must be kept on the premises during the relevant works.
- (11) **Archival Recording** - An archival record of the existing building shall be completed and provided to the Certifying Authority and Council for the following properties:
- a) 76 John Street, Camden.
- The recording shall be in accordance with the NSW Heritage Office guidelines "How to Prepare Archival Records of Heritage Items" and "Photographic Recording of Heritage Items using Film or Digital Capture" (2006) (or as amended).
- (12) **Car parking** – All car parking areas must be in accordance with AS 2890.1 - Off Street Parking. The accessible parking space and shared space must comply with AS 2890.6 - Parking for people with a disability.
- (13) **Section 94 Contributions Monetary** - A contribution pursuant to the provisions of Section 94 of the EP&A Act 1979 for the services and amounts detailed below.

Plan Name	Contribution Type	Indexed Rate	Amount Payable
<i>Camden Contributions Plan 2011</i>	<i>Car Parking</i>	\$40,485	\$121,455.00
		per space	
TOTAL CASH CONTRIBUTIONS			\$121,455.00

- (14) **Construction Drawings** – Prior to the issue of a Construction Certificate the applicant shall provide to the Principal certifying authority detailed fully dimensioned plans indicating compliance with the Building Code of Australia, Fire Resistance Levels and any applicable Australian Standards.

- (15) **Section J Report** - Prior to the issue of a Construction Certificate the Applicant shall provide to the Principal Certifying Authority a report prepared by a suitably qualified person detailing compliance with Section J of the Building Code of Australia.
- (16) **Australian Standard 1428.1-2009** – (Design for Access and Mobility) - Prior to the issue of a Construction Certificate details shall be provided to the Principal Certifying Authority demonstrating compliance with the requirements of Australian Standard 1428.1-2009 – (Design for Access and Mobility).
- (17) **Performance Bond** - Prior to commencement of works a performance bond equal to 150% of the cost of works to be undertaken on Council land must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- Note** – An administration fee is payable upon the lodgement of a bond with Council.
- (18) **Easement Creation** - Drainage easements shall be obtained over downstream properties where drains for the disposal of stormwater are located across lands owned by others (and where the drainage is not within a water course). The width of the drainage easement/s shall be in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to Council with the Construction Certificate application.
- The easement shall be registered with the NSW Land & Property Information prior to the issue of an Occupation Certificate.
- (19) **Damages Bond** - The applicant is to lodge a bond with Council to ensure any damage to existing public infrastructure is rectified in accordance with Council's Development Infrastructure Bonds Policy.
- Note** – An administration fee is payable upon the lodgement of a bond with Council.
- (20) **Temporary Protection Plan** - A heritage temporary protection plan is to be submitted to the Principal Certifying Authority and Council detailing how significant fabric will be protected during demolition and construction works. The protection plan is to include a dilapidation report for the existing building and is to detail any demolition and construction methods proposed, outline any additional works required to stabilise fabric and outline how significant fabric will be protected during the construction phase of the DA.

4.0 - Prior to Commencement of Works

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

- (1) **Demolition Work** - Consent is granted for the demolition of the west corner of the existing dark brick front addition to the façade, rear brick addition, fibro extension and carport currently existing on the property and as per the approved plans, subject to compliance with the following conditions:
- a) The developer shall notify adjoining residents of demolition works seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any)

- either side, immediately at the rear of, and directly opposite, the demolition site;
- b) Prior to demolition, the applicant shall erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address;
 - c) Prior to demolition, the applicant shall erect a 1.8m high temporary fence and hoarding between the work site and any public property (footpaths, roads, reserves etc). Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when work is not in progress or when the site is otherwise unoccupied;
 - d) Suitable erosion and sediment control measures in accordance with an approved erosion and sediment control plan shall be installed prior to the commencement of demolition works and shall be maintained at all times;
 - e) A Work Plan prepared by a suitably qualified person in accordance with AS 2601 'Demolition of Structures' shall be provided to the PCA for approval prior to demolition works commencing. The Work Plan shall identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials;
 - f) If the property was built prior to 1987, an asbestos survey shall be carried out by a suitably qualified person prior to demolition. If asbestos is found, a WorkCover Authority licensed contractor shall remove all asbestos in accordance with the requirements of the WorkCover Authority, including notification of adjoining neighbours of asbestos removal;
 - g) The burning of any demolished material on site is not permitted and offenders will be prosecuted; and
 - h) Care shall be taken during demolition to ensure that existing services on the site (i.e. sewer, electricity, gas, phone, etc) are not damaged. Any damage caused to existing services is to be repaired by the relevant authority at the expense of the applicant.
- (2) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
 - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and

- f) a telephone number on which the PCA may be contacted for business purposes
- (3) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;
 - d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
 - f) the date on which the work is intended to commence.
- (4) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Certifying Authority;
 - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
 - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
 - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
- the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (5) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
 - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
 - c) the name, address and telephone number of the PCA.

The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.

- (6) **Sydney Water Approval** - The approved development plans shall be approved by Sydney Water.
- (7) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction (the blue book)' and any Sediment and Erosion plans approved with this development consent.
- Soil erosion and sediment control measures shall be maintained during construction works and shall only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).
- (8) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.
- (9) **Council Approval Prior to Works on Council Land** - Written approval is to be obtained from Camden Council granting permission for the relevant times to carry out drainage works within the adjacent Public Car Park.
- (10) **Construction Management Plan** - A construction management plan that includes, dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the PCA.
- (11) **Construction Noise Management Plan** - A construction noise management plan shall be provided to the PCA and include the following:
- a) noise mitigation measures;
 - b) noise and/or vibration monitoring;
 - c) use of respite periods;
 - d) complaints handling; and
 - e) community liaison and consultation.

5.0 - During Works

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

- (1) **Approved and Prepared Plans and reports to be Complied With** - All plans and reports approved by, and required to be prepared by; this development consent must be complied with.
- (2) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (3) **Demolition/Construction Noise Levels** – Noise levels emitted during demolition and construction works shall be restricted to comply with the construction noise

control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

- (4) **Salinity Management for Construction of Buildings and Landscaping** – all buildings and landscaping proposed to be constructed on the site must be built in accordance with "Mandatory Building Requirements" contained within Camden Council's– "Building in Saline Prone Environment" policy.
- (5) **Fill Material** – Prior to the importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks;
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics;
- c) be prepared in accordance with;

Virgin Excavated Natural Material (VENM):

- i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity"; and
- ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- d) confirm that the fill material;
 - i) provides no unacceptable risk to human health and the environment;
 - ii) is free of contaminants;
 - iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of

Land and Water Conservation publication "Site investigation for Urban Salinity");

- iv) is suitable for its intended purpose and land use; and
- v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m³ - 3 sampling locations;
- f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m ³)
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

Note 1: Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (6) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be installed and maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).
- (7) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (9) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (10) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (11) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.

- (12) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:

- a) preserve and protect the building from damage;
- b) if necessary, underpin and support the building in an approved manner; and
- c) give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact "Dial Before You Dig" prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

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

- (13) **Traffic Management Plan Implementation** - All construction traffic management procedures and systems identified in the approved Construction Traffic Management Plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (14) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (15) **Building Height** - A survey report prepared by a registered land surveyor confirming that the building height complies with the approved plans or as specified by the development consent, shall be provided to the PCA prior to the development proceeding beyond frame stage.
- (16) **Site Management** - The following practices are to be implemented during construction:
- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
 - b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
 - c) waste shall not be burnt or buried on site, or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;

- d) a waste control container shall be located on the site;
- e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);
- f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
 - i) be a standard flushing toilet connected to a public sewer; or
 - ii) have an on-site effluent disposal system approved under the Local Government Act 1993; or
 - iii) be a temporary chemical closet approved under the Local Government Act 1993.

6.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate Required-** An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Fire Safety Certificates -** A Fire Safety Certificate shall be provided to the PCA in accordance with the requirements of the EP&A Regulation 2000.
- (3) **Positive Covenant – OSD / On Site Retention / Water Quality Facility -** A positive covenant shall be created under Section 88E of the Conveyancing Act 1919 burdening the owner(s) with a requirement to maintain the on-site detention facility and water quality facility on the property, prior to the issue of an Occupation Certificate. The rainwater tank with a dual detention storage and rainwater re-use component is considered to be the on-site detention facility. The Sediment & Silt Arrestor Pit is considered to be the on-site water quality facility.

The terms of the Section 88E instrument with positive covenant shall include the following:

- a) The Proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures associated with the on-site detention system.
- b) The Proprietor shall have the entire on-site detention system and water quality system inspected annually by a competent person.
- c) The proprietor shall have all accumulated waste from the water quality system removed bi-annually. The waste from the water quality facility shall be disposed of legally.
- d) The on-site detention and water quality system shall be maintained in good working order in perpetuity.
- e) The Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect the on-site detention and water quality facility and

repair the on-site detention and water quality system if required. The costs of any remedial actions required by Council will be borne by the owner(s).

- f) The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the on-site detention system or water quality system, or failure to clean, maintain and repair the on-site detention or water quality system.

The proprietor or successor shall bear all costs associated in the preparation of the subject Section 88E instrument. Proof of registration with Land and Property information shall be provided to and approved by the PCA prior to the issue of an Occupation Certificate.

- (4) **Stormwater – Plan of Management (PoM)** - The registered proprietor of the land shall prepare a Plan of Management (POM) for the on-site detention facilities. The POM shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM shall be provided to the PCA for approval.
- (5) **Section 88B Instrument** - The applicant shall prepare a Section 88B instrument for approval by the PCA which incorporates the following easements, positive covenants and restrictions to user where necessary:
- a. easement to drain water and drainage easements over overland flow paths over downstream properties;
 - b. easement for on-site detention;
 - c. positive covenant over the on-site detention / water quality facility for the maintenance, repair and insurance of such a facility;
 - d. easement for water quality facility;
 - e. retaining wall, positive covenant, and restriction to user;
- (6) **Compliance with Drainage Concept** - The Principal Certifying Authority shall certify that:
- i. The entire roof area of the office building is connected to and drains to the dual detention storage and rainwater re-use rainwater tank.
 - ii. The dual detention storage and rainwater re-use rainwater tank has a minimum detention storage component of two thousand litres (2,000L) with a 50mm (+/- 1mm) diameter discharge orifice/ pipe.
 - iii. The Sediment and Silt Arrestor Pit has been constructed as per approved plans.

7.0 – Ongoing Use

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

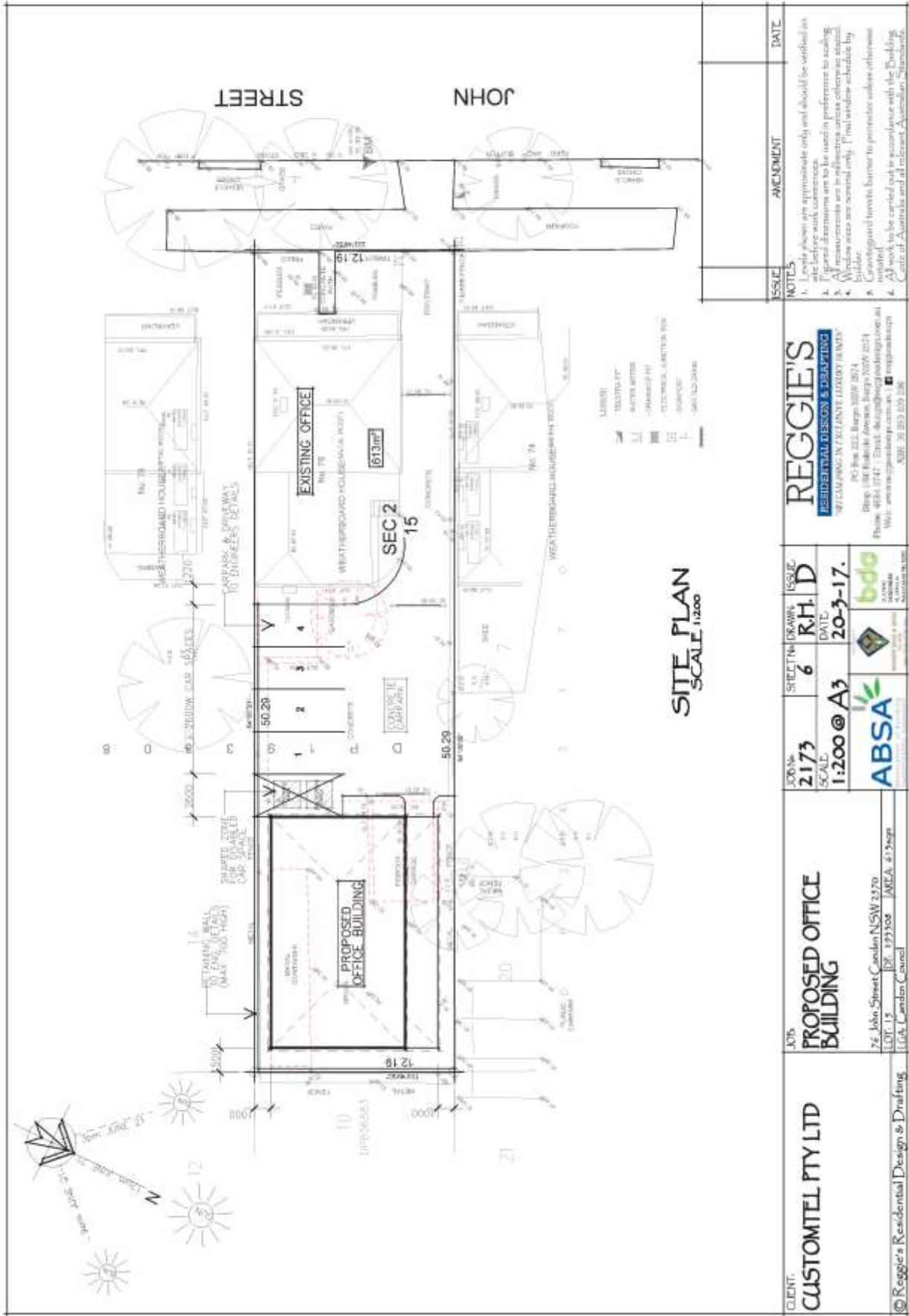
- (1) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the

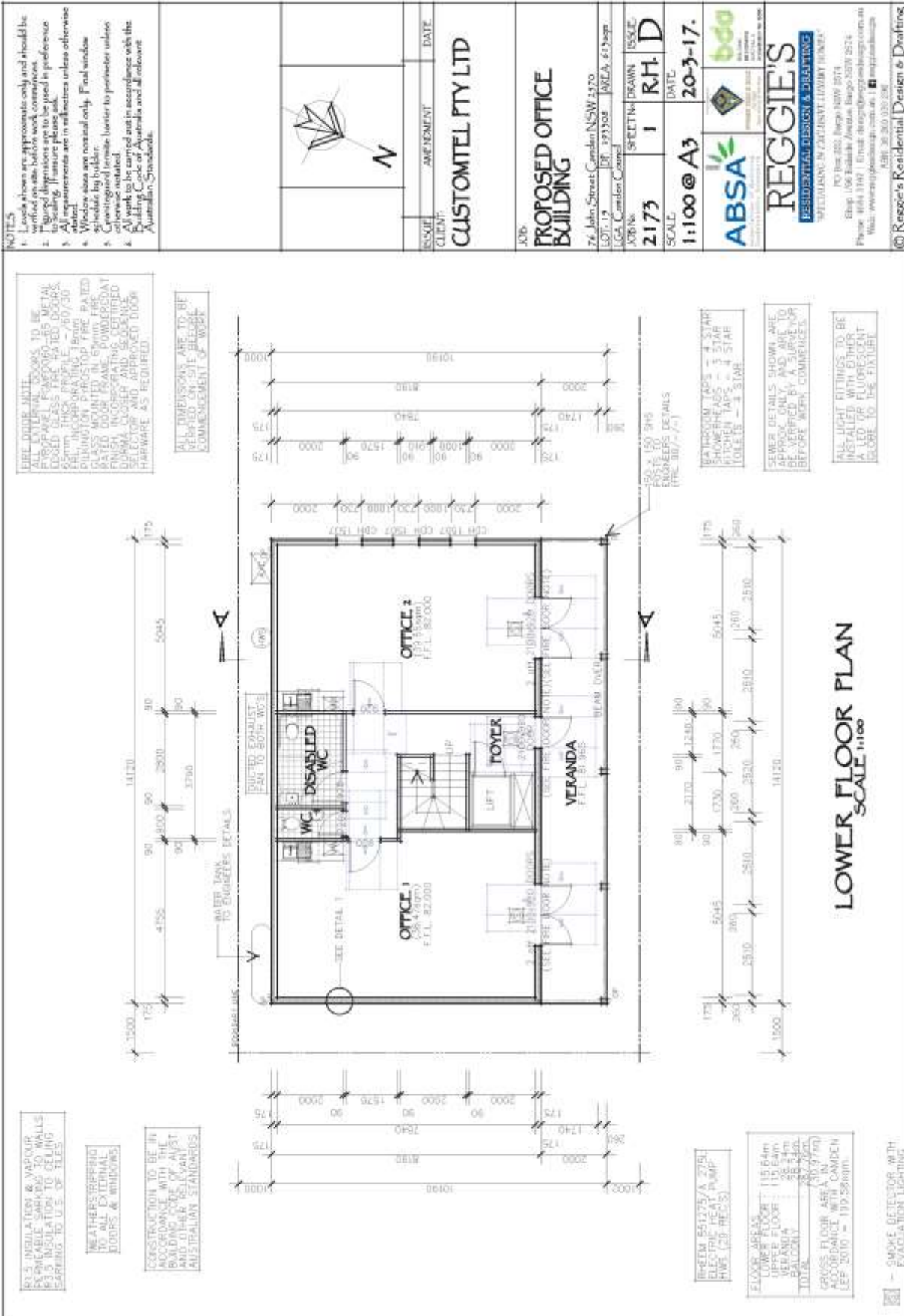
Protection of the Environment Operations Act 1997 and shall comply with the NSW Industrial Noise Policy 2000 (as amended).

- (2) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.
- (3) **Hours of Operation** - The property is only to be open for business and used for the purpose approved within the following hours:

Day	Hours of Operation
Monday	7:00am-6:00pm
Tuesday	7:00am-6:00pm
Wednesday	7:00am-6:00pm
Thursday	7:00am-6:00pm
Friday	7:00am-6:00pm
Saturday	7:00am-6:00pm
Sunday and Public Holidays	7:00am-6:00pm

- (4) **Carparking** – A minimum of 4 carparking spaces are to be provided on site with one being an accessible space.
- (5) **Parking Areas to be Kept Clear** - At all times, the car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.
- (6) **Amenity** - The business shall be conducted and customers controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations and residential or business premises.
- (7) **Water Sensitive Urban Design and On-site Detention** - The development must at all times maintain the Water Quality and On-Site Detention systems.





NOTES

- Levels shown are approximate only and should be verified on site before work commences.
- Finished dimensions are to be used in preference to marking. If unsure please ask.
- All measurements are in millimetres unless otherwise stated.
- Window sizes are nominal only. Final window schedule by builder.
- Countersign terrace balustrade perimeter unless otherwise noted.
- All work to be carried out in accordance with the Building Code of Australia and all relevant Australian Standards.

ISSUE	AMENDMENT	DATE
CLIENT: CUSTOMTEL PTY LTD		
JOB: PROPOSED OFFICE BUILDING		
76 John Street Camden NSW 2570		
LOT: 13 TP: 195520 LGA: Camden Council		
JOB No: 2173 SHEET No: DRAWN: R.H.D. DATE: 20-3-17.		
SCALE: 1:100 @ A3		

SOUTH-EAST ELEVATION

NORTH-WEST ELEVATION

ALL COLOURS SHOWN ARE TO MATCH THE BUILDING BEFORE WORK COMMENCES

WEATHERED ZINCALUME

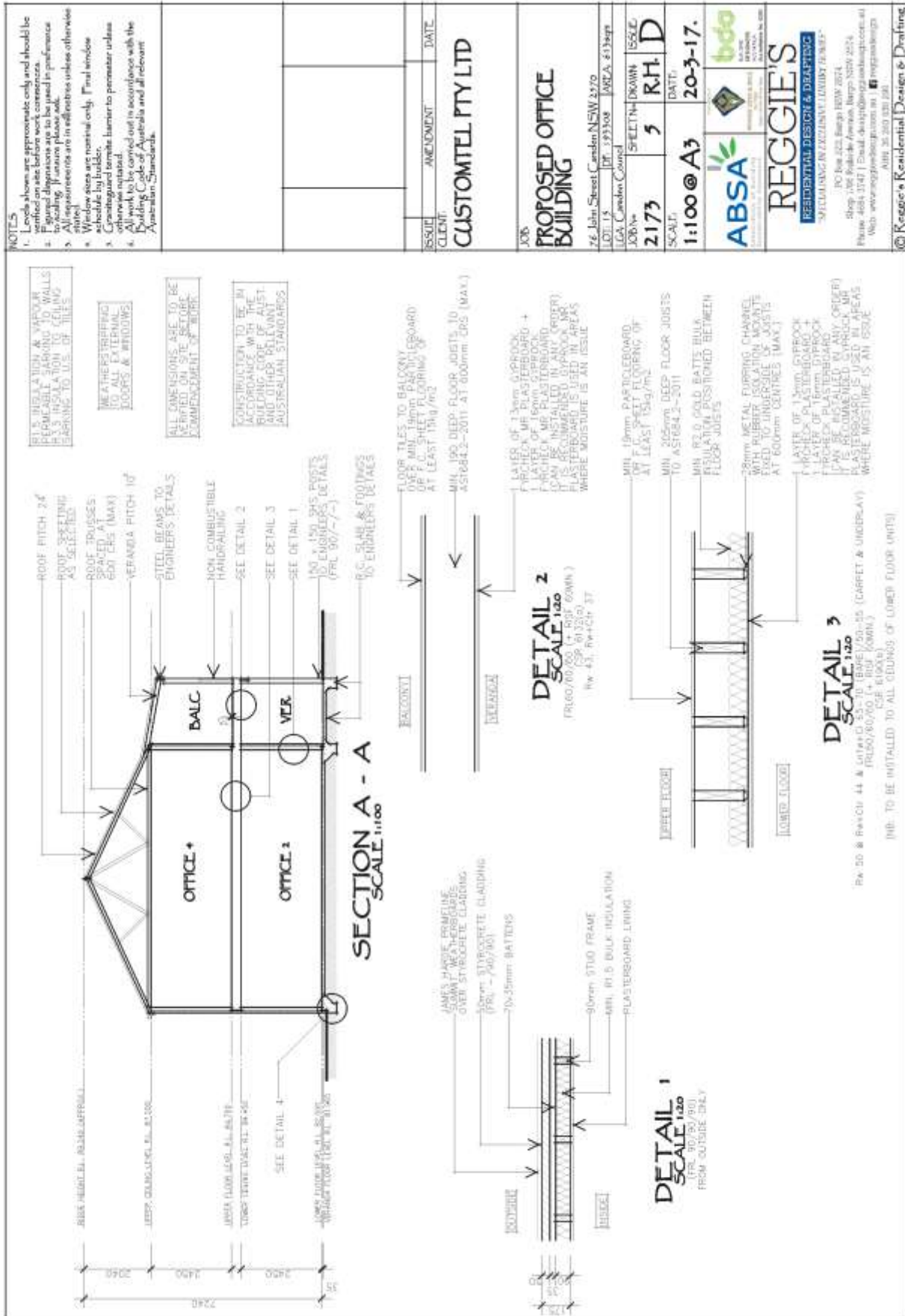
ISSUE:	AMENDMENT:	DATE:	
CLIENT:	CUSTOMTEL PTY LTD		
PROPOSED OFFICE BUILDING			
74, John Street Camden NSW 2570			
LOT 12	PC 1955048	ASCA at Noon	
LGA: Camden Council			
DATE:	SHEET No:	DRAWN (SUIT):	
2173	4	R.H.D	
SCALE:	1:100 @ A3 20-3-17.		

SEDIMENT CONTROL DETAIL
NOT TO SCALE

THRESHOLD RAMP DETAIL
SCALE 1:10
NOTE: THE EDGES OF THE CONCRETE RAMP SHALL BE TAPERED OFF PLAYED AT A MINIMUM OF 45 DEG WIDE THE RAMP DOES NOT ABUT A WALL.

DETAIL 4
SCALE 1:10

(TO ALL SLAB EDGES WITH NO-GLASSING PATHS/PERIMETERS)

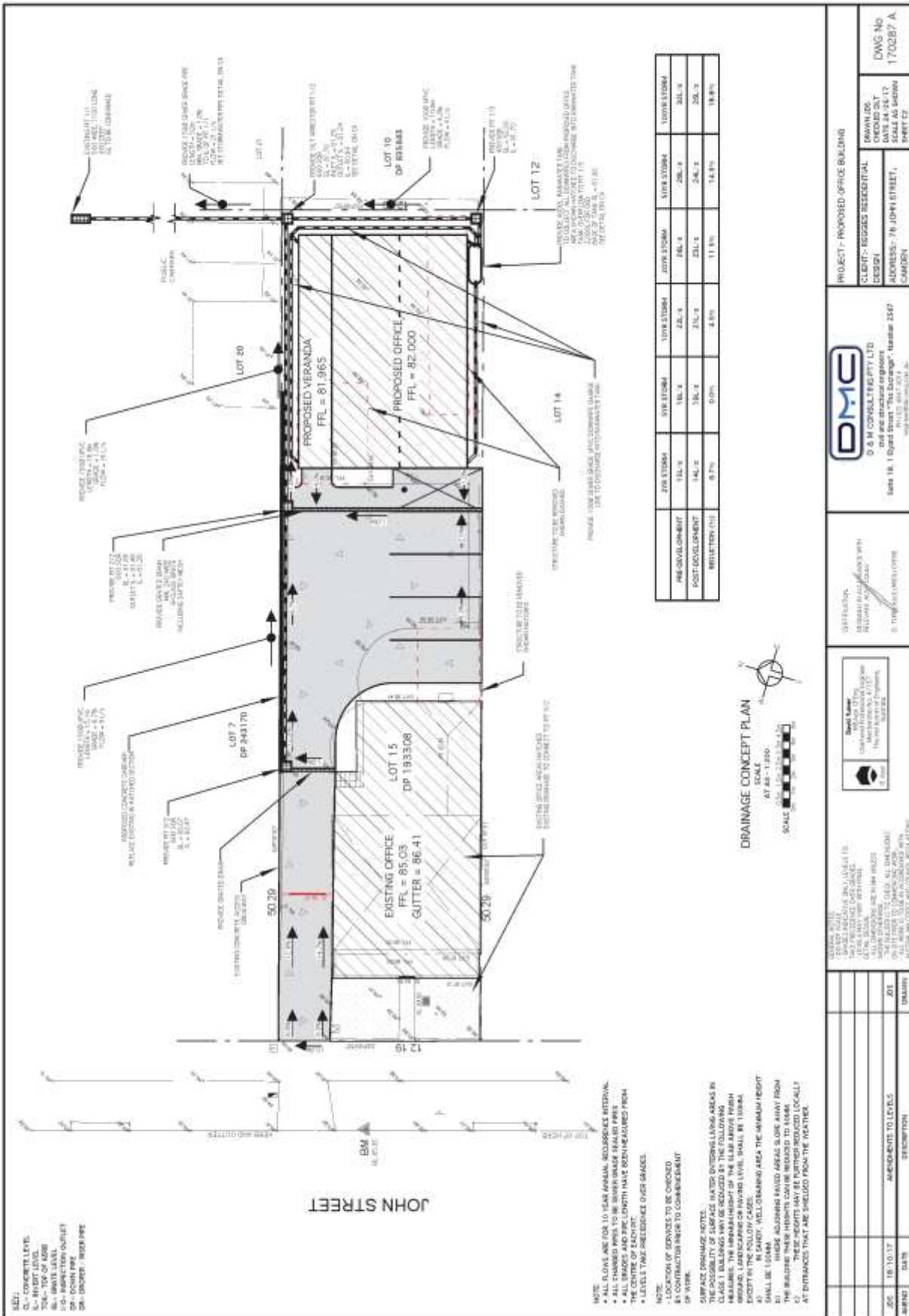


CIVIL DESIGN PLANS FOR 76 JOHN STREET, CAMDEN



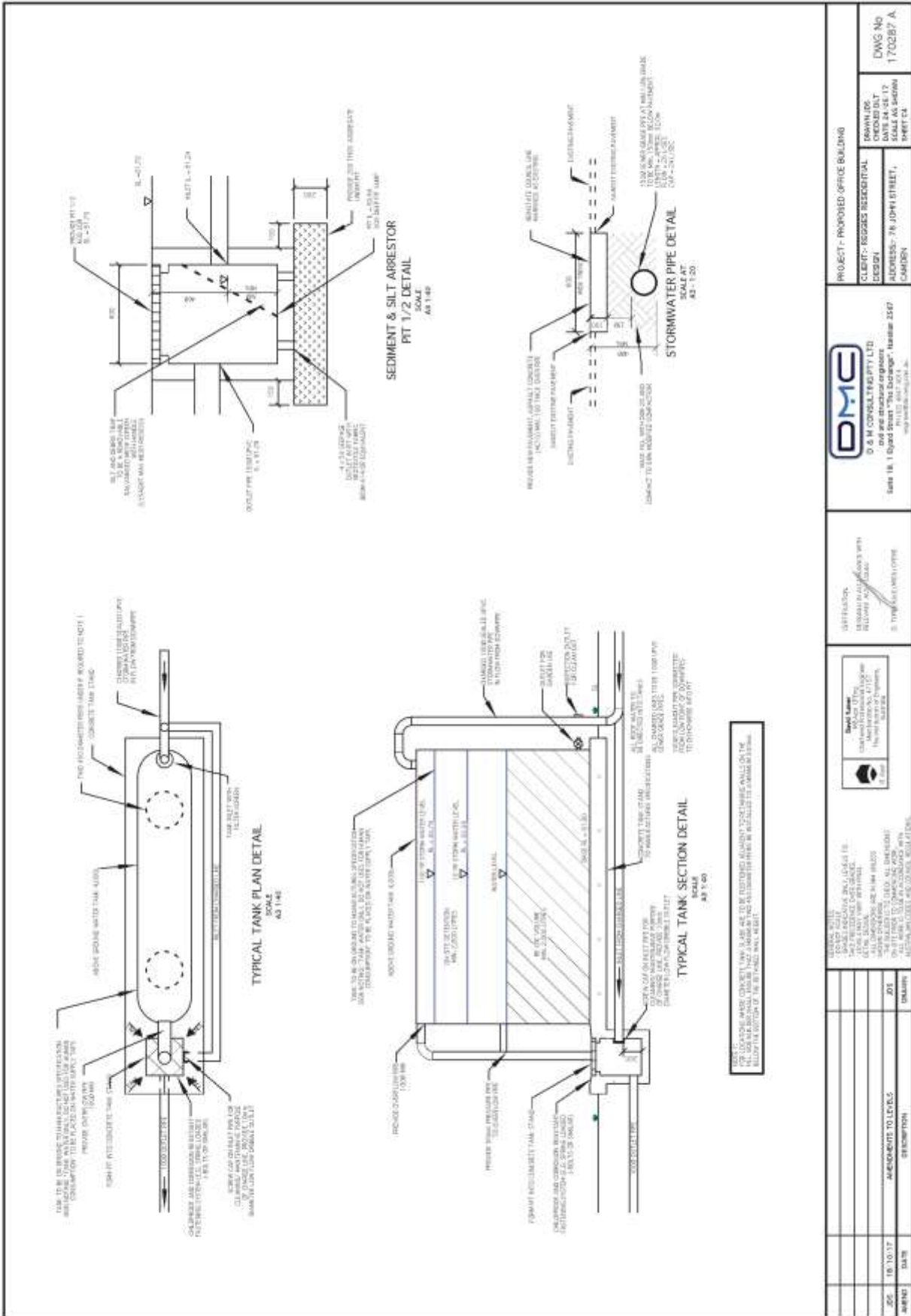
NO.	DATE	DESCRIPTION
01	18/10/17	APPROVALS TO LEVELS
02	18/10/17	REVISIONS

<p>DMC D & M CONSULTANCY LTD Engineering & Construction Suite 18, 1 Spald Street "The Garage", Newark 25 5T Tel: 01302 8012 8014 www.dmc.co.uk</p>		<p>PROJECT - PROPOSED OFFICE BUILDING CLIENT - RES20203 RESIDENTIAL DESIGN ADDRESS - 76 JOHN STREET, CAMDEN</p>
<p>DESIGNER D & M CONSULTANCY LTD 18, 1 SPALD STREET, NEWARK, Notts NG24 2JF Tel: 01302 8012 8014 www.dmc.co.uk</p>	<p>DATE: 18/10/17 SCALE: AS SHOWN SHEET: 1</p>	<p>DATE: 18/10/17 SCALE: AS SHOWN SHEET: 1</p>



Attachment 2

ORD07



PROJECT - PROPOSED OFFICE BUILDING	DWG No 1702/07 A
CLIENT - REGGIES RESIDENTIAL DESIGN	DATE: 24-06-17
ADDRESS: 76 JOHN STREET, CHARDEN	SCALE: AS SHOWN
	SHEET 1

DMG
D & M CONSULTING PTY LTD
Suite 18, 1 Spad Street "The Arcade", Maresfield 3567
PH: 03 9427 2014
www.dmg.com.au

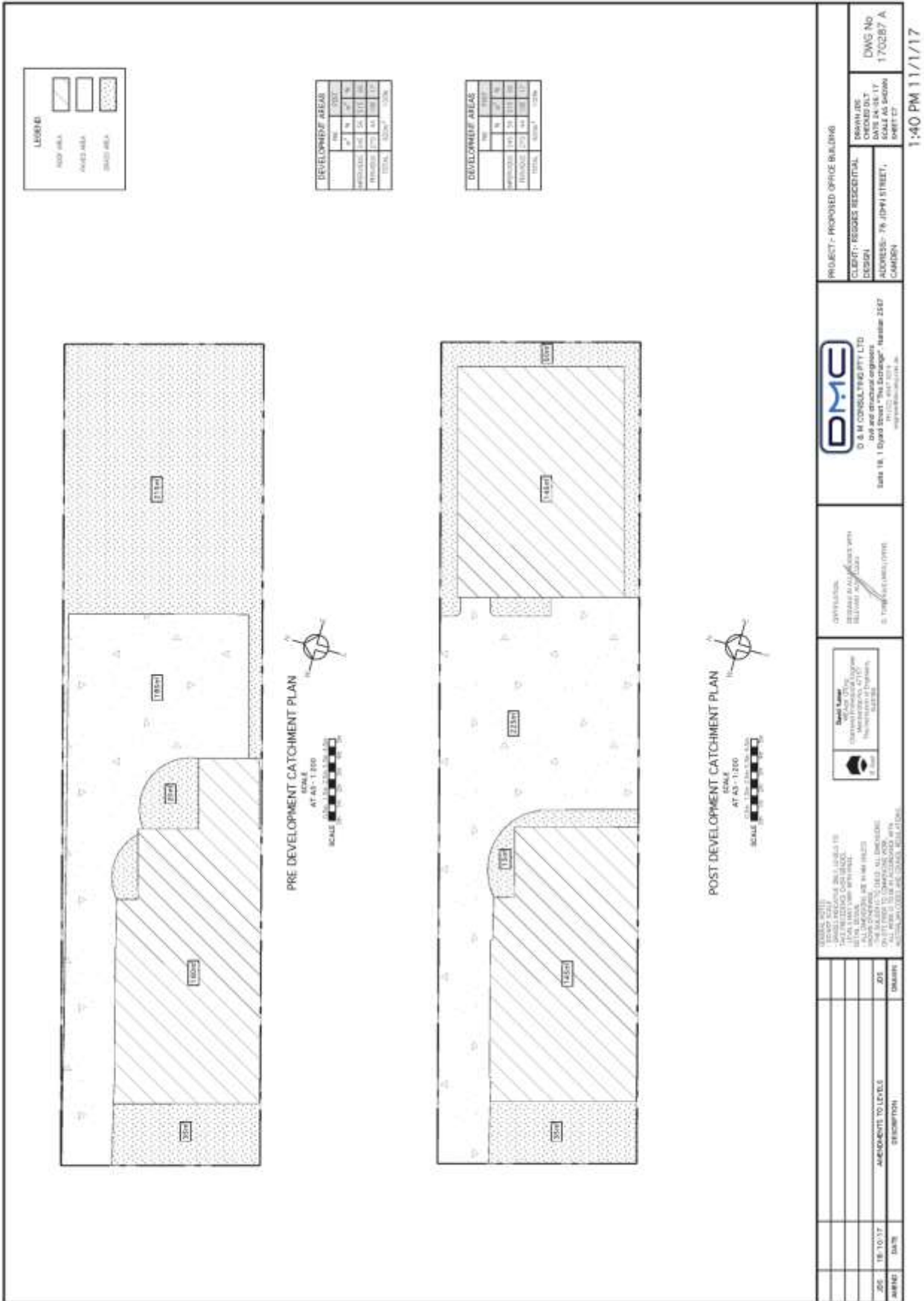
DIFFUSION
ALLOWED
BY THE DEVELOPER

DMG
D & M CONSULTING PTY LTD
Suite 18, 1 Spad Street "The Arcade", Maresfield 3567
PH: 03 9427 2014
www.dmg.com.au

GENERAL NOTES:
1. CHECK ALL DIMENSIONS AND LEVELS.
2. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

NO.	DATE	DESCRIPTION	BY	CHECKED
001	18/10/17	AS SHOWN	JDL	

1:40 PM 11/11/17



Attachment 2

ORD07

STATEMENT OF HERITAGE IMPACT

Proposed development at
76 John Street
Camden



Job No. 2879
June 2016

Heritage21

CULTURAL BUILT HERITAGE IN THE 21ST CENTURY

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CONSERVATION ARCHITECTS AND HERITAGE CONSULTANTS
Suite 48, 20-28 Maddox Street, Alexandria, NSW 2015
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Heritage Impact Statements	Conservation Management Plans	On-site Conservation Architects
Photographic Archival Recordings	Interpretation Strategies	Expert Heritage Advice
Fabric Analyses	Heritage Approvals & Reports	Schedules of Conservation Work

Statement of Heritage Impact - 76 John Street, Camden

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Statement of Heritage Impact - 76 John Street, Camden

Cover page: Subject site viewed from John Street looking to front façade. (Source: Heritage 21, 31.03.17)

The following table forms part of the quality management control undertaken by Heritage 21 regarding the monitoring of its intellectual property as issued.

Issue	Description	Date	Written by	Issued by
1	Draft report (D1) issued for comment.	06.06.17	AE	AE
2	Report issued (RI)	15.06.17	-	AE

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TEL: 9519-2521
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Job No. 2879 – RI

Statement of Heritage Impact - 76 John Street, Camden

1.0 INTRODUCTION

1.1 Background

This Statement of Heritage Impact ('SOHI' or 'report') has been prepared on behalf of Reggie's Residential Design and Drafting, in the context of a development application for development at the site.

1.2 Site Identification

The site is located at 76 John Street, Camden, which falls within the boundaries of Camden Council local government area and it comprises Lot 15 DP193308. As depicted in Figure 1, the site is located on the eastern side of John Street near the intersection of John Street and Broughton Street.



Figure 1. Aerial view of locality with approximate boundaries of the subject site outlined in red.¹

1.3 Heritage Status

The subject site is listed as an item of environmental heritage (I57) in the Camden Local Environmental Plan 2010 ('CLEP'). It is not listed on the NSW State Heritage Register, the National

¹ NSW Land and Property Information, 'SIX Maps', n.d., <http://maps.six.nsw.gov.au/>.

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Statement of Heritage Impact - 76 John Street, Camden

Heritage List, the Commonwealth Heritage List, the National Trust Register (NSW), or the former Register of the National Estate.²

The subject site is located within the boundaries of the Camden Town Centre Heritage Conservation Area ('HCA'), listed under the CLEP.



Figure 2. Detail from Heritage Map HER_010, the subject site is indicated by the blue outline. Heritage items are shown in tan and the HCA by red hatching.³

The site is situated within the vicinity of the following heritage items and HCA, as listed in the CLEP:

Item Name	Address	Significance	Item no
Cottage	62 John Street	Local	149
Cottage	64 John Street	Local	150
Archaeological Site	66 John Street	Local	151
Archaeological Site	68 John Street	Local	152
House	70 John Street	Local	153
House	72 John Street	Local	154
Cottage	74 John Street	Local	155
House	75 John Street	Local	156
Cottage	78 John Street	Local	158

² The Register of the National Estate ceased as a statutory heritage list in 2007; however, it continues to exist as an inventory of Australian heritage places.

³ Camden Council, 'Camden Local Environment Plan', *Heritage Map HER_10*, n.d., <http://www.legislation.nsw.gov.au/#/view/EPI/2010/S14/maps>.

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Statement of Heritage Impact - 76 John Street, Camden

Cottage	80 John Street	Local	I5
St John's Church (including church and grounds, rectory, stables, lynch gates, grassed slopes and cemetery)	6-22 Menangle Road	Local	I63
Masonic Lodge	36 Hill Street	Local	I41
House	33 Hill Street	Local	I40
House	29 Hill Street	Local	I37
House	27 Hill Street	Local	I35
House	25 Hill Street	Local	I34
House	21 Hill Street	Local	I31
Camden Town Heritage Conservation Area	-	Local	A

The proposed development of the site is not located within the visual catchment of heritage items of a number of the heritage items listed in the table above and neither is it considered to be sufficiently proximate to those places to warrant discussion in the Heritage Impact Assessment contained in Section 6 of this SOHI. Accordingly, the discussion in Section 6 of this SOHI of the potential heritage impact of the proposal on heritage items in the vicinity is limited to the Camden Town Heritage Conservation Area and the following items of environmental heritage:

Item Name	Address	Significance	Item no
Cottage	74 John Street	Local	I55
Cottage	78 John Street	Local	I58
St John's Church (including church and grounds, rectory, stables, lynch gates, grassed slopes and cemetery)	6-22 Menangle Road	Local	I63
House	33 Hill Street	Local	I40
House	29 Hill Street	Local	I37
House	27 Hill Street	Local	I35
Camden Town Heritage Conservation Area	-	Local	A

1.4 Purpose

The subject site is a heritage item, is located within the Camden Town Heritage Conservation Area and is located in the vicinity of a number of heritage items, as listed under Schedule 5 of the CLEP. Sections 5.10(4) and 5.10(5) of the CLEP require Camden Council to assess the potential heritage impact of non-exempt development, such as the proposed works (refer to Section 5.0), on the heritage significance of the abovementioned heritage items and heritage conservation area and, also, to assess the extent (whether negative, neutral or positive) to which the proposal would impact the heritage significance of those heritage items and the Camden Town Heritage Conservation Area. This assessment is carried out in Section 6 below.

Accordingly, this SOHI provides the necessary information for Council to make an assessment of the proposal on heritage grounds.

Statement of Heritage Impact - 76 John Street, Camden

1.5 Methodology

The methodology used in this SOHI is consistent with *Statements of Heritage Impact and Assessing Heritage Significance* published by the Heritage Division of the NSW Office of Environment and Heritage and has been prepared in accordance with the principles contained in the most recent edition of *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*.

1.6 Authors

This Statement of Heritage Impact ('SOHI' or 'report') has been prepared by Alida Eisermann, overseen by Paul Rappoport, of Heritage 21, Heritage Consultants.

1.7 Limitations

- This SOHI is based upon an assessment of the heritage issues only and does not purport to have reviewed or in any way endorsed decisions or proposals of a planning or compliance nature. It is assumed that compliance with non-heritage aspects of Council's planning instruments, the BCA and any issues related to services, contamination, structural integrity, legal matters or any other non-heritage matter is assessed by others.
- This SOHI essentially relies on secondary sources. Primary research has not necessarily been included in this report, other than the general assessment of the physical evidence on site.
- It is beyond the scope of this report to address Indigenous associations with the subject site.
- It is beyond the scope of this report to locate or assess potential or known archaeological sub-surface deposits on the subject site or elsewhere.
- It is beyond the scope of this report to assess items of movable heritage.
- Heritage 21 has only assessed aspects of the subject site that were visually apparent and not blocked or closed or to which access was not given or was barred, obstructed or unsafe on the day of the arranged inspection.

1.8 Copyright

Heritage 21 holds copyright for this report. Any reference to or copying of the report or information contained in it must be referenced and acknowledged, stating the full name and date of the report as well as Heritage 21's authorship.

2.0 HISTORICAL CONTEXT

2.1 General Historical Development

Camden sits in a floodplain at a bend in the Nepean River, and at the intersection of three Aboriginal tribal areas: the Gundungurra, the Dharawal and the Dharug, who called the area Benkennie. They lived hunter-gatherer lives as well as trading in the local white clay. Europeans arrived as early as 1795, and named the area 'the Cowpastures' for a herd of feral cattle found there. In 1802 an explorer noted a swamp to the south which the Aboriginals called 'Manhangle,' and the combination of fresh water and cattle-friendly land began to attract visitors and settlers.

After an early period of peace, grants of farming land in 1812 and the subsequent erection of fences hampered traditional life, leading to violent incidents and reprisals. Eventually Governor Macquarie set out to 'chasten these hostile tribes, and to inflict terrible and exemplary punishments on them.'⁴ Aboriginal resistance collapsed and the survivors left for the west or south, or took jobs with the settlers. With stability came growth and by 1830 local residents were calling for the foundation of a town near Cowpastures Bridge on the banks of the Nepean River. Camden, named for the English town and meaning 'winding valley', was founded in 1840.⁵

A ridge rising from the flood plain to the south is now topped by St John's Anglican Church, built shortly after the town was founded and marking the symbolic heart of Camden. Class and social networks ordered daily life in the village: large landholders established a rural hegemony based on big estates built on convict labour. Many immigrant families came to the area, settling on the gentry's estates as tenant farmers, some eventually establishing businesses in the village. The first land sales were held in 1841 and Camden's population numbered in the hundreds by the 1850s, dominated by the Macarthur family, who, granted land to each of the major denominations in the village for churches.

By the 1890s the thriving dairy industry, combined with rail access to the Sydney market, assured the material progress of the town for the next 50 years. A bank was built in 1878 and a post and telegraph office in 1898. Town water arrived in 1899 and electric street lighting in 1932. By this time the population was over 2,000. The Municipality of Camden was proclaimed in 1889, becoming Camden Council in 1993.

Camden's original street pattern remains largely intact with a mix of commercial, educational, religious, residential and industrial uses similar to that of the 1840s. Many Victorian and Art Deco shopfronts remain and the general character of the main street has changed little. The historic town precinct runs north from St John's Church into the floodplain and contains several historic buildings

⁴ Wrigley, John, *History of Camden*, Camden Historical Society website, available at: www.camdenhistory.org.au/chhistoryofcamden.html, accessed 17.09.14.

⁵ *Ibid.*

Statement of Heritage Impact - 76 John Street, Camden

including the oldest surviving Georgian cottage in the town area, Bransby's Cottage (1842) in Mitchell Street. There are many examples of successful adaptive re-use of heritage buildings.

Camden was the transport hub of the district from the 1820s, and the arrival of the Camden tramway in 1882, whose locomotive was affectionately known as 'Pansy', connected the town to Campbelltown and Sydney, enabling the daily export of fresh milk and the import of newspapers, among other goods. By the 1940s the area was served by over twenty train services per day.⁶



Figure 3. 1840's sketch depicting the Cowpastures, (Source: Wrigley, John, History of Camden, Camden Historical Society website, available at: www.camdenhistory.org.au/chistoryofcamden.html, accessed 23.06.16).



Figure 4 St John's Anglican Church, c.1860, (Source: Camden Council Library website, available at: www.catalogue.library.camden.nsw.gov.au, accessed 23.06.16)



Figure 5. Camden's first bank, the Bank of NSW at 23 Argyle Street, opened in 1865, (Source: Wrigley J. (2001) A History of Camden New South Wales; Camden Historical Society Inc.).



Figure 6. John Street, Camden, looking south to St John's Church, c.1890, (Source: Wrigley J. (2001) A History of Camden New South Wales; Camden Historical Society Inc.).

2.2 Specific Historical Development

The subject site was located within the Village of Camden as established by James and William McArthur (refer to Figure 7. Plan of the Village of Camden, 1847. Approximate location of the subject site indicated by red circle (Source: State Library of NSW, M Ser 4 000/1 A 3004/Map 27). John Street had been established to provide a view to St John's Church. The architectural features of

⁶ Willis, Ian, 'Camden', Sydney Journal, 1 March 2008, available at: www.epress.lib.uts.edu.au/journals/index.php/sydney_journal/article/view/713/693, accessed 17.09.14.

Statement of Heritage Impact - 76 John Street, Camden

the existing dwelling indicate a likely date of construction in the late nineteenth century. Available aerial images of the site indicate that the subject dwelling was located in the site however the angle of these images makes it difficult to identify and track specific modifications to the site. A visual inspection indicates the subject building has undergone contemporary modification, including an extension to the rear and the construction of an attached shed.



Figure 7. Plan of the Village of Camden, 1847. Approximate location of the subject site indicated by red circle (Source: State Library of NSW, M Ser 4 000/1 A 3004/Map 27).



Figure 8. Aerial image of Camden, 1940s. Approximate location of the subject site indicated by red circle (Source: Camden Library, Frank Ravallion, CH50018).



Figure 9. Aerial image of Camden, 1994. Approximate location of subject site indicated by red circle (Source: Camden Library, CHS0365).

Statement of Heritage Impact - 76 John Street, Camden

3.0 PHYSICAL EVIDENCE INCLUDING SETTING

The site is located at 76 John Street, Camden. The suburb of Camden is located 65 kilometres south-west of the Sydney central business district. John Street runs north to south, beginning at Exter Street and connecting to Menangle Road in the south. John Street dissects the commercial centre of Camden. The subject site is located in the vicinity of the junction of John Street and Menangle Road.

The subject dwelling is a late nineteenth century cottage. The dwelling features a hipped roof form finished in corrugated iron with a grey finish, there is an extant chimney. A veranda is located on the western elevation, the roof profile is bullnose and is finished in grey corrugated iron. All associated guttering is grey blue. The dwelling is constructed of white weatherboards. The site is bordered by a white and grey blue picket fence on the John Street boundary, all other boundaries present Colorbond fencing with a grey blue finish. A contemporary addition has been constructed to the rear of the dwelling. The driveway and rear yard of the site is concreted. A freestanding garage with an open gable roof form is located at the rear of the site. A blue shipping container is currently located in the yard.

Heritage 21 has identified as the primary view lines to and from the subject site as the view of the subject building and adjacent terrace buildings as viewed from John Street facing east, and the view to and from 76 John Street (156). There are multiple secondary view lines to and from the subject site, Heritage 21 has identified these views as follows:

- The overall character and visual presentation of the Camden Heritage Conservation Area;
- The view to and from the subject site from Broughton Street and;
- The view to and from the subject site as viewed west from Hill Street.

The following photographs, taken by Heritage 21 on 31.03.17, provide a visual survey of the site and its setting.



Figure 10. View of subject site from John Street, viewed facing east.



Figure 11. View of the rear of the cottage located on the site. Note the tree and shed addition, which would be removed.

Statement of Heritage Impact - 76 John Street, Camden



Figure 12. View of driveway facing east to the proposed location of the development.



Figure 13. Streetscape view of the eastern side of John Street.



Figure 14. View of the rear of the site. Note the shipping container and garage, which would be removed.



Figure 15. View to subject site, approximate location indicated by arrow, from St Johns Church.



Figure 16. View to subject site from Menangle Road, approximate location of subject site indicated by arrow.



Figure 17. Two storey commercial development located at the rear of a site, viewed from carpark.

Statement of Heritage Impact - 76 John Street, Camden



Figure 18. View to subject site from carpark located at rear, approximate location of subject site indicated by arrow, note the spire of St John's Church as visible above the trees.



Figure 19. View to subject site from carpark located at rear, approximate location of subject site indicated by arrow.

4.0 HERITAGE SIGNIFICANCE

4.1 Established Significance

The following Statement of Significance is available for the site on the State Heritage Inventory:⁷

This line of simple, neat, and pleasing cottages along the eastern side of John Street, leading up to the view of St Johns Church spire, are representative of late nineteenth-century country town cottages. They are remarkably consistent in quality and form a good group.

⁷ NSW Office of Environment and Heritage, 'State Heritage Inventory', Search for NSW Heritage, n.d., <http://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx>.

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5.0 DESCRIPTION OF PROPOSAL

The proposed development would include:

- Demolition of extant fibrous cement garage;
- Demolition of extant shed connected to the main building;
- Removal of tree located on the site; and
- Construction of a two-storey commercial building at rear of site.

Specific details of the site and the proposed development are shown in drawings by Reggie's Residential Design and Drafting, dated 20.03.17, received by Heritage 21 on 23.05.17. These are partly reproduced below at small scale for reference purposes; the full-size drawings accompanying the application should be referred to for any details.

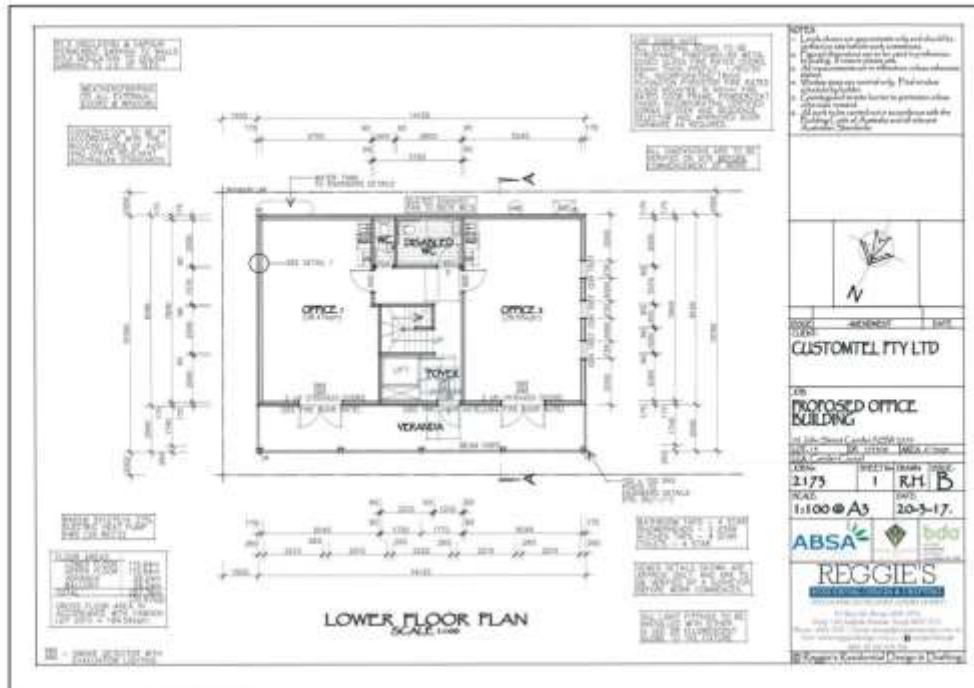


Figure 20. Sheet No. 1, Lower Floor Plan.

Statement of Heritage Impact - 76 John Street, Camden

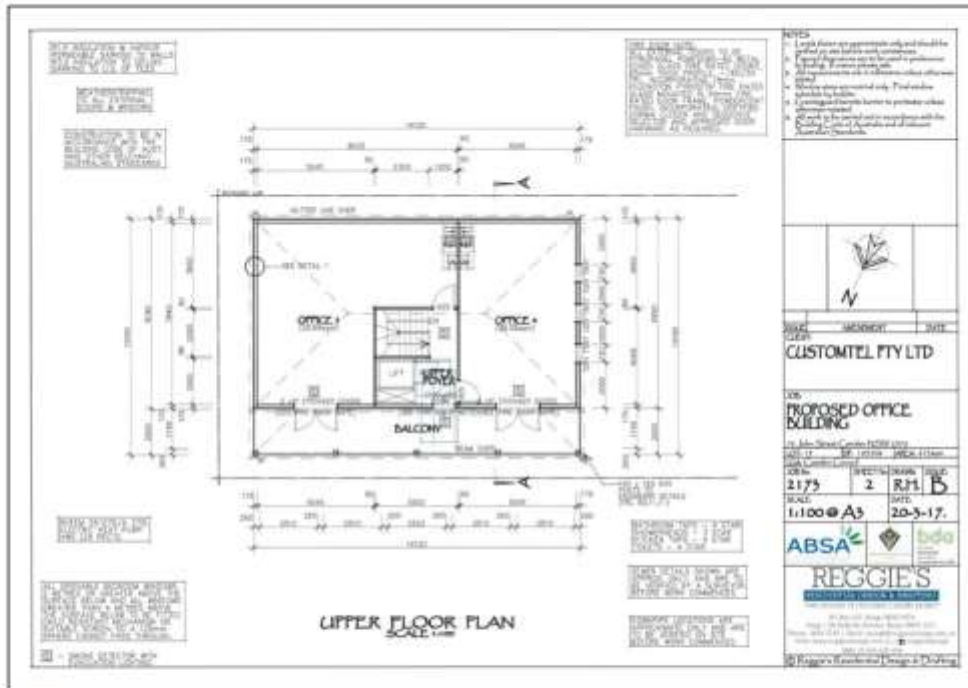


Figure 21. Sheet No. 2, Upper Floor Plan.

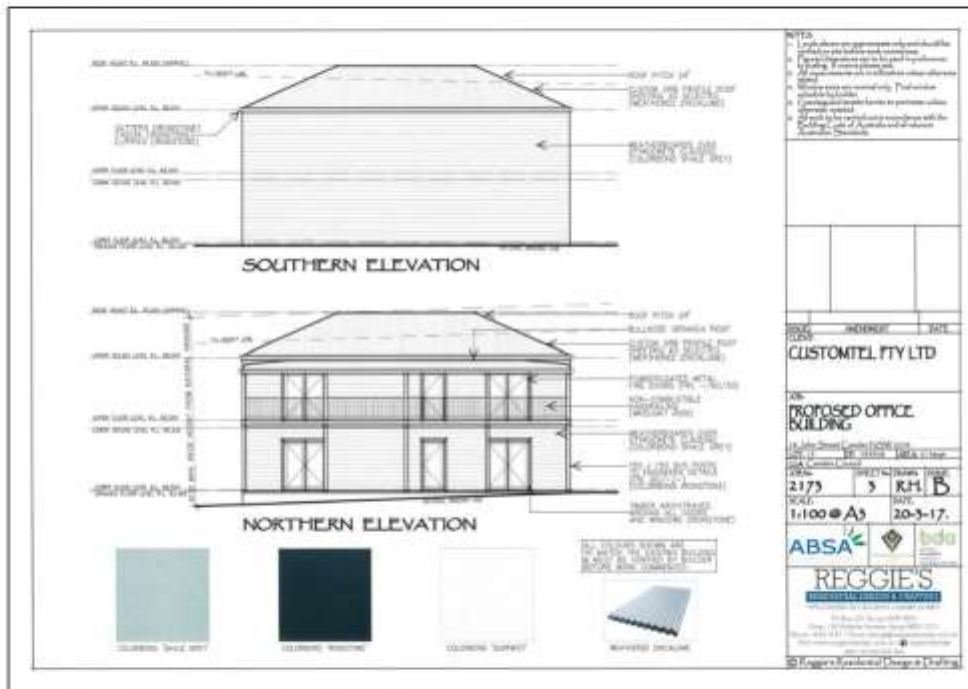


Figure 22. Sheet No. 3, Southern and Northern Elevation.

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Statement of Heritage Impact - 76 John Street, Camden

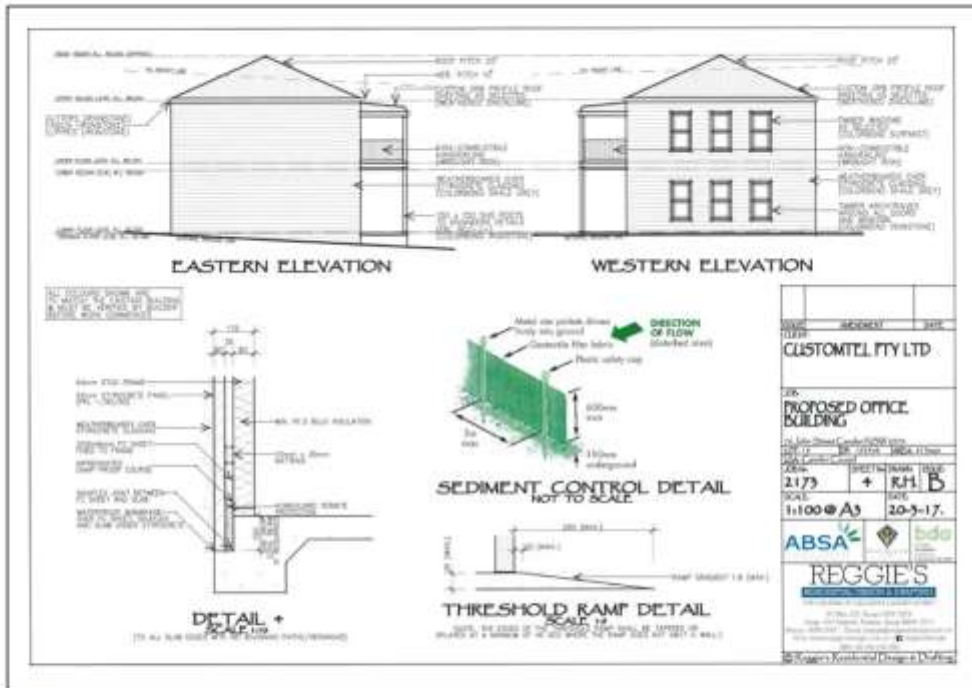


Figure 23. Sheet No. 4, Eastern Elevation, Western Elevation, Detail 4, Sediment Control Detail, and Threshold Ramp Detail.

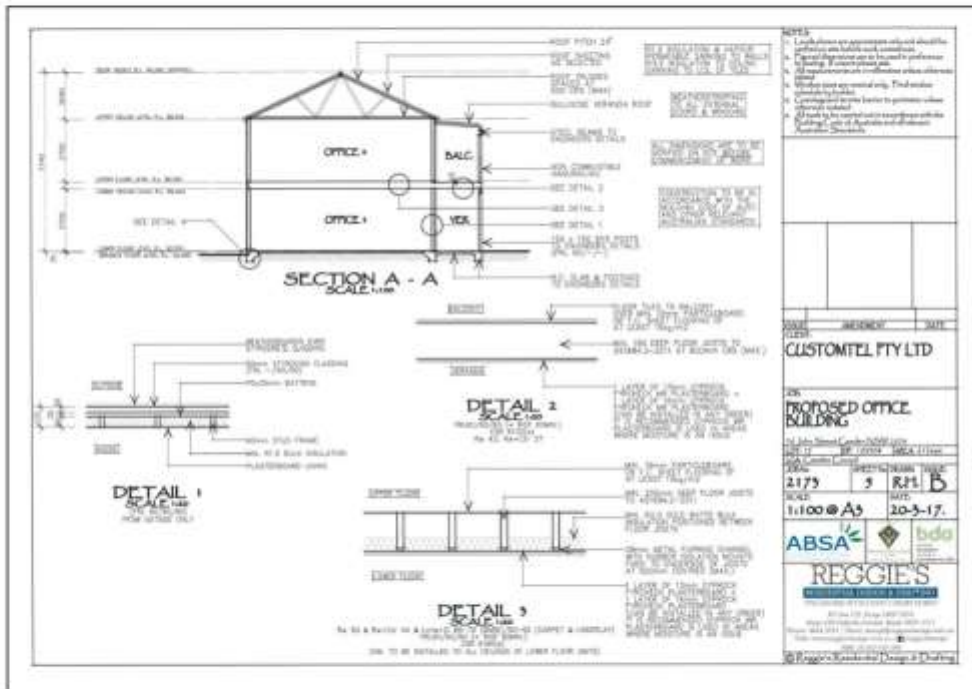


Figure 24. Sheet No. 5, Section A-A, Detail 1, Detail 2, and Detail 3.

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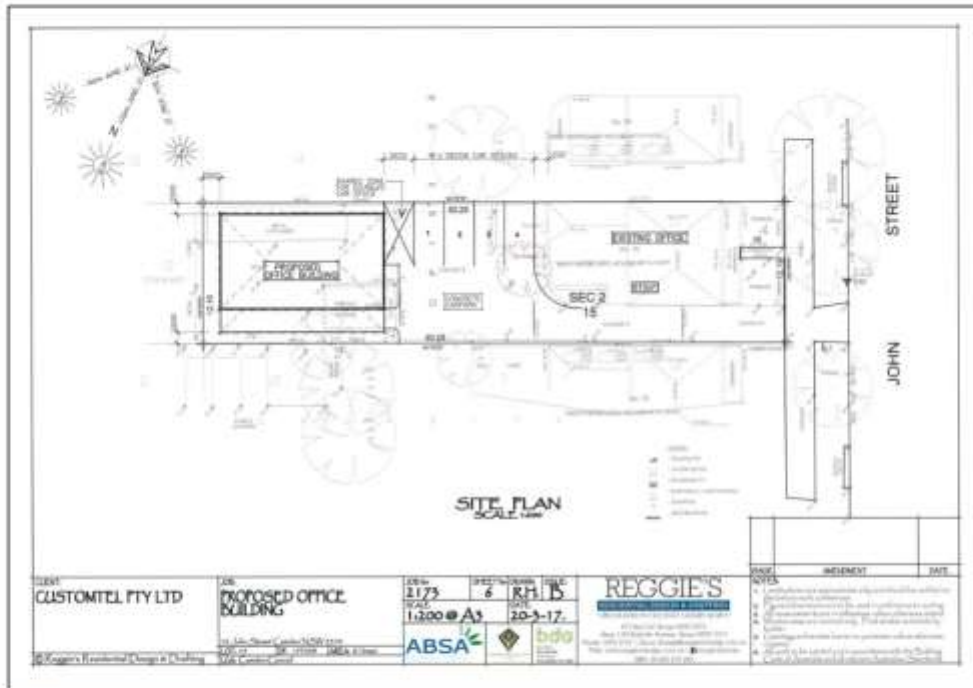


Figure 25, Sheet No. 6, Site Plan.

6.0 ASSESSMENT OF HERITAGE IMPACT

6.1 Heritage Management Framework

Below we outline the heritage-related statutory and non-statutory constraints applicable to the subject site including the objectives, controls and considerations which are relevant to the proposed development as described in Section 5 above. These constraints and requirements form the basis of this Heritage Impact Assessment.

Camden Local Environmental Plan 2010

The statutory heritage conservation requirements contained in Section 5.10 of the Camden Local Environment Plan 2010 are pertinent to any heritage impact assessment for future development on the subject site. The relevant clauses for the site and proposal are outlined below:

- (1) Objectives* The objectives of this clause are as follows:
- (a) to conserve the environmental heritage of Camden,*
 - (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
 - (c) to conserve archaeological sites,*
 - (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*
- (2) Requirement for consent* Development consent is required for any of the following:
- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):*
 - (i) a heritage item,*
 - (ii) an Aboriginal object,*
 - (iii) a building, work, relic or tree within a heritage conservation area,*
 - (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,*
 - (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,*
 - (d) disturbing or excavating an Aboriginal place of heritage significance,*
 - (e) erecting a building on land:*
 - (i) on which a heritage item is located or that is within a heritage conservation area,*
or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*
 - (f) subdividing land:*

Statement of Heritage Impact - 76 John Street, Camden

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(4) Effect of proposed development on heritage significance The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),
- require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Camden Development Control Plan 2011

Our assessment of heritage impact also considers the heritage-related sections of the Camden Development Control Plan (CDCP) 2011 that are pertinent to the subject site and proposed development. These include:

B3 Environmental Heritage

B3.1 European Heritage

B3.1.1 General Heritage Provisions

B3.1.2 Camden Heritage Conservation Area

Recommended Management

The following recommended management is available for the site on the State Heritage Inventory:⁸

Conserve and maintain significant fabric.

⁸ Ibid.

Statement of Heritage Impact - 76 John Street, Camden

NSW Office of Environment & Heritage guidelines

In its guidelines for the preparation of Statements of Heritage Impact, the NSW Office of Environment & Heritage provides a list of considerations in the form of questions aiming at directing and triggering heritage impact assessments.⁹ These are divided in sections to match the different types of proposal that may occur on a heritage item, item in a heritage conservation area or in the vicinity of heritage. Below are listed the considerations which are most relevant to the proposed development as outlined in Section 5.0 of this report.

New development adjacent to a heritage item (including additional buildings and dual occupancies)

- *How is the impact of the new development on the heritage significance of the item or area to be minimised?*
- *Why is the new development required to be adjacent to a heritage item?*
- *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*
- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*
- *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*
- *Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?*
- *Will the additions visually dominate the heritage item? How has this been minimised?*
- *Will the public, and users of the item, still be able to view and appreciate its significance?*

New landscape works and features (including carparks and fences)

- *How has the impact of the new work on the heritage significance of the existing landscape been minimised?*
- *Has evidence (archival and physical) of previous landscape work been investigated? Are previous works being reinstated?*
- *Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so, have their recommendations been implemented?*
- *Are any known or potential archaeological deposits affected by the landscape works? If so, what alternatives have been considered?*
- *How does the work impact on views to, and from, adjacent heritage items?*

⁹ NSW Office of Environment and Heritage, 'Statements of Heritage Impact' (Heritage Office and Department of Urban Affairs & Planning, 1996), NSW Heritage Manual, <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf>.

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Other Heritage Considerations

Other general heritage matters which may not have been addressed in heritage controls or requirements by the local Council or the NSW Office of Environment & Heritage are likely to include considerations as to whether:

- The historical use of the site would be maintained and if not, if the proposed new use would be suitable to the heritage significance;
- The historical setbacks and boundaries of the site would be retained as existing; and
- Any significant views to and from significant buildings or elements, or across significant areas would be impacted.

Statement of Heritage Impact - 76 John Street, Camden

6.2 Heritage Impact Assessment

Below we assess the impact that the proposed development would have upon the subject site, the conservation area and the heritage items in the vicinity. This assessment is based upon the Site Investigation (refer to Section 3), Heritage Significance (refer to Section 4), the Proposal (refer to Section 5), a review of the Heritage Management Framework (described above) and the assessment of the impact of the proposal on the relevant heritage items and heritage conservation areas situated in the vicinity of the site (refer to Section 1.3).

Impact assessment in relation to fabric

It is proposed that the existing metal container, fibrous cement garage, and attached shed is removed. A visual inspection of the site and these elements has informed Heritage 21's view that these elements are nonoriginal and are not of heritage significance. The elements which are proposed to be removed are intrusive and detract from the heritage significance of the site. The demolition of these elements would have a positive impact on the heritage significance of the site. The proposed works would not involve any modification to the heritage cottage located on the site, there would be no modification to any fabric of heritage significance.

The proposed two storey office building would be located at the rear of the site in accordance with the controls of the CDCP 2011. No modification is proposed to the established front garden. It is proposed that a tree located at the rear of the site would be removed. The removal of this tree would be supported from a heritage perspective, as this planting is unoriginal and does not contribute to the heritage significance of the site.

No parking is proposed in the front setback area, in accordance with the CDCP 2011. No modification is proposed to the hard landscaping. The existing concrete driveway and the provision of parking at the rear of the site would be retained. This established vehicle access has no adverse impact on the architectural character of the subject site dwelling.

Impact assessment in relation to views

The design of this proposed building would reference the heritage characteristics of the extant heritage cottage whilst remaining clearly discernible as a contemporary construction. The proposed office building would be two storeys. This increase in height would be supported from a heritage perspective as the sloping topography of the site would ensure the new development would not overwhelm the existing heritage cottage, nor would the proposed development would generate an acceptable level of impact on the identified view lines.

It is proposed that the development be finished in timber weatherboards. The use of weatherboards would link the proposed development with the existing weatherboard cottage. Additionally, the hipped roof form, bullnose veranda and Colorbond finish, further reference the connection between the proposed development and the heritage cottage. The proposed finishes of the development

Statement of Heritage Impact - 76 John Street, Camden

would ensure that the structure makes a cohesive contribution to the identified view lines and contribute to the development being supported from a heritage perspective.

7.0 CONCLUSION & RECOMMENDATIONS

7.1 Impact Summary

The NSW Office of Environment & Heritage's guidelines require the following aspects of the proposal to be summarised.¹⁰

7.1.1 Aspects of the proposal which respect or enhance heritage significance

In our view, the following aspects of the proposal would respect the heritage significance of the subject site, the Camden Town Centre Heritage Conservation Area and heritage items in the vicinity:

- No modification is proposed to any significant fabric;
- The proposed development is located at the rear of the site;
- The proposed finishes of the development would reference the existing heritage cottage whilst remaining discernible as contemporary.

7.1.2 Aspects of the proposal which could have detrimental impact on heritage significance

In our view, there are no aspects of the proposal which could be detrimental to the significance of the subject site, the Camden Town Centre Heritage Conservation Area and heritage items in the vicinity. The neutral/positive impacts of the proposal have been addressed above in Section 7.1.1.

7.1.3 Sympathetic alternative solutions which have been considered

Heritage 21 provided heritage advice to the applicant which has been incorporated in the final proposal as described in Section 5.0 and which includes:

- The inclusion of columns on the first-floor;
- The use of timber weatherboards to clad the exterior of the proposed development;
- The dimensions of the windows, form and fabric of the proposed openings;
- The use of Colorbond for the roof finish;
- The use wrought iron in the balustrade; and
- The inclusion of architraves.

7.2 General Conclusion

Heritage 21 is therefore confident that the proposed development complies with pertinent heritage controls and would have an acceptable level of impact on the heritage significance of the subject site, Camden Town Centre Heritage Conservation Area or heritage items in the vicinity.

¹⁰ NSW Office of Environment and Heritage, 'Statements of Heritage Impact' (Heritage Office and Department of Urban Affairs & Planning, 1996), <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf>.

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Deed of Variation to Emerald Hills Planning Agreement

Under cl25C(3) of the *Environmental Planning and Assessment Regulation 2000*

Camden Council

**Hazcorp Developments Pty Ltd and Taurus
Development Company Pty Ltd (trading as Emerald
Hills Estate)**

D&AI Pty Ltd

Date:

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Deed of Variation to Emerald Hills Planning Agreement

Camden Council

Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd (trading as Emerald Hills Estate)

D&AI Pty Ltd



Deed of Variation to Emerald Hills Planning Agreement

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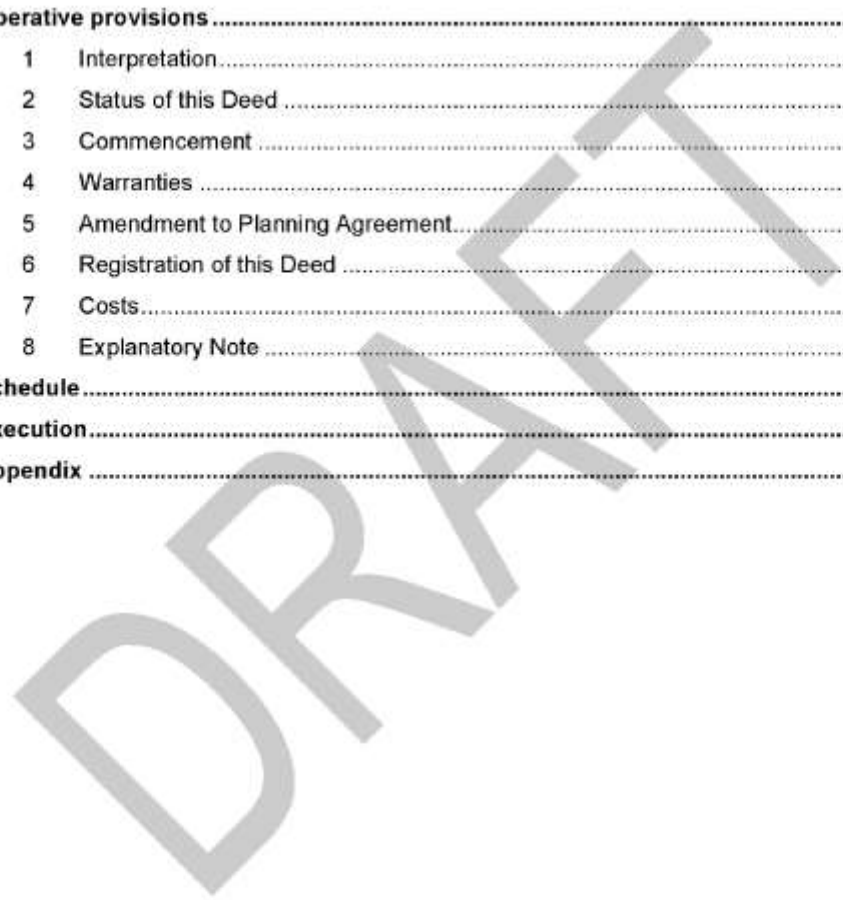
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Deed of Variation to Emerald Hills Planning Agreement

Camden Council

Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd (trading as Emerald Hills Estate)

D&AI Pty Ltd



Deed of Variation to Emerald Hills Planning Agreement

Under cl25C(3) of the *Environmental Planning and Assessment Regulation 2000*

Parties

Camden Council ABN 31 117 341 764 of 70 Central Avenue, Oran Park, NSW 2570
(Council)

and

Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd (trading as Emerald Hills Estate) ABN 78 608 138
379 of PO Box 373, Narellan, NSW 2567 (Developer)

and

D&AI Pty Ltd ABN 96 136 122 220 of PO Box 373, Narellan, NSW 2567
(Landowner)

Background

- A The Parties are Parties to the Planning Agreement.
- B Pursuant to clause 48 of the Planning Agreement, the Parties agree to amend the Planning Agreement to, amongst other things, change the number of Final Lots in the Development and the timing of the provision of Development Contributions, update title details in the description of the Land, and provide for the upgrade of the specified section of St Andrews Road and the construction of an additional playground.

Operative provisions

1 Interpretation

- 1.1 In this Deed the following definitions apply:
- Deed** means this Deed of Variation and includes any schedules, annexures and appendices to this Deed.
- Planning Agreement** means the Emerald Hills Planning Agreement pursuant to s93F of the *Environmental Planning and Assessment Act 1979* entered into between the Parties on 1 August 2014.
- 1.2 All other capitalised words used in this Deed have the meanings given to those words in the Planning Agreement.
- 1.3 Clauses 1.2, 41, 43, 45 and 47 of the Planning Agreement apply as if they form part of this Deed with any necessary changes.

Deed of Variation to Emerald Hills Planning Agreement

Camden Council

Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd (trading as Emerald Hills Estate)

D&AI Pty Ltd



2 Status of this Deed

- 2.1 This Deed is an amendment to the Planning Agreement within the meaning of clause 25C(3) of the Regulation.
- 2.2 This Deed is not a planning agreement within the meaning of s93F(1) of the Act.

3 Commencement

- 3.1 This Deed takes effect on the date when all Parties have executed this Deed.
- 3.2 The Party who executes this Deed last is to insert on the front page the date they did so and provide a copy of the fully executed and dated Deed to any other person who is a Party.

4 Warranties

- 4.1 The Parties warrant to each other that they:
 - 4.1.1 have full capacity to enter into this Deed, and
 - 4.1.2 are able to fully comply with their obligations under this Deed.

5 Amendment to Planning Agreement

- 5.1 On and from the date this Deed takes effect the Planning Agreement is amended in accordance with the marking-up shown on the copy of the Planning Agreement contained in the Schedule.

6 Registration of this Deed

- 6.1 The parties agree that this Deed should be registered on the title of the Land:
 - 6.1.1 which is not a Final Lot, and
 - 6.1.2 for which the Landowner is the registered proprietor as at the date of this Deed.
- 6.2 Each Party will co-operate with each other in good faith to achieve the objectives set out in clause 6.1.
- 6.3 For avoidance of doubt, clause 30 of the Planning Agreement applies to this Deed in the same way that it applies to the Planning Agreement.

7 Costs

- 7.1 The Developer is to pay to the Council the Council's reasonable costs, being \$3,900.00 - \$4,300.00 + GST, for preparing, negotiating, executing and stamping this Deed, and any document related to this Deed within 7 days of a written demand by the Council for such payment.
- 7.2 This clause continues to apply after expiration or termination of this Deed.

Deed of Variation to Emerald Hills Planning Agreement

Camden Council

Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd (trading as
Emerald Hills Estate)

D&AI Pty Ltd

8 Explanatory Note

- 8.1 The Appendix contains the Explanatory Note relating to this Deed required by clause 25E of the Regulation.
- 8.2 Pursuant to clause 25E(7) of the Regulation, the Parties agree that the Explanatory Note is not to be used to assist in construing this Deed.

DRAFT

Deed of Variation to Emerald Hills Planning Agreement

Camden Council

Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd (trading as Emerald Hills Estate)

D&AI Pty Ltd



ORD08

Schedule

(Clause 5)

Amended Planning Agreement

The Planning Agreement as amended by this Deed appears on the following pages.

DRAFT

Attachment 1

Deed

**Emerald Hills
Planning Agreement**

Under s93F of the *Environmental Planning and Assessment Act 1979*

Camden Council

**Hazcorp Developments Pty Ltd and Taurus Development
Company Pty Ltd (trading as Emerald Hills Estate)**

D&AI Pty Ltd

Date:

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Emerald Hills Planning Agreement**Camden Council****Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd
(trading as Emerald Hills Estate)****D&AI Pty Ltd****Emerald Hills
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Camden Council

**Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd
(trading as Emerald Hills Estate)**

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Emerald Hills Planning Agreement**Camden Council****Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd
(trading as Emerald Hills Estate)****D&AI Pty Ltd**

Emerald Hills Planning Agreement**Summary Sheet****Council:****Name:** Camden Council**Address:** 70 Central Avenue, Oran Park, NSW**Telephone:** (02) 4654 7777**Facsimile:** (02) 4564 7829**Email:** mail@camden.nsw.gov.au**Representative:** The General Manager**Developer:****Name:** Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd (
trading as Emerald Hills Estate)**Address:** PO Box 373 Narellan NSW 2567**Telephone:** (02) 4774 6000**Facsimile:** (02) 4774 9932**Email:** smcmahon@macarthurdevelopments.com.au**Representative:** Stephen McMahon**Landowner:****Name:** D&AI Pty Ltd**Address:** PO Box 373 Narellan NSW 2567**Telephone:** (02) 4774 6000**Facsimile:** (02) 4774 9932**Email:** dhazlett@cambrae.com.au or arnold@vastedevelopments.com.au**Representative:** David Hazlett, Arnold Vitocco

Emerald Hills Planning Agreement

Camden Council

Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd
(trading as Emerald Hills Estate)D&AI Pty Ltd

Land:See definition of *Land* in clause 1.1.**Development:**See definition of *Development* in clause 1.1.**Development Contributions:**

See Part 2 and Schedule 1.

Application of s94, s94A and s94EF of the Act:

See clause 8.

Security:

See Parts 4 and 5.

Registration:

See clause 30.

Restriction on dealings:

See clause 31.

Dispute Resolution:

See Part 3.

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(trading as Emerald Hills Estate)****D&AI Pty Ltd**

Emerald Hills Planning AgreementUnder s93F of the *Environmental Planning and Assessment Act 1979***Parties****Camden Council** ABN 31 117 341 764 of 70 Central Avenue, Oran Park, NSW 2570
(Council)

and

**Hazcorp Developments Pty Ltd and Taurus Development
Company Pty Ltd (trading as Emerald Hills Estate)** ABN 78 608 138
379 of PO Box 373 Narellan NSW 2567 (Developer)

and

D&AI Pty Ltd ABN 96 136 122 220 of PO Box 373 Narellan NSW 2567
(Landowner)**Background**

- A The Landowner is the owner of the Land.
- B The Developer is prepared to make Development Contributions in connection with the carrying out of the Development in accordance with this Deed.

Operative provisions**Part 1 - Preliminary****1 Interpretation**

- 1.1 In this Deed the following definitions apply:

Act means the *Environmental Planning and Assessment Act 1979* (NSW).**Deed** means this Deed and includes any schedules, annexures and appendices to this Deed.**Approval** includes approval, consent, licence, permission or the like.

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Authority means the Commonwealth or New South Wales government, a Minister of the Crown, a government department, a public authority established by or under any Act, a council or county council constituted under the LG Act, or a person or body exercising functions under any Act including a commission, panel, court, tribunal and the like.

Bank Guarantee means an irrevocable and unconditional undertaking without any expiry or end date in favour of the Council to pay an amount or amounts of money to the Council on demand issued by:

- (a) one of the following trading banks:
 - (i) Australia and New Zealand Banking Group Limited,
 - (ii) Commonwealth Bank of Australia,
 - (iii) Macquarie Bank Limited,
 - (iv) National Australia Bank Limited,
 - (iv) St George Bank Limited,
 - (v) Westpac Banking Corporation, or
- (b) any other financial institution approved by the Council in its absolute discretion.

Claim includes a claim, demand, remedy, suit, injury, damage, loss, Cost, liability, action, proceeding or right of action.

Construction Certificate has the same meaning as in the Act.

Contribution Value means the \$ amount agreed between the Parties as the value of a Development Contribution made under this Deed as set out in Column 7 of Schedule 1.

Cost means a cost, charge, expense, outgoing, payment, fee and other expenditure of any nature.

Defect means anything that adversely affects, or is likely to adversely affect, the appearance, structural integrity, functionality or use or enjoyment of a Work or any part of a Work.

Defects Liability Period means the period of 1 year commencing on the day immediately after a Work is completed for the purposes of this Deed.

Development means the development of the Land for urban purposes generally in accordance with the Plans involving subdivision into up to 1342 Final Lots, establishment of a road, utilities and stormwater management network, provision of open space, recreation areas and community facilities, preservation of areas of ecologically endangered woodland, construction of commercial and retail floorspace, agreed road works to St Andrews Road and the construction of dwellings.

Development Application has the same meaning as in the Act.

Development Consent has the same meaning as in the Act.

Development Contribution means a monetary contribution, the dedication of land free of cost, the carrying out of work, or the provision of any other material public benefit, or any combination of them, to be used for, or applied towards a public purpose, but does not include any Security or other benefit provided by a Party to the Council to secure the enforcement of that Party's obligations under this Deed for the purposes of s93F(3)(g) of the Act.

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Dispute means a dispute or difference between the Parties under or in relation to this Deed.

Equipment means any equipment, apparatus, vehicle or other equipment or thing to be used by or on behalf of the Developer in connection with the performance of its obligations under this Deed.

Final Lot means a lot created in the Development for separate residential occupation and disposition or a lot of a kind or created for a purpose that is otherwise agreed by the Parties, not being a lot created by a subdivision of the Land:

- (a) that is to be dedicated or otherwise transferred to the Council, or
- (b) on which is situated a dwelling-house that was in existence on the date of this Deed.

GST has the same meaning as in the GST Law.

GST Law has the same meaning as in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.

Indicative Layout Plan means sheet 1 of the Plans.

Instrument Change means the amendment of the *Camden Local Environmental Plan 2010* to rezone the Land for urban purposes.

Item means a Development Contribution specified in Column 1 of Schedule 1.

Just Terms Act means the *Land Acquisition (Just Terms Compensation) Act 1991*.

Land means all of the land in the Emerald Hills Estate that is within the area of the Council as shown on the Masterplan and comprising Lots 995-1064 DP 1198247, Lots 1101-1204 DP 1198248, Lots 1300-1402 DP 1198251, Lots 90-96 DP 1203161, Lots 201-204 DP 1210950, and Lot 102 DP 1192131.

LG Act means the *Local Government Act 1993*.

Maintain, in relation to a Work, means keep in a good state of repair and working order, and includes repair of any damage to the Work whether as a result of adverse weather, other act of God or otherwise.

Maintenance Period for a Work means the period of years specified in Column 8 of Schedule 1 in respect of that Item of Work.

Party means a party to this Deed.

Plan of Management means a plan of management within the meaning of s36 of the LG Act.

Plans means the suite of plans contained in Schedule 2.

Principal Certifying Authority has the same meaning as in the Act.

Rectification Notice means a notice in writing:

- (a) identifying the nature and extent of a Defect,
- (b) specifying the works or actions that are required to Rectify the Defect,
- (c) specifying the date by which or the period within which the Defect is to be rectified.

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Rectify means rectify, remedy or correct.

Regulation means the *Environmental Planning and Assessment Regulation 2000*.

Security means a Bank Guarantee, or a bond or other form of security to the satisfaction of the Council indexed annually in accordance with the annual movements in the Consumer Price Index (All Groups Sydney) published by the Australian Bureau of Statistics on and from the date of this Deed.

Stage means a stage of the Development approved by a Development Consent or otherwise approved in writing by the Council for the purposes of this Deed, and generally as shown in the Plans.

Stage 1 Plan, Stages 2-6 Plan, Stages 7-8 Plan and Stages 9-11 Plan mean each of the plans so headed in Schedule 2.

Subdivision Certificate means a subdivision certificate within the meaning of the Act or a strata certificate within the meaning of the *Strata Schemes (Freehold Development) Act 1973* or in any other case, any other form of certificate which, on registration, authorises the creation of a new lot.

Vegetation Management Plan means a plan that contains provisions relating to the establishment and maintenance of land.

Work means the physical result of any building, engineering or construction work in, on, over or under land.

1.2 In the interpretation of this Deed, the following provisions apply unless the context otherwise requires:

1.2.1 Headings are inserted for convenience only and do not affect the interpretation of this Deed.

1.2.2 A reference in this Deed to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.

1.2.3 If the day on which any act, matter or thing is to be done under this Deed is not a business day, the act, matter or thing must be done on the next business day.

1.2.4 A reference in this Deed to dollars or \$ means Australian dollars and all amounts payable under this Deed are payable in Australian dollars.

1.2.5 A reference in this Deed to a \$ value relating to a Development Contribution is a reference to the value exclusive of GST.

1.2.6 A reference in this Deed to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.

1.2.7 A reference in this Deed to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.

1.2.8 A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Deed.

1.2.9 An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.

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- 1.2.10 Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
 - 1.2.11 A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.
 - 1.2.12 References to the word 'include' or 'including' are to be construed without limitation.
 - 1.2.13 A reference to this Deed includes the agreement recorded in this Deed.
 - 1.2.14 A reference to a Party to this Deed includes a reference to the servants, agents and contractors of the Party, the Party's successors and assigns.
 - 1.2.15 A reference to 'dedicate' or 'dedication' in relation to land is a reference to dedicate or dedication free of cost.
 - 1.2.16 Any schedules, appendices and attachments form part of this Deed.
 - 1.2.17 Notes appearing in this Deed are operative provisions of this Deed.

2 Status of this Deed

- 2.1 This Deed is a planning agreement within the meaning of s93F(1) of the Act and is entered into in connection with the Instrument Change and the making of a Development Application for the Development.

3 Commencement

- 3.1 This Deed takes effect on the date when all Parties have executed one counterpart of this Deed.
- 3.2 The Party who executes this Deed last is to insert on the front page the date they did so and provide a copy of the fully executed and dated Deed to any other person who is a Party.

4 Application of this Deed

- 4.1 This Deed applies to the Land and to the Development.

5 Warranties

- 5.1 The Parties warrant to each other that they:
 - 5.1.1 have full capacity to enter into this Deed, and
 - 5.1.2 are able to fully comply with their obligations under this Deed.

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6 Further agreements

- 6.1 The Parties may, at any time and from time to time, enter into agreements relating to the subject-matter of this Deed that are not inconsistent with this Deed for the purpose of implementing this Deed.

7 Surrender of right of appeal, etc.

- 7.1 The Developer or the Landowner are not to commence or maintain, or to cause or procure the commencement or maintenance, of any proceedings in any court or tribunal or similar body appealing against, or questioning the validity of this Deed, or an Approval relating to the Development in so far as the subject-matter of the proceedings relates to this Deed.

8 Application of s94, s94A and s94EF of the Act to the Development

- 8.1 This Deed excludes the application of s94 of the Act to the Development, subject to clause 8.4.
- 8.2 This Deed excludes the application of s94A of the Act to the Development, subject to clause 8.4.
- 8.3 This Deed does not exclude the application of s94EF of the Act to the Development.
- 8.4 For the avoidance of doubt, clauses 8.1 and 8.2 do not exclude the application of s94 or s94A of the Act to the development of dwellings, commercial and retail floorspace or any other development on the Final Lots although the benefits provided under this Deed referable to a Final Lot may be taken into consideration in determining a development contribution under section 94 of the Act in respect of development on that Final Lot.

Part 2 – Development Contributions**9 Provision of Development Contributions**

- 9.1 The Developer is to make Development Contributions to the Council in accordance with Schedule 1, any other provision of this Deed relating to the making of Development Contributions and otherwise to the satisfaction of the Council.
- 9.2 Any Contribution Value specified in this Deed in relation to a Development Contribution does not serve to define the extent of the Developer's obligation to make the Development Contribution.
- 9.3 The Council is to apply each Development Contribution made by the Developer under this Deed towards the public purpose for which it is made and otherwise in accordance with this Deed.

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- 9.4 Despite clause 9.2, the Council may apply a Development Contribution made under this Deed towards a public purpose other than the public purpose specified in this Deed if the Council reasonably considers that the public interest would be better served by applying the Development Contribution towards that other purpose rather than the purpose so specified.
- 9.5 The Landowner is under no obligation to make Development Contributions under clause 9.1 (other than Items 18 to 26) except if the Landowner, participates in the carrying out of the Development to any extent. If so, the Landowner shall be taken to have the same obligations as the Developer.
- 9.6 A monetary Development Contribution specified in column 7 of Schedule 1 is to be indexed from the date of this Deed to the date of payment in accordance with the quarterly movements of the Consumer Price Index (All Groups Sydney) published by the Australian Bureau of Statistics.

10 Payment of monetary Development Contributions

- 10.1 A monetary Development Contribution is made for the purposes of this Deed when the Council receives the full amount of the contribution payable under this Deed in cash or by unendorsed bank cheque or by the deposit by means of electronic funds transfer of cleared funds into a bank account nominated by the Council.

11 Dedication of land

- 11.1 A Development Contribution comprising the dedication of land is made for the purposes of this Deed when:
- 11.1.1 a deposited plan is registered in the register of plans held with the Registrar-General that dedicates land as a public road (including a temporary public road) under the *Roads Act 1993* or creates a public reserve or drainage reserve under the LG Act, or
- 11.1.2 the Council is given:
- (a) an instrument in registrable form under the *Real Property Act 1900* duly executed by the Landowner as transferor that is effective to transfer the title to the land to the Council when executed by the Council as transferee and registered,
 - (b) the written consent to the registration of the transfer of any person whose consent is required to that registration, and
 - (c) a written undertaking from any person holding the certificate of title to the production of the certificate of title for the purposes of registration of the transfer.
- 11.2 The Landowner is to do all things reasonably necessary to enable registration of the instrument of transfer to occur.
- 11.3 The Landowner is to ensure that land dedicated to the Council under this Deed is free of all encumbrances and affectations (whether registered or unregistered and including without limitation any charge or liability for rates, taxes and charges) except as otherwise agreed in writing by the Council.

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- 11.4 If, having used all reasonable endeavours, the Landowner cannot ensure that land to be dedicated to the Council under this Deed is free from all encumbrances and affectations, the Landowner or Developer may request that Council agree to accept the land subject to those encumbrances and affectations, but the Council may withhold its agreement in its absolute discretion.
- 11.5 Despite any other provision of this Deed, if the Developer is required to dedicate land to the Council on which the Developer is also required to carry out a Work under this Deed, the Landowner is to comply with clause 11.1.2 not later than 28 days after the Work is completed for the purposes of this Deed.

12 Carrying out of Work

- 12.1 Without limiting any other provision of this Deed, any Work that is required to be carried out by the Developer under this Deed is to be carried out in accordance with any design or specification specified or approved by the Council, any relevant Approval and any other applicable law.
- 12.2 The Developer at its own cost, is to comply with any reasonable direction given to it by the Council to prepare or modify a design or specification relating to a Work that the Developer is required to carry out under this Deed.
- 12.3 Notwithstanding the generality of clause 12.1 or clause 13.1, prior to commencing a Work for which a Maintenance Period applies, the Developer must provide, and the Council must have earlier approved:
- 12.3.1 a draft Plan of Management for the land on which the Work is to be carried out; and
- 12.3.2 a suitable maintenance regime for the Work, and costings, prepared by a suitably qualified person, for the carrying out of the maintenance regime.

13 Approval of design of Works

- 13.1 Council must approve the design and specifications for each Work unless otherwise agreed in writing by the Council in relation to any particular Work.
- 13.2 Prior to commencing design of a Work, the Developer must request that the Council provide the Developer with its requirements for the location (generally in accordance with the Plans), design, materials and specifications for the provision of the Work.
- 13.3 When requesting Council's requirements under clause 13.2 the Developer may provide a proposal, including preliminary concept designs to assist Council in preparing its requirements.
- 13.4 Once the Developer receives the Council's requirements for the Work under clause 13.2, the Developer is to provide the initial design for the Work to Council for the Council's approval.
- 13.5 The initial design for the Work is to include or be accompanied by such information as is required for the making of a Development Application for the Work including:

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- 13.5.1 a draft Plan of Management for the land on which the Work is to be located on its dedication to the Council, if that land will be classified as community land within the meaning of the LG Act; and
- 13.5.2 a draft Vegetation Management Plan for the land on which the Work is to be located, if the Council has advised the Developer that a Vegetation Management Plan is required,
- 13.5.3 a detailed maintenance regime for the Work, and detailed costings, prepared by a suitably qualified person, for the carrying out of the maintenance regime.
- 13.6 The Council is to advise the Developer in writing whether it approves of the initial design of the Work within 2 months of receiving the initial design from the Developer.
- 13.7 The Developer will make any change to the initial design for the Work required by the Council.
- 13.8 The Developer is not to lodge any Development Application for a Work unless the Council has first approved the initial design for the Work and provided its written certification that the Development Application is consistent with the approved initial design of the Work.
- 13.9 The Council is to provide the written certification referred to in clause 13.8 within 14 days of being provided with a copy of the proposed Development Application by the Developer, unless the Council forms the view that the proposed Development Application is not consistent with the approved initial design of the Work.
- 13.10 A Development Application for Work is to be accompanied by the written certification referred to in clause 13.9 when lodged with the Council, as the consent authority.
- 13.11 The Developer is to bear all costs associated with obtaining the Council's approval to the initial design of a Work in Schedule 1 of this Deed under this clause.
- 13.12 Following Development Consent being issued for a Work, the Developer shall work with Council in the preparation of the detailed design for it and submit the detailed design to the Council for its approval.
- 13.13 The Developer is not to lodge any application for a Construction Certificate for a Work, with any Principal Certifying Authority, unless the Council has first approved the detailed design for the Work, and provided its written certification that the application for a Construction Certificate is consistent with the approved detailed design of the Work.
- 13.14 The Council is to provide the written certification referred to in Clause 13.13 within 14 days of being provided with a copy of the application for a Construction Certificate by the Developer, unless the Council forms the view that the application is not consistent with the approved detailed design of the Work.
- 13.15 Council's written certification outlined in clause 13.14 shall specify any particular milestones of construction of a Work and if so, the Developer is to provide the Council with a minimum of 24 hours notice prior to commencing a particular milestone and allow the Council access to the relevant land to inspect the Work.

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- 13.16 An application for a Construction Certificate for a Work is to be accompanied by the written certification referred to in clause 13.14 when lodged with the Council, as the consent authority.
- 13.17 For the avoidance of doubt, nothing in the clause as fettering the Council's discretion, as consent authority, in determining any Development Application for the Work.

14 Variation to Work

- 14.1 The design or specification of any Work that is required to be carried out by the Developer under this Deed may be varied by agreement in writing between the Parties, acting reasonably, without the necessity for an amendment to this Deed
- 14.2 Without limiting clause 14.1, the Developer may make a written request to the Council to approve a variation to the design or specification of a Work in order to enable it to comply with the requirements of any Authority imposed in connection with any Approval relating to the carrying out of the Work.
- 14.3 The Council is not to unreasonably delay or withhold its approval to a request made by the Developer under clause 14.2.
- 14.4 The Council, acting reasonably, may from time to time give a written direction to the Developer requiring it to vary the design or specification of a Work before the Work is carried out in a specified manner and submit the variation to the Council for approval.
- 14.5 The Developer is to comply promptly with a direction referred to in clause 14.4 at its own cost.

15 Deferral of Work

- 15.1 Notwithstanding any other provision of this Deed, if the Developer forms the view at any time, that it is unable to make a Development Contribution comprising a Work by the time specified in column 6 of Schedule 1, then:
- 15.1.1 the Developer must provide written notice to the Council to that effect;
- 15.1.2 the Developer must provide the Council with Security in an amount being 100% of the value of the uncompleted part of the Work (calculated with reference to and not exceeding the Contribution Value of the Work) before the date on which the application for the relevant Subdivision Certificate is made;
- 15.1.3 the Developer must provide to Council, for Council's approval, a revised completion date for the Work;
- 15.1.4 Council can approve, or not approve a revised completion date in its discretion, and if the Council does not approve the Developer's revised completion date for the Work, the Council and Developer must negotiate in good faith and agree upon a revised completion date for the Work; and
- 15.1.5 the time for completion of the Work under this Deed will be taken to be the revised completion date approved by the Council under clause 14.1.4,

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- 15.2 If the Developer complies with clause 15.1, then it will not be considered to be in breach of this Deed as a result of a failure to complete a Work by the time for completion of the Work specified in Column 6 of Schedule 2.
- 15.3 If the Work is not completed by the revised date for completion of the Work agreed under clause 15.1.4, then the Council may call on the Security to meet any of its reasonable costs incurred under this Deed in respect of the failure to complete the Work by the revised date for completion.
- 15.4 The Developer is to ensure that the Security held by the Council at all times equals the amount of the Security as indexed.

16 Access to the Land

- 16.1 The Landowner and the Developer are to permit the Council, its officers, employees, agents and contractors to enter the Land or any other land at any time, upon giving reasonable prior notice, in order to inspect, examine or test any Work or to remedy any breach by the Developer relating to the carrying out of a Work.
- 16.2 The Council is to permit the Developer to enter and occupy any land owned or controlled by the Council for the purpose of enabling the Developer to carry out any Work under this Deed that is required to be carried out on such land or to perform any other obligation imposed on the Developer by or under this Deed.

17 Council's obligations relating to Work

- 17.1 The Council is not to unreasonably delay, hinder or otherwise interfere with the performance by the Developer of its obligations under this Deed, and is to use its reasonable endeavours to ensure third parties unrelated to the Developer do not unreasonably delay, hinder or otherwise interfere with the performance of those obligations.

18 Protection of people, property & utilities

- 18.1 The Developer and the Landowner are to ensure to the fullest extent reasonably practicable in relation to the performance of their obligations under this Deed that:
- 18.1.1 all necessary measures are taken to protect people and property,
- 18.1.2 unnecessary interference with the passage of people and vehicles is avoided, and
- 18.1.3 nuisances and unreasonable noise and disturbances are prevented.
- 18.2 Without limiting clause 18.1, the Developer is not to obstruct, interfere with, impair or damage any public road, public footpath, public cycleway or other public thoroughfare, or any pipe, conduit, drain, watercourse or other public utility or service on any land except as authorised in writing by the Council or any relevant Authority.

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19 Repair of damage

- 19.1 The Developer is to Maintain any Work required to be carried out by the Developer under this Deed until the Work is completed for the purposes of this Deed or such later time as agreed between the Parties.
- 19.2 The Developer is to carry out its obligation under clause 19.1 at its own cost and to the satisfaction of the Council.

20 Completion of Work

- 20.1 The Developer is to give the Council written notice of the date on which it will complete Work required to be carried out under this Deed.
- 20.2 The Council is to inspect the Work the subject of the notice referred to in clause 20.1 within 14 days of the date specified in the notice for completion of the Work.
- 20.3 Work required to be carried out by the Developer under this Deed, is completed for the purposes of this Deed when the Council, acting reasonably, gives a written notice to the Developer to that effect.
- 20.4 If the Council is the owner of the land on which Work the subject of a notice referred to in clause 20.1.3 is issued, the Council assumes responsibility for the Work upon the issuing of the notice, but if it is not the owner at that time, it assumes that responsibility when it later becomes the owner.
- 20.5 Before the Council gives the Developer a notice referred to in clause 20.3, it may give the Developer a written direction to complete, rectify or repair any specified part of the Work as soon as practicable to the reasonable satisfaction of the Council.
- 20.6 The Developer, at its own cost, is to promptly comply with a direction referred to in clause 20.5.
- 20.7 The Developer will Maintain any Item for which a Maintenance Period is specified, during that Maintenance Period.

21 Rectification of defects

- 21.1 The Council may give the Developer a Rectification Notice during the Defects Liability Period.
- 21.2 The Developer, at its own cost, is to comply with a Rectification Notice according to its terms and to the reasonable satisfaction of the Council.
- 21.3 The Council is to do such things as are reasonably necessary to enable the Developer to comply with a Rectification Notice that has been given to it under clause 21.1

22 Works-As-Executed-Plan

- 22.1 No later than 60 days after Work is completed for the purposes of this Deed, the Developer is to submit to the Council a full works-as-executed-plan in respect of the Work.

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- 22.2 The Developer, warrants that it is the copyright owner in the plan referred to in clause 22.1, and gives the Council a non-exclusive licence to use the copyright in the plans for the purposes of this Deed.

23 Removal of Equipment

- 23.1 When Work on any Council owned or controlled land is completed for the purposes of this Deed, the Developer, without delay, is to:
- 23.1.1 remove any Equipment from the land and make good any damage or disturbance to the land as a result of that removal, and
- 23.1.2 leave the land in a neat and tidy state, clean and free of rubbish.

Part 3 – Dispute Resolution**24 Dispute resolution – expert determination**

- 24.1 This clause applies to a Dispute between any of the Parties to this Deed concerning a matter arising in connection with this Deed that can be determined by an appropriately qualified expert if:
- 24.1.1 the Parties to the Dispute agree that it can be so determined, or
- 24.1.2 the Chief Executive Officer of the professional body that represents persons who appear to have the relevant expertise to determine the Dispute gives a written opinion that the Dispute can be determined by a member of that body.
- 24.2 A Dispute to which this clause applies is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.
- 24.3 If a notice is given under clause 24.2, the Parties are to meet within 14 days of the notice in an attempt to resolve the Dispute.
- 24.4 If the Dispute is not resolved within a further 28 days, the Dispute is to be referred to the President of the NSW Law Society to appoint an expert for expert determination.
- 24.5 The expert determination is binding on the Parties except in the case of fraud or misfeasance by the expert.
- 24.6 Each Party is to bear its own costs arising from or in connection with the appointment of the expert and the expert determination.
- 24.7 The Parties are to share equally the costs of the President, the expert, and the expert determination.

25 Dispute Resolution - mediation

- 25.1 This clause applies to any Dispute arising in connection with this Deed other than a Dispute to which clause 24 applies.

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- 25.2 Such a Dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.
- 25.3 If a notice is given under clause 25.2, the Parties are to meet within 14 days of the notice in an attempt to resolve the Dispute.
- 25.4 If the Dispute is not resolved within a further 28 days, the Parties are to mediate the Dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time and are to request the President of the Law Society to select a mediator.
- 25.5 If the Dispute is not resolved by mediation within a further 28 days, or such longer period as may be necessary to allow any mediation process which has been commenced to be completed, then the Parties may exercise their legal rights in relation to the Dispute, including by the commencement of legal proceedings in a court of competent jurisdiction in New South Wales.
- 25.6 Each Party is to bear its own costs arising from or in connection with the appointment of a mediator and the mediation.
- 25.7 The Parties are to share equally the costs of the President, the mediator, and the mediation.

Part 4 - Enforcement**26 Security for performance of obligations**

- 26.1 In this clause 26 the following definitions apply:

Final Lot Subdivision Certificate means a Subdivision Certificate that:

- (a) authorises the registration of a plan of subdivision or strata plan which, on registration, will create Final Lots; and
- (b) is able to be issued because a Development Consent for the Development granted after the date of this Deed is in force with respect to the proposed subdivision.

Security Amount means:

- (a) Security to the value of:
 - (i) \$TSCV divided by the Final Lots Per Stage for the relevant Stage in respect of which a Final Lot Subdivision Certificate is being sought, then multiplied by the number of Final Lots in that Stage for which Final Lot Subdivision Certificates have been issued or are sought; or
- (b) Security to the value of such other amount as the Developer and the Council agree in writing.

TSCV means the sum of the Contribution Values of the Items of Works (other than Item 29) which are to be located within the Stage in respect of which a Final Lot Subdivision Certificate is being sought, other than those Items within the Stage that have been completed in accordance with this Deed and are the responsibility of the Council.

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(trading as Emerald Hills Estate)****D&AI Pty Ltd****Final Lots Per Stage means:**

- (a) In respect of Stage 1 - 268 lots;
- (b) in respect of Stage 2 - 142 lots;
- (c) in respect of Stage 3 - 89 lots;
- (d) in respects of Stage 4 - 119 lots;
- (e) in respect of Stage 5 - 126 lots;
- (f) in respect of Stage 6 - 105 lots;
- (g) in respect of Stage 7 - 101 lots;
- (h) in respect of Stage 8 - 64 lots;
- (i) in respect of Stage 9 - 95 lots;
- (j) in respect of Stage 10 - 110 lots;
- (k) in respect of Stage 11 - 108 lots;

subject to any increase made by the Developer to the number of Final Lots in a particular Stage as a result of including the additional 15 Final Lots which can be accommodated on Lot 2145 noted on the Stage 2-6 Plan in Schedule 2 the creation of which are part of the Development, but the staging of which are currently not known (**Additional Final Lots**), and, if the Additional Final Lots are to be developed after Stages 1-11, 'Final Lots Per Stage' means 15 lots for an additional Stage 12.

- 26.2 Prior to the issuing of any Final Lot Subdivision Certificate in respect of a Stage, the Developer is to provide the Council with a Security for the difference between the value of Security Amount and the Security already held by Council (if any) in respect of that Stage.
- 26.3 The Council, in its absolute discretion and despite clause 16, may refuse to allow the Developer to enter, occupy or use any land owned or controlled by the Council or refuse to provide the Developer with any plant, equipment, facilities or assistance relating to the carrying out the Development if the Developer has not provided the Security to the Council in accordance with this Deed.
- 26.4 The Council may call-up and apply the Security in accordance with clause 28 to remedy any breach of this Deed notwithstanding any other remedy it may have under this Deed, under any Act or otherwise at law or in equity.
- 26.5 The Council is to release and return the Security provided in respect of a Stage, or any unused part of it to the Developer within 14 days of the Developer and Landowner completing all of their obligations under this Deed in respect of that Stage.
- 26.6 The Developer may at any time provide the Council with a replacement Security.
- 26.7 On receipt of a replacement Security, the Council is to release and return the Security that has been replaced to the Developer.
- 26.8 If the Council calls-up the Security or any portion of it, it may, by written notice to the Developer, require the Developer to provide a further or replacement Security to ensure that the amount of Security held by the Council equals the amount it is entitled to hold under this Deed.

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- 26.9 The Developer is to ensure that the Security provided to the Council is at all times maintained to the full current indexed value.

27 Acquisition of land required to be dedicated

- 27.1 If the Landowner does not dedicate land required to be dedicated under this Deed at the time at which it is required to be dedicated, the Landowner consents to the Council compulsorily acquiring the land for compensation in the amount of \$1 without having to follow the pre-acquisition procedure under the Just Terms Act.
- 27.2 The Council is to only acquire land pursuant to clause 27.1 if it considers it reasonable to do so having regard to the circumstances surrounding the failure by the Landowner to dedicate the land required to be dedicated under this Deed.
- 27.3 Clause 27.1 constitutes an agreement for the purposes of s30 of the Just Terms Act.
- 27.4 If, as a result of the acquisition referred to in clause 27.1, the Council is required to pay compensation to any person other than the Landowner, the Landowner and the Developer are to reimburse the Council that amount, upon a written request being made by the Council, or the Council can call on any Security provided under clause 26.
- 27.5 The Landowner and the Developer indemnify and keep indemnified the Council against all Claims made against the Council as a result of any acquisition by the Council of the whole or any part of the land concerned except if, and to the extent that, the Claim arises because of the Council's negligence or default.
- 27.6 The Landowner and the Developer are to promptly do all things necessary, and consents to the Council doing all things necessary, to give effect to this clause 27, including without limitation:
- 27.6.1 signing any documents or forms,
- 27.6.2 giving land owner's consent for lodgement of any Development Application,
- 27.6.3 producing certificates of title to the Registrar-General under the *Real Property Act 1900*, and
- 27.6.4 paying the Council's costs arising under this clause 27.

28 Breach of obligations

- 28.1 If the Council reasonably considers that the Landowner or Developer is in breach of any obligation under this Deed, it may give a written notice to the Party it considers to be in breach:
- 28.1.1 specifying the nature and extent of the breach,
- 28.1.2 requiring that Party to:
- (a) rectify the breach if it reasonably considers it is capable of rectification, or

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- (b) pay compensation to the reasonable satisfaction of the Council in lieu of rectifying the breach if it reasonably considers the breach is not capable of rectification,
- 28.1.3 specifying the period within which the breach is to be rectified or compensation paid, being a period that is reasonable in the circumstances.
- 28.2 If the Landowner or Developer fails to fully comply with a notice issued to it and referred to in clause 28.1, the Council may, without further notice to that Party or the Developer, call-up the Security provided by the Developer under this Deed and apply it to remedy the breach.
- 28.3 If the Developer fails to comply with a notice given under clause 28.1 relating to the carrying out of Work under this Deed, the Council may step-in and remedy the breach and may enter, occupy and use any land owned or controlled by the Landowner or Developer and any Equipment on such land for that purpose.
- 28.4 Any costs incurred by the Council in remedying a breach in accordance with clause 28.2 or clause 28.3 may be recovered by the Council by either or a combination of the following means:
- 28.4.1 by calling-up and applying the Security provided by the Developer under this Deed, or
- 28.4.2 as a debt due in a court of competent jurisdiction.
- 28.5 For the purpose of clause 28.4, the Council's costs of remedying a breach the subject of a notice given under clause 28.1 include, but are not limited to:
- 28.5.1 the costs of the Council's servants, agents and contractors reasonably incurred for that purpose,
- 28.5.2 all fees and charges necessarily or reasonably incurred by the Council in remedying the breach, and
- 28.5.3 all legal costs and expenses reasonably incurred by the Council, by reason of the breach.
- 28.6 Nothing in this clause 28 prevents the Council from exercising any rights it may have at law or in equity in relation to a breach of this Deed by the Landowner or Developer, including but not limited to seeking relief in an appropriate court.

29 Enforcement in a court of competent jurisdiction

- 29.1 Without limiting any other provision of this Deed, the Parties may enforce this Deed in any court of competent jurisdiction.
- 29.2 For the avoidance of doubt, nothing in this Deed prevents:
- 29.2.1 a Party from bringing proceedings in the Land and Environment Court to enforce any aspect of this Deed or any matter to which this Deed relates, or
- 29.2.2 the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Deed or any matter to which this Deed relates.

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- 30.1 The Parties agree to register this Deed for the purposes of s93H(1) of the Act.
- 30.2 On execution, the Landowner and the Developer are to provide to the Council in registrable form:
- 30.2.1 an instrument requesting registration of this Deed on the title to the Land duly executed by the Landowner, and
- 30.2.2 the written irrevocable consent of each person referred to in s93H(1) of the Act to that registration.
- 30.3 The Landowner and the Developer are to do such other things as are reasonably necessary to enable registration of this Deed to occur.
- 30.4 The Parties are to do such things as are reasonably necessary to remove any notation relating to this Deed from the title to the Land:
- 30.4.1 in so far as the part of the Land concerned is a Final Lot,
- 30.4.2 in relation to any other part of the Land, once the Developer and Landowner have completed its obligations under this Deed to the reasonable satisfaction of the Council or this Deed is terminated or otherwise comes to an end for any other reason.

31 Restriction on dealings

- 31.1 The Landowner and the Developer are not to:
- 31.1.1 sell or transfer the Land, other than a Final Lot, or
- 31.1.2 assign their rights or obligations under this Deed, or novate this Deed, to any person unless:
- 31.1.3 they have, at no cost to the Council, first procured the execution by the person to whom the Land or part is to be sold or transferred or the Landowner's or Developer's rights or obligations under this Deed are to be assigned or novated, of a deed in favour of the Council on terms reasonably satisfactory to the Council, and
- 31.1.4 the Council has given written notice to the Landowner and Developer stating that it reasonably considers that the purchaser, transferee, assignee or novatee, is reasonably capable of performing its obligations under this Deed, and
- 31.1.5 the Landowner and Developer are not in breach of this Deed, and
- 31.1.6 the Council otherwise consents to the transfer, assignment or novation, such consent not to be unreasonably withheld.
- 31.2 Clause 31.1 does not apply in relation to any sale or transfer of the Land if this Deed is registered on the title to the Land at the time of the sale.

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Part 6 – Indemnities & Insurance**32 Risk**

- 32.1 The Developer and the Landowner perform their obligations under this Deed at their own risk and at their own cost.

33 Release

- 33.1 The Developer and the Landowner release the Council from any Claim they may have against the Council arising in connection with the performance of the Developer's obligations under this Deed except if, and to the extent that, the Claim arises because of the Council's negligence or default.

34 Indemnity

- 34.1 The Developer indemnifies the Council from and against all Claims that may be sustained, suffered, recovered or made against the Council arising in connection with the performance of the Landowner or the Developer's obligations under this Deed except if, and to the extent that, the Claim arises because of the Council's negligence or default.

35 Insurance

- 35.1 The Developer is to take out and keep current to the satisfaction of the Council the following insurances in relation to Work required to be carried out by the Developer under this Deed up until the Work is taken to have been completed and the responsibility of the Council in accordance with this Deed:
- 35.1.1 contract works insurance, noting the Council as an interested party, for the full replacement value of the Works (including the cost of demolition and removal of debris, consultants' fees and authorities' fees), to cover the Developer's liability in respect of damage to or destruction of the Works,
 - 35.1.2 public liability insurance for at least \$20,000,000.00 for a single occurrence, which covers the Council, the Developer, the Landowner and any subcontractor of the Developer, for liability to any third party,
 - 35.1.3 workers compensation insurance as required by law, and
 - 35.1.4 any other insurance required by law.
- 35.2 If the Developer fails to comply with clause 35.1, the Council may effect and keep in force such insurances and pay such premiums as may be necessary for that purpose and the amount so paid shall be a debt due from the Developer to the Council and may be recovered by the Council as it deems appropriate including:

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- 35.2.1 by calling upon the Security provided by the Developer to the Council under this Deed, or
- 35.2.2 recovery as a debt due in a court of competent jurisdiction.
- 35.3 The Developer is not to commence to carry out any Work unless it has first provided to the Council satisfactory written evidence of all of the insurances specified in clause 35.1.

Part 7 – Other Provisions**36 Annual report by Developer**

- 36.1 The Developer is to provide to the Council by not later than each anniversary of the date on which this Deed is entered into a report detailing the performance of its obligations under this Deed.
- 36.2 The report referred is to be in such a form and to address such matters as required by the Council from time to time.

37 Review of Deed

- 37.1 The Parties agree to review this Deed annually, and otherwise if either Party is of the opinion that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Deed.
- 37.2 For the purposes of clause 37.1, the relevant changes include (but are not limited to) any change to a law that restricts or prohibits or enables the Council or any other planning authority to restrict or prohibit any aspect of the Development.
- 37.3 For the purposes of addressing any matter arising from a review of this Deed referred to in clause 37.1, the Parties are to use all reasonable endeavours to agree on and implement appropriate amendments to this Deed.
- 37.4 If this Deed becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties agree to do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Deed is entered into.
- 37.5 A failure by a Party to agree to take action requested by the other Party as a consequence of a review referred to in clause 37.1 (but not 37.4) is not a Dispute for the purposes of this Deed and is not a breach of this Deed.

38 Notices

- 38.1 Any notice, consent, information, application or request that is to or may be given or made to a Party under this Deed is only given or made if it is in writing and sent in one of the following ways:
 - 38.1.1 delivered or posted to that Party at its address set out in the Summary Sheet;

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- 38.1.2 faxed to that Party at its fax number set out in the Summary Sheet, or
- 38.1.3 emailed to that Party at its email address set out in the Summary Sheet.
- 38.2 If a Party gives the other Party 3 business days' notice of a change of its address, fax number or email, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted, faxed or emailed to the latest address or fax number.
- 38.3 Any notice, consent, information, application or request is to be treated as given or made if it is:
- 38.3.1 delivered, when it is left at the relevant address,
- 38.3.2 sent by post, 2 business days after it is posted,
- 38.3.3 sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number, or
- 38.3.4 sent by email and the sender does not receive a delivery failure message from the sender's internet service provider within a period of 24 hours of the email being sent.
- 38.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

39 Approvals and Consent

- 39.1 Except as otherwise set out in this Deed, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Deed in that Party's absolute discretion and subject to any conditions determined by the Party.
- 39.2 A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

40 Costs

- 40.1 The Developer is to pay to the Council the Council's costs of preparing, negotiating, executing and stamping this Deed, and any document related to this Deed within 7 days of a written demand by the Council for such payment.
- 40.2 The Developer is also to pay to the Council the Council's reasonable costs of enforcing this Deed within 7 days of a written demand by the Council for such payment.

41 Entire Deed

- 41.1 This Deed contains everything to which the Parties have agreed in relation to the matters it deals with.

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- 41.2 No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Deed was executed, except as permitted by law.

42 Further Acts

- 42.1 Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this Deed and all transactions incidental to it.

43 Governing Law and Jurisdiction

- 43.1 This Deed is governed by the law of New South Wales.
- 43.2 The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them.
- 43.3 The Parties are not to object to the exercise of jurisdiction by those courts on any basis.

44 Joint and Individual Liability and Benefits

- 44.1 Except as otherwise set out in this Deed:
- 44.1.1 any agreement, covenant, representation or warranty under this Deed by 2 or more persons binds them jointly and each of them individually, and
- 44.1.2 any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

45 No Fetter

- 45.1 Nothing in this Deed shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

46 Illegality

- 46.1 If this Deed or any part of it becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties are to co-operate and do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Deed is entered into.

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47 Severability

- 47.1 If a clause or part of a clause of this Deed can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.
- 47.2 If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Deed, but the rest of this Deed is not affected.

48 Amendment

- 48.1 No amendment of this Deed will be of any force or effect unless it is in writing and signed by the Parties to this Deed in accordance with clause 25D of the Regulation.

49 Waiver

- 49.1 The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Deed, does not amount to a waiver of any obligation of, or breach of obligation by, another Party.
- 49.2 A waiver by a Party is only effective if it is in writing.
- 49.3 A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

50 GST

- 50.1 In this clause:
- Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice** have the meaning given by the GST Law.
- GST Amount** means in relation to a Taxable Supply the amount of GST payable in respect of the Taxable Supply.
- GST Law** has the meaning given by the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).
- Input Tax Credit** has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a party includes an Input Tax Credit for an acquisition made by that party but to which another member of the same GST Group is entitled under the GST Law.
- Taxable Supply** has the meaning given by the GST Law excluding (except where expressly agreed otherwise) a supply in respect of which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.
- 50.2 Subject to clause 50.4, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Deed, the Party providing the

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- Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.
- 50.3 Clause 50.2 does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this Deed to be GST inclusive.
- 50.4 No additional amount shall be payable by the Council under clause 51.2 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.
- 50.5 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Deed by one Party to the other Party that are not subject to Division 82 of the *A New Tax System (Goods and Services Tax) Act 1999*, the Parties agree:
- 50.5.1 to negotiate in good faith to agree the GST inclusive market value of those Supplies prior to issuing Tax Invoices in respect of those Supplies;
- 50.5.2 that any amounts payable by the Parties in accordance with clause 50.2 (as limited by clause 50.4) to each other in respect of those Supplies will be set off against each other to the extent that they are equivalent in amount.
- 50.6 No payment of any amount pursuant to this clause 50, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided a Tax Invoice or Adjustment Note as the case may be to the recipient.
- 50.7 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense or other liability.
- 50.8 This clause continues to apply after expiration or termination of this Deed.

51 Explanatory Note

- 51.1 The Appendix contains the Explanatory Note relating to this Deed required by clause 25E of the Regulation.
- 51.2 Pursuant to clause 25E(7) of the Regulation, the Parties agree that the Explanatory Note is not to be used to assist in construing this Planning Deed.

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Schedule 1

(Clause 9)

Development Contributions

Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
Carrying Out of Work							
1	1	OS1	Passive open space and recreation	Embellishment of approximately 25,711 sqm of passive open space at locations that are generally consistent with the areas identified as 'OS1' on the Stage 1 Plan and that is otherwise generally in accordance with the specification for Item OS1 detailed below: <ul style="list-style-type: none"> • Landscaping and informal "kick" around area to the requirements of Council. • Dog-off-leash area which may be located partially or wholly within TL 1. • Bubblers in conjunction with the picnic and dog-off- 	Prior to the issue of a Subdivision Certificate for the creation of the 268 th Final Lot within the Development.	(25,711 sqm x \$59,64/sqm + \$20,000 furniture) \$1,553,404	1 year

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
2	1	TL1	Transmission Line Easement Open Space Embellishment	leash areas. Embellishment of approximately 25,013 sqm of transmission line easement land within the areas identified as 'TL1' on Stage 1 Plan and that is otherwise in accordance with the specification for Item TL1 as outlined below. <ul style="list-style-type: none"> Dog off Leash area similar in standard to Council's facility at River Road, Elderslie including bench seats, shelters, fencing, parking facilities, bins and dog play equipment 	Prior to the issue of a Subdivision Certificate for the creation of the 268 th Final Lot within the Development.	\$1,491,775	5 years
3	1	Dual Use Path	Active open space and recreation	Pedestrian and cycle footpath of 1,940 metres in length and 2.5 metres wide(4,850 sqm) in locations generally consistent with those marked "Dual Use Path" on the Stage 1 Plan and otherwise in accordance with Council's Engineering Design Specifications.	Prior to the issue of a Subdivision Certificate for the creation of the 268 th Final Lot within the Development.	(4,850sqm x \$90/sqm) \$436,500	1 year
4	2	OVAL	Active open space and recreation	A 3.194 ha approximately double playing field plus a 100 space car park in a location generally consistent with that marked "OVAL" on the Stage 2-6 Plan, and that is otherwise in accordance with the specification for Item	Prior to the issue of a Subdivision Certificate for the creation of	<ul style="list-style-type: none"> Local Multipurpose playing field inc Irrigation: 	1 year

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
				<p>OVAL as outlined below:</p> <ul style="list-style-type: none"> 2 Multipurpose playing fields each with a minimum playing dimension of 122m x 70m and/or to suit local senior competition requirements. Overlaid cricket and AFL fields dimensioned for local senior competitions and any necessary ancillary requirements (such as goalposts). Fields to be constructed in accordance with Camden Council's draft "Guidelines for Sportsfield Construction – A-Grade Community Sportsfield". Sealed parking facilities. Fencing. Tiered concrete seating and bench seating with shade structures as reasonable. Cricket nets and wicket. Sportsfield lighting to 100 lux. Bins. Irrigation and rainwater re-use infrastructure. 	the 410 th Final Lot within the Development.	<p>\$1,090,600;</p> <ul style="list-style-type: none"> Playing Field Lighting: \$116,000; Local Sports Furniture: \$40,000; Local Sports Picnic Facilities: \$42,000; Cricket practice nets: \$33,000; Car Park (100 spaces x \$1250) \$125,000; and Allowance for retaining walls /stepped seating /shade structures 	

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
5	2	Community Hall and amenities	Community facilities	<p>One combined community hall and amenities building of approximately 360 sqm (which contains 170 sqm of community floorspace) in a location adjoining the oval, generally consistent with that marked "Community Hall and Amenities" on the Stage 2-6 Plan that is otherwise in accordance with the specification for Item Community Hall as outlined below:</p> <ul style="list-style-type: none"> • Building to be constructed with a similar general layout and similar standard of design and construction to the facility at Ron Dine Reserve, South Camden; • External construction to include brick/masonry external walls, plasterboard to internal walls and ceiling, concrete floor and colorbond roof, gutters and downpipes; and • Internal fitout to include provision of security and fire alarm, provision of kitchenette sink / taps / laminex benchtop / cupboards / tiled splashback, kiosk roller shutter to kitchenette, provision of vinyl flooring to rooms and tiles to wet areas, provision of benches and toilets/ wash basins to change/toilet rooms, second fit plumbing and electrical, and painting of all internal walls, ceilings and internal and external doors and eaves. 	<p>Prior to the issue of a Subdivision Certificate for the creation of the 410th Final Lot within the Development.</p>	<p>\$200,000. \$1,646,600</p> <ul style="list-style-type: none"> • Base Building (360 sqm x \$2760): \$1,000,800. • Entry paving (400 sqm x \$150/sqm): \$60,000. • Allowance for retaining walls \$30,000. • \$1,090,800 	1 year

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
6	2	PG1	Active open space and recreation	<ul style="list-style-type: none"> The external construction and internal fitout is to include reasonable environmentally sustainable design initiatives. One multi-purpose playspace which incorporates playground equipment and skate equipment in a location generally consistent with that marked "PG1" on the Stage 2-6 Plan (the playground and skate equipment may be provided in separate locations within the surrounds of Item 4 - OVAL subject to approval by Council under Clause 13 of this Deed) that is otherwise in accordance with the specification for item PG1 as outlined below: <ul style="list-style-type: none"> Playground to be similar in standard as that provided at Sedgwick Reserve, Currans Hill including fencing, seating and concrete edging otherwise to Council's specifications. Skate equipment including concrete areas, sliding rails and jumps. 	Prior to the issue of a Subdivision Certificate for the creation of the 41 st Final Lot within the Development.	<ul style="list-style-type: none"> Playground: \$100,000 Skate equipment: \$25,000 \$125,000 	
7	23	OS2	Passive open space and recreation	<ul style="list-style-type: none"> Embellishment of approximately 24,060 sqm of passive open space at locations that are generally consistent with the areas identified as "OS2" on the Stage 2-6 Plan and that is otherwise in accordance with the specification for Item OS2 below: Seating and bins to Council's requirements. 	Prior to the issue of a Subdivision Certificate for the creation of the 89 th Final Lot within	(24,060 sqm x \$59,64/sqm + \$20,000 furniture +100,000 toilets)	1 year

Emerald Hills Planning Agreement
Camden Council
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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
				<ul style="list-style-type: none"> • Landscaping. • Bubblers. • Toilet facilities of masonry/brick construction featuring two cubicles which are family/disabled appropriate. • Local Picnic Shelters/facilities (similar in standard to Narellan Urban Forest, Elyard Street, Narellan 	Stage 3.	\$1,554,938	
8	2	OS3	Passive open space and recreation	<p>Embellishment of approximately 3,860 sqm of passive open space at locations that are generally consistent with the areas identified as 'OS3' on the Stage 2-6 Plan and that is otherwise in accordance with the specification for Item OS3 below:</p> <ul style="list-style-type: none"> • Seating. • Landscaping and informal "kick" around areas. • Bubblers 	Prior to the issue of a Subdivision Certificate for the creation of the 142 nd Final Lot within Stage 2	(3,860sqm x \$59,64/sqm + \$20,000 furniture) \$250,210	1 year
9	2	TL2	Passive open space and recreation	<p>Embellishment of approximately 6,952 sqm of transmission line easement land within the areas identified as 'TL2' on the Stage 2-6 Plan and that is otherwise in accordance with the specification for Item TL2 below:</p> <ul style="list-style-type: none"> • Landscaping • Bench seating 	Prior to the issue of a Subdivision Certificate for the creation of the 142 nd Final Lot within Stage 2.	(6,952sqm x \$59,64/sqm) \$414,600	5 years

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
10	3	PG2	Active open space and recreation	<p>One playground in a location generally consistent with that marked "PG2" on the Stage 2-6 Plan that is otherwise in accordance with the relevant portions of the specification for Item PG2 below:</p> <ul style="list-style-type: none"> Playground to be similar in standard and value as that provided at Sedgwick Reserve, Currans Hill including fencing, seating and concrete edging otherwise to Council's specifications. 	Prior to the issue of a Subdivision Certificate for the creation of the 89 th Final Lot within Stage 3.	\$100,000	1 year
11	3	FT1	Active open space and recreation	<p>Fitness equipment situated along and adjoining footpath in a location, generally consistent with that marked "FT1" on the Stage 2-6 Plan that is otherwise in accordance with the specification for Item FT1 below.</p> <p>A minimum of five fitness stations to be provided at locations along the Fitness Trail. Fitness Stations shall be to standard similar to Wayne Gardner Reserve, Oran Park.</p>	Prior to the issue of a Subdivision Certificate for the creation of the 89 th Final Lot within Stage 3.	\$30,000	1 year
12	3	Dual use path	Active open space and recreation	<p>Pedestrian and cycle footpath of 1,084 metres in length and 2.5 metres wide (2,710 sqm) in locations generally consistent with those marked "Dual Use Path" on the Stage 2-6 Plan and otherwise in accordance with Council's Engineering Design Specifications</p>	Prior to the issue of a Subdivision Certificate for the creation of	(2.710sqm x \$90/sqm) \$243,900	1 year

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
13	2	OS4	Passive open space and recreation	<p>Embellishment of approximately 9,834 sqm of passive open space at locations that are generally consistent with the areas identified as 'OS4' on the Stages 2-6 Plan and that is otherwise in accordance with the specification for Item OS4 below:</p> <ul style="list-style-type: none"> • Local Picnic Shelters/facilities (similar in standard to Narellan Urban Forest, Elyard Street, Narellan) • Seating and Bins to Council's requirements. • Landscaping and informal "kick" around areas. • Bubbblers. • Public domain artwork to celebrate history and heritage of former school on site. 	<p>Prior to the issue of a Subdivision Certificate for the creation of the 142nd Final Lot within Stage 2.</p>	<p>(9,834sqm x \$59,64/sqm + \$20,000 furniture + 20,000 for artwork) \$627,036</p>	1 year
14	2	PG3	Active open space and recreation	<p>One playground in a location generally consistent with that marked "PG3" on the Stages 2-6 Plan that is otherwise in accordance with the specification for item PG3 below:</p> <ul style="list-style-type: none"> • Playground to be similar in standard and value as that provided at Sedgwick Reserve, Currans Hill including fencing, seating and concrete edging otherwise to Council's specifications. 	<p>Prior to the issue of a Subdivision Certificate for the creation of the 142nd Final Lot within Stage 2.</p>	\$100,000	1 year

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
15	2	Dual use path	Active open space and recreation	Pedestrian and cycle footpath of 210 metres in length and 2.5 metres wide (525 sqm) in locations generally consistent with those marked "Dual Use Path" on the Stages 3-2-6 Plan and otherwise in accordance with Council's Engineering Design Specifications	Prior to the issue of a Subdivision Certificate for the creation of the 142 nd Final Lot within Stage 2.	(525sqm x \$90/sqm) \$47,250	1 year
16	7	TL3	Passive open space and recreation	Embellishment of approximately 2,627 sqm of transmission line easement land within the areas identified as 'TL3' on the Stages 7-8 Plan and that is otherwise in accordance with the specification for Item TL3 below: <ul style="list-style-type: none"> Dog off Leash area similar in standard to Council's facility at River Road, Elderslie including bench seats, shelters, fencing, parking facilities, bins and dog play equipment. 	Prior to the issue of a Subdivision Certificate for the creation of the 101 st Final Lot within Stage 7.	(2,627sqm x \$59,64/sqm) \$156,674	5 years
17	11	Dual use path	Active open space and recreation	Pedestrian and cycle footpath of 293 metres in length and 2.5 metres wide (732 sqm) in locations generally consistent with those marked "Dual Use Path" on the Stages 9-11 Plan and otherwise in accordance with Council's Engineering Design Specifications	Prior to the issue of a Subdivision Certificate for the creation of the 108 th	(732sqm x \$90/sqm) \$65,880	1 year

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
18	7	TL3	Passive open space and recreation	Embellishment of approximately 8,220 sqm of transmission line easement land within the areas identified as 'TL3' on the Stages 7-8 Plan and that is otherwise in accordance with the specification for Item TL3 below: <ul style="list-style-type: none"> • Landscaping • Bench seating 	Prior to the issue of a Subdivision Certificate for the creation of the 101 st Final Lot within Stage 7.	(8,220 sqm x \$59,64/sqm + \$20,000 furniture) \$510,241	5 years
19	7	Dual use path	Active open space and recreation	Pedestrian and cycle footpath of 150 metres in length and 2.5 metres wide (375 sqm) in locations generally consistent with those marked "Dual Use Path" on the Stages 7-8 Plan and otherwise in accordance with Council's Engineering Design Specifications	Prior to the issue of a Subdivision Certificate for the creation of the 101 st Final Lot within Stage 7.	(375sqm x \$90/sqm) \$33,750	1 year
20	9	OS5	Passive open space and recreation	Embellishment of approximately 3,305 sqm of passive open space at locations that are generally consistent with the areas identified as 'OS5' on the Stages 9-11 Plan and that is otherwise in accordance with the specification	Prior to the issue of a Subdivision Certificate for the creation of	(3,305sqm x \$59,64/sqm + \$20,000 furniture)	1 year

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Camden Council
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D&AI Pty Ltd**

Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
21	9	PG4	Active open space and recreation	for item OS5 below: <ul style="list-style-type: none"> Seating and Bins to Council's requirements. Landscaping and informal "kick" around areas to Council's requirements. Bubblers One playground in a location generally consistent with that marked "PG4" on the Stages 9-11 Plan that is otherwise in accordance with the specification for item PG4 below: <ul style="list-style-type: none"> Playground to be similar in standard and value as that provided at Sedgwick Reserve, Currans Hill including fencing, seating and concrete edging otherwise to Council's specifications. Reserve, Currans Hill including fencing, seating and concrete edging otherwise to Council's specifications. 	the 95 th Final Lot within Stage 9. Prior to the issue of a Subdivision Certificate for the creation of the 95 th Final Lot within Stage 9.	\$105 000	1 Year
22	9	STA	Road upgrading works upon Public Road	Complete design process and obtain development consent and Construction Certificate for proposed public road upgrading works to be generally in accordance with civil plan referenced at Schedule 4 of this planning agreement and shown as STA at stages 9-11 Plan.	Prior to the issue of a Subdivision Certificate for the creation of the 1109 th	\$2 100 000 being the total estimated cost of works indexed to July	1 Year

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
Dedication of Land							
23	1	OS1, dual use paths	Passive open space and recreation	Dedication of approximately 25,711 sqm of embellished active and passive open space constructed under Item 1 (inclusive of dual use paths where constructed under Item 3) at locations that are generally consistent with the areas identified as 'OS1' on the Stage 1 Plan.	Within 28 days of Works Completion for Item 1 or at such later date as agreed between the parties.	(25,711 sqm x \$120/sqm residential) \$3,085,320	
24	1	TL1, dual use paths	Transmission Line Easement Open Space Embellishment , Active open space and recreation	Dedication of approximately 25,013 sqm of embellished transmission line easement land constructed under Item 2 (inclusive of dual use paths where constructed under Item 3) at locations that are generally consistent with the areas identified as 'TL1' on the Stage 1 Plan.	Within 28 days of Works Completion for Items 2 and 3 (whichever is the later), or at such later date as agreed between the	\$nil	

Emerald Hills Planning Agreement
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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
25	2	OVAL, PG1, Community Hall, dual use paths	Active open space and recreation, community hall	Dedication of approximately 31,940 sqm of embellished active and passive open space (inclusive of dual use paths constructed under Item 12, the OVAL constructed under Item 4, the playground and skate equipment constructed under Item 6, the community hall and amenities building constructed under Item 5 and any associated car parking area and traffic management areas) at locations that are generally consistent with the areas identified as 'OVAL' on the Stage 2-6 Plan.	parties. Within 28 days of Works Completion for Items 12, 4 or 6 (whichever is the later), or at such later date as agreed between the parties.	(31,940sqm x \$120/sqm residential) \$3,832,800	
26	3	OS2, FT1, PG2, dual use paths	Passive Open Space and Recreation	Dedication of approximately 24,060 sqm of embellished active and passive open space constructed under Item 7 (inclusive of the playground where constructed under Item 10, the fitness trail where constructed under Item 11, and the dual use paths where constructed under Item 12) at locations that are generally consistent with the areas identified as 'OS2' on the Stage 2-6 Plan.	Within 28 days of Works Completion for Items 7, 10, 11 and 12 (whichever is the later), or at such later date as agreed between the parties.	(24,060 sqm x \$120/sqm residential) \$2,887,200	
27	2	OS3, dual	Passive Open Space and	Dedication of approximately 3,860 sqm of embellished active and passive open space constructed under Item 8	Within 28 days of Works	(3,860 sqm x \$120/sqm)	

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
		use paths	Recreation	(inclusive of dual use paths where constructed under Item 15) at locations that are generally consistent with the areas identified as 'OS3' on the Stage 2-6 Plan.	Completion for Items 8 and 15 (whichever is the later), or at such later date as agreed between the parties.	<i>residential/</i> \$463,200	
28	2	TL2, dual use path	Passive open space and recreation	Dedication of approximately 6,952 sqm of embellished passive open space constructed under Item 9 (inclusive of dual use paths where constructed under Item 15) at locations that are generally consistent with the areas identified as 'TL2 on the Stage 2-6 Plan.	Within 28 days of Works Completion for Items 9 and 15 (whichever is the later), or at such later date as agreed between the parties.	Nil	
29	2	OS4, PG3, dual use path	Passive open space and recreation	Dedication of approximately 9,834 sqm of embellished passive open space constructed under Item 13 (inclusive of playground PG3 constructed under Item 14 and dual use paths constructed under Item 15) at locations that are generally consistent with the areas identified as 'OS4' on the Stages 2-6 Plan	Within 28 days of Works Completion for Items 13, 14 and 15 (whichever is the later) or at	<i>(9,834sqm x \$120/sqm residential)</i> \$1,180,080	

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
30	7	TL3	Passive open space and recreation	Dedication of approximately 2,627 sqm of embellished passive open space under Item 16 (inclusive of dual use paths where constructed under Item 17) at locations that are generally consistent with the areas identified as 'TL3' on the Stages 7-8 Plan	such later date as agreed between the parties. Within 28 days of Works Completion for Item 16 or at such later date as agreed between the parties.	\$nil	
31	7	TL3	Passive open space and recreation	Dedication of approximately 8,220 sqm of embellished passive open space under Item 18 (inclusive of dual use paths where constructed under Item 19) at locations that are generally consistent with the areas identified as 'TL3' on the Stages 7-8 Plan	Within 28 days of Works Completion for Item 18 and 19 (whichever is the later), or at such later date as agreed between the parties.	\$nil	

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
32	9	OS5	Passive Open Space and Recreation	Dedication of approximately 3,305 sqm of embellished passive open space constructed under Item 20 (inclusive of the playground PG4 constructed at Item 21) at locations that are generally consistent with the areas identified as 'OS5' on the Stages 9-11 Plan.	Within 28 days of Works Completion for Items 20 and 21 or at such later date as agreed between the parties.	(3,305 sqm x \$120/sqm resident/ial) \$396,600	
Monetary Contributions							
33	B	N/A	Community Facility	Contribution towards community facilities at Leppington Town Centre of: <ul style="list-style-type: none"> • \$85.91 per Final Lot which is 300 sqm or greater in area, or • \$65.69 per Final Lot which is 299 sqm or lesser in area. 	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot.	N/A	

**Emerald Hills Planning Agreement
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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
34	N/A	N/A	Administration	Contribution towards the administration of this Deed of \$240,30 per Final Lot for the first 268 Final Lots and then \$245,91 for the remaining Final Lots, to a maximum of \$264,110, for the remaining Development.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot.	N/A.	
Miscellaneous Works							
35	ALL	Water Cycle Management	Water Cycle Management	The deployment of a water cycle management system which: Achieves the water outcomes and objectives (as described in Schedule 3 of this Deed) for each sub-catchment on the Land; Includes the embellishment of riparian corridor land located within the area shown as 'Riparian Corridor' and hatched on the Indicative Layout Plan; and Insofar as the deployment of the system and the embellishment of riparian corridor land requires the dedication of land, it is to be generally consistent with the Indicative Layout Plan.	Prior to the issuing of a Subdivision Certificate for any Final Lot, but only to the extent as is necessary for the Final Lot(s) concerned to be serviced by the system.	\$25,264,000	1 year

**Emerald Hills Planning Agreement
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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Plans	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value	Column 8 Maintenance Period (if applicable)
36	ALL	N/A	Public Transport Infrastructure	The provision of four bus shelters at appropriate locations on the future internal bus route, which will follow the local collector road as shown on the Indicative Layout Plan. The final location of the bus shelters will be determined in consultation with Council and the relevant bus service provider.	Prior to the commencement of internal bus services within the Development	(4 x \$75,000) \$60,000	1 year

Emerald Hills Planning Agreement

Camden Council

**Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd
(trading as Emerald Hills Estate)**

D&AI Pty Ltd

Schedule 2

(Clause 1.1)

Plans

(see following 5 pages)

Emerald Hills Planning Agreement

Camden Council

**Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd
(trading as Emerald Hills Estate)**

D&AI Pty Ltd

Indicative Layout Plan



Emerald Hills Planning Agreement

Camden Council

**Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd
(trading as Emerald Hills Estate)**

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Stage 1 Plan



**EMERALD HILLS ESTATE
DRAFT INDICATIVE LAYOUT PLAN
22 August 2017**

-  Stage Boundary and Number
-  Dual Use Path
-  Fitness Trail
-  Transmission Line Open Space
-  Passive Open Space
-  Oval
-  Water Cycle Management
-  CH Community Hall and Amenities
-  P Playground



Emerald Hills Planning Agreement

Camden Council

**Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd
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D&AI Pty Ltd

Stage 2-6 Plan



**EMERALD HILLS ESTATE
DRAFT INDICATIVE LAYOUT PLAN
22 August 2017**

- Stage Boundary and Number
- Dual Use Path
- Fitness Trail
- Transmission Line Open Space
- Passive Open Space
- Dual
- Water Cycle Management
- Community Hall and Amenities
- Playground



Emerald Hills Planning Agreement
Camden Council
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D&AI Pty Ltd

Stage 7-8 Plan



EMERALD HILLS ESTATE
DRAFT INDICATIVE LAYOUT PLAN
22 August 2017

-  Stage Boundary and Number
-  Dual Use Path
-  Fitness Trail
-  Transmission Line Open Space
-  Passive Open Space
-  Oval
-  Water Cycle Management
-  Community Hall and Amenities
-  Playground



Emerald Hills Planning Agreement

Camden Council

**Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd
(trading as Emerald Hills Estate)**

D&AI Pty Ltd

Stage 9-11 Plan



**EMERALD HILLS ESTATE
DRAFT INDICATIVE LAYOUT PLAN
22 August 2017**

-  Stage Boundary and Number
-  Dual Use Path
-  Fitness Trail
-  Transmission Line Open Space
-  Passive Open Space
-  Oval
-  Water Cycle Management
-  CH Community Hall and Amenities
-  P Playground



Emerald Hills Planning Agreement

Camden Council

**Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd
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D&AI Pty Ltd

Schedule 3

(Item 29, Schedule 1)

Water Outcomes and Objectives

(see following 17 pages)

Emerald Hills Estate

Rezoning

Stormwater Preliminary Budget Estimate



Report Number: 13-0203
Revision: B
Date: 10 September 2013

Project Number: NA50613004

Prepared: Matthew Lester
Reviewed: Chris Wild



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Contents

Revision: **B**
 Completed: **Matthew Lester**
 Checked: **Chris Wild**

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ORD08

Attachment 1

Drawings

Revision: B
Completed: Matthew Lester
Checked: Chris Wild



Notes

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 Checked: Chris Wild

Notes	
Note No.	Description
1	This preliminary cost estimate is provided for budgeting purposes only. No allowance was made for a Quantity Surveyor in the preparation of quantities and rates, and as such Cardno assumes no responsibility should project realities differ from these preliminary cost estimates.
2	Cost estimates have been prepared in good faith based on Cardno's experience and industry references such as Rawlinsons.
3	All costs are exclusive of GST.
4	No allowance has been made for the acquisition of land.
5	No allowance has been made for Council or authority fees unless noted otherwise.
6	No allowance has been made for unsound material or remediation of site contamination.
7	Pipe sizes based on preliminary basin volume calculation.
8	All earthworks associated in the construction of basins is assumed cut to fill on site.
9	No allowance has been made for bulking factors applied to earthworks volumes.
10	Cut and fill assumed to be a zero balance across the precinct.
11	Quantities area adopted from concept master planning design.
12	Bridge and major culverts works are excluded from this estimate.
13	No 3d modelling was undertaken to confirm quantities.
14	GPT sizes used in this cost estimate are indicative only and are subject to detailed design.
15	No allowance has been made for retaining walls.
16	No allowance has been made for escalation of costs due to long term staging of the works.
17	MUSIC and xpRafts have been used for preliminary modelling of media filtration and earthworks volumes required for OSD basins.
18	A contingency allowance of 40% has been adopted given the preliminary nature of the cost estimates. This contingency allows for construction cost items not allowed for above, including retaining walls, additional bulk earthworks, latent conditions, upsizing of GPTs and pipework, excavation in rock, etc.

Package Summary

Revision: B
 Completed: Matthew Lester
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Summary				
Item No.	Description of Work	Cardno Estimate		
1	Basin 1	\$ 2,100,000		
2	Basin 2	\$ 895,000		
3	Basin 3	\$ 2,520,000		
4	Basin 4	\$ 840,000		
5	Basin 5	\$ 1,680,000		
6	Basin 6 Upper	\$ 1,500,000		
7	Basin 6 Lower	\$ 2,200,000		
8	Basin 7	\$ 895,000		
9	Basin 8	\$ 825,000		
10	Riparian Zone 1	\$ 1,953,000		
11	Riparian Zone 2	\$ 4,620,000		
Budget Cost Estimate (incl. Contingency)		\$ 20,028,000		

Basin 1

Revision: B
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Item No.	Description of Work	Quantity	Unit	Unit Cost	Budget Estimate
1 Basin					
1.1 Preliminaries					
1.1.1	Establishment (5%)	1	item	\$ 66,000.00	\$ 66,000
1.1.2	Clearing	10150	sq.m	\$ 0.50	\$ 5,075
1.1.3	Strip & stockpile topsoil	10150	sq.m	\$ 3.00	\$ 30,450
1.1.4	Respread topsoil	7370	sq.m	\$ 5.00	\$ 36,850
1.2 Earthworks					
1.2.1	Cut to fill on site within site	6600	cu.m	\$ 6.00	\$ 39,600
1.2.6	Trim and compact	10150	sq.m	\$ 2.00	\$ 20,300
1.3 Additional Items					
1.3.1	Planting (incl maintenance for 2 years)	7000	sq.m	\$ 20.00	\$ 140,000
1.3.2	Reinforced turf on weir and spillway (incl 2 yr main)	350	sq.m	\$ 45.00	\$ 15,750
1.3.3	Soil & water management (Allowance Only)	1	item	\$ 45,000.00	\$ 45,000
Basin Subtotal					\$ 399,000
2 Structures					
2.1 Paths and Pavements					
2.1.1	Maintenance Access Pavement	130	sq.m	\$ 80.00	\$ 10,400
Structures Subtotal					\$ 10,400
3 Stormwater Drainage					
3.1 Inlets/Outlets					
3.1.1	600 dia (RRJ) Outlet *(incl. exc, lay & backfill)	10	m	\$ 500.00	\$ 5,000
3.1.2	Main basin outlet structure	1	item	\$ 12,300.00	\$ 12,300
3.1.3	Scour protection at outlet	50	sq.m	\$ 450.00	\$ 22,500
3.1.4	Discharge Pit	1	item	\$ 2,500.00	\$ 2,500
3.2 WSUD					
3.2.1	CDS P1015 GPT and Associated Drainage Infrastructure	1	item	\$ 115,000.00	\$ 115,000
3.3 Bio-Retention Raingarden					
3.3.1	Media bed constructions (inc. earthworks filter bed and subsoil drainage)	2600	sq.m	\$ 210.00	\$ 546,000
3.3.2	Raingarden Planting	2600	sq.m	\$ 80.00	\$ 208,000
Stormwater Drainage Subtotal					\$ 911,300
4 Administration and Management Costs					
4.1 General					
4.1.1	Consultancy and Project Management Fees (15%)	1	item	\$ 200,000	\$ 200,000
4.1.2	Government Agency Approvals (DSC, RMS, DECCW etc)	1	item	\$ 10,000	\$ 10,000
4.1.3	Council DA fees and planFIRST Levy	1	item	\$ 3,855	\$ 3,855
4.1.4	PCA Fees (allowance only)	1	item	\$ 10,000	\$ 10,000
Administration and Management Costs Subtotal					\$ 223,855
Basin 1 Subtotal					\$ 1,500,000
Contingency (40%)					\$ 600,000
Basin 1 Total					\$ 2,100,000

Basin 2

Revision: B
 Completed: Matthew Lester
 Checked: Chris Wild

Item No.	Description of Work	Quantity	Unit	Unit Cost	Budget Estimate
1 Basin					
1.1 Preliminaries					
1.1.1	Establishment (5%)	1	item	\$ 27,000.00	\$ 27,000
1.1.2	Clearing	2700	sq.m	\$ 0.50	\$ 1,350
1.1.3	Strip & stockpile topsoil	2700	sq.m	\$ 3.00	\$ 8,100
1.1.4	Respread topsoil	1700	sq.m	\$ 5.00	\$ 8,500
1.2 Earthworks					
1.2.1	Cut to fill on site within site	3670	cu.m	\$ 6.00	\$ 22,020
1.2.6	Trim and compact	2700	sq.m	\$ 2.00	\$ 5,400
1.3 Additional items					
1.3.1	Planting (incl maintenance for 2 years)	1600	sq.m	\$ 20.00	\$ 32,000
1.3.2	Reinforced turf on weir and spillway (incl 2 yr maint)	150	sq.m	\$ 45.00	\$ 6,750
1.3.3	Soil & water management (Allowance Only)	1	item	\$ 45,000.00	\$ 45,000
Basin Subtotal					\$ 156,700
2 Structures					
2.1 Paths and Pavements					
2.1.1	Maintenance Access Pavement	150	sq.m	\$ 80.00	\$ 12,000
Structures Subtotal					\$ 12,000
3 Stormwater Drainage					
3.1 Inlets/Outlets					
3.1.1	525 dia (RRJ) Outlet *(incl. exc, lay & backfill)	10	m	\$ 500.00	\$ 5,000
3.1.2	Main basin outlet structure	1	item	\$ 12,300.00	\$ 12,300
3.1.3	Scour protection at outlet	50	sq.m	\$ 450.00	\$ 22,500
3.1.4	Discharge Pit	1	item	\$ 2,500.00	\$ 2,500
3.2 WSUD					
3.2.1	CDS P 1012 GPT and Associated Drainage Infrastructure	1	item	\$ 95,000.00	\$ 95,000
3.3 Bio-Retention Raingarden					
3.3.1	Media bed constructions (inc. earthworks filter bed and subsoil drainage)	800	sq.m	\$ 210.00	\$ 168,000
3.3.2	Raingarden Planting	600	sq.m	\$ 80.00	\$ 64,000
Stormwater Drainage Subtotal					\$ 369,300
4 Administration and Management Costs					
4.1 General					
4.1.1	Consultancy and Project Management Fees (15%)	1	item	\$ 80,600.00	\$ 80,600
4.1.2	Government Agency Approvals (DSC, RMS, DECCW etc)	1	item	\$ 10,000.00	\$ 10,000
4.1.3	Council DA fees and planFIRST Levy	1	item	\$ 6,000.00	\$ 6,000
4.1.4	PCA Fees (allowance only)	1	item	\$ 10,000.00	\$ 10,000
Administration and Management Costs Subtotal					\$ 106,600
Basin 2 Subtotal					\$ 640,000
Contingency (40%)					\$ 255,000
Basin 2 Total					\$ 895,000

Basin 3

Revision: B
 Completed: Matthew Lester
 Checked: Chris Wild

Item No.	Description of Work	Quantity	Unit	Unit Cost	Budget Estimate
1 Basin					
1.1 Preliminaries					
1.1.1	Establishment (5%)	1	item	\$ 77,000.00	\$ 77,000
1.1.2	Clearing	9600	sq.m	\$ 0.50	\$ 4,800
1.1.3	Strip & stockpile topsoil	9600	sq.m	\$ 3.00	\$ 28,800
1.1.4	Respread topsoil	6280	sq.m	\$ 5.00	\$ 31,400
1.2 Earthworks					
1.2.1	Cut to fill on site within site	10000	cu.m	\$ 6.00	\$ 60,000
1.2.6	Trim and compact	9600	sq.m	\$ 2.00	\$ 19,200
1.3 Additional Items					
1.3.1	Planting (incl maintenance for 2 years)	6100	sq.m	\$ 20.00	\$ 122,000
1.3.2	Reinforced turf on weir and spillway (incl 2 yr maint)	180	sq.m	\$ 45.00	\$ 8,100
1.3.3	Soil & water management (Allowance Only)	1	item	\$ 45,000.00	\$ 45,000
1.3 Basin Subtotal					\$ 396,300
2 Structures					
2.1 Paths and Pavements					
2.1.1	Maintenance Access Pavement	120	sq.m	\$ 80.00	\$ 9,600
2.1 Structures Subtotal					\$ 9,600
3 Stormwater Drainage					
3.1 Inlets/Outlets					
3.1.1	375 dia (RRJ) Outlet *(incl. exc, lay & backfill)	10	m	\$ 265.00	\$ 2,650
3.1.2	Main basin outlet structure	1	item	\$ 12,300.00	\$ 12,300
3.1.3	Scour protection at outlet	500	sq.m	\$ 450.00	\$ 225,000
3.1.4	Discharge Pit	1	item	\$ 2,500.00	\$ 2,500
3.2 WSUD					
3.2.1	CDS P1015 GPT and Associated Drainage Infrastructure	1	item	\$ 113,400.00	\$ 113,400
3.3 Bio-Retention Raingarden					
3.3.1	Media bed constructions (inc. earthworks filter bed and subsoil drainage)	2700	sq.m	\$ 210.00	\$ 567,000
3.3.2	Raingarden Planting	2700	sq.m	\$ 80.00	\$ 216,000
3.3 Stormwater Drainage Subtotal					\$ 1,136,850
4 Administration and Management Costs					
4.1 General					
4.1.1	Consultancy and Project Management Fees (15%)	1	item	\$ 230,000.00	\$ 230,000
4.1.2	Government Agency Approvals (DSC, RMS, DECCW etc)	1	item	\$ 10,000.00	\$ 10,000
4.1.3	Council DA fees and planFIRST Levy	1	item	\$ 8,500.00	\$ 8,500
4.1.4	PCA Fees (allowance only)	1	item	\$ 10,000.00	\$ 10,000
4.1 Administration and Management Costs Subtotal					\$ 258,500

Basin 3 Subtotal	\$ 1,800,000
Contingency (40%)	\$ 720,000
Basin 3 Total	\$ 2,520,000

Basin 4

Revision: B
 Completed: Matthew Lester
 Checked: Chris Wild

Item No.	Description of Work	Quantity	Unit	Unit Cost	Budget Estimate
1	Basin				
1.1	Preliminaries				
1.1.1	Establishment (5%)	1	item	\$ 23,000.00	\$ 23,000
1.1.2	Cleaning	4000	sq.m	\$ 5.00	\$ 20,000
1.1.3	Strip & stockpile topsoil	4000	sq.m	\$ 3.00	\$ 12,000
1.1.4	Respread topsoil	3870	sq.m	\$ 5.00	\$ 19,350
1.2	Earthworks				
1.2.1	Cut to fill on site within Basin 1	1650	cu.m	\$ 6.00	\$ 9,900
1.2.2	Cut, stockpile, transfer and compact within Precinct	0	cu.m	\$ 15.00	\$ -
1.2.3	Cut and dispose offsite (incl. disposal fees)	0	cu.m	\$ 130.00	\$ -
1.2.4	Import material from within Precinct	0	cu.m	\$ 13.00	\$ -
1.2.5	Import material from offsite	0	cu.m	\$ 25.00	\$ -
1.2.6	Trim and compact	4000	sq.m	\$ 2.00	\$ 8,000
1.3	Additional Items				
1.3.1	Planting (incl maintenance for 2 years)	3800	sq.m	\$ 20.00	\$ 76,000
1.3.2	Reinforced turf on weir and spillway (incl 2 yr maint)	100	sq.m	\$ 45.00	\$ 4,500
1.3.3	Soil & water management (Allowance Only)	1	item	\$ 45,000.00	\$ 45,000
1.3				Basin Subtotal	\$ 217,750
2	Structures				
2.1	Paths and Pavements				
2.1.1	Maintenance Access Pavement	80	sq.m	\$ 80.00	\$ 6,400
2.1				Structures Subtotal	\$ 6,400
3	Stormwater Drainage				
3.1	Inlets/Outlets				
3.1.1	375 dia (RRJ) Outlet *(incl. exc, lay & backfill)	10	m	\$ 265.00	\$ 2,650
3.1.2	Main basin outlet structure	1	item	\$ 12,300.00	\$ 12,300
3.1.3	Scour protection at outlet	50	sq.m	\$ 440.00	\$ 22,000
3.1.4	Discharge Pile	1	item	\$ 2,500.00	\$ 2,500
3.2	WSUD				
3.2.1	CDS P1009 GPT and Associated Drainage Infrastructure	1	item	\$ 79,200.00	\$ 79,200
3.3	Bio-Retention Raingarden				
3.3.1	Media bed constructions (inc. earthworks filter bed and subsoil drainage)	500	sq.m	\$ 210.00	\$ 105,000
3.3.2	Raingarden Planting	500	sq.m	\$ 80.00	\$ 40,000
3.2				Stormwater Drainage Subtotal	\$ 263,650
4	Administration and Management Costs				
4.1	General				
4.1.1	Consultancy and Project Management Fees (15%)	1	item	\$ 73,200.00	\$ 73,200
4.1.2	Government Agency Approvals (DSC, RMS, DECCW etc)	1	item	\$ 10,000.00	\$ 10,000
4.1.3	Council DA fees and planFIRST Levy	1	item	\$ 16,650.00	\$ 16,650
4.1.4	PCA Fees (allowance only)	1	item	\$ 10,000.00	\$ 10,000
4.1				Administration and Management Costs Subtotal	\$ 109,850
				Basin 4 Subtotal	\$ 500,000
				Contingency (40%)	\$ 240,000
				Basin 4 Total	\$ 840,000

Basin 5

Revision: B
 Completed: Matthew Lester
 Checked: Chris Wild

Item No.	Description of Work	Quantity	Unit	Unit Cost	Budget Estimate
1 Basin					
1.1 Preliminaries					
1.1.1	Establishment (5%)	1	item	\$ 46,000.00	\$ 46,000
1.1.2	Clearing	6900	sq.m	\$ 0.50	\$ 3,450
1.1.3	Strip & stockpile topsoil	6900	sq.m	\$ 3.00	\$ 20,700
1.1.4	Respread topsoil	5000	sq.m	\$ 5.00	\$ 25,000
1.2 Earthworks					
1.2.1	Cut to fill on site within site	6900	cu.m	\$ 5.00	\$ 34,500
1.2.2	Cut, stockpile, transfer and compact within Precinct	0	cu.m	\$ 15.00	\$ -
1.2.3	Cut and dispose offsite (incl. disposal fees)	0	cu.m	\$ 130.00	\$ -
1.2.4	Import material from within Precinct	0	cu.m	\$ 13.00	\$ -
1.2.5	Import material from offsite	0	cu.m	\$ 25.00	\$ -
1.2.6	Trim and compact	6900	sq.m	\$ 2.00	\$ 13,800
1.3 Additional Items					
1.3.1	Planting (incl maintenance for 2 years)	4695	sq.m	\$ 20.00	\$ 93,900
1.3.2	Reinforced turf on weir and spillway (incl 2 yr maint)	315	sq.m	\$ 45.00	\$ 14,175
1.3.3	Soil & water management (Allowance Only)	1	item	\$ 45,000.00	\$ 45,000
Basin Subtotal					\$ 286,525
2 Structures					
2.1 Paths and Pavements					
2.1.1	Maintenance Access Pavement	105	sq.m	\$ 80.00	\$ 8,400
Structures Subtotal					\$ 8,400
3 Stormwater Drainage					
3.1 Inlets/Outlets					
3.1.1	600 dia (RRJ) Outlet *(incl. exc, lay & backfill)	10	m	\$ 500.00	\$ 5,000
3.1.2	Main basin outlet structure	1	item	\$ 12,300.00	\$ 12,300
3.1.3	Scour protection at outlet	135	sq.m	\$ 440.00	\$ 59,400
3.2 WSUD					
3.2.1	CDS P1015 GPT and Associated Drainage Infrastructure	1	item	\$ 113,400.00	\$ 113,400
3.3 Bio-Retention Raingarden					
3.3.1	Media bed constructions (inc. earthworks filter bed and subsoil drainage)	1650	sq.m	\$ 210.00	\$ 346,500
3.3.2	Raingarden Planting	1650	sq.m	\$ 80.00	\$ 132,000
Stormwater Drainage Subtotal					\$ 668,600
4 Administration and Management Costs					
4.1 General					
4.1.1	Consultancy and Project Management Fees (15%)	1	item	\$ 150,000.00	\$ 150,000
4.1.2	Government Agency Approvals (DSC, RMS, DECCW etc)	1	item	\$ 10,000.00	\$ 10,000
4.1.3	Council DA fees and planFIRST Levy	1	item	\$ 15,200.00	\$ 15,200
4.1.4	PCA Fees (allowance only)	1	item	\$ 10,000.00	\$ 10,000
Administration and Management Costs Subtotal					\$ 185,200
Basin 5 Subtotal					\$ 1,200,000
Contingency (40%)					\$ 480,000
Basin 5 Total					\$ 1,680,000

Basin 6 Upper

Revision: B
 Completed: Matthew Lester
 Checked: Chris Wild

Item No.	Description of Work	Quantity	Unit	Unit Cost	Budget Estimate
1 Basin					
1.1 Preliminaries					
1.1.1	Establishment (5%)	1	item	\$ 42,000.00	\$ 42,000
1.1.2	Cleaning	18800	item	\$ 0.50	\$ 9,400
1.1.3	Strip & stockpile topsoil	18800	sq.m	\$ 3.00	\$ 56,400
1.1.4	Respread topsoil	18600	sq.m	\$ 5.00	\$ 93,000
1.2 Earthworks					
1.2.1	Cut to fill on site within site	8800	cu.m	\$ 6.00	\$ 53,400
1.2.2	Cut, stockpile, transfer and compact within Precinct	0	cu.m	\$ 15.00	\$ -
1.2.3	Cut and dispose offsite (incl. disposal fees)	0	cu.m	\$ 130.00	\$ -
1.2.4	Import material from within Precinct	0	cu.m	\$ 13.00	\$ -
1.2.5	Import material from offsite	0	cu.m	\$ 25.00	\$ -
1.2.6	Trim and compact	18800	sq.m	\$ 2.00	\$ 37,600
1.3 Additional Items					
1.3.1	Planting (incl maintenance for 2 years)	18300	sq.m	\$ 20.00	\$ 366,000
1.3.2	Reinforced turf on weir and spillway (incl 2 yr maint)	300	sq.m	\$ 45.00	\$ 13,500
1.3.3	Soil & water management (Allowance Only)	1	item	\$ 45,000.00	\$ 45,000
				Basin Subtotal	\$ 716,300
2 Structures					
2.1 Paths and Pavements					
2.1.1	Maintenance Access Pavement	130	sq.m	\$ 80.00	\$ 10,400
				Structures Subtotal	\$ 10,400
3 Stormwater Drainage					
3.1 Inlets/Outlets					
3.1.1	600 dia (RRJ) Outlet *(incl. exc, lay & backfill)	10	m	\$ 500.00	\$ 5,000
3.1.2	Main basin outlet structure	1	item	\$ 12,300.00	\$ 12,300
3.1.3	Scour protection at outlet	50	sq.m	\$ 450.00	\$ 22,500
3.2 WSUD					
3.2.1	CDS P1015 GPT and Associated Drainage Infrastructure	1	item	\$ 115,000.00	\$ 115,000
				Stormwater Drainage Subtotal	\$ 154,800
4 Administration and Management Costs					
4.1 General					
4.1.1	Consultancy and Project Management Fees (15%)	1	item	\$ 130,000.00	\$ 130,000
4.1.2	Government Agency Approvals (DSC, RMS, DECCW etc)	1	item	\$ 10,000.00	\$ 10,000
4.1.3	Council DA fees and planFIRST Levy	1	item	\$ 15,800.00	\$ 15,800
4.1.4	PCA Fees (allowance only)	1	item	\$ 10,000.00	\$ 10,000
				Administration and Management Costs Subtotal	\$ 165,800

Basin 6 Upper Subtotal	\$ 1,050,000
Contingency (40%)	\$ 420,000
Basin 6 Upper Total	\$ 1,500,000

Basin 6 Lower

Revision: B
 Completed: Matthew Lester
 Checked: Chris Wild

Item No.	Description of Work	Quantity	Unit	Unit Cost	Budget Estimate
1 Basin					
1.1 Preliminaries					
1.1.1	Establishment (5%)	1	item	\$ 64,000.00	\$ 64,000
1.1.2	Clearing	14000	sq.m	\$ 0.50	\$ 7,000
1.1.3	Strip & stockpile topsoil	14000	sq.m	\$ 3.00	\$ 42,000
1.1.4	Respread topsoil	13700	sq.m	\$ 5.00	\$ 68,500
1.2 Earthworks					
1.2.1	Cut to fill on site within site	6800	cu.m	\$ 6.00	\$ 41,400
1.2.2	Cut, stockpile, transfer and compact within Precinct	0	cu.m	\$ 15.00	\$ -
1.2.3	Cut and dispose offsite (incl. disposal fees)	0	cu.m	\$ 130.00	\$ -
1.2.4	Import material from within Precinct	0	cu.m	\$ 13.00	\$ -
1.2.5	Import material from offsite	0	cu.m	\$ 25.00	\$ -
1.2.6	Trim and compact	14000	sq.m	\$ 2.00	\$ 28,000
1.3 Additional Items					
1.3.1	Planting (incl maintenance for 2 years)	11000	sq.m	\$ 20.00	\$ 220,000
1.3.2	Reinforced turf on weir and spillway (incl 2 yr maint)	230	sq.m	\$ 45.00	\$ 10,350
1.3.3	Soil & water management (Allowance Only)	1	item	\$ 45,000.00	\$ 45,000
Basin Subtotal					\$ 525,250
2 Structures					
2.1 Paths and Pavements					
2.1.1	Maintenance Access Pavement	95	sq.m	\$ 80.00	\$ 7,600
Structures Subtotal					\$ 7,600
3 Stormwater Drainage					
3.1 Inlets/Outlets					
3.1.1	600 dia (RRJ) Outlet *(incl. exc, lay & backfill)	10	m	\$ 50.00	\$ 500
3.1.2	Main basin outlet structure	1	item	\$ 12,300.00	\$ 12,300
3.1.3	Scour protection at outlet	175	sq.m	\$ 450.00	\$ 78,750
3.2 WSUD					
3.2.1	CDS P1015 GPT and Associated Drainage Infrastructure	1	item	\$ 115,000.00	\$ 115,000
3.3 Bio-Retention Raingarden WQ3					
3.3.1	Media bed contructions (inc. earthworks filter bed and subsoil drainage)	1050	item	\$ 210.00	\$ 220,500
3.3.2	Raingarden Planting	1050	item	\$ 80.00	\$ 84,000
3.4 Bio-Retention Raingarden WQ4					
3.4.1	Media bed contructions (inc. earthworks filter bed and subsoil drainage)	1000	sq.m	\$ 210.00	\$ 210,000
3.4.2	Raingarden Planting	1000	sq.m	\$ 80.00	\$ 80,000
Stormwater Drainage Subtotal					\$ 807,050
4 Administration and Management Costs					
4.1 General					
4.1.1	Consultancy and Project Management Fees (15%)	1	item	\$ 200,000.00	\$ 200,000
4.1.2	Government Agency Approvals (DSC, RMS, DECCW etc)	1	item	\$ 10,000.00	\$ 10,000
4.1.3	Council DA fees and planFIRST Levy	1	item	\$ 15,800.00	\$ 15,800
4.1.4	PCA Fees (allowance only)	1	item	\$ 10,000.00	\$ 10,000
Administration and Management Costs Subtotal					\$ 235,800

Basin 6 Lower Subtotal	\$ 1,570,000
Contingency (40%)	\$ 630,000
Basin 6 Lower Total	\$ 2,200,000

Basin 7

Revision: B
 Completed: Matthew Lester
 Checked: Chris Wild

Item No.	Description of Work	Quantity	Unit	Unit Cost	Budget Estimate
1 Basin					
1.1 Preliminaries					
1.1.1	Establishment (5%)	1	Item	\$ 25,000.00	\$ 25,000
1.1.2	Clearing	9350	sq.m	\$ 0.50	\$ 4,675
1.1.3	Strip & stockpile topsoil	9350	sq.m	\$ 3.00	\$ 28,050
1.1.4	Respread topsoil	9040	sq.m	\$ 5.00	\$ 45,200
1.2 Earthworks					
1.2.1	Cut to fill on site within site	6760	cu.m	\$ 6.00	\$ 40,560
1.2.2	Cut, stockpile, transfer and compact within Precinct	0	cu.m	\$ 15.00	\$ -
1.2.3	Cut and dispose offsite (incl. disposal fees)	0	cu.m	\$ 130.00	\$ -
1.2.4	Import material from within Precinct	0	cu.m	\$ 13.00	\$ -
1.2.5	Import material from offsite	0	cu.m	\$ 25.00	\$ -
1.2.6	Trim and compact	9350	sq.m	\$ 2.00	\$ 18,700
1.3 Additional Items					
1.3.1	Planting (incl maintenance for 2 years)	5810	sq.m	\$ 20.00	\$ 116,200
1.3.2	Reinforced turf on weir and spillway (incl 2 yr maint)	780	sq.m	\$ 45.00	\$ 35,100
1.3.3	Soil & water management (Allowance Only)	1	Item	\$ 45,000.00	\$ 45,000
Basin Subtotal					\$ 358,485
2 Structures					
2.1 Paths and Pavements					
2.1.1	Maintenance Access Pavement	260	sq.m	\$ 80.00	\$ 20,800
Structures Subtotal					\$ 20,800
3 Stormwater Drainage					
3.1 Inlets/Outlets					
3.1.1	750 dia (RRJ) Outlet *(incl. exc, lay & backfill)	5	m	\$ 650.00	\$ 3,250
3.1.2	Main basin outlet structure	1	Item	\$ 12,300.00	\$ 12,300
3.1.3	Scour protection at outlet	50	sq.m	\$ 450.00	\$ 22,500
3.1.4	Discharge Pit	1	Item	\$ 2,500.00	\$ 2,500
3.2 WSUD					
3.2.1	CDS P1015 GPT and Associated Drainage Infrastructure	1	Item	\$ 115,000.00	\$ 115,000
3.3 Bio-Retention Raingarden WQ1					
3.3.1	Media bed constructions (inc. earthworks filter bed and subsoil drainage)	2000	sq.m	\$ 210.00	\$ 420,000
3.3.2	Raingarden Planting	2000	sq.m	\$ 80.00	\$ 160,000
3.4 Bio-Retention Raingarden WQ2					
3.4.1	Media bed constructions (inc. earthworks filter bed and subsoil drainage)	450	sq.m	\$ 210.00	\$ 94,500
3.4.2	Raingarden Planting	450	sq.m	\$ 80.00	\$ 36,000
Stormwater Drainage Subtotal					\$ 155,550
4 Administration and Management Costs					
4.1 General					
4.1.1	Consultancy and Project Management Fees (15%)	1	Item	\$ 80,000.00	\$ 80,000
4.1.2	Government Agency Approvals (DSC, RMS, DECCW etc)	1	Item	\$ 10,000.00	\$ 10,000
4.1.3	Council DA fees and planFIRST Levy	1	Item	\$ 4,000.00	\$ 4,000
4.1.4	PCA Fees (allowance only)	1	Item	\$ 10,000.00	\$ 10,000
Administration and Management Costs Subtotal					\$ 104,000

Basin 7 Subtotal	\$ 640,000
Contingency (40%)	\$ 255,000
Basin 7 Total	\$ 895,000

Basin 8

Revision: B
 Completed: Matthew Lester
 Checked: Chris Wild

Item No.	Description of Work	Quantity	Unit	Unit Cost	Budget Estimate
1 Basin					
1.1 Preliminaries					
1.1.1	Establishment (5%)	1	item	\$ 23,200.00	\$ 23,200
1.1.2	Clearing	2750	sq.m	\$ 0.50	\$ 1,375
1.1.3	Strip & stockpile topsoil	2750	sq.m	\$ 3.00	\$ 8,250
1.1.4	Respread topsoil	1890	sq.m	\$ 5.00	\$ 9,450
1.2 Earthworks					
1.2.1	Cut to fill on site within site	3120	cu.m	\$ 6.00	\$ 18,720
1.2.2	Cut, stockpile, transfer and compact within Precinct	0	cu.m	\$ 15.00	\$ -
1.2.3	Cut and dispose offsite (incl. disposal fees)	0	cu.m	\$ 130.00	\$ -
1.2.4	Import material from within Precinct	0	cu.m	\$ 13.00	\$ -
1.2.5	Import material from offsite	0	cu.m	\$ 25.00	\$ -
1.2.6	Trim and compact	2750	sq.m	\$ 2.00	\$ 5,500
1.3 Additional Items					
1.3.1	Planting (incl maintenance for 2 years)	1110	sq.m	\$ 20.00	\$ 22,200
1.3.2	Reinforced turf on weir and spillway (incl 2 yr maint)	780	sq.m	\$ 45.00	\$ 35,100
1.3.3	Soil & water management (Allowance Only)	1	item	\$ 45,000.00	\$ 45,000
Basin Subtotal					\$ 168,795
2 Structures					
2.1 Paths and Pavements					
2.1.1	Maintenance Access Pavement	80	sq.m	\$ 80.00	\$ 6,400
Structures Subtotal					\$ 6,400
3 Stormwater Drainage					
3.1 Inlets/Outlets					
3.1.1	375 dia (RRJ) Outlet *(incl. exc, lay & backfill)	10	m	\$ 265.00	\$ 2,650
3.1.2	Main basin outlet structure	1	item	\$ 6,150.00	\$ 6,150
3.1.3	Scour protection at outlet	30	sq.m	\$ 450.00	\$ 13,500
3.1.4	Discharge Pit	1	item	\$ 2,500.00	\$ 2,500
3.2 WSUD					
3.2.1	CDS P0908 GPT and Associated Drainage Infrastructure	1	item	\$ 70,000.00	\$ 70,000
3.3 Bio-Retention Raingarden A					
3.3.1	Media bed constructions (inc. earthworks filter bed and subsoil drainage)	750	sq.m	\$ 210.00	\$ 157,500
3.3.2	Raingarden Planting	750	sq.m	\$ 80.00	\$ 60,000
Stormwater Drainage Subtotal					\$ 312,300
4 Administration and Management Costs					
4.1 General					
4.1.1	Consultancy and Project Management Fees (15%)	1	item	\$ 75,000.00	\$ 75,000
4.1.2	Government Agency Approvals (DSC, RMS, DECCW etc)	1	item	\$ 10,000.00	\$ 10,000
4.1.3	Council DA fees and planFIRST Levy	1	item	\$ 6,800.00	\$ 6,800
4.1.4	PCA Fees (allowance only)	1	item	\$ 10,000.00	\$ 10,000
Administration and Management Costs Subtotal					\$ 101,800

Basin 8 Subtotal	\$ 690,000
Contingency (40%)	\$ 235,000
Basin 8 Total	\$ 825,000

Riparian Zone 1

Revision: B
 Completed: Matthew Lester
 Checked: Chris Wild

Item No.	Description of Work	Quantity	Unit	Unit Cost	Budget Estimate
1	Riparian Zone				
1.1	Preliminaries				
1.1.1	Establishment (5%)	1	Item	\$ 60,000.00	\$ 60,000
1.1.2	Clearing	11500	sq.m	\$ 0.50	\$ 5,750
1.1.3	Strip & stockpile topsoil	11500	sq.m	\$ 3.00	\$ 34,500
1.1.4	Respread topsoil	11500	sq.m	\$ 5.00	\$ 57,500
1.2	Riparian Zone				
1.2.1	Riparian	11500	sq.m	\$ 15.00	\$ 172,500
1.2.2	Riparian Management (5 years)	11500	sq.m	\$ 25.00	\$ 287,500
1.2.3	Vegetation Rehabilitation	11500	sq.m	\$ 50.00	\$ 575,000
1.2	Riparian Zone Subtotal				\$ 1,192,750
2	Administration and Management Costs				
2.1	General				
2.1.1	Consultancy and Project Management Fees (15%)	1	Item	\$ 180,000.00	\$ 180,000
2.1.2	Government Agency Approvals (DSC, RMS, DECCW etc)	1	Item	\$ 10,000.00	\$ 10,000
2.1.3	Council DA fees and planFIRST Levy	1	Item	\$ 2,300.00	\$ 2,300
2.1.4	PCA Fees (allowance only)	1	Item	\$ 10,000.00	\$ 10,000
2.1	Administration and Management Costs Subtotal				\$ 202,300

Riparian Zone 1 Subtotal	\$ 1,395,000
Contingency (40%)	\$ 558,000
Riparian Zone 1 Total	\$ 1,953,000

Riparian Zone 2

Page 17 of 17

Revision: B
 Completed: Matthew Lester
 Checked: Chris Wild

Item No.	Description of Work	Quantity	Unit	Unit Cost	Budget Estimate
1	Riparian Zone				
1.1	Preliminaries				
1.1.1	Establishment (5%)	1	item	\$ 140,000.00	\$ 140,000
1.1.2	Clearing	27500	sq.m	\$ 0.50	\$ 13,750
1.1.3	Strip & stockpile topsoil	27500	sq.m	\$ 3.00	\$ 82,500
1.1.4	Respread topsoil	27500	sq.m	\$ 5.00	\$ 137,500
1.2	Riparian Zone				
1.2.1	Riparian	27500	sq.m	\$ 15.00	\$ 412,500
1.2.2	Riparian Management (5 years)	27500	sq.m	\$ 25.00	\$ 687,500
1.2.3	Vegetation Rehabilitation	27500	sq.m	\$ 50.00	\$ 1,375,000
1.2	Riparian Zone Subtotal				\$ 2,848,750
2	Administration and Management Costs				
2.1	General				
2.1.1	Consultancy and Project Management Fees (15%)	1	item	\$ 425,000.00	\$ 425,000
2.1.2	Government Agency Approvals (DSC, RMS, DECCW etc)	1	item	\$ 10,000.00	\$ 10,000
2.1.3	Council DA fees and planFIRST Levy	1	item	\$ 2,500.00	\$ 2,500
2.1.4	PCA Fees (allowance only)	1	item	\$ 10,000.00	\$ 10,000
2.1	Administration and Management Costs Subtotal				\$ 447,500
	Riparian Zone 2 Subtotal				\$ 3,300,000
	Contingency (40%)				\$ 1,320,000
	Riparian Zone 2 Total				\$ 4,620,000

Emerald Hills Planning Agreement

Camden Council

**Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd
(trading as Emerald Hills Estate)**

D&AI Pty Ltd

Schedule 4

(Item 22, Schedule 1)

**Proposed public road upgrading works to St
Andrews Road**

(see following 1 page)

Emerald Hills Planning Agreement
Camden Council
Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd
(trading as Emerald Hills Estate)
D&AI Pty Ltd

Execution

Executed as a Deed

Dated:

Executed on behalf of the Council

 General Manager

 Witness

 Mayor

 Witness

Executed on behalf of the Developer in accordance with s127(1) of the
 Corporations Act (Cth) 2001

 Name/Position

 Name/Position

Emerald Hills Planning Agreement

Camden Council

**Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd
(trading as Emerald Hills Estate)**

D&AI Pty Ltd

Appendix

(Clause 54)

Environmental Planning and Assessment Regulation 2000

(Clause 25E)

Explanatory Note

(see following pages)

Deed of Variation to Emerald Hills Planning Agreement

Camden Council

Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd (trading as Emerald Hills Estate)



D&AI Pty Ltd

Execution

Executed as a Deed

Dated:

Executed on behalf of the Council

General Manager

Witness

Mayor

Witness

Executed on behalf of the Developer in accordance with s127(1) of the Corporations Act (Cth) 2001

Name/Position

Name/Position

Executed on behalf of the Landowner in accordance with s127(1) of the Corporations Act (Cth) 2001

Name/Position

Name/Position

Deed of Variation to Emerald Hills Planning Agreement

Camden Council

Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd (trading as Emerald Hills Estate)

D&AI Pty Ltd

**Appendix**

(Clause 7)

Environmental Planning and Assessment Regulation 2000

(Clause 25E)

Explanatory Note**Draft Deed of Variation to Emerald Hills Planning Agreement**Under cl25C(3) of the *Environmental Planning and Assessment Regulation 2000*.**Parties****Camden Council** ABN 31 117 341 764 of 70 Central Avenue, Oran Park, NSW 2570 (Council)**Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd (trading as Emerald Hills Estate)** ABN 78 608 138 379 of PO Box 373, Narellan, NSW 2567 (Developer)**D&AI Pty Ltd** ABN 96 136 122 220 of PO Box 373, Narellan, NSW 2567 (Landowner)**Description of the Land to which the Draft Deed of Variation Applies**

The Draft Deed of Variation applies to the Land identified in the Planning Agreement as amended by this Deed.

Description of Proposed Development

The Draft Deed of Variation applies to the Development identified in the Planning Agreement as amended by this Deed.

Deed of Variation to Emerald Hills Planning Agreement

Camden Council

Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd (trading as Emerald Hills Estate)

D&AI Pty Ltd



Summary of Objectives, Nature and Effect of the Draft Deed of Variation

Objectives of Draft Deed of Variation

The objective of the Draft Deed of Variation is to amend the Planning Agreement.

Nature of Draft Deed of Variation

The Draft Deed is a variation to the Planning Agreement under cl25C(3) of the Environmental Planning and Assessment Regulation 2000.

Effect of the Draft Deed of Variation

The Draft Deed of Variation varies the Planning Agreement to, amongst other things, alter the number of Final Lots in the Development, to amend the timing of the Development Contributions, to update title details in the description of the Land, to update the staging plans, and to provide for agreed upgrading works to St Andrews Road, and the construction of an additional playground.

Assessment of the Merits of the Draft Deed of Variation

The Planning Purposes Served by the Draft Deed of Variation

The Draft Deed of Variation provides for an amendment to the number of final lots in the development, with a consequential amendment to the timing of the Development Contributions. The Draft Deed of Variation also includes additional Development Contributions.

It does not change the Planning Agreement's provision of land for public purposes or provision of local infrastructure:

- to provide a basis for the comprehensive management of the delivery of local infrastructure requirements,
- to deliver local infrastructure at or around the same time as surrounding development,
- to sustain provision and coordination of local infrastructure, and
- to provide around 25 hectares of land for public purposes,

other than providing for additional agreed upgrading works to St Andrews Road.

How the Draft Deed of Variation Promotes the Public Interest

The Draft Deed of Variation promotes the Public Interest by ensuring that the Planning Agreement properly reflects the timing, nature and extent of the Development Contributions to be provided by the Developer.

Deed of Variation to Emerald Hills Planning Agreement

Camden Council

Hazcorp Developments Pty Ltd and Taurus Development Company Pty Ltd (trading as Emerald Hills Estate)



D&AI Pty Ltd

For Planning Authorities:***Development Corporations - How the Draft Deed of Variation Promotes its Statutory Responsibilities***

N/A

Other Public Authorities - How the Draft Deed of Variation Promotes the Objects (if any) of the Act under which it is Constituted

N/A

Councils - How the Draft Deed of Variation Promotes the Elements of the Council's Charter (now the Guiding Principles for Local Government in s8A of the Local Government Act 1993)

The Draft Deed of Variation promotes the guiding principles for Councils by:

- enabling Council to manage lands and other assets so that current and future local community needs can be met in an affordable way
- enabling Council to work with the Landowner to secure appropriate services for local community needs
- enabling Council, through the public notification of this Deed, to actively engage with local communities

All Planning Authorities - Whether the Draft Deed of Variation Conforms with the Authority's Capital Works Program

The Draft Deed of Variation is in conformity with Council's Capital Works Program, as set out in the Planning Agreement's Explanatory Note. The Draft Deed of Variation is a vehicle for the Developer to complete all of the works required by the Development in a more timely and efficient fashion than if Council were required to deliver these works via a s94 contributions plan and via Council's Capital Works Program.

All Planning Authorities - Whether the Draft Deed of Variation specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

The Draft Deed of Variation amends the Planning Agreement to alter the timing of provision of Development Contributions. The Planning Agreement as amended will continue to require land to be dedicated, works to be completed, and cash contributions to be paid before the issue of a Subdivision Certificate for stages of development. If the Developer seeks the issue of a Subdivision Certificate prior to the completion of these works, clause 15 of the Planning Agreement requires the payment of security against the value of the incomplete works within the relevant stage.

Camden Council
Development Control Plan 2011

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Figure C82 Indicative Master Plan



Figure C83 Locations of Smaller Lot Housing Near Areas of High Amenity



Figure C84 Emerald Hills Road Hierarchy and Bus Route



Figure C85 Emerald Hills Pedestrian and Cycle Paths

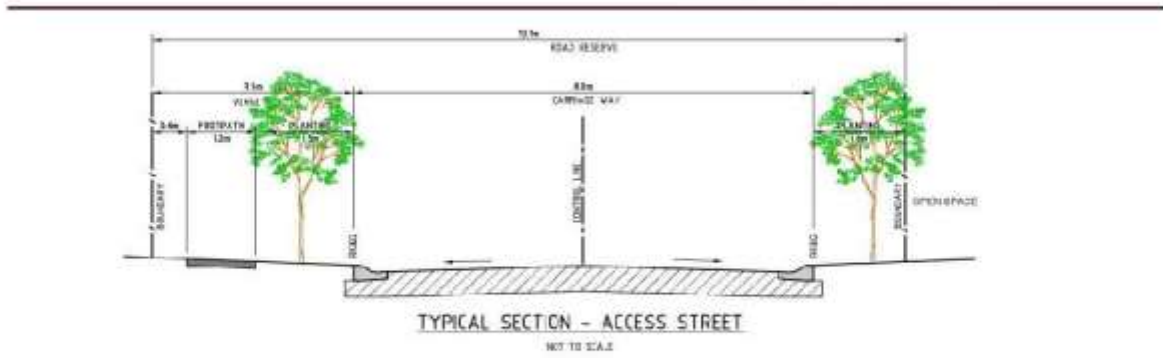


Figure C86 Emerald Hills Typical Access Street

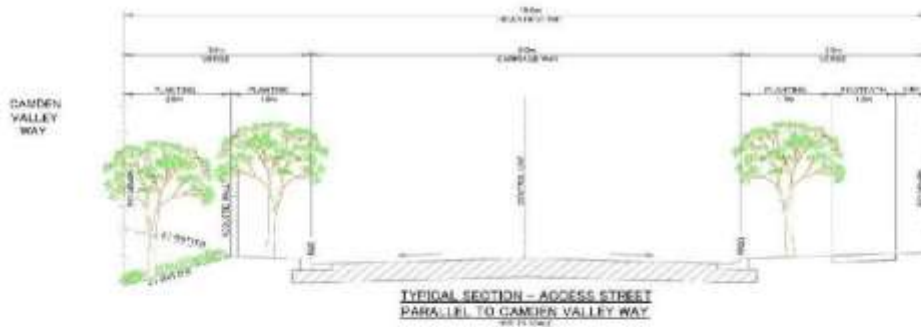


Figure C86A Emerald Hills Typical Access Street Parallel to Camden Valley Way



Figure C87 Emerald Hills Typical Local Road

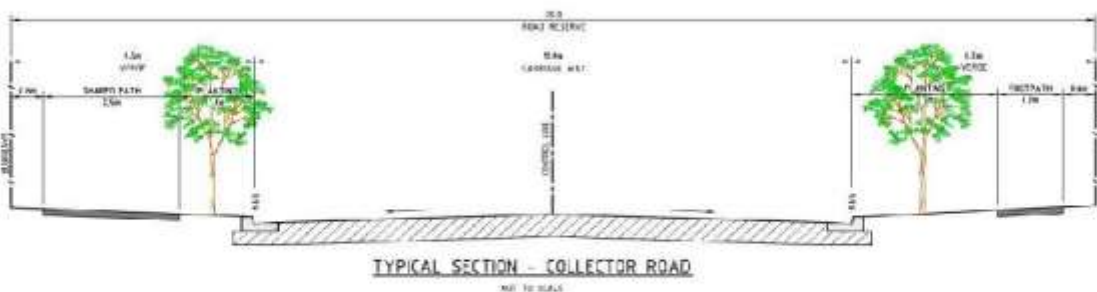


Figure C88 Emerald Hills Typical Collector Road

Camden Council
Development Control Plan 2011



Figure C89 Emerald Hills Typical Collector Road with Median



Figure C92 Local Open Space



Figure C93 Environmental Conservation Area

C13.7 School and Communities Facilities Precinct

Objectives

1. Control the interface between the school, sports oval and adjacent land uses.
2. Establish an appropriate physical separation between facilities, roads, dwellings and other activities within adjacent land areas.
3. Define the extent of the landscape curtilage which surrounds the school.
4. Facilitate the appropriate physical separation between the recreational facilities and surrounding activities.
5. Establish site circulation, visual amenity and environmental management principles which apply to the School and Community Facilities Precinct.
6. Facilitate pedestrian and bicycle access to the Precinct.

Controls

1. Development will generally be located in accordance with the principles in Figure C94.
2. A multi-purpose community room of approximately 170m² floor space is to be provided within the amenities building of approximately 360m² which is attached to the recreation oval.

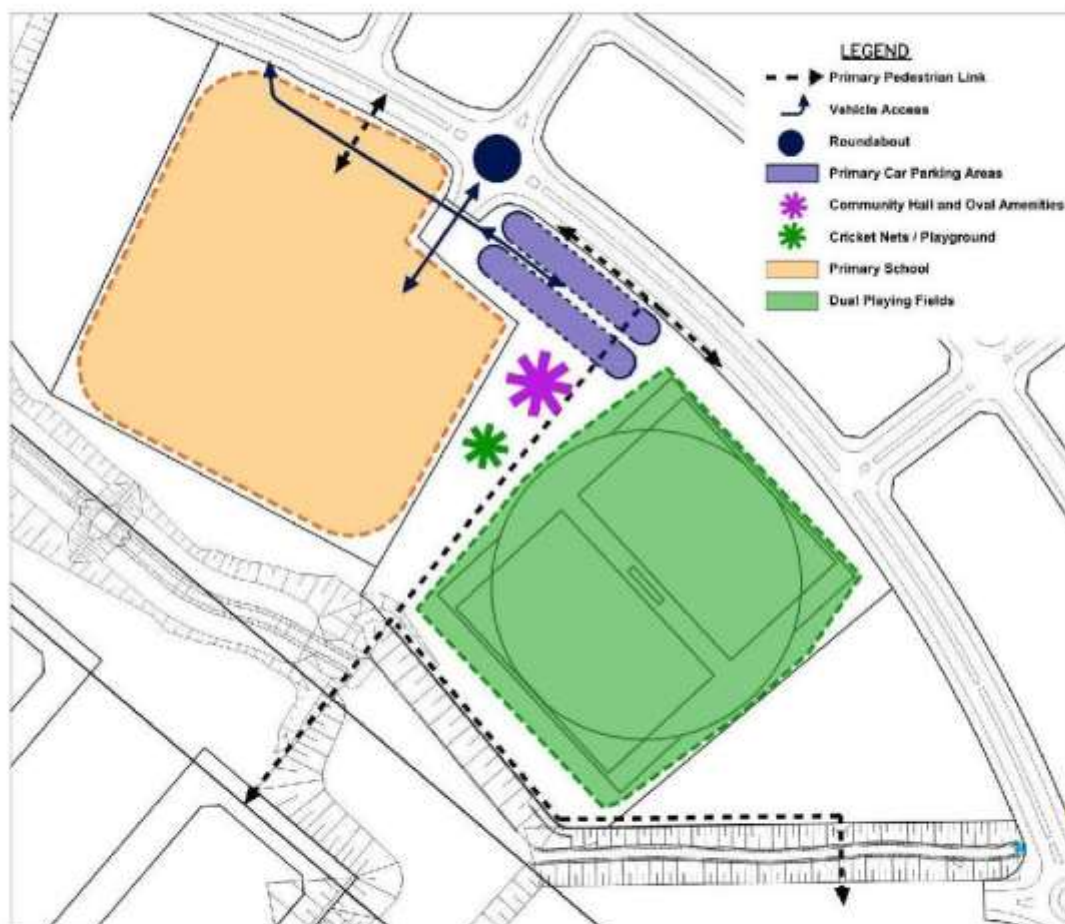


Figure C94 School and Communities Facilities Precinct



Figure C95 Indicative Bushfire Asset Protection Zones

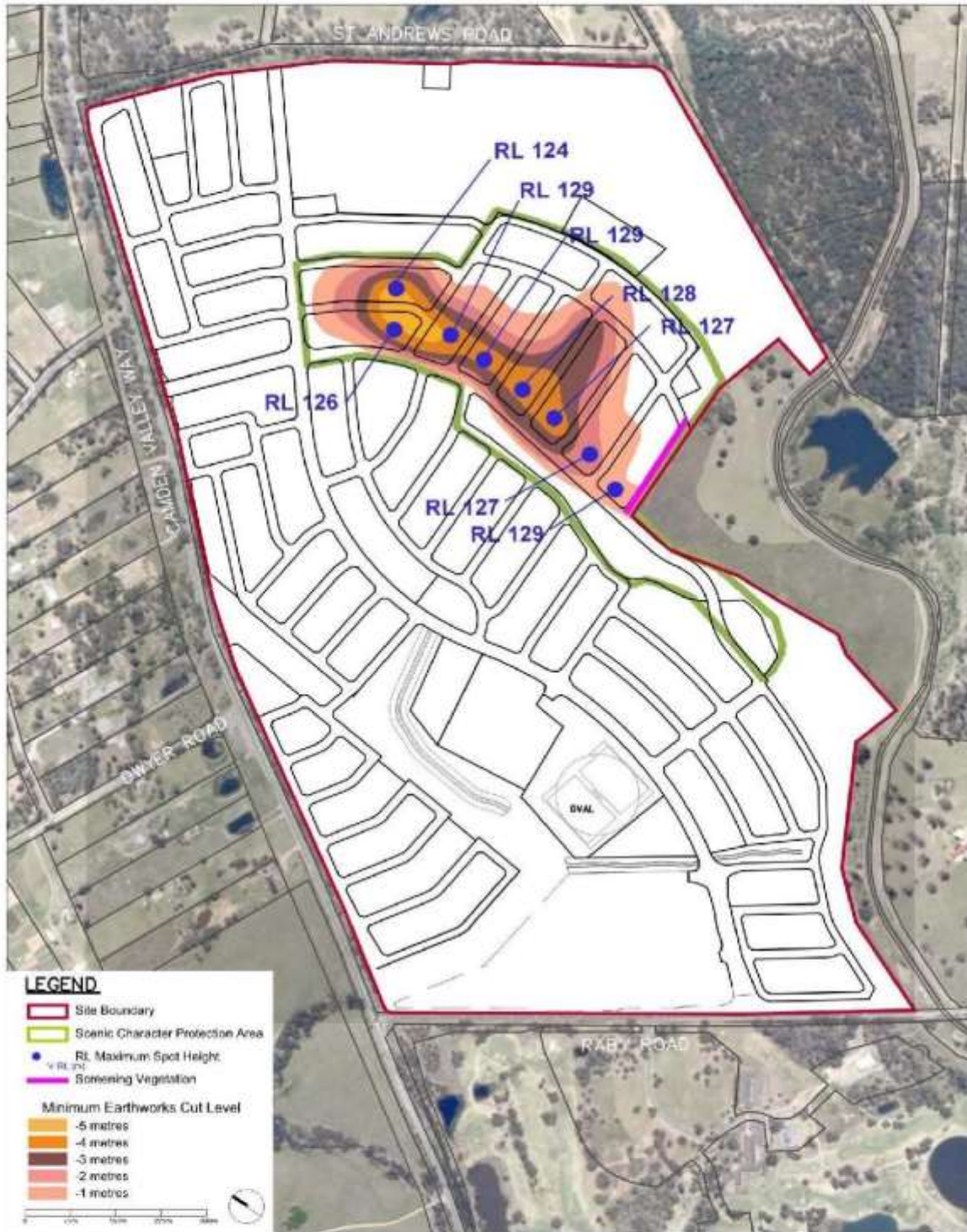


Figure C96 Scenic Character Protection Area



ORDINARY COUNCIL

ORD06

SUBJECT: POST EXHIBITION REPORT - AMENDMENT TO CAMDEN LEP 2010 TO REFLECT LGA BOUNDARY REALIGNMENT NEAR EAST LEPPINGTON (WILLOWDALE) AND EMERALD HILLS

FROM: Director Planning & Environment

TRIM #: 17/329517

PREVIOUS ITEMS: ORD04 - Amendment to Camden LEP 2010 to reflect LGA boundary re-alignment near East Leppington (Willowdale) and Emerald Hills - Ordinary Council - 22 Sep 2015 6.00pm

PURPOSE OF REPORT

The purpose of this report is to consider the outcome of the public exhibition of the draft amendment to the Camden Local Environmental Plan (LEP) 2010 and Camden Growth Centre Development Control Plan (Camden Growth Centre DCP), in response to the Local Government Area (LGA) boundary adjustment between Campbelltown City Council and Camden Council.

The report recommends Council adopt the draft Planning Proposal (as amended) and the draft Camden Growth Centre DCP.

The draft Planning Proposal and the draft Camden Growth Centre DCP are included as **attachments to this report**.

BACKGROUND

On 9 December 2014, Council considered a report on the adjustment of the LGA boundary between Camden and Campbelltown Councils. At that time, East Leppington (Willowdale estate) and Emerald Hills estate were dissected by the LGA boundary.

At its meeting on 22 September 2015, Council considered a report on a draft amendment to the Camden LEP 2010 to reflect the boundary adjustment near East Leppington (Willowdale) and Emerald Hills. It was resolved:

THAT Council:

- i. Endorse the draft planning proposal regarding the gazettal of the re-aligned LGA boundary between Camden and Campbelltown;*
- ii. Upon gazettal of the LGA boundary adjustment, forwards the planning proposal to the Department of Planning and Environment to seek a Gateway Determination and advise that Council will be using its delegation pursuant to Section 23 of the Environmental Planning and Assessment Act 1979; and*
- iii. Consider future reports regarding the amendments to the Camden DCP 2011, the Camden Growth Areas DCP and the East Leppington VPA.*

A copy of the report from 22 September 2015 is included as an attachment to the Planning Proposal.

This is the report submitted to the Ordinary Council held on 14 November 2017

Page 1



The gazettal of the Camden and Campbelltown LGA boundary adjustment occurred on 27 November 2015. A copy of the NSW Government Gazette of 27 November 2015 is included as an attachment to the Planning Proposal.

Summary of Planning Proposal

The draft Planning Proposal sought to amend the Camden LEP 2010 to reflect the boundary adjustment. Figure 1 shows the location of the previous boundary in yellow and the new boundary in orange.

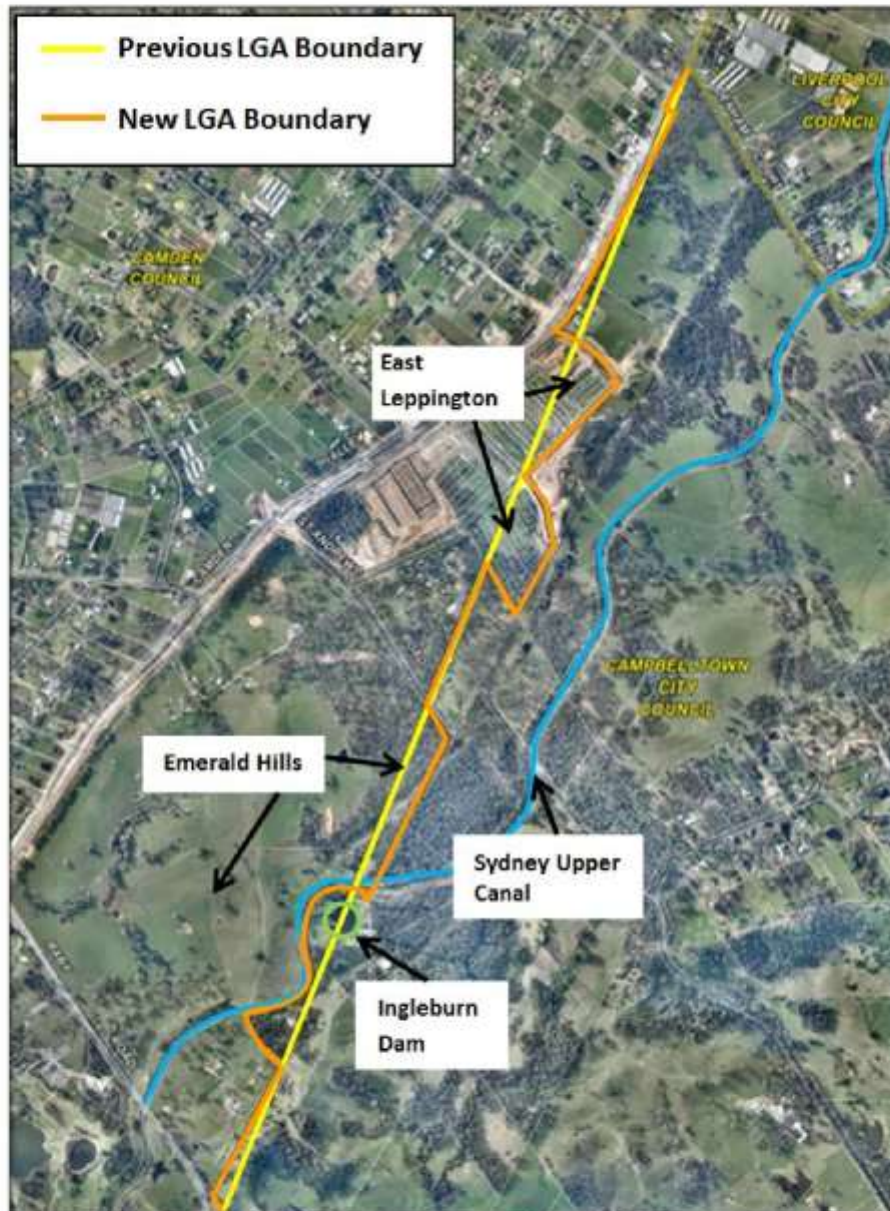


Figure 1 – Previous LGA Boundary (yellow) and new LGA boundary (orange)

This is the report submitted to the Ordinary Council held on 14 November 2017 - Page 2



East Leppington (Willowdale Estate) Amendments

The boundary adjustment required an amendment to various LEP maps. This is an administrative change and no planning controls are proposed to be amended. The planning controls are under the State Environmental Planning Policy (SEPP) and there are no changes proposed to the SEPP.

The following LEP maps at East Leppington (Willowdale Estate) are proposed to be amended:

- Land Application Map;
- Land Zoning Map;
- Height of Building Map;
- Lot Size Map;
- Land Reservation Acquisition Map;
- Heritage Map; and
- Additional Permitted Uses Map.

Emerald Hills Amendments

The following land within and adjacent to Emerald Hills is now located within the Camden LGA:

- The Emerald Hills biobanking/environmental conservation land;
- The land within the Ingleburn Dam catchment lot; and
- The land within the Sydney Upper Canal lot.

For the Emerald Hills biobanking/environmental conservation land, an E2 Environmental Conservation zone and a minimum lot size of 2 hectares is proposed. This is consistent with the zoning and minimum lot size which applies to the remainder of the Emerald Hills biobanking/environmental conservation land.

The Sydney Upper Canal lot was proposed as a split zone between SP2 Infrastructure Water Supply and RU2 Rural Landscape, which was consistent with the zoning under the Camden LEP 2010.

The following maps are proposed to be amended:

- Land Application Map;
- Land Zoning Map;
- Height of Buildings Map;
- Lot Size Map;
- Land Reservation Acquisition Map;
- Heritage Map;
- Additional Permitted Uses Map; and
- Urban Release Areas Map.

Amendments to the Camden Growth Centre DCP

The boundary adjustment required an amendment to various figures within Schedule 3 East Leppington, including the land application map.

Currently, the land subject to the boundary adjustment is under the Campbelltown Growth Centre Precincts DCP. The mapping amendments to the Camden Growth Centre DCP will allow for the land now within the Camden LGA to be included under Schedule 3 East Leppington Precinct of the Camden Growth Centre DCP.

This is the report submitted to the Ordinary Council held on 14 November 2017 - Page 3



Amendments to Voluntary Planning Agreements and Camden DCP 2011

The Council report on 22 September 2015 discussed a potential amendment to the East Leppington Voluntary Planning Agreement (VPA) and Camden DCP 2011. It was subsequently determined that no amendment to the East Leppington VPA was required.

The Land Application Map of the Camden DCP 2011 will require updating however this is an administrative change that can be included in the review of the Camden DCP 2011, which is currently underway. Therefore no amendments to the East Leppington or Emerald Hills VPA's or Camden DCP 2011 were exhibited as part of this proposal.

MAIN REPORT

Gateway Determination (Planning Proposal)

In accordance with Council's resolution, after the gazettal of the boundary adjustment the draft Planning Proposal was forwarded to the Department of Planning and Environment (DPE) and a Gateway Determination was issued on 5 February 2016.

Public Exhibition

The draft Planning Proposal and draft Camden Growth Centre DCP were exhibited from 29 August 2017 to 26 September 2017 and four submissions were received. A copy of the submissions is included as an **attachment to this report**.

In accordance with the Gateway Determination, Council consulted with the following public agencies during the exhibition period:

- NSW Office of Environment and Heritage;
- NSW Office of Environment and Heritage (Heritage Branch);
- Sydney Metropolitan Catchment Management Authority; and
- Campbelltown City Council.

The DPE was also consulted in accordance with the delegations for the Growth Centre DCP.

Submissions of support for the Planning Proposal and draft DCP were received from:

- The Department of Planning and Environment;
- Office of Environment and Heritage – Heritage Branch; and
- Office of Environment and Heritage – Environment Branch.

The submission from WaterNSW objects in part to the Planning Proposal.

WaterNSW Submission

The Sydney Upper Canal is owned by WaterNSW (shown in blue below). Figure 2 shows the current zoning under Camden LEP 2010 and Campbelltown LEP 2015.

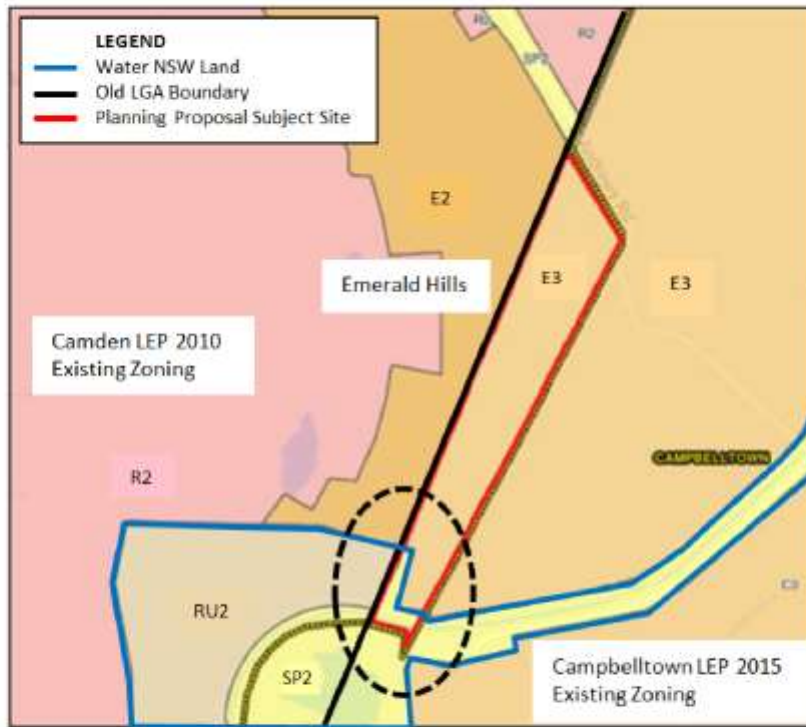


Figure 2: Current Planning Controls under LEPs (Camden and Campbelltown)

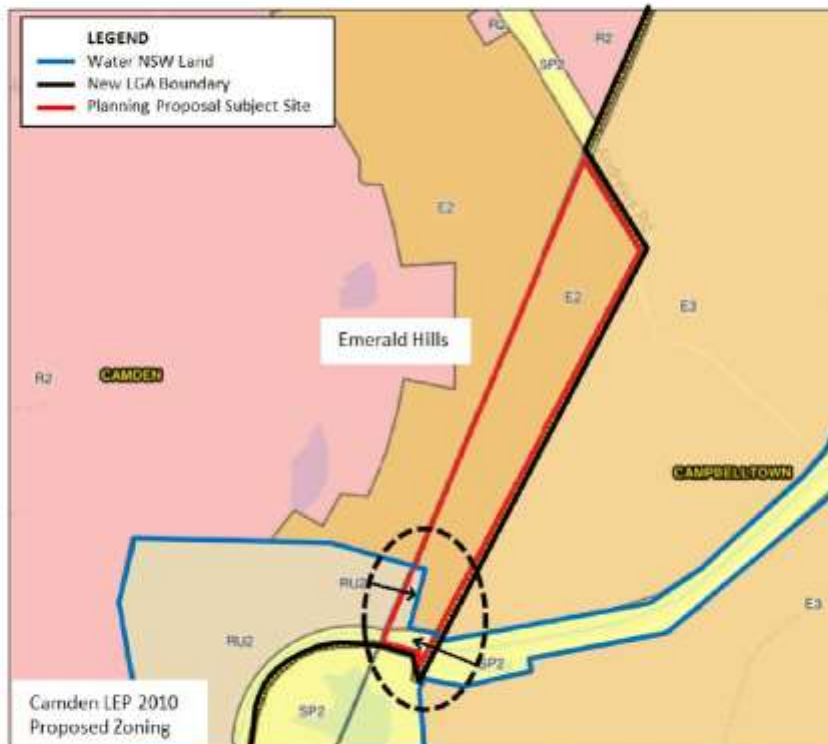


Figure 3: Exhibited Proposed Planning Controls for the Site

This is the report submitted to the Ordinary Council held on 14 November 2017 - Page 5



The Planning Proposal includes the rezoning of part of Lot 2 DP 1086624 from SP2 Infrastructure under the Campbelltown LEP 2015 to RU2 Rural Landscape under Camden LEP 2010, as demonstrated in Figure 3 above. This is consistent with the zoning of the remainder of the lot under the existing Camden LEP 2010.

Objection to SP2 zone change

The submission from WaterNSW objects to the proposed rezoning to RU2 Rural Landscape and requests the remainder of the lot be rezoned SP2 Infrastructure.

"WaterNSW objects to the proposal to amend portion of Lot 2 DP1086624 within Parcel C from SP2 to RU2. This portion should retain the SP2 zoning consistent with its function and ownership by WaterNSW".

Officer Comment

Council officers have considered the objection from WaterNSW and recommend the original zone of SP2 Infrastructure (which is the current zone under the Campbelltown LEP 2015) be retained. The proposed change to the exhibited Planning Proposal is shown in Figure 2.

Rezoning request for land existing under Camden LEP 2010

WaterNSW also requested the zoning of the remainder of Lot 2 DP 1086625 (within the Camden LGA) be amended from RU2 Rural Landscape to SP2 Infrastructure to be consistent with its function and ownership by WaterNSW.

Officer Comment

The objective of this Planning Proposal is to amend the Camden LEP 2010 in response to the boundary adjustment between Camden and Campbelltown LGAs.

The land that is currently zoned RU2 Rural Landscape (*ie* the remainder of Lot 2 DP 1086625) under the Camden LEP 2010 is not part of this Planning Proposal and is therefore not recommended to be rezoned.

Post Exhibition Planning Proposal Amendments

It is recommended that the draft Planning Proposal be amended to facilitate the objection from WaterNSW for part Lot 2 DP 1086624. The relevant maps have been amended to retain the existing zone of SP2 Infrastructure. The amended draft Planning Proposal is included as **an attachment to this report**.

Post Exhibition DCP Amendments

No post exhibition amendments are proposed to the Camden Growth Centre DCP. The draft DCP is included as an **attachment to this report**.

FINANCIAL IMPLICATIONS

There are no direct financial implications to Council as a result of this matter.

CONCLUSION

The draft Planning Proposal and draft Camden Growth Centre DCP amendment were exhibited for a period of 28 days and four submissions were received.



Officers recommend an amendment to the exhibited draft Planning Proposal in response to the objection from WaterNSW. The proposed amendment is minor and does not require re-exhibition.

It is recommended that the amended draft Planning Proposal and draft Camden Growth Centre DCP be adopted by Council.

Council has authorisation to exercise its delegated plan making functions. Therefore, should Council endorse the recommendations, the Planning Proposal will be forwarded to Parliamentary Counsel for making of the plan.

RECOMMENDED

That Council:

- i. adopt the draft Planning Proposal (as amended) and draft Camden Growth Centre DCP;
- ii. submit the Planning Proposal directly to Parliamentary Counsel for the plan to be made;
- iii. forward the amendment to the Camden Growth Centre Precincts DCP to the Department of Planning and Environment in accordance with the amended delegations issued to Council on 19 January 2015 and request that the DCP be made;
- iv. publicly notify the adoption of the DCP in accordance with the provisions of the Act and Regulations; and
- v. advise submitters of the outcome of this report.

ATTACHMENTS

1. Draft Planning Proposal - Boundary Adjustment East Leppington
2. Camden Draft Growth Centre DCP Schedule 3
3. submissions State Agencies -East Leppington Boundary Adjustment



CAMDEN COUNCIL PLANNING PROPOSAL

**Comprehensive LEP Review Phase 1 – Minor
Amendments – Draft Final**

December 2017

Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

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Background

Camden Local Environmental Plan 2010 (Camden LEP 2010) was gazetted on 3 September 2010 and applies to all land within the Camden Local Government Area (LGA), with the exception of land which falls under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

In 2010, Camden prepared a new LEP to comply with the Standard Instrument (SI) LEP, as required by the State Government. At that time, the previous LEPs were translated to fit into the new SI framework zones and clauses. Camden LEP 2010 was therefore a "like for like" translation, as far as possible.

Since 2010 there have been a number of amendments to the Camden LEP, however there has never been a comprehensive strategic review. A comprehensive and strategic review of the LEP is necessary to ensure that planning controls continue to be relevant and responsive to local development trends. This amendment forms the first phase of the comprehensive LEP review.

The comprehensive LEP Review Program has been separated into three phases:

- Phase 1 - Minor Amendments;
- Phase 2 - Higher level investigations; and
- Phase 3 - Significant investigations.

Phase 2 will commence following the finalisation of the Western City District Plan

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The aim of this Planning Proposal is to make minor amendments to the Camden LEP 2010. The amendments seek to address matters which are of an administrative or low-impact nature, with the aim to improve the overall operation and accuracy of the LEP, including:

- Administrative review of heritage listings (Schedule 5);
- Review of LEP Mapping;
- Review of LEP clauses;
- Review of the land use table; and
- Review of additional permitted uses.

The administrative review of heritage listings includes updating the property description or the address of a heritage item that has changed since Camden LEP 2010 was made and to correct any disparity between LEP maps and the heritage schedule.

A review of Camden LEP 2010 maps has been undertaken to ensure that LEP maps are accurate, aligned with cadastral boundaries, consistent with strategic intent and in line with the current DPE technical mapping standards.

A review of LEP clauses in Camden LEP 2010 has been undertaken to ensure that local clauses continue to be relevant and responsive to local development trends and updated to reflect changes in public authorities.

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A review of the Land Use Table (permissible and prohibited uses) in Camden LEP 2010 has been undertaken to ensure relevance against the objectives of each zone.

Schedule 1 of the Camden LEP 2010 (Additional Permitted Uses) provides a list of uses permitted on identified sites which are in addition to those uses identified in the LEP Land Use Table or other planning instruments. An administrative review of Schedule 1 has been undertaken to correct property descriptions and reflect instances where the property description or the address may have changed since Camden LEP 2010 was made or remove the Additional Permitted Use where it is no longer relevant.

PART 2 – EXPLANATION OF PROVISIONS

To achieve the proposed objective of improving the overall operation and accuracy of the Camden LEP 2010, the Planning Proposal amends the provisions of the LEP as shown in Table 1. A detailed explanation, justification and drafting instruction for amendment is provided in **Appendix A**.

Table 1 – List of amendments

Amendment	Name of item	Proposal	Changes
1.	Administrative Review of Heritage Listings	This item seeks to update Schedule 5 to reflect instances where the property description and/or address of heritage items have changed since the LEP was made, and to correct typographical errors, an error of name, and the extent of the mapped heritage listing.	Items: 3, 12, 13, 17, 19, 25, 28, 29, 38, 39, 42, 43, 44, 63, 74, 77, 78, 79, 81*, 82, 84, 97, 98, 107, 114, 119, 123, 127, 128, 131, 135, 137, 145. * New local heritage listing I81A to be added
2.	LEP Mapping	This item seeks to make minor amendments to correct anomalies on various Camden LEP 2010 maps. Some amendments are to bring the LEP maps in line with DPE's Standard Technical Requirements.	<u>Land Application Map</u> LAP_001 <u>Land Zoning Maps</u> LZN_002, LZN_003, LZN_007, LZN_013, LZN_015, LZN_016, LZN_017 <u>Lot Size Maps</u> LSZ_003, LSZ_007, LSZ_009, LSZ_011, LSZ_013, LSZ_015, LSZ_016 <u>Height of Building Maps</u> HOB_003, HOB_007, HOB_013, HOB_015, HOB_017 <u>FSR Maps</u> FSR_017 <u>Heritage Maps</u> HER_008, HER_009, HER_012, HER_015, HER_016 <u>Additional Permitted Uses Maps</u> All
3.	Review of Clause 7.1 – Flood Planning	The definition for "flood planning level" is proposed to be changed to	<u>Proposed definition</u>

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Amendment	Name of item	Proposal	Changes
		bring this local provision in line with the South West Priority Growth Area, best practice and recent Flood Studies/Floodplain Risk Management Studies in the LGA	Flood Planning Level means the level of 1% Annual Exceedance Probability (AEP) flood event plus a Freeboard. Freeboard: For Freeboard refer to Council's Flood Risk Management Policy.
4.	Review of Clause 7.2 - Airspace Operations	This item seeks to provide clarity with regard to development application referrals that penetrate the 'OLS' and 'PAN-OPS' shown on the Obstacle Limitation Surface Map and the procedures for air navigation services – Aircraft Operations Map.	A new clause to provide clarity on when development applications must be referred and to which Commonwealth body.
5.	Amend Clause 7.3 - Development in areas subject to airport noise	This item seeks to remove the link to the Noise Exposure Forecast Contour Map in Clause 7.3.	The link is non-functioning and the map does not sit within the Camden LEP. It is proposed to remove the link to avoid confusion.
6.	Remove Clause 7.5 - Child care centres	This item seeks to remove Clause 7.5.	Clause 7.5 is proposed to be repealed. The provisions of this clause are no longer enforceable due to the gazettal of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (known as the Education and Child Care SEPP) on 1 September 2017. Refer to Amendment 6 for further details.
7.	Review list of acquisition authorities	This item seeks to update Clause 5.1	Clause 5.1 still refers to the 'Roads and Traffic Authority' instead of 'Roads and Maritime Services' as the Authority of the State for land zoned SP2 Infrastructure marked "Future Classified Road Widening".
8.	'Community events clause'	This item seeks to add a new clause to Schedule 2 Exempt Development, 'Special events and temporary uses of land'.	The new clause will only apply to Council land or the Australian Botanic Garden, subject to certain criteria being met, enabling greater ease in facilitating community and fundraising events.
9.	Review of Land Use Table	This item seeks to amend permissible uses across all zones in the LEP.	Council conducted a comprehensive review of the Land Use Table in Part 2 of the LEP, assessing all uses against the objectives of each zone. There are changes proposed across all zones.
10.	Remove Clause 7.8 Road widening of Camden	This item seeks to remove Clause 7.8.	Clause 7.8 addresses the Road Widening of Camden Valley Way, Catherine Field. This road widening is complete, and as such the clause

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Amendment	Name of item	Proposal	Changes
	Valley Way, Cathenne Field		is no longer necessary.
11.	Review of Schedule 1 – Additional Permitted Uses	This item seeks to update Schedule 1.	Several additional permitted uses will have their property descriptions updated to reflect subdivision, while three will be removed as they are no longer needed. Furthermore, as a result of the mapping amendments proposed in Amendment 2 several clauses will be updated with regard to the manner in which they refer to the applicable maps.
12.	Include a minimum lot size for secondary dwellings.	This item seeks to introduce a minimum lot size for secondary dwellings.	Further Council officer review of the Planning Proposal identified a need to introduce a minimum lot size for secondary dwellings in the Camden LEP.
13.	Include bus shelter advertising as exempt development.	This item seeks to include bus shelter advertising as exempt development.	Further Council officer review of the Planning Proposal identified a need to nominate bus shelter advertising as Exempt Development in the Camden LEP.

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PART 3 – JUSTIFICATION

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

No. The Planning Proposal is not a result of any strategic study or report. The Planning Proposal is the result of the first stage of a comprehensive review that is being undertaken by Council staff to identify any necessary corrections to the Camden LEP 2010. These corrections will ensure consistency, clarity and usability within the LEP.

The Planning Proposal does not generate any significant implications in terms of findings and recommendations of major strategic planning studies. The undertaking of the amendments to Camden LEP 2010 is primarily an administrative and mapping exercise.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. It is considered that the Planning Proposal provides the best means of achieving the intended outcomes, as it seeks to correct identified errors and anomalies in a relatively prompt and efficient manner that will ensure clarity in the LEP.

All the matters covered by the Planning Proposal relate to statutory issues under Part 3 of the Environmental Planning and Assessment Act 1979. In this regard, the Planning Proposal is the only mechanism for achieving the objectives or intended outcomes relating to the properties and provisions covered by the Planning Proposal.

Section B – Relationship to strategic planning framework.

3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including A Plan for Growing Sydney and the exhibited draft strategies)?

The Planning Proposal is consistent with the relevant goals, directions and actions of A Plan for Growing Sydney, the Draft Western City District Plan and the Draft Greater Sydney Region Plan.

4. Is the Planning Proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

The Planning Proposal is consistent with Camden Council's Strategic Plan, 'Camden Community Strategic Plan'.

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5. Is the Planning Proposal consistent with applicable state environmental planning policies?

State Environmental Planning Policy	Applicable to this Proposal?	Comment	Consistent
Standard Instrument (Local Environmental Plans) Order 2006	Yes	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	Yes
Standard Instrument—Principal Local Environmental Plan	Yes	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	Yes
State Environmental Planning Policy No 1—Development Standards	Yes	The rezoning proposal will not alter the application of this SEPP.	Yes
State Environmental Planning Policy No 14—Coastal Wetlands	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy No 19—Bushland in Urban Areas	No	Not applicable as this is a housekeeping amendment only.	N/A
State Environmental Planning Policy No 21—Caravan Parks	No	This SEPP is relevant to specific development not permitted under this Planning Proposal.	N/A
State Environmental Planning Policy No 26—Littoral Rainforests	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy No 30—Intensive Agriculture	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy No 33—Hazardous and Offensive Development	Yes	This SEPP applies to the state, however, the proposal is not hazardous or offensive. This Planning Proposal is not inconsistent with the SEPP.	Yes
State Environmental Planning Policy No 36—Manufactured Home Estates	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy No 44—Koala Habitat Protection	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy No 47—Moore Park Showground	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy No 50—Canal Estate Development	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy No 55—Remediation of Land	Yes	Changes proposed in this Planning Proposal are of a minor nature.	Yes

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State Environmental Planning Policy	Applicable to this Proposal?	Comment	Consistent
State Environmental Planning Policy No 62—Sustainable Aquaculture	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy No 64—Advertising and Signage	Yes	Whilst no signage is proposed as part of this Planning Proposal (i.e. subject to a DA), the planning controls proposed to be implemented are consistent with the applications of this SEPP.	Yes
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy No 71—Coastal Protection	N/A	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (Affordable Rental Housing) 2009	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	Yes	Clause 7.5 is proposed to be repealed. The provisions of this clause are no longer enforceable due to the gazettal of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (known as the Education and Child Care SEPP) on 1 September 2017. Refer to Amendment 6 for further details.	Yes
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes	This Planning Proposal is not inconsistent with the applications of this SEPP.	Yes
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (Infrastructure) 2007	Yes	This Planning Proposal is not inconsistent with the applications of this SEPP.	Yes
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy (Integration and Repeals) 2016	No	Not applicable to this Planning Proposal.	N/A

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State Environmental Planning Policy	Applicable to this Proposal?	Comment	Consistent
State Environmental Planning Policy (Kurnell Peninsula) 1989	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy (State Significant Development) 2005	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy (Rural Lands) 2008	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (State and Regional Development) 2011	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (Three Ports) 2013	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy (Urban Renewal) 2010	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	No	Not applicable to this Planning Proposal.	N/A
State Environmental Planning Policy (Western Sydney Employment Area) 2009	N/A	This policy does not apply to the Camden LGA.	N/A
State Environmental Planning Policy (Western Sydney Parklands) 2009	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995)	No	Not applicable to this Planning Proposal.	N/A
Sydney Regional Environmental Plan No 16—Walsh Bay	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan No 18—Public Transport Corridors	No	Not applicable to this Planning Proposal.	N/A

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State Environmental Planning Policy	Applicable to this Proposal?	Comment	Consistent
Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)	No	Not applicable to this Planning Proposal.	N/A
Sydney Regional Environmental Plan No 24—Homebush Bay Area	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan No 26—City West	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan No 30—St Marys	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan No 33—Cooks Cove	N/A	This policy does not apply to the Camden LGA.	N/A
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	This policy does not apply to the Camden LGA.	N/A

6. Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following table identifies which Section 117 Local Planning Directions are relevant to the Planning Proposal, and provides an assessment of the proposal's consistency with those directions.

No.	Title	Comment
1 – Employment and Resources		
1.1	Business and Industrial Zones	<p>Inconsistencies are of minor significance.</p> <p>This Planning Proposal seeks to permit (with consent): kiosks and rural supplies in the IN2 Light Industrial Zones; and prohibit exhibition villages in these zones. Further the proposal seeks to permit (with consent) 'landscaping material supplies' in the IN1 General Industrial Zone.</p> <p>The Direction is relevant as it particularly specifies that a planning proposal must not reduce the total potential floor space for industrial uses in industrial zones.</p> <p>'Rural supplies is a similar use to the mandated uses of 'garden centres' and 'hardware and building supplies'.</p>

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No.	Title	Comment
		The floor area for 'Kiosks' is currently limited in Camden LEP.
1.2	Rural Zones	This Planning Proposal seeks to amend the zoning of Lot 1001, DP 734435 from RU1 Primary Production to SP1 Special Activities. The purpose of this amendment is to correct a mapping anomaly. The amendment is therefore of minor significance..
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural Lands	Consistent
2 – Environment and Heritage		
2.1	Environment Protection Zones	Consistent
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Consistent
2.4	Recreation Vehicle Areas	Not applicable
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3 – Housing Infrastructure and Urban Development		
3.1	Residential Zones	This Planning Proposal seeks to amend the zoning of the following parcels from R2 Low Density Residential to SP1 Special Activities: <ul style="list-style-type: none"> • Lot 132, DP 825469 • Lot 2601, DP 882676 <p>The purpose of these amendments is to correct mapping anomalies. The amendments are therefore of minor significance.</p>
3.2	Caravan Parks and Manufactured Home Estates	Consistent

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No.	Title	Comment
3.3	Home Occupations	Consistent
3.4	Integrating Land Use and Transport	Any inconsistency with this Direction is considered to be of minor significance.
3.5	Development Near Licensed Aerodromes	<p>The planning proposal seeks to amend Clause 7.2 Airspace operations to provide clearer controls for proposed development that requires referral to the relevant commonwealth body.</p> <p>It is noted that the proposed clause is consistent with information provided by Sydney Metro Airports and views of the Commonwealth which were sought prior to public exhibition.</p>
3.6	Shooting Ranges	Not applicable
4 – Hazard and Risk		
4.1	Acid Sulfate Soils	<p>Not applicable as Council is unaware of any land likely of containing acid sulfate soils.</p> <p>Any inconsistencies with this Direction are of a minor nature.</p>
4.2	Mine Subsidence and Unstable Land	Consistent
4.3	Flood Prone Land	<p>Consistent</p> <p>This Direction applies as the planning proposal seeks to amend clause 7.1 Flood planning including the definition in the clause.</p> <p>As the proposed change to the definition had the potential to raise policy issues, Council consulted with the Office of Environment and Heritage prior to public exhibition.</p>
4.4	Planning for Bushfire Protection	<p>Consistent</p> <p>In accordance with the Gateway Determination, Council consulted with the Commissioner of the NSW Rural Fire Services prior to public exhibition.</p>
5 – Regional Planning		

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No.	Title	Comment
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8	Second Sydney Airport, Badgerys Creek	Not applicable
5.9	North West Rail Link Corridor Strategy	Not applicable
5.10	Implementation of Regional Plans	The Planning Proposal is consistent with the relevant goals, directions and actions of A Plan for Growing Sydney, the Draft Western City District Plan and the Draft Greater Sydney Region Plan.
6 – Local Plan Making		
6.1	Approval and Referral Requirements	Consistent
6.2	Reserving Land for Public Purposes	By mapping amendment, the proposal seeks to amend the boundaries of the RE1 zone to follow the cadastre. The aerial photography demonstrates that the land in question already serves a public recreation purpose. In this regard, any inconsistency with this Direction is of minor significance. Council will seek agreement of the Secretary to comply with the requirements of this direction prior to the plan being made.
6.3	Site Specific Provisions	Amendments are proposed to Schedule 1 (Additional permitted uses) of the Plan. These amendments are of an administrative/technical nature and any inconsistency with the Direction is of minor significance.
7 – Metropolitan Planning		
7.1	Implementation of the Metropolitan Plan	Consistent

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No.	Title	Comment
	for Sydney 2036	
7.2	Implementation of A Plan for Growing Sydney	Consistent. Further, this Planning Proposal will not affect the finalisation of the Draft Western City District Plan and the Draft Greater Sydney Region Plan.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable

Section C – Environmental, social and economic impact.

7. **Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

There is no likelihood of any adverse effect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this proposal.

8. **Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

There are no likely environmental effects as a result of this Planning Proposal.

9. **How has the Planning Proposal adequately addressed any social and economic effects?**

Not applicable.

Section D – State and Commonwealth interests.

10. **Is there adequate public infrastructure for the Planning Proposal?**

Not applicable.

11. **What are the views of state and Commonwealth public authorities consulted in accordance with the gateway determination?**

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In accordance with the Gateway Determination, Council has consulted with the relevant public authorities prior to public exhibition. The views of these authorities are outlined in the table below.

Public authority	Amendment	Views / Issue	Response
Sydney Metro Airports	Amendment 4 – Clause 7.2	Recommends changes be made to the suggested wording of draft Clause 7.2 (Airspace operations).	These changes have been considered and are reflected in the revised draft clause.
	Amendment 1 - Review of Schedule 5 (Environmental Heritage) – Item 98	Camden Airport Limited advises that Camden Airport presently has 3 titles, namely Folio Identifiers 3/217570 (the road lot), 102/1121442 (the main airport title) and 3/791287 (the small parcel at 64 Ellis Lane) and not just Folio Identifier 102/1121442.	These lots do not form part of the heritage listing.
Department of Infrastructure and Regional Development	Amendment 4 – Clause 7.2	Supports changes suggested by Sydney Metro Airports, particularly changes regarding PANS-OPS penetrations. Council should take into account the proposed Western Sydney Airport (WSA) in finalising its review.	Changes have been considered and are reflected in the revised draft clause. Council officers consulted with the Department of Infrastructure and Regional Development (the public authority responsible for the WSA) during the exhibition period.
Civil Aviation Safety Authority	Amendment 4 – Clause 7.2	Recommends changes be made to the suggested wording of draft Clause 7.2 (Airspace operations).	Changes have been considered and are reflected in the revised draft clause.
NSW Rural Fire Service (RFS)	Amendment 9 – Review of Land Use Table (Secondary Dwellings)	Council to note that future proposals for secondary dwellings will only be supported by the NSW RFS where they comply with the requirements of <i>Planning for Bush</i>	No further action required.

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Public authority	Amendment	Views / Issue	Response
		<i>Fire Protection 2006 and NSW RFS Fast Fact No. 4/12 Increased Density on a Single Parcel of Land.</i>	
	Amendment 8 – Add a community events clause to make some events exempt development.	Comments were received from the RFS outlining additional restrictions that should be considered with regards to bushfire. Refer to Part 5 – Community Consultation for further details of the restrictions proposed.	The draft clause has been amended in consultation with the RFS to specify limitations that apply to land which is bushfire prone.
Office of Environment and Heritage (OEH)	Amendment 1 – Review of Schedule 5 (Environmental Heritage).	OEH (Heritage Council) supports the administrative review of heritage items and the review of heritage maps as part of the draft Planning Proposal and requests that Council supply its heritage mapping database to OEH.	The heritage mapping database will be supplied to OEH.
	Amendment 3 – Review of Clause 7.1 – Flood Planning	OEH (Water) notes the suggested amendment to LEP Clause 7.1 (Flood planning) is consistent with recent flood studies undertaken for the Camden Local Government Area and supports the proposed change.	

Note: Council has not received comment from Roads & Maritime Services.

PART 4 – MAPS

The Camden LEP 2010 maps identified in **Table 1** are proposed to be amended.

PART 5 – COMMUNITY CONSULTATION

The draft Planning Proposal was exhibited from 29 November 2016 to 27 January 2017.

During the exhibition period, notifications were placed in the local newspaper with exhibition material made available at:

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- Council Administration Centre (Hard Copy)
- Narellan Library, Queen Street, Narellan (Hard Copy);
- Camden Library, John Street, Camden (Hard Copy); and
- Camden Council website (Electronic Copy).

In addition, a letter was sent to all landowners who were directly impacted by the proposed changes.

Upon further review, Council officers identified additional matters to be included in the draft Planning Proposal as follows:

- Nominate bus shelter advertising as exempt development; and
- Include a minimum lot size for secondary dwellings (450m²).

As a result, an amended draft Planning Proposal, incorporating the additional changes, was exhibited from 9 May to 9 June 2017.


Council received 7 submissions including 3 public authority submissions and 4 community submissions. A summary of the issues raised in the submissions is provided below.


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Ref #	Amendment	Issue	Response
1	Amendment 4 Clause 7.2	<p>Airspace procedures</p> <p>Airservices Australia agrees with the revised wording of Clause 7.2, points 4 and 5. Camden Council should seek confirmation from the Civil Aviation Safety Authority (CASA) on procedures regarding the <i>Manual of Standards 139 – Obstacle Limitation Surface (OLS)</i> as Airservices Australia does not provide advice or comment on this aspect of airspace.</p> <p>Communications/Navigations/Surveillance (CNS) Facilities</p> <p>Clause 7.2 (Airspace operations) makes no reference to the protection of Communications, Navigations and Surveillance facilities owned by Airservices Australia in Camden. Airservices Australia would welcome the opportunity to work with Council on receiving referrals for development applications that may have an impact on any CNS facilities.</p>	<p>Noted.</p> <p>CASA was contacted for comment as advised. CASA recommended changes be made to the suggested wording of draft Clause 7.2 (Airspace operations). These changes have been considered and are reflected in the revised draft clause.</p> <p>Airservices Australia has advised that there is no requirement under legislation for CNS facilities to be considered as part of the development application process. Airservices Australia has confirmed that potential impacts of development on CNS facilities can be considered at the development application referral stage where the OLS and PANS-OPS is penetrated.</p>
2	Amendment 2 – Mapping	<p>Mapping anomaly</p> <p>Lot size category "F" is not represented in the respective Key or Legend on Camden LEP 2010 – Lot Size Map No. 16. This mapping anomaly should be included in Phase 1 of the LEP</p>	<p>As part of the Phase 1 Review, Council will be amending all legends and scale bars to ensure consistency with the new <i>Standard Technical Requirements for Spatial Datasets and Maps</i>. This is stated in Clause 2.1 of the Planning</p>

Ref #	Amendment	Issue	Response
		Review.	Proposal under Amendment 2 – Mapping. Nevertheless, the anomaly identified in LSZ_016 has been added as an item for resolution under Amendment 2.
3	Amendment 8	<p>Draft clause for special events and temporary uses of land</p> <p>The Rural Fire Service (RFS) has requested the draft clause for special events and temporary uses of land be revised to address the following matters:</p> <ul style="list-style-type: none"> • a bushfire emergency management and evacuation plan be prepared in accordance with RFS guidelines and consider the need for appropriate bush fire protection measures; • events not be held on days with an extreme or catastrophic bush fire danger rating for the local area; and • no camping be allowed. <p>The Australian Botanic Garden (ABG) has requested its site be included in the draft 'community events clause' to enable community events (such as concerts, exhibitions, open-air cinema, markets, festivals and the like) to be carried out at the ABG as exempt development</p>	<p>The draft clause has been amended in consultation with the RFS to specify limitations that apply to land which is bushfire prone.</p> <p>Council officers have considered the request and support the inclusion of the ABG within the draft community events clause, subject to a number of restrictions being placed on an event (a maximum of 2 days per calendar year and operating between 7.00am and 10.00pm with the</p>

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Ref #	Amendment	Issue	Response
4	<p>Amendment 1</p> <p>Amendment 2 – Mapping</p>	<p>(without the need for development consent).</p> <p>Amendment to heritage curtilage</p> <p>Requests the local heritage curtilage that applies to Gledswood under Camden LEP 2010 be amended to apply to part of Lot 1203 (currently all of Lot 1203 is included in the curtilage). The submission notes that Council resolved, on 14 February 2017, to request OEH to retain part of Lot 1203 within the state heritage curtilage.</p> <p>Requests amendments are made to the Camden LEP 2010 height of buildings map and lot size map to make these consistent with the suggested amendments to the heritage map.</p> <p>Requests amendments are made to the Camden LEP 2010 height of buildings map and lot size map to make these consistent with the suggested amendments to the heritage map.</p> <p>Requests the LEP Schedule 5 be amended to reflect 'local' heritage significance, as opposed to state heritage significance.</p>	<p>exception of the ANZAC day dawn service).</p> <p>The suggested revised draft LEP clause is included at Amendment 8.</p> <p>The image below provides a comparison of the local heritage curtilage that applies to Gledswood under Camden LEP 2010 and the OEH state heritage curtilage.</p>  <p>On 14 February 2017, Council resolved to make a submission to OEH requesting that part of Lot 1203 be retained in the state heritage curtilage. This was not supported by OEH and the amended state heritage curtilage was gazetted</p>

Ref #	Amendment	Issue	Response
			<p>on 30 August 2017.</p> <p>The amendments sought to the local heritage curtilage would be consistent with Council's previous resolution and the Gledswood Conservation Management Plan (CMP) shown below. This would prevent complying development under the State Environmental Planning Policy (Exempt and Complying Codes) 2008 (known as the Codes SEPP) from occurring on the 'L' shaped development area' shown below.</p>  <p>Under the Codes SEPP, development with a height of buildings of 8.5m is permissible. The 'L' shaped development area' is intended to have a maximum height of buildings of 7m. Also under</p>

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Ref #	Amendment	Issue	Response
			<p>the Codes SEPP, there is no requirement to use specific materials and colours, which is a requirement of the CMP.</p> <p>Amendments would also be required to the Camden LEP height of buildings map and lot size map to make these maps consistent with the revised heritage curtilage map and the CMP.</p> <p>Officers support the further amendment of LEP Schedule 5 to list the state heritage curtilage and local heritage curtilage that would apply to Gledswood. The current and proposed heritage curtilage maps are shown in Amendment 2.</p>
Ref #	Amendment	Issue	Response
5	Amendment 1 Item No. 182	<p>No objection to amendment of property description</p> <p>Supports the proposed amendment to Raby's property description in LEP Schedule 5 Heritage Listings.</p> <p>Amendment to heritage curtilage</p> <p>Requests the heritage curtilage for Raby be reduced in size. This would serve to protect and preserve the heritage significance of Raby whilst</p>	<p>Noted.</p> <p>Raby is listed as a heritage item on the state heritage register (in addition to being listed as a local item in Camden LEP 2010) and is located in</p>

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Ref #	Amendment	Issue	Response
6	Amendments 25, 26 and 27 – Mapping.	<p>at the same time allow for the residential development planned as part of the South West Priority Growth Area (SWPGA).</p> <p>Australian Botanic Garden (ABG)</p> <p>2 lots that form part of the ABG site are zoned R2 Low Density Residential and should be rezoned to SP1 Special Activities, consistent with the remainder of the ABG site.</p> <p>A lot that forms part of the southern extent of the ABG site (nearby to the Glenlee coal washery site) should be rezoned from RU1 Primary Production to SP1 Special Activities.</p>	<p>the Catherine Field Precinct of the SWPGA. Consideration of additional residential development potential and the heritage curtilage extent will be addressed as part of any future precinct planning process.</p> <p>Council officers have reviewed the request. The subject lots have been zoned R2 in error and their rezoning to SP1 is consistent with the remainder of the ABG site. Amendments are also required to the height of buildings and lot size maps.</p> <p>The Rural Lands Strategy applies to land zoned rural within the Camden LGA (excluding the SWPGA). The intent of the Strategy is to protect Camden's remaining rural land and to protect the quality of scenic landscapes, vistas, ridgelines or heritage values.</p> <p>The suggested rezoning of the subject lot from RU1 to SP1 is supported on the basis that the rural character of the land will be retained as part of the ABG site. It is not considered that there will be any impact on the quality of scenic landscape or heritage values. Amendments are also</p>

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Ref #	Amendment	Issue	Response
7	Amendment 12	<p>Minimum lot size for secondary dwellings</p> <p>The draft Planning Proposal intends to make secondary dwellings permissible with consent in the R2 Low Density Residential zone. Secondary dwellings are already permissible via the Affordable Rental Housing State Environmental Planning Policy (Affordable Rental Housing SEPP). In addition to making secondary dwellings a permissible use, there is a need for the Camden LEP 2010 to include a control that addresses the minimum lot size for secondary dwellings.</p>	<p>required to the height of buildings and lot size maps.</p> <p>The Planning Proposal is proposed to be amended to include a minimum lot size for secondary dwellings of 450m². Refer to Amendment 12 for further details.</p>
8	Amendment 13	<p>Bus shelter advertising</p> <p>Bus shelter advertising is proposed to be nominated as exempt development in the LEP. Bus shelters are located within the road reserve which means their approval requires Council agreement.</p>	<p>The Planning Proposal is proposed to be amended to nominate advertising signage on bus shelters (and taxi rank shelter signs) as exempt development, subject to compliance with various development standards. Refer to Amendment 13 for further details.</p>

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Following the initial public exhibition period, Council amended the item description of Heritage Item No. 163 – St John's Church in the 'Justification for change' table. The phrase 'lynch gates' was removed from the description of the item belonging to Lot 550, DP 737448. The lynch gates are in fact erected within the property of the Church that belongs to Lot 1, DP 1024949. Lot 550 contains only the rectory and stables.

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Attachment 1

Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

PART 6 – PROJECT TIMELINE

	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	
Anticipated commencement date (date of Gateway determination)																				
Anticipated timeframe for the completion of required technical information																				
Timeframe for government authority consultation (pre and post exhibition as required by Gateway determination)																				
Commencement and completion dates for initial public exhibition period																				
Dates for public hearing (if applicable)																				

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	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	
required)																				
Timeframe for consideration of submissions																				
Timeframe for the consideration of a proposal post exhibition																				
Commencement and completion dates for re-exhibition of Planning Proposal																				
Dates for further public hearing (if required) post re-exhibition																				
Timeframe for consideration of further submissions post re-exhibition																				
Timeframe for consideration of a proposal post re-exhibition																				
Date of submission to the																				

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	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	
department to finalise the LEP																				
Anticipated date RPA will make the plan (if delegated)																				
Anticipated date RPA will forward to the department for notification																				

Attachments

Attachment A – Proposed Changes

Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

ATTACHMENT A – MINOR AMENDMENTS

Attachment A of this document outlines in detail the minor amendments that are proposed to Camden LEP 2010. It should be noted the changes proposed in this Attachment are not yet endorsed by Council.

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Attachment A

Comprehensive LEP Review 2017 – Phase 1 Minor Amendments

Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

Amendment 1. Administrative Review of Heritage Listings

Council officers have undertaken a comprehensive review of each item in Schedule 5 of the Camden Local Environmental Plan 2010 (the LEP) which lists items of heritage significance in the Camden Local Government Area. It is proposed that several amendments are made to update Schedule 5 to reflect instances where the property description or the address of a heritage item has changed since the LEP was made. These amendments are listed in the sixth column in the table below.

Item No.	Item name	Address	Current description	Property	Significance	Proposed change	Justification for change
113	Old Dairy Farmers Co-op Depot	11 Argyle Street, Camden	Lot 1, DP 219757		Local	Amend the property description to: Lot 100, DP 1147682; Lot 101, DP 1147682	The property description needs to be updated to reflect a subdivision that occurred in 2010.
112	Bank	125 Argyle Street, Camden	Lot 2, DP 986203		Local	Amend the property description to: Lot 1, DP 1173785	The property description needs to be updated to reflect the consolidation of lots which occurred in 2012.
113	Post Office	135 Argyle Street, Camden	Lot 2, Section 3, DP 193308		Local	Amend the property description to: Lot 15, DP 751265	The property description needs to be updated to reflect the correct deposited plan for the Post Office.
117	Bungalow	10 Barsden Street, Camden	Lot 1, DP 111208		Local	Amend the property description to: Lot 101, DP 1176185; Lot 102, DP 1176185.	The property description needs to be updated to reflect a subdivision that occurred in 2013.
119	Camden Showground (including grounds, obelisk, pavilion, fencing, tiered	10A Cawdor Road	Lot 1, DP 205158		Local	Amend to: Lot 1, DP 1170259	The Schedule needs to be updated to reflect the LEP maps.

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Item No.	Item name	Address	Current description	Property	Significance	Proposed change	Justification for change
I25	seating memorial and gates) and Onslow Park "Nant Gwylan" (including house and garden)	33A Exeter Street, Camden	Lots 15 and 16, DP193308	State		Amend the address to: 33A & 33B Exeter Street Amend the property description to: Lots 15 and 16, Section 9, DP 193308	The house covers two lots which are referred to as two separate addresses. The property description needs to be updated to rectify a minor error in the property title. The listing is consistent with the State Heritage Listing.
I28	House	14 Hill Street, Camden	Lot 4, DP 1104886	Local		Amend the property description to: Lot 4, Section 3, DP 193308	The property description needs to be updated to reflect the correct deposited plan.
I29	House	18 Hill Street, Camden	Lot 6, Section 3, DP 193308	Local		Amend the property description to: Lot 6, DP 1104886	The property description needs to be updated to reflect the correct deposited plan.
I38	"Brookfield House"	30 Hill Street, Camden	Lot 90, DP 1077100	Local		Amend item name to: House	Research by Council Officers has shown that Brookfield House is a name that was given to the house by a previous owner in the 1980s. Given that the name 'Brookfield' holds no heritage significance it is proposed that the name should be removed.
I39	"Brookfield House"	32 Hill Street, Camden	Lot 10, DP 731597	Local		Amend item name to: House	As per I38.
I42	St Paul's Church	26-36 John Street, Camden	Lot 50, DP 1153049	Local		Amend the property	The property description needs to be

Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

Item No.	Item name	Address	Current description	Property	Significance	Proposed change	Justification for change
		Camden				description to: Part of Lot 50, DP 112695	updated to reflect the correct deposited plan, in line with the boundary shown on the current LEP heritage map (HER_010).
143	Court House	33 John Street, Camden	Lot 1, DP 826795		Local	Amend the property description to: Lot 1 DP 634060	The property description needs to be updated to reflect the correct deposited plan. Deposited plan 826795 was created for acquisition purposes only, and was never registered with Land & Property Information.
144	Police Station and Residence	35 John Street, Camden	Lot 2, DP 826795		Local	Amend the property description to: Lot 1 DP 634060	The property description needs to be updated to reflect the correct deposited plan. Deposited plan 826795 was created for acquisition purposes only, and was never registered with Land & Property Information.
163	St John's Church (including church grounds, rectory, stables, lynch gates, grassed slopes and cemetery)	6-22 Menangle Road	Lot 1, DP 1024949; Lot 56, DP 2399467		Local	<ul style="list-style-type: none"> Retain Lot 1, DP 1024949 Amend Lot 56, DP 2399467 to: Lot 56, DP 239467 Add: Lot 550, DP 737448 	The property description needs to be updated to reflect the full extent of the heritage item and to correct minor typographical errors. Lot 550 contains the rectory and stables.
174	"Mitchell House"	29-31 Mitchell Street, Camden	Lots 1 and 2, DP 782058		Local	Amend the property description to: Lots 10 and 11, DP 1155881	The property description needs to be updated to reflect a subdivision that occurred in 2010.
177	View Street	5-13 View Street,	Lot 17, DP 1068640;		Local	Amend the Property	The proposed change will rectify a

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Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

Item No.	Item name	Address	Current description	Property	Significance	Proposed change	Justification for change
	Worker's Cottages	Camden	Lot 16, DP 735998; Lot 15, DP 742232, Part Lot 14, DP 193308; Lot 13, DP 827061			<p>Description as follows:</p> <ul style="list-style-type: none"> Amend 'Lot 17, DP 1068640' to 'Lot 171, DP 1068640' Amend 'Part Lot 14, DP 193308' to 'Lot 140, DP 1165650' Retain all other lots as listed 	<p>minor typographical error (should be Lot 171 instead of Lot 17).</p> <p>The property description also needs to be updated to reflect the correct deposited plan registered for 11 View Street (DP1165650).</p>
178	View Street Worker's cottages	6-20 View Street, Camden	Lot 2, DP 797645; Lot 1, DP 995935; Lot 1, DP 1009303; Lot 11, DP 1064302; Lot 14, DP 1105471	Local		<p>Amend the property description to include:</p> <ul style="list-style-type: none"> Lot 1, DP 1027246 Lot 13, DP 997926 	<p>The property description needs to be updated to reflect the correct and current Lot and DPs depicted on the map (i.e. shown in Camden LEP 2010) heritage maps but missing from the LEP schedule).</p>
179	"Belgenny Farm" (including colonial homestead, weatherboard cottage, octagonal shed, granary and grounds)	100 Elizabeth Macarthur Avenue, Camden South	Lot 11, DP 658458	State		<p>Amend the property description to:</p> <p>Lot 2, DP 1050479</p>	<p>The property description needs to be updated. The lot and deposited plan listed is incorrect.</p>
181	"Gledswood" (including homestead, storeroom, shearing shed, shearing quarters, garden and grounds)	900 Camden Valley Way, Catherine Field	Lot 12, DP 748303	State		<p>Amend the property description to:</p> <p>Lots 1201 and 1202, DP 1187381</p> <p>Add local heritage listing I81A:</p> <p>Part of Lot 1203, DP 1187381</p>	<p>The property description needs to be updated. Lot 12, DP 748303 was subdivided in 2013 to produce Lots 1201, 1202, and 1203 on DP 1187381.</p> <p>Also, since this Planning Proposal was exhibited, the State Heritage</p>

Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

Item No.	Item name	Address	Current description	Property	Significance	Proposed change	Justification for change
							Register (SHR) has been updated to remove Lot 1203 from the SHR. Part of this lot is proposed to be retained as a local heritage item. See discussion under Part 5 – Community Consultation.
182	"Raby" (including homestead, garden, outbuildings, grounds and gateway)	1025 Valley Way, Catherine Field	Lot F, DP 401548	State		Amend the property description to: Part of Lot 1, DP 1176655	The property description needs to be updated. The deposited plan referred to in the property description is no longer registered. DP 1176655 was registered in 2012 resulting from the widening of Camden Valley Way.
184	Camden District Cemetery	201 Cawdor Road, Cawdor	Lot 7006, DP 1055375	Local		Amend the property description to: Lot 7006, DP 1143075	The property description needs to be updated. A new deposited plan was registered for the Cemetery in 2010.
197	"Macquarie Grove"	107 Macquarie Road, Cobbitty	Lot 101, DP 1121442	State		Amend the property description to: Part of Lot 101, DP 1121442	The property description needs to be updated, to reflect part lot.
198	Camden Airport (including airfield, hangars, cottages, outbuildings and grounds)	109 Macquarie Road, Cobbitty	Lot 7, DP 791307	Local		Amend the property description to: Lot 102, DP 1121442	A new deposited plan (i.e. DP 1121442) was registered for Camden Airport in 2009. Schedule 5 should be amended as the current property description is inaccurate.
1107	House	49 Hilder Street, Elderslie	Lot 1, DP 558686	Local		Amend the property description to:	The property description needs to be updated to rectify an error. DP 518913 has been registered to 49

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Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

Item No.	Item name	Address	Current description	Property	Significance	Proposed change	Justification for change
1114	Cottage	72 Macarthur Road, Elderslie	Lot 2, DP 83695	Local		Amend the property description to: Lot 2, DP 154497	Hilder Street since 1965. DP 558686 applies to the lot next door. The property description needs to be updated to rectify an error. Lot 2, DP 83695 refers to the neighbouring lot, which has no heritage significance.
1119	"Harrington Park" (including colonial homestead, garden studio, grounds and outbuildings)	1 Hickson Circuit, Harrington Park	Lot 2001, DP 1035209	State		Amend the property description to: Lots 1 – 3, DP 1175207, Part of Lot 101, DP 1108610, and Part of Lot 100, DP 1048741	The property description needs to be updated. Lot 2001, DP 1035209 has been subdivided into Lots 1 – 3, DP 1175207. As Harrington Park is a State-significant heritage item, the listing should follow that identified by the NSW Office of Environment and Heritage.
1123	Kirkham Stables (including setting)	130 Kirkham Lane, Kirkham	Lot 5, DP 882365	State		Amend the property description to: Part of Lot 5, DP 882365	The inclusion of Part of Lot 101, DP 1108610 and Part of Lot 100, DP 1048741 under the property description column brings Schedule 5 in line with the OEH curtilage. The property description needs to be updated. As Kirkham Stables is a State-significant heritage item, the curtilage should follow that identified by the NSW Office of Environment and Heritage. Lot 5, DP 882365 is a very large lot.




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Item No.	Item name	Address	Current description	Property	Significance	Proposed change	Justification for change
1127	Cottage	267 Camden Valley Way, Narellan	Lot 101, DP 739343	Local		Remove I127 from Schedule and combine with I128	<p>Only the north-western corner of this lot is included in the NSW Office of Environment and Heritage curtilage map.</p> <p>This amendment to Schedule 5 will bring our listing in line with the NSW OEH listing which only includes "Part Lot 5, DP 882365".</p> <p>The rear dwelling that is mapped as a heritage item is a modern dwelling (it is shown as '3' on the image below). It is at 269 Camden Valley Way, on Lot 1021, DP 1021756.</p> <p>The listing was meant to be of the separate cottage adjoining the shop that both front Camden Valley Way (to be corrected in I128). The rear dwelling was mapped in error and has no heritage significance. The Item should therefore be removed to correct the error.</p>

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Item No.	Item name	Address	Current description	Property	Significance	Proposed change	Justification for change
1128	Shop	269 Camden Valley Way, Narellan	Lot 1021, DP 1021756	Local	Amend item name to: Cottage and Shop Amend property description to: Lot 101, DP 739343	 <p>The cottage and the adjacent shop that front onto Camden Valley Way are heritage items. The aerial image below shows the shop at '1' and the cottage at '2'. They are located at 267 Camden Valley Way, on Lot 101, DP 739343 outlined in blue on the image. The mapping and the schedule have incorrectly described these. The shop and cottage should be amended in the schedule and on the heritage map to reflect that they are both on Lot 101, DP 739343.</p>	

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Item No.	Item name	Address	Current description	Property	Significance	Proposed change	Justification for change
						<p>► Aerial image of site</p> <p>▼ LEP map (HER_008) (further explanation provided in Section 2.2, Change No. 13)</p>  	
1131	"Ben Linden"	311 Camden Valley Way, Narellan	Part Lot A, DP 419829	Local	Local	Amend the property description to: Part Lot A, DP 419828	The property description needs to be updated to rectify a typographical error to correct the last digit in the DP number.
1135	"Orielton" (including homestead, grounds and outbuildings including stables, stockyards and silos)	179 The Northern Road, Narellan	Lot 7, DP 270613	State	State	Amend the address to: 181-183 The Northern Road Amend the property description to: Lot 41, DP 270613	The current address in the schedule refers to the property on the other side of Narellan Creek. Further subdivision has resulted in the property being given a new lot number under the same DP.
1137	"Oran Park" (including homestead, grounds, outbuildings, old	931 Cobbitty Road, Oran Park	Lot 27, DP 213330	Local	Local	Remove from Schedule 5.	Oran Park House is part of the Catherine Fields (part) Precinct recently gazetted under the South West Priority Growth Area. The State Environmental Planning

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Item No.	Item name	Address	Current description	Property	Significance	Proposed change	Justification for change
1145	Mural and Wishing Well	Corner Broughton Street Menangle Camden	Lot 2, DP 530480		Local	Remove Lot and DP from property description. Include in property description: "Within road reserve".	Policy (Sydney Region Growth Centres) 2006 and associated maps now apply to the site instead of the LEP. Therefore, this item should be removed from Schedule 5, as the Camden LEP no longer applies to this land. The mural and wishing well do not lie on Lot 2 in DP 530480, but rather are located in the road reserve. As such there is no property description for the land that this item occupies and the Schedule should be updated accordingly.

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Amendment 2. LEP Mapping

2.2 Technical Requirements

All maps are to be updated in line with the new *Standard Technical Requirements for Spatial Datasets and Maps* (Version 1.0 dated 30 November 2015). This includes amending all legends and scale bars to ensure consistency, updating the cadastre in areas where new lots have been released, and updating borders to align with cadastre boundaries.





Changes also include bringing Camden’s approach to the mapping of ‘Additional Permitted Uses’ in line with the requirements. That is, land which holds an additional permitted use will be shaded mauve (HEX code: D69DBC) and labelled with the appropriate clause number, not bordered with a bold blue line as is current practise. Various clauses of Schedule 1 will also be amended to reflect this (see Item 11.3 of this document).

2.2 Mapping Anomalies







As part of Council’s comprehensive review of the LEP, the following anomalies have been identified and are proposed to be rectified as set out in the table below.

No.	LEP Map	Current	Proposed	Explanation of change
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No.	LEP Map	Current	Proposed	Explanation of change
1.	LZN_002			<p>Location: Cobbitty</p> <p>The labelling of the Nepean River needs to be corrected in both instances.</p>
2.	LZN_003			<p>Location: Cobbitty</p> <p>On the zoning map, the SP2 Zone at the north is not coloured. It should be coloured yellow.</p>

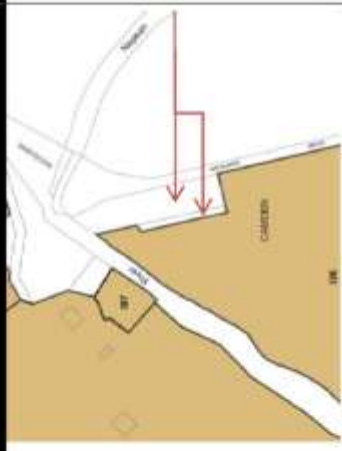

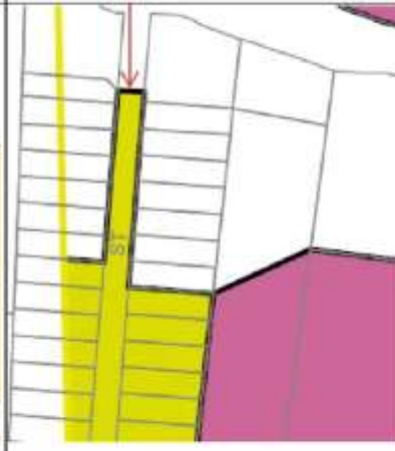

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No.	LEP Map	Current	Proposed	Explanation of change
3.	LSZ_003			Location: Cobbitty On the lot size map, the same lot should be white to indicate no minimum lot size.
4.	HOB_003			Location: Cobbitty The same lot, again, must be coloured white to indicate that no height controls apply on the height of buildings map.
5.	LZN_003			Location: Grasmere The labelling of the Nepean River must be corrected to follow the rivers alignment.
6.	LZN_007 HOB_007	From LZN_007:		Location: Intersection of Forestgrove Dr and Wingham Ave, Harrington Park The zone boundary at the roundabout must be amended to match the cadastre. Note: This error also occurs on HOB_007, which shall be amended correspondingly.


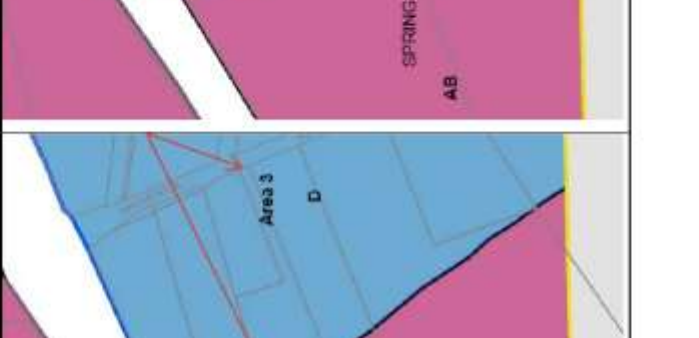
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No.	LEP Map	Current	Proposed	Explanation of change
7.	LSZ_007			<p>Location: Oran Park Precinct (West), Cobbitty</p> <p>There is an inconsistency between the lot size border and cadastral. The lot size border should be amended to match the cadastral as per this location on other maps.</p>

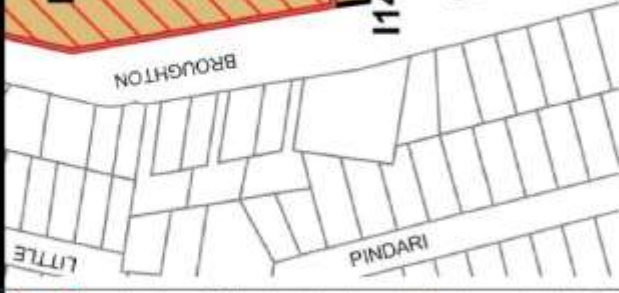
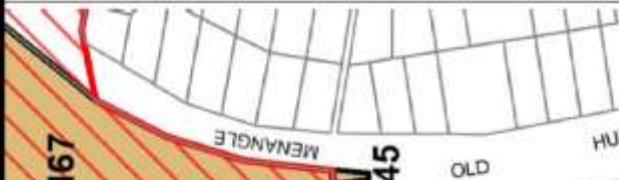
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No.	LEP Map	Current	Proposed	Explanation of change
8.	HER_008			<p>Location: Macquarie Grove Road, Camden</p> <p>The heritage map needs to be amended to include an additional two lots in <u>126</u> that are not mapped on HER_008 but are included in the property description in Schedule 5 (i.e. Lot A, DP 337924 & Lot 1, DP 532049).</p> <p>Both of these lots form part of the Town Farm and were part of the original bequest to Council by Llewella Davies.</p>
9.	LSZ_009			<p>Location: High Street, Camden</p> <p>The map needs to be amended to remove the lot size zoning from road, as there is no need for it to extend that far.</p>

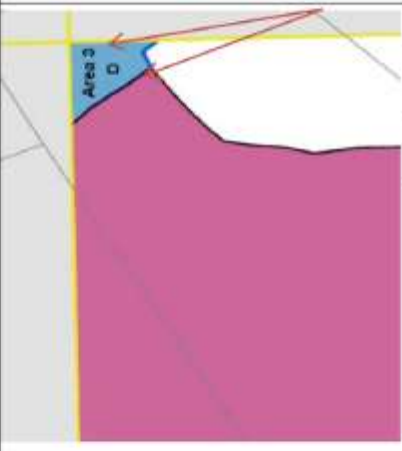



Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

No.	LEP Map	Current	Proposed	Explanation of change
10.	LSZ_009			<p>Location: Macarthur Road, Spring Farm</p> <p>The "Area 3" label in the lower right hand corner does not exist in the Camden LEP. The label should be amended to "Area 1" as per adjoining land in LSZ_013 and LSZ_014, and Clause 4.1A of the LEP.</p> <p>The map should also be amended so that the area is edged with a heavy blue line, as per Clause 4.1A (2).</p>



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No.	LEP Map	Current	Proposed	Explanation of change
11.	HER_009			<p>Location: Corner of Broughton Street and Menangle Road, Camden</p> <p>I145 'Mural and Wishing Well' is located in the road reserve on the aforementioned corner. The map should be amended to reflect this.</p>

Camden Council - Comprehensive LEP Review Phase 1 - Minor Amendments

No.	LEP Map	Current	Proposed	Explanation of change
12.	LSZ_011			<p>Location: Macarthur Road, Spring Farm</p> <p>The "Area 3" label in the upper right hand corner does not exist in the Camden LEP. The label should be amended to "Area 1" as per adjoining land in LSZ_013 and LSZ_014 and Clause 4.1A of the LEP.</p> <p>The map should also be amended so that the area is edged with a heavy blue line, as per Clause 4.1A (2).</p>
13.	HER_012			<p>Location: Camden Valley Way, Narellan</p> <p>1127 and 1128 have been labelled incorrectly.</p> <p>It is also proposed that 1127 at the rear be removed from the map and combined with 1128, as they occupy the same lot (see Section 1.0 of this document, 'Administrative Review of Heritage Listings').</p>


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No.	LEP Map	Current	Proposed	Explanation of change
14.	HOB_013			<p>Location: Hampshire Boulevard, Spring Farm</p> <p>The heavy red line refers to Clause 4.3B, which allows a height of up to 12.5m if the building exhibits design excellence.</p> <p>While dwellings have already been constructed, the red line on the map does not match the cadastre, and so it should be amended to ensure clarity for landholders.</p>




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No.	LEP Map	Current	Proposed	Explanation of change
15.	LZN_013			<p>Location: Bengal Crescent, Elderslie</p> <p>The boundaries of the RE1 zone should be amended to follow the cadastre.</p> <p>The aerial image below demonstrates that the land in question already serves a public recreation purpose</p>

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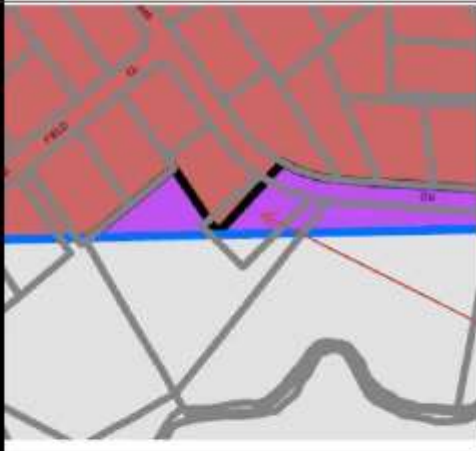
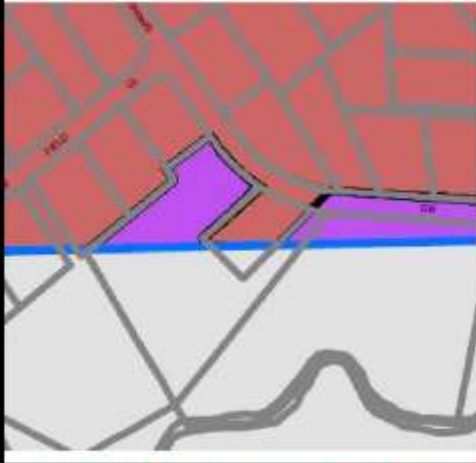
No.	LEP Map	Current	Proposed	Explanation of change
				



Camden Council - Comprehensive LEP Review Phase 1 - Minor Amendments

No.	LEP Map	Current	Proposed	Explanation of change
16.	LSZ_013			<p>Location: Bengal Crescent, Elderslie The previous error from LZN_013 has translated to the lot size map as well. The lot size border should be amended to match the cadastre.</p>
17.	LZN_015 HOB_015 LSZ_015 APU_015 LAP_015 HER_015	From LZN_015:		<p>Location: Stage 1 Leppington Precinct Remove Stage 1 from all relevant 015 LEP maps and mark 'SRGC', as this area now falls under SEPP (Sydney Region Growth Centres) 2006. Gazetted on 13 November 2015.</p>

No.	LEP Map	Current	Proposed	Explanation of change
18.	LSZ_016 LZN_016 LSZ_007 LZN_007	 <p>From LSZ_016:</p>		<p>Location: Springfield Road, Catherine Field</p> <p>The lot size boundary follows old property boundaries from Lot 10, DP 610181 and Lot 2, DP 718806, which were subdivided together into the current landform (i.e. DP1163060) in 2011.</p> <p>The map should be amended so that the lot size boundary follows the new subdivision.</p> <p>Note: This anomaly also translates to LZN_016</p>

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No.	LEP Map	Current	Proposed	Explanation of change
			<p>Note: As part of the smaller lot crosses over the sheet border, LSZ_007 and LZN_007 will need to be amended as well.</p>	

No.	LEP Map	Current	Proposed	Explanation of change
19.	LZN_017			<p>Location: The Clearwater, Mt Annan</p> <p>The four lots in question were developed in 2001 with dwelling houses. At that time the sites were zoned 3(g) Business District Zone. Dwelling houses were permissible under this zone; however they are prohibited in B2.</p> <p>As a result of the developed uses and the sites' interface with the residential street, a B2 zone would not be practicable in this location.</p>
20.	HOB_017 FSR_017 LZN_017	From HOB_017:		<p>Location: Hartley Road, Smeaton Grange</p> <p>The boundary between the 11m and 9.5m zones does not match the cadastre. The map should be amended to ensure clarity for landholders.</p> <p>Note: This anomaly also translates to FSR_017 and LZN_017.</p>




Attachment 1
ORD09

Camden Council - Comprehensive LEP Review Phase 1 - Minor Amendments

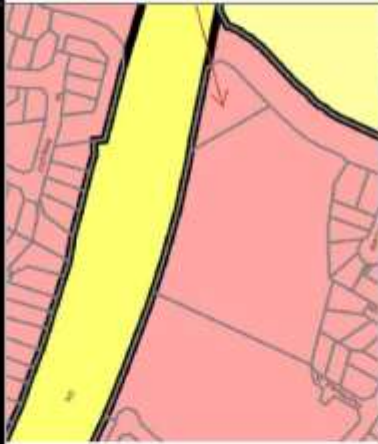
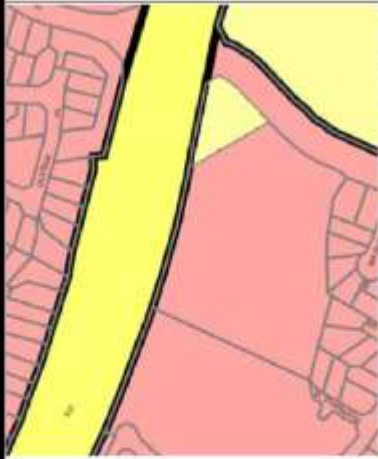


No.	LEP Map	Current	Proposed	Explanation of change
				

No.	LEP Map	Current	Proposed	Explanation of change																										
21.	HER_016	 <p>Lot Size Map - Sheet LSZ_016</p> <p>Minimum Lot Size (sq m)</p> <table border="1"> <tr><td>B</td><td>220</td></tr> <tr><td>C</td><td>250</td></tr> <tr><td>D</td><td>300</td></tr> <tr><td>G</td><td>450</td></tr> <tr><td>I</td><td>500</td></tr> <tr><td>M</td><td>600</td></tr> </table>	B	220	C	250	D	300	G	450	I	500	M	600	 <p>Lot Size Map - Sheet LSZ_016</p> <p>Minimum Lot Size (sq m)</p> <table border="1"> <tr><td>B</td><td>220</td></tr> <tr><td>C</td><td>250</td></tr> <tr><td>D</td><td>300</td></tr> <tr><td>F</td><td>400sqm inserted in Legend</td></tr> <tr><td>G</td><td>450</td></tr> <tr><td>I</td><td>500</td></tr> <tr><td>M</td><td>600</td></tr> </table>	B	220	C	250	D	300	F	400sqm inserted in Legend	G	450	I	500	M	600	<p>Location: 880-900B Camden Valley Way, Gledswood Hills</p> <p>181 is the State heritage listing for Gledswood. This listing is to be modified to reflect that Lot 1203 has been removed from the State Heritage Register curtilage.</p> <p>181A depicts a new local listing which is proposed to be added. See discussion under Part 5 – Community Consultation for further details.</p>
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22.	LSZ_016	 <p>Lot Size Map - Sheet LSZ_016</p> <p>Minimum Lot Size (sq m)</p> <table border="1"> <tr><td>B</td><td>220</td></tr> <tr><td>C</td><td>250</td></tr> <tr><td>D</td><td>300</td></tr> <tr><td>G</td><td>450</td></tr> <tr><td>I</td><td>500</td></tr> <tr><td>M</td><td>600</td></tr> </table>	B	220	C	250	D	300	G	450	I	500	M	600	 <p>Lot Size Map - Sheet LSZ_016</p> <p>Minimum Lot Size (sq m)</p> <table border="1"> <tr><td>B</td><td>220</td></tr> <tr><td>C</td><td>250</td></tr> <tr><td>D</td><td>300</td></tr> <tr><td>F</td><td>400sqm inserted in Legend</td></tr> <tr><td>G</td><td>450</td></tr> <tr><td>I</td><td>500</td></tr> <tr><td>M</td><td>600</td></tr> </table>	B	220	C	250	D	300	F	400sqm inserted in Legend	G	450	I	500	M	600	<p>Location: 880-900B Camden Valley Way, Gledswood Hills</p> <p>The Map Legend in LSZ_016 does not show Minimum Lot Size 'F – 400sqm'. This must be inserted to reflect the minimum lot size applicable to 880-900B Camden Valley Way, as demonstrated in LSZ_016 below.</p>
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No.	LEP Map	Current	Proposed	Explanation of change
23.	HOB_016			<p>Location: 880-900B Camden Valley Way, Gledswood Hills</p> <p>To align the L-shaped area shown on the left with the shape shown in the adopted Conservation Management Plan for the site. See discussion under Part 5 – Community Consultation for further details.</p>
24.	LSZ_016			<p>Location: 880-900B Camden Valley Way, Gledswood Hills</p> <p>To align the L-shaped area shown on the left with that the shape shown in the adopted Conservation Management Plan for the site. See discussion under Part 5 – Community Consultation for further details.</p>


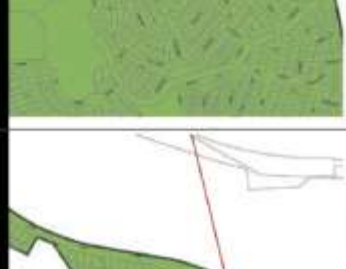


Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

No.	LEP Map	Current	Proposed	Explanation of change
25.	LZN_017			<p>Location: Cnr Mount Annan Drive & Narellan Road, Mount Annan</p> <p>Amend zoning from R2 Low Density Residential to SP1 Special Activities for the area of land known as Lot 132, DP 825469, owned by the Australian Botanic Garden on the corner of Mount Annan Drive and Narellan Road.</p>
26.	HOB_017			<p>Location: Cnr Mount Annan Drive & Narellan Road, Mount Annan</p> <p>Remove height of buildings applicable to the area of land known as Lot 132, DP 825469, owned by the Australian Botanic Garden on the corner of Mount Annan Drive and Narellan Road.</p>


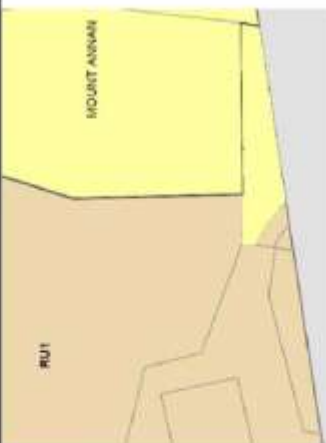
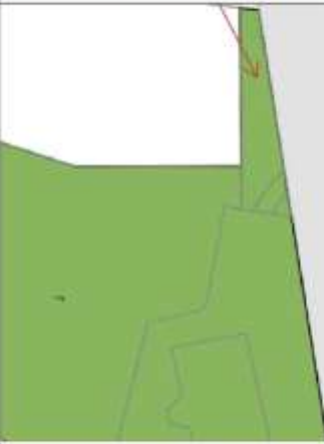

Camden Council - Comprehensive LEP Review Phase 1 - Minor Amendments

No.	LEP Map	Current	Proposed	Explanation of change
27.	LSZ_017			<p>Location: Cnr Mount Annan Drive & Narellan Road, Mount Annan</p> <p>Remove lot size applicable to the area of land known as Lot 132, DP 825469, owned by the Australian Botanic Garden on the corner of Mount Annan Drive and Narellan Road.</p>
28.	LZN_017			<p>Location: Cnr Mount Annan Drive & Eucalyptus Circuit, Mount Annan</p> <p>Amend zoning from R2 Low Density Residential to SP1 Special Activities for the area of land known as Lot 2601, DP 882676, owned by the Australian Botanic Garden and bounded by Mount Annan Drive and Eucalyptus Circuit.</p>

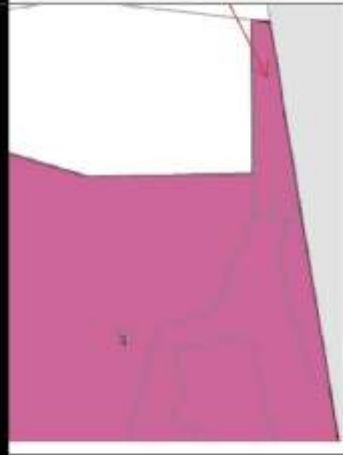
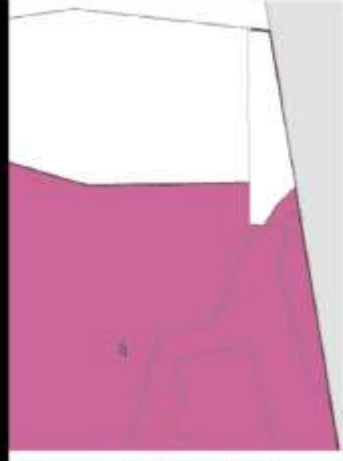
Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

No.	LEP Map	Current	Proposed	Explanation of change
29.	HOB_017			<p>Location: Cnr Mount Annan Drive & Eucalyptus Circuit, Mount Annan</p> <p>Remove height of buildings applicable to the area of land known as Lot 2601, DP 882676, owned by the Australian Botanic Garden and bounded by Mount Annan Drive and Eucalyptus Circuit.</p>
30.	LSZ_017			<p>Location: Cnr Mount Annan Drive & Eucalyptus Circuit, Mount Annan</p> <p>Remove lot size applicable to the area of land known as Lot 2601, DP 882676, owned by the Australian Botanic Garden and bounded by Mount Annan Drive and Eucalyptus Circuit.</p>

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No.	LEP Map	Current	Proposed	Explanation of change
31.	LZN_018			<p>Location: Mount Annan Drive, Mount Annan</p> <p>Amend zoning from R2 Low Density Residential to SP1 Special Activities for the area of land known as Lot 2601, DP 882676, owned by the Australian Botanic Garden and bounded by Mount Annan Drive and Eucalyptus Circuit.</p>
32.	HOB_018			<p>Location: Mount Annan Drive, Mount Annan</p> <p>Remove height of buildings applicable to the area of land known as Lot 2601, DP 882676, owned by the Australian Botanic Garden and bounded by Mount Annan Drive and Eucalyptus Circuit.</p>

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No.	LEP Map	Current	Proposed	Explanation of change
33.	LSZ_018			<p>Location: Mount Annan Drive, Mount Annan</p> <p>Amend lot size applicable to the area of land known as Lot 2601, DP 882676, owned by the Australian Botanic Garden and bounded by Mount Annan Drive and Eucalyptus Circuit.</p>

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Amendment 3. Review of Clause 7.1 – Flood Planning

The definition for "flood planning level" is proposed to be changed to bring this local provision in line with the Priority Growth Areas best practice and recent Flood Studies / Floodplain Risk Management Studies in the LGA.

Proposed definition

Flood Planning Level means the level of 1% Annual Exceedance Probability (AEP) flood event plus a Freeboard.

Freeboard: For Freeboard refer to Council's Floodplain Risk Management Policy.

NOTE: This draft clause is subject to legal drafting and may alter as part of that process.

Amendment 4. Review of Clause 7.2 – Airspace Operations

This Clause includes onerous referral requirements for referral of development applications. Based on information provided by Sydney Metro Airports, a revised clause has been drafted with the intent to provide clarity on referral to the relevant Commonwealth body.

Suggested revised wording of Clause 7.2

(1) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Obstacle Limitation Surface, as shown on the Obstacle Limitation Surface Map, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.

(2) Subject to Subclause 1, the consent authority may grant development consent for the development if the relevant Commonwealth body advises that:

- (a) the development will penetrate the Obstacle Limitation Surface, but it has no objection to its construction, or
- (b) the development will penetrate the Obstacle Limitation Surface, but it has no objection to its construction subject to stated conditions, or
- (b) the development will not penetrate the Obstacle Limitation Surface.

(3) The consent authority must not grant development consent for a development if the relevant Commonwealth body advises that the development will penetrate the Obstacle Limitation Surface and should not be constructed.

(4) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Procedures for Air Navigation Services – Aircraft Operations, as shown on the Procedures for Air Navigation Services – Aircraft Operations Map, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.

(5) The consent authority must not grant development consent for a development if the relevant Commonwealth body advises that the development will penetrate the Procedures for Air Navigation Services – Aircraft Operations and should not be constructed.

(6) In this clause:

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Obstacle Limitation Surface Map means the Obstacle Limitation Surface Map for the Camden Airport prepared by the operators of Camden Airport and approved by the relevant Commonwealth body or relevant Commonwealth Minister.

Procedures for Air Navigation Services—Aircraft Operations Map means the Procedures for Air Navigation Services – Aircraft Operations Map for the Camden Airport prepared by the operators of Camden Airport and approved by the relevant Commonwealth body or relevant Commonwealth Minister.

relevant Commonwealth body means the body that is responsible for development decisions relating to the Camden Airport under Commonwealth legislation.

NOTE: This draft clause is subject to legal drafting and may alter as part of that process.

Amendment 5. Amend Clause 7.3 – Development in areas subject to airport noise

The current clause includes a link to the Noise Exposure Forecast Contour Map. This link is non-functioning and the map does not sit within the Camden LEP. It is proposed to remove the link to avoid confusion. The wording, however, will remain.

Amendment 6. Remove Clause 7.5 – Child Care Centres

Council has recently undertaken a review of DCP controls for Child Care Centres (Part D5.1 of Camden DCP 2011) which now includes detailed controls for traffic, parking, bulk and scale. In this regard, it is considered that the provisions in Clause 7.5 of the Camden LEP are no longer relevant.

It is proposed to remove Clause 7.5 (below) as the provisions are no longer relevant. The current clause is as follows:

7.5 Child care centres

- (1) The objectives of this clause are as follows:
 - (a) to ensure that child care centres do not unreasonably impact on the amenity of adjoining residential development,
 - (b) to ensure that child care centres do not adversely affect traffic and pedestrian safety due to increased traffic congestion.
- (2) Before granting development consent to the erection of a child care centre on land in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R5 Large Lot Residential the consent authority must consider whether the land:
 - (a) has an area of not less than 1,200 square metres, and
 - (b) has a boundary that adjoins an existing or proposed classified road.

The decision to remove LEP Clause 7.5 was made because the controls that apply to child care centres in Camden DCP 2011 were updated in 2015. Part D5.1 of Camden DCP 2011 includes detailed controls for bulk and scale, traffic and parking, and includes the requirement for a minimum site area of 1,200m² in residential zones.

The State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education and Child Care SEPP) was gazetted on 1 September 2017. The Education and Child Care SEPP restricts Council's ability to control certain aspects of a

'centre based' child care centre and the SEPP prevails over Council's LEP, where there is an inconsistency.

Also under the SEPP, Council's DCP controls do not apply to certain matters in child care centre developments. Instead, Council would be required to assess development applications for these facilities against the DPE's *Child Care Planning Guidelines*. Council is not able to refuse a development application on certain grounds such as location (a development can be located at any distance from an existing or proposed early childhood education and care facility), indoor and outdoor space and site area, site coverage and site dimensions. Council would also not be able to refuse a development application based on traffic and parking issues, as these are matters for consideration in the *Child Care Planning Guidelines*.

Whilst LEP Clause 7.5 was proposed to be removed prior to the Education and Child Care SEPP taking effect, it is considered that there is merit in proceeding with this change. This is because LEP Clause 7.5 is no longer enforceable.

Amendment 7. Review of list of acquisition authorities

Clause 5.1 identifies the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes.

It is proposed to amend the Authority of the State for land zoned SP2 Infrastructure marked 'Future Classified road widening' from 'Roads and Traffic Authority' to 'Roads and Maritime Services'.

Amendment 8. Add a community and fundraising events clause to make some events exempt development

It is proposed to add a new clause, 'Special events and temporary uses of land', to Schedule 2 Exempt Development. Based on submissions received from the Australian Botanic Garden (ABG) and the Rural Fire Service, a revised clause has been drafted. The clause is now proposed to extend to both Council land and the ABG, subject to certain conditions being met.

Suggested revised wording of clause

Camden LEP 2010 Schedule 2 Exempt development

Events (Community and Fundraising)

- (1) *The event must take place on a public road or on public land owned by, or under the care or control of;*
 - (a) *the Council where the prior written consent of Council has been granted.*
 - or
 - (b) *the Australian Botanic Garden, and*
- (2) *The event must not exceed 2 days per calendar year.*
- (3) *The event may only operate between 7:00am and 11:00pm (except for the purposes of the Anzac Day dawn service).*
- (4) *Where located on bushfire prone land, a bushfire emergency management and evacuation plan must be prepared in accordance with NSW RFS Guidelines and consider the need for appropriate bush fire protection measures. A copy of the emergency management and evacuation plan must be provided to the local fire service and Council.*
- (5) *Events shall not be held on days with an extreme or catastrophic bush fire danger rating in the local area.*

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- (6) *The event must not include camping on the site.*
 (7) *Must maintain safe pedestrian access and emergency vehicle access and egress.*
 (8) *Must not include the erection of a permanent structure on the land.*
 (9) *Must not include the clearing or disturbance of vegetation.*
 NOTE: *This draft clause is subject to legal drafting and may alter as part of that process.*

Amendment 9. Review of Land Use Table

Council has undertaken a comprehensive review of the Land Use Table in Part 2 of the LEP. This included assessing all uses against the objectives of each zone. The following changes are proposed:

Zone	Proposed Change	Justification
RU1 Primary Production	Prohibit exhibition villages	This use is not considered consistent with the objectives of the RU1 zone.
RU2 Rural Landscape	Prohibit exhibition villages	This use is not considered consistent with the objectives of the RU2 zone.
RU4 Primary Production Small Lots	Prohibit exhibition villages	This use is not considered consistent with the objectives of the RU4 zone.
R1 General Residential	Prohibit industrial retail outlets	This use is not considered consistent with the objectives of the R1 zone.
	Prohibit industrial training facilities	This use is not considered consistent with the objectives of the R1 zone.
R2 Low Density Residential	Permit secondary dwellings with consent	This was inadvertently prohibited by the use of the residential accommodation group term. This proposed change will also bring the Camden LEP into line with the State Environmental Planning Policy (Affordable Rental Housing SEPP) 2009 which applies to Camden and permits secondary dwellings in R2 zones. By permitting secondary dwellings under the Camden LEP, Council may be able to contribute to a positive built form outcome.
	Prohibit industrial retail outlets	This use does not align with the objectives of the R2 Low Density Residential zone. Currently, 'industrial retail

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Zone	Proposed Change	Justification
		outlets' are not explicitly listed as prohibited development, and as a result is technically permissible development.
	Prohibit industrial training facilities	This use does not align with the objectives of the R2 Low Density Residential zone. Currently, 'industrial training facilities' are not explicitly listed as prohibited development, and as a result is technically permissible development.
	Permit 'Exhibition homes ' and 'Exhibition villages' with consent	Exhibition villages and homes are considered to be a low-impact residential use.
R3 Medium Density Residential	Prohibit industrial retail outlets	This use is not considered consistent with the objectives of the R3 zone.
	Prohibit industrial training facilities	This use is not considered consistent with the objectives of the R3 zone.
	Permit exhibition homes with consent	Exhibition homes and villages are considered to be a low-impact residential use.
		Exhibition villages are already permissible in this zone.
R5 Large Lot Residential	Prohibit industrial retail outlets	This use is not considered consistent with the objectives of the R5 zone.
	Prohibit warehouse or distribution centres	This use is not considered consistent with the objectives of the R5 zone.
B1 Neighbourhood Centre	Prohibit industrial retail outlets	This use is not considered consistent with the objectives of the B1 zone.
	Permit health consulting rooms with consent	This use is considered consistent with the objectives of the B1 zone.
B2 Local Centre	Prohibit industrial retail outlets	This use is not considered consistent with the objectives of the B2 zone.
B4 Mixed Use	Prohibit industrial retail outlets	This use is not considered consistent with the objectives of the B4 zone.
	Prohibit warehouse or distribution centres	This use is not considered consistent with the objectives of the B4 zone.

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Zone	Proposed Change	Justification
B5 Business Development	Prohibit industrial retail outlets	This use is not considered consistent with the objectives of the B5 zone.
	Prohibit stock and sale yards	This use is not considered consistent with the objectives of the B5 zone.
IN1 General Industrial	Permit kiosks with consent	This use is considered a low-impact use that is suitable for the IN1 zone.
	Permit landscaping material supplies with consent	This use is considered a low-impact use that is suitable for the IN1 zone.
	Permit rural supplies with consent	This use is considered a low-impact use that is suitable for the IN1 zone.
	Prohibit exhibition villages	This use is not considered consistent with the objectives of the IN1 zone.
IN2 Light Industrial	Permit kiosks with consent	This use is considered a low-impact use that is suitable for the IN2 zone.
	Permit rural supplies with consent	This use is considered a low-impact use that is suitable for the IN2 zone.
	Prohibit exhibition villages	This use is not considered consistent with the objectives of the IN2 zone.
SP3 Tourist	Permit car parks with consent	This use is considered a low-impact use that is suitable for the SP3 zone.
	Permit building identification signs with consent	This use is considered a low-impact use that is suitable for the SP3 zone.
	Permit passenger transport facilities with consent	This use is considered a low-impact use that is suitable for the SP3 zone.
RE1 Public Recreation	Permit car parks with consent	This use is considered a low-impact use that is suitable for the RE1 zone.
RE2 Private Recreation	Permit car parks with consent	This use is considered a low-impact use that is suitable for the RE2 zone.
E2 Environmental Conservation	Permit environmental facilities with consent	This use is considered a low-impact use that is suitable for the E2 zone.
E4 Environmental Living	Permit bed and breakfast accommodation with consent	This use is considered a low-impact use that is suitable for

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Zone	Proposed Change	Justification
	Permit secondary dwellings with consent	<p>the E4 zone.</p> <p>E4 zoned land includes land with large lots and large frontages suitable for secondary dwellings.</p> <p>This use is considered a low-impact residential use that is broadly consistent with the objectives of the E4 zone.</p>

Amendment 10. Remove Clause 7.8 – Road Widening of Camden Valley Way, Catherine Field

- It is proposed to remove Clause 7.8 – Road Widening of Camden Valley Way, Catherine Field. This road widening is complete.

Roads and Maritime Services (RMS) was advised of this amendment, however no response was received. Council is satisfied that the work has been completed and the Clause is no longer required. In this regard, formal consultation with RMS is not necessary.

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Amendment 11. Review of Schedule 1 – Additional Permitted Uses**11.1 Administrative Changes**

Clause	Location	Additional Permitted Use	Anomaly	Amendment	Reason
1	Leppington and Rossmore	Dual occupancies (detached)	Title states "Use of certain land at Bringelly"	"Use of certain land in Leppington and Rossmore"	The subject land is in fact in the suburbs of Leppington and Rossmore.
2(1)	Broughton Street, Camden	Information and education facilities, light industries (arts & crafts), restaurants, retail premises (arts & crafts)	'Lot B, DP 330181'	'Lot B, DP 330131'	A typographical error has occurred, resulting in the incorrect deposited plan being listed.
4(1)	Camden Valley Way, Catherine Field	Hotel	'Lots 1 and 2, DP 746767'	'Lot 100, DP 1206855'	Subdivision in the Lakeside site has resulted in a new deposited plan applying to the site.
7(1)	Camden Valley Way and Macarthur Road, Elderslie	Shop (fruit & vegetables)	'Lots 1-7, Part Lots 59-64 and Part Lot 66, DP979345'	'Lots 1-11, DP 1097133, Lot 1, DP 1097049, Lot 1, DP 133298, Lot 1, DP 998313'	Historical subdivision of the Camden Fruit Barn site has resulted in a new deposited plan applying to the site.
12(1)	Stewart Street and Sharman Close, Harrington	Function centres, restaurants or cafes, retail premises (arts & crafts)	'Lot 1, DP 770497'	'Lots, 1-3, DP 1191616'	The subdivision of 22 Sharman Close, Harrington Park has resulted in a new deposited plan applying to the site.

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Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

Clause	Location	Additional Permitted Use	Anomaly	Amendment	Reason
	Park				
	Stewart Street and Sharman Close, Harrington Park		'Lot 1, DP 248564'	'Lot 320, DP 1151590'	The subdivision of 102-124 Pearson Crescent, Harrington Park has resulted in a new deposited plan applying to the site.
13(1)	Camden Valley Way, Kirkham	Multi-dwelling housing and subdivision	'Lot 10, DP 1103895'	'Lot 101, DP 1143373'	The Sydney Water treatment facility on Camden Valley Way near The Links has expanded, resulting in a new deposited plan applying to the neighbouring site.
15A(1)	Raby Road, Leppington	Exhibition Homes	'Part of Lot 10, DP 1173819'	'Part of Lot 100, DP 1192131'	The subdivision of Emerald Hills has resulted in a new deposited plan applying to the site.
20	Porrende Street, Narellan	Hotel/motel, registered club and ancillary rec facility	'Lots 218 and 219, DP 1048551'	'Lot 1, DP 1093264 and Lot 219, DP 1048551'	A new lot was registered for Lot 218, DP 1048551 in 2004 (i.e. Lot 1, DP 1093264).
26	Waterworth Drive, Mount Annan	Multi-dwelling housing	'Lot 5, DP 1129436'	'Lot 55, DP 1195184'	The subject land at 221A Waterworth Drive, Mount Annan was subdivided for stormwater drainage as part of the development of 49 apartments.

11.2 Additional permitted uses recommended to be removed

Clause	Location	Additional Permitted Use	Reason
15	166 Ingleburn Rd, Leppington	Liquid fuel depot	The land in question is now zoned medium density residential in the Leppington North Precinct of the South West Priority Growth Area. The Camden LEP 2010 does not apply.

Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

16	51-61 St Andrews Rd	Industries (manufacturing and storing fireworks) and an associated dwelling house	The original lot in Clause 16 is now low density residential in the East Leppington Precinct of the South West Priority Growth Area. All factory buildings on site have been demolished.
22	Magdalene Catholic High School, Smeaton Grange	Educational establishments	The site in Clause 22 has already been developed. The Infrastructure SEPP could be used for alterations and additions.

11.3 Clauses to be updated

As per Amendment 2.1, the following clauses of Schedule 1 will need to be updated to reflect technical mapping standards.

Clause	Subclause	Location	Existing Wording	Proposed Wording
1	(1)	Bringelly	This clause applies to land at Bringelly, as shown edged heavy blue on sheets 015 and 016 of the Additional Permitted Uses Map.	This clause applies to land at Leppington and Rossmore, identified as "1" on sheets 015 and 016 of the Additional Permitted Uses Map.
3	(1)	Lakeside	This clause applies to land zoned RE2 Private Recreation at Lakeside, as shown edged heavy blue on sheet 016 of the Additional Permitted Uses Map.	This clause applies to land zoned RE2 Private Recreation at Lakeside, identified as "3" on sheet 016 of the Additional Permitted Uses Map.
9	(1)	Harrington Park	This clause applies to land at Harrington Park, as shown edged heavy blue on sheet 012 of the Additional Permitted Uses Map.	This clause applies to land at Harrington Park, identified as "9" on sheet 012 of the Additional Permitted Uses Map.
10	(1)	Crear Hill, Harrington Park	This clause applies to land at Crear Hill, Harrington Park, as shown edged heavy blue on sheet 007 of the Additional Permitted Uses Map.	This clause applies to land at Crear Hill, Harrington Park, identified as "10" on sheet 007 of the Additional Permitted Uses Map.
15A	(1)	Raby Road, Leppington	This clause applies to certain land fronting Raby Road, Leppington, being that part of Lot 10, DP 1173819 zoned R2 Low Density Residential and shown edged heavy blue	This clause applies to certain land fronting Raby Road, Leppington, being that part of Lot 100, DP 1192131 zoned R2 Low Density Residential and identified as "15A" on sheet 016 of the Additional Permitted Uses Map.

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Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

Clause	Subclause	Location	Existing Wording	Proposed Wording
18	(1)	Narellan	<p>on sheet 016 of the Additional Permitted Uses Map.</p> <p>This clause applies to land zoned IN2 Light Industrial at Narellan, as shown edged heavy blue on sheet 012 of the Additional Permitted Uses Map.</p>	<p>This clause applies to land zoned IN2 Light Industrial at Narellan, identified as "18" on sheet 012 of the Additional Permitted Uses Map.</p>
24	(1)	Spring Farm	<p>This clause applies to land zoned E2 Environmental Conservation at Spring Farm, as shown edged heavy blue on sheets 011 and 014 of the Additional Permitted Uses Map.</p>	<p>This clause applies to land zoned E2 Environmental Conservation at Spring Farm, identified as "24" on sheets 011 and 014 of the Additional Permitted Uses Map.</p>
25	(1)	Spring Farm	<p>This clause applies to land zoned B1 Neighbourhood Centre at Spring Farm, as shown edged heavy blue on sheet 013 of the Additional Permitted Uses Map.</p>	<p>This clause applies to land zoned B1 Neighbourhood Centre at Spring Farm, identified as "25" on sheet 013 of the Additional Permitted Uses Map.</p>
27	(1)	Narellan and Smeaton Grange	<p>This clause applies to certain land at Narellan and Smeaton Grange, as shown shaded pink on the Additional Permitted Uses Map.</p>	<p>This clause applies to certain land at Narellan and Smeaton Grange, identified as "27" on sheets 012 and 017 of the Additional Permitted Uses Map.</p>

Camden Council - Comprehensive LEP Review Phase 1 – Minor Amendments

Amendment 12. Include a minimum lot size for secondary dwellings.

Upon review, Council officers identified a need to set a minimum lot size for secondary dwellings for the Camden LEP 2010.

The inclusion of a minimum lot size of 450m² for secondary dwellings in Camden LEP 2010 would be consistent with the secondary dwelling minimum lot size provisions contained in the Growth Centres State Environmental Planning Policy (Growth Centres SEPP) and the Affordable Rental Housing State Environmental Planning Policy.

The Planning Proposal is proposed to be amended to include a minimum lot size for secondary dwellings of 450m².

Amendment 13. Include bus shelter advertising as exempt development.

Upon review, Council officers identified a need to nominate bus shelter advertising as Exempt Development in Camden LEP 2010.

Commercial advertising signage on bus shelters is not exempt development and requires a development application. Additionally, clause 10 of State Environmental Planning Policy No 64 – Advertising and Signage, prohibits advertising signage in a number of land use zones including residential and open space zones.

As a result of discussions between Council officers and potential bus shelter providers, it was determined that there is potential for bus shelters with advertising signage to occur in some residential areas.

As the bus shelters are within the road reserve, approval requires Council agreement.

The Planning Proposal is proposed to be amended to nominate advertising signage on bus shelters (and taxi rank shelter signs) as exempt development, subject to compliance with the following development standards:

- Must be located on land owned or managed by Council;
- Council approval must be obtained for the shelter and advertising signage;
- Must not extend beyond the perimeter of the shelter;
- Only one advertising panel per shelter that may comprise an advertisement on two sides;
- Must not contain flashing or neon signage;
- Must not obstruct pedestrian paths of travel; and
- Must not obstruct the line of sight of vehicular traffic.



ORDINARY COUNCIL

ORD03

ORD03

SUBJECT: CAMDEN COMPREHENSIVE LEP REVIEW - PHASE 1 MINOR AMENDMENTS

FROM: Director Planning & Environmental Services

TRIM #: 16/160037

PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of a draft Planning Proposal for minor amendments to the Camden Local Environmental Plan 2010 (Camden LEP 2010) as part of a wider comprehensive review. Minor amendments address matters which are of an administrative or low-impact nature with the aim to improve the overall operation and accuracy of the Plan.

The draft Planning Proposal to support the amendments is included as **Attachment 1 to this report**. Should Council resolve to proceed with the draft Planning Proposal, it will be forwarded to the Department of Planning and Environment (DPE) for Gateway Determination.

BACKGROUND

Camden LEP 2010 was gazetted on 3 September 2010 and applies to all land within the Camden Local Government Area (LGA), with the exception of land which falls under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

In 2010, Camden prepared a new LEP to comply with the Standard Instrument (SI) LEP, as required by the State Government. At that time, the previous LEPs were translated to fit within the new SI framework zones and clauses. Camden was therefore a 'like for like' translation, as far as possible.

Since 2010, there has been a number of amendments to the Camden LEP 2010, however there has never been a comprehensive overall review that ensures the planning controls continue to be relevant and responsive to local development trends. This amendment forms the first phase of the comprehensive LEP review.

The LEP Review Program has been separated into three phases to be undertaken between 2016 and 2018:

- Phase 1 - Minor Amendments (2016);
- Phase 2 - Higher level investigations (2016 – 2017);
- Phase 3 - Significant investigations (2017 – 2018).

This report highlights the changes proposed as part of phase 1 (Minor Amendments), and each stage will be separately briefed and reported to Council.



MAIN REPORT

The draft Planning Proposal can be broken up into five key areas:

1. Administrative review of Schedule 5 (Environmental Heritage);
2. Comprehensive review of LEP mapping;
3. Review of LEP clauses;
4. Review of land use table; and
5. Review of Additional Permitted Uses

1. Administrative review of Schedule 5 (Environmental Heritage)

An administrative review has been undertaken of each item in Schedule 5 of the Camden LEP 2010, which lists items of heritage significance in the Camden LGA. Amendments are proposed to update Schedule 5 to reflect instances where the property description or the address of a heritage item has changed since Camden LEP 2010 was made and to correct any disparity between LEP maps and the heritage schedule.

This review is of a minor nature and includes administrative changes only. It is not proposed to add or remove items to the heritage schedule, or amend the intent of the listing.

A complete list of changes and justification for each change is provided in **Attachment 1 to this report**.

2. Comprehensive review of LEP Mapping

A comprehensive review of Camden LEP 2010 maps has been undertaken to ensure that LEP maps are accurate, aligned with cadastral boundaries, consistent with strategic intent, and in line with the current Department of Planning and Environment (DPE) technical mapping standards introduced in November 2015.

A complete list of changes and justification for each change is provided in **Attachment 1 to this report**.

3. Review of LEP clauses

A review of the Camden LEP 2010 has been undertaken to ensure that local clauses continue to be relevant and responsive to local development trends and update to reflect changes in public agencies.

Table 1 – Proposed LEP Clause changes

Clause	Proposed Change
Clause 5.1 – Relevant Acquisition Authority	<p>Clause 5.1 identifies the public authority that will be the relevant authority to acquire land reserved for certain public purposes.</p> <p>It is proposed to amend the Authority of the State for land zoned SP2 Infrastructure marked 'Future Classified road widening' from 'Roads and Traffic Authority' to 'Roads and Maritime Services'.</p>

This is the report submitted to the Ordinary Council held on 12 July 2016 - Page 32



Clause	Proposed Change
Clause 7.1 – Flood Planning	<p>The definition for “flood planning level” is proposed to be changed to bring this in line with the Growth Centres, best practice and recent Flood Studies / Floodplain Risk Management Studies in the LGA.</p> <p>The current definition of ‘flood planning level’ means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.6 metre freeboard.</p> <p><u>Proposed definitions</u></p> <p>Flood Planning Level means the level of 1% Annual Exceedance Probability (AEP) flood event plus Freeboard.</p> <p>Freeboard: For Freeboard refer to Council’s Floodplain Risk Management Policy.</p>
Clause 7.2 – Airspace Operations	<p>This Clause includes unnecessary referral requirements for referral of development applications.</p> <p>Based on information provided by Sydney Metro Airports, a revised clause has been drafted with the intent to provide clarity on referral to the relevant Commonwealth body.</p> <p>Suggested revised wording for Clause 7.2 is provided in Attachment 1 to this report.</p>
Clause 7.3 – Development in areas subject to airport noise	<p>The current clause includes a link to the Noise Exposure Forecast Contour Map. This link is non-functioning and the map does not sit within the Camden LEP 2010. It is proposed to remove the link to avoid confusion.</p>
Clause 7.5 – Child Care Centres	<p>This clause is proposed to be removed.</p> <p>The current clause includes a requirement that, before granting development consent for the erection of a child care centre on residential zoned land, the consent authority must consider whether the land:</p> <ul style="list-style-type: none"> (a) Has an area of not less than 1,200 square metres; and (b) Has a boundary that adjoins an existing or proposed classified road. <p>Council has recently undertaken a review of DCP controls for Child Care Centres (Part D5.1 of Camden DCP 2011) which now includes detailed controls for bulk and scale, traffic and parking, and includes the requirement for a minimum site area of 1,200m² in residential zones. In this regard, it is considered that the provisions in Clause 7.5 of the Camden LEP 2010 are no longer relevant.</p>

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Attachment 2

Clause	Proposed Change
Clause 7.8 – Road Widening of Camden Valley Way, Catherine Field	<p>It is proposed to remove Clause 7.8 – Road Widening of Camden Valley Way, Catherine Field.</p> <p>This road widening is complete.</p> <p>It is proposed that Roads and Maritime Services (RMS) be consulted as part of the public authority consultation.</p>

Exempt provisions – Special events and temporary uses of land ‘exempt development’.

It is proposed to add a new clause, ‘Special events and temporary uses of land (*for community events such as concerts, fetes, exhibitions, parades etc.*)’, to Schedule 2 (Exempt Development).

Exempt development may be carried out without the need for development approval under the *Environmental Planning and Assessment Act 1979*. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act (i.e. the *Local Government Act 1993*) and adjoining owners’ property rights and the common law still apply. In this regard, while a development application will not be required, other approvals may need to be obtained, under other Acts, including the *Local Government Act 1993*, the *Roads Act 1993* and the *Crown Lands Act 1989*.

It is proposed that, to be exempt development, the event must take place on a public road or public land owned by, or under the care or control of, the Council. In this regard, owner’s (Council) consent will be required.

4. Review of Land Use Table

A review of the Land Use Table (permissible and prohibited uses) in the Camden LEP 2010 has been undertaken to ensure relevance against the objectives of each zone.

It should be noted that there is a hierarchy of land-use terms in the Standard Instrument LEP. There are group terms and sub-terms (or ‘parent’ and ‘child’ definitions). For example, the group term ‘residential accommodation’ includes sub-terms like ‘boarding houses’ and ‘secondary dwellings’. If a group term is listed as prohibited, all its sub terms are also prohibited. However, sub-terms can also be listed individually as permitted or prohibited.

Table 2 below includes a summary of notable changes. An exhaustive list of changes is contained in the Planning Proposal, provided in **Attachment 1 to this report**.

Table 2 – Notable changes to the Land Use Table

Zone	Proposed Change	Justification
R2 Low Density Residential	Permit secondary dwellings with consent.	<p>This was inadvertently prohibited by the use of the residential accommodation group term.</p> <p>This proposed change will also bring the Camden LEP</p>

This is the report submitted to the Ordinary Council held on 12 July 2016 - Page 34



Zone	Proposed Change	Justification
		into line with the State Environmental Planning Policy (Affordable Rental Housing SEPP) 2009 which applies to Camden and permits secondary dwellings in R2 zones.
	Prohibit 'industrial retail outlets' and 'industrial training facilities'	These uses do not align with the objectives of the R2 Low Density Residential zone. Currently, 'industrial retail outlets' and 'industrial training facilities' are not explicitly listed as prohibited development, and as a result are permissible development.
E4 Environmental Living	Permit bed and breakfast accommodation with consent	This use is considered a low-impact use that is suitable for the E4 zone.
	Permit secondary dwellings with consent	E4 zoned land includes land with large lots and large frontages suitable for secondary dwellings. This use is considered a low-impact residential use that is broadly consistent with the objectives of the E4 zone.

A complete list of changes and justification for each change is provided in **Attachment 1 to this report**.

5. Review of Schedule 1 (Additional Permitted Uses)

Schedule 1 of the Camden LEP 2010 provides a list of uses permitted on identified sites which are in addition to those uses identified in the LEP Land Use Table or other planning instruments.

An administrative review of Schedule 1 has been undertaken to correct property descriptions and reflect instances where the property description or the address may have changed since Camden LEP 2010 was made.

In addition, table 3 (below) outlines the additional permitted uses which are proposed to be removed.

ORD03



ORD09

Table 3 - Additional permitted uses proposed to be removed.

Clause	Location	Additional Permitted Use	Reason
15	166 Ingleburn Rd, Leppington	Liquid fuel depot	The land is now zoned medium density residential in the Leppington North Precinct of the South West Priority Growth Area.
16	51-61 St Andrews Rd	Industries (manufacturing and storing fireworks) and an associated dwelling house	The site is now low density residential in the East Leppington Precinct of the South West Priority Growth Area. All factory buildings on the site have been demolished.
22	Magdalene Catholic High School, Smeaton Grange	Educational establishments	The site has already been developed. The Infrastructure SEPP could be used for alterations and additions.

Changes to the LEP maps and schedule are also proposed in line with the new DPE technical mapping requirements. A complete list of changes is provided in **Attachment 1 to this report**.

Next Steps and Public Exhibition

Should Council resolve to endorse forward the Planning Proposal and forward it to the DPE for Gateway Determination, the following steps will occur:

- Following Gateway Determination, the Planning Proposal will be placed on public exhibition for 28 days or as otherwise required by the Gateway Determination;
- If no unresolved submissions are received, the Planning Proposal will be forwarded to DPE to be made; or
- If unresolved submissions are received during the exhibition period, a further report to Council will be prepared.

During the exhibition period, a notification will be placed in the local newspaper and the exhibition material will be available at:

- Council Administration Centre/s (Hard Copy);
- Narellan Library, Queen Street, Narellan (Hard Copy);
- Camden Library, John Street, Camden (Hard Copy); and
- Camden Council website (Electronic Copy).

Attachment 2



In addition, a letter will be sent to all landowners who are directly impacted by the proposed changes.

LEP Delegation

Council intends to use its delegation pursuant to Section 23 of the *Environmental Planning and Assessment Act 1979* for this Planning Proposal. This will streamline the processing of the Planning Proposal by enabling Council to deal directly with Parliamentary Counsel for the making of the Plan. The request for delegation will be made as part of the Gateway submission. The General Manager is Council's nominated delegate.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

This Planning Proposal includes a comprehensive range of minor amendments to Camden LEP 2010 with the aim to improve the operation and accuracy of the plan and ensure that planning controls continue to be relevant and responsive to local development trends.

Should Council resolve to proceed with the draft Planning Proposal (included as **Attachment 1 to this report**) it will be forwarded to the DPE for Gateway Determination and will then be publically exhibited for a period of 28 days.

RECOMMENDED

That Council:

- i. endorse the draft Planning Proposal and forward it to the Department of Planning and Environment for Gateway Determination and advise that Council will be using its delegation pursuant to Section 23 of the *Environmental Planning and Assessment Act 1979*; and**
- ii. pending a favourable response from the Department of Planning and Environment, proceed to publicly exhibit the Planning Proposal for a period of 28 days in accordance with the terms of the Gateway Determination notice; and**
- iii. subject to no unresolved submissions being received, forward the Planning Proposal, Camden Comprehensive LEP Review Phase 1 Minor Amendments, to the Department of Planning and Environment for the plan to be made; or**
- iv. if unresolved submissions are received, require a further report which outlines the results of the public exhibition.**

ATTACHMENTS

- 1. Comprehensive LEP Review Phase 1 - Minor Amendments - July 2016**

ORD03 CAMDEN COMPREHENSIVE LEP REVIEW - PHASE 1 MINOR AMENDMENTS

Resolution: Moved Councillor Dewbery, Seconded Councillor Fedeli that Council:

- i. endorse the draft Planning Proposal to forward to the Department of Planning and Environment for Gateway Determination and advise that Council will be using its delegation pursuant to Section 23 of the Environmental Planning and Assessment Act 1979;
- ii. pending a favourable response from the Department of Planning and Environment, proceed to publicly exhibit the Planning Proposal for a period of 28 days in accordance with the terms of the Gateway Determination notice; and
- iii. subject to no unresolved submissions being received, forward the Planning Proposal, Camden Comprehensive LEP Review Phase 1 Minor Amendments, to the Department of Planning and Environment for the plan to be made; or
- iv. if unresolved submissions are received, require a further report which outlines the results of the public exhibition.

ORD147/16 THE MOTION ON BEING PUT WAS CARRIED

(Councillors Copeland, Symkowiak, Fischer, Dewbery, Campbell, Fedeli and Bligh voted in favour of the Motion. No Councillors voted against the Motion.)

ORD04 COMMUNITY SPONSORSHIP PROGRAM - JULY TO DECEMBER 2016 ALLOCATIONS

Resolution: Moved Councillor Copeland, Seconded Councillor Fedeli that Council:

- i. approve sponsorship for the events and activities 1 to 9, totalling \$37,858 and comprising of \$29,500 cash and \$8,358 in-kind as recommended by the Sponsorship Allocation Committee in this report and funded from the 2016/2017 Community Sponsorship budget allocation;
- ii. hold the funds for the Light Up Camden event in reserve until Council has received the Camden Chamber of Commerce independently audited financial reports for the reporting period ending 30 June 2016, and Council has reviewed the Audit Report and additional information resolved by Council on 28 June 2016;
- iii. re-vote \$7,000 from the 2015/16 sponsorship program to the 2016/17 sponsorship program allowing \$30,242.50 for January to June 2017 events; and
- iv. write to each applicant advising them of the outcome.

ORD148/16 THE MOTION ON BEING PUT WAS CARRIED

(Councillors Copeland, Symkowiak, Fischer, Dewbery, Campbell, Fedeli and Bligh voted in favour of the Motion. No Councillors voted against the Motion.)



Contact: Alicia Hall
 Phone: (02) 9860 1567
 Email: alicia.hall@planning.nsw.gov.au
 Postal: GPO Box 39 Sydney NSW 2001

Our ref: PP_2016_CAMDE_003_00 (16/11006)
 Your ref: SC615

Mr Ron Moore
 General Manager
 Camden Council
 PO Box 183
 Camden NSW 2570

Dear Mr Moore

Planning proposal to amend Camden Local Environmental Plan 2010

I am writing in response to your Council's letter dated 21 July 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to make a number of minor 'housekeeping' amendments to the *Camden Local Environmental Plan 2010*.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed the planning proposal's inconsistencies with S117 Directions: 1.1 Business and Industrial Zones; 3.1 Residential Zones; 3.4 Integrating Land Use and Transport; 4.1 Acid Sulfate Soils; and, 6.3 Site Specific Provisions; are of minor significance. No further approval is required in relation to these Directions.

In relation to S117 Direction 6.2 Reserving Land for Public Purposes, Council will need to obtain the agreement of the Secretary to comply with the requirements of this Direction. Council should ensure this occurs prior to the plan being made.

I have also noted that Council has sought to include the uses of 'Garden centres' and 'Hardware and building supplies' as being permissible with consent in the land use tables for the general and light industrial zones. I understand these uses are currently permissible in these zones under the Camden LEP and Council may care to confirm this and, if necessary, amend the planning proposal accordingly.

Plan making powers were delegated to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan is to be finalised within 6 months of the week following the date of the Gateway determination. Council's request for the Department of Planning and Environment to draft and finalise the Local Environmental Plan should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete Local Environmental Plans by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Alicia Hall of the Department's regional office to assist you. Ms Hall can be contacted on (02) 9860 1579.

Yours sincerely



23/0816

Catherine Van Laeren
Director, Sydney Region West
Planning Services

Encl:
Gateway determination



Gateway Determination

Planning proposal (Department Ref: PP_2016_CAMDE_003_00): to amend *Camden Local Environmental Plan 2010* to make numerous minor 'housekeeping' amendments.

I, the Director, Sydney Region West at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Camden Local Environmental Plan (LEP) 2010* to make numerous minor 'housekeeping' amendments should proceed subject to the following conditions:

1. Council is to amend the planning proposal prior to exhibition, as follows:
 - remove the word 'draft' from the cover;
 - include an assessment of applicable section 117 directions in the planning proposal;
 - add a note to 'Amendment 3 Review of Clause 7.1 - Flood Planning'; 'Amendment 4 - Review of clause 7.2 - Airspace Operations'; 'Amendment 8. Add a community events clause to make some events exempt development'; that indicates these clauses will be subject to legal drafting and may alter as part of that process; and,
 - make the labels legible for items 1 (p.13 of Amendment 2 - LEP Mapping) and item 17 (p.20 of Amendment 2 - LEP mapping).
2. Prior to exhibition, Council is to consult with:
 - the Department of Infrastructure and Regional Development, in respect of 'Amendment 4. Review of Clause 7.2 - Airspace Operations';
 - the Office of Environment and Heritage, in respect of Amendment 3. Review of 7.1 - Flood Planning;
 - the Commissioner of the NSW Rural Fire Services; and,
 - if necessary, amend the planning proposal accordingly.
3. Community consultation is required under sections 56(2)(c) and 57 of the Act, as follows:
 - a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning and Infrastructure 2013).
4. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

CAMDEN PP_2016_CAMDE_003_00 (16/11008)

- Office of Environment and Heritage;
- Roads and Maritime Services;
- Department of Infrastructure and Regional Development
- Civil Aviation Safety Authority;
- Sydney Metro Airports

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The timeframe for completing the LEP is to **12 months** from the week following the date of the Gateway determination.

Dated 23rd day of August 2016



Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney
Commission

CAMDEN PP_2016_CAMDE_003_00 (16/11008)

Comprehensive LEP Review Phase 1 – Minor Amendments – Submissions Response Table

Table 1 – Public Authority Submissions

Submission	Reference
1a. Sydney Metro Airports	1.01 – 1.02
1b. Airservices Australia	1.03 – 1.04
1c. Department of Infrastructure and Regional Development	1.05 - 1.06
1d. Civil Aviation Safety Authority	1.07
2a – 2c. NSW Rural Fire Service (RFS)	2.01 – 2.02
3a – 3b. Office of Environment and Heritage (OEH)	3.01 – 3.02

Table 2 – Community Submissions

Submission	Reference
4.	4.01
5a – 5b	5.01
6.	6.01 – 6.02
7.	7.01 – 7.03

Table 1: Public Authority Submissions


Ref No	Issue / Comment	Officer Response	Proposed Action
Submission 1a – Sydney Metro Airports			
1.01	Recommends changes be made to the suggested wording of draft Clause 7.2 (Airspace operations).	These changes have been considered and are reflected in the revised draft clause.	Include in Phase 1 of the LEP Review.
1.02	Camden Airport Limited advises that Camden Airport presently has 3 titles, namely Folio Identifiers 3/217570 (the road lot), 102/1121442 (the main airport title) and 3/791287 (the small parcel at 64 Ellis Lane) and not just Folio Identifier 102/1121442.	These lots do not form part of the heritage listing.	No further action required.
Submission 1b – Airservices Australia			
1.03	Airspace procedures Airservices Australia agrees with the revised wording of Clause 7.2 (Airspace operations), points 4 and 5. Camden Council should seek confirmation from the Civil Aviation Safety Authority (CASA) on procedures regarding the <i>Manual of Standards Part 139 – Obstacle Limitation Surface (OLS)</i> as Airservices Australia does not provide specialist advice on this aspect of airspace.	Noted. CASA was contacted for comment as advised. CASA recommended changes be made to the suggested wording of draft Clause 7.2 (Airspace operations). These changes have been considered and are reflected in the revised draft clause.	Include in Phase 1 of the LEP Review.
1.04	Communications/Navigations/Surveillance (CNS) Facilities Clause 7.2 (Airspace operations) makes no reference to the protection of Communications, Navigations and Surveillance (CNS) facilities owned by Airservices Australia in Camden. Airservices Australia would welcome the opportunity to work with Council on receiving referrals for	Airservices Australia has advised that there is no requirement under legislation for CNS facilities to be considered as part of the development application process. Airservices Australia has confirmed that potential impacts of development on CNS facilities can be	No further action required.


Ref No	Issue / Comment	Officer Response	Proposed Action
	development applications that may have an impact on any CNS facilities.	considered at the development application referral stage where the OLS and PANS-OPS is penetrated.	
Submission 1c – Department of Infrastructure and Regional Development			
1.05	Supports changes suggested by Sydney Metro Airports, particularly changes regarding PANS-OPS penetrations.	Changes have been considered and are reflected in the revised draft clause.	Include in Phase 1 of the LEP Review.
1.06	Council should take into account the proposed Western Sydney Airport (WSA) in finalising its review.	Council officers consulted with the Department of Infrastructure and Regional Development (the public authority responsible for the WSA) during the exhibition period.	No further action required.
Submission 1d – Civil Aviation Safety Authority			
1.07	Recommends changes be made to the suggested wording of draft Clause 7.2 (Airspace operations).	Changes have been considered and are reflected in the revised draft clause.	Include in Phase 1 of the LEP Review.
Submission 2a - 2c – NSW Rural Fire Service (RFS)			
2.01	Council to note that future proposals for secondary dwellings will only be supported by the NSW RFS where they comply with the requirements of <i>Planning for Bush Fire Protection 2006</i> and <i>NSW Fast Fact No. 4/12 Increased Density on a Single Parcel of Land</i> .	No further action required.	Include in Phase 1 of the LEP Review.
2.02	<p>Draft clause for special events and temporary uses of land</p> <p>The RFS has requested the draft clause for special events and temporary uses of land be revised to address the following matters:</p> <ul style="list-style-type: none"> a bushfire emergency management and evacuation plan be prepared in accordance with RFS guidelines and 	The draft clause has been amended in consultation with the RFS to specify limitations that apply to land which is bushfire prone.	Include in Phase 1 of the LEP Review.

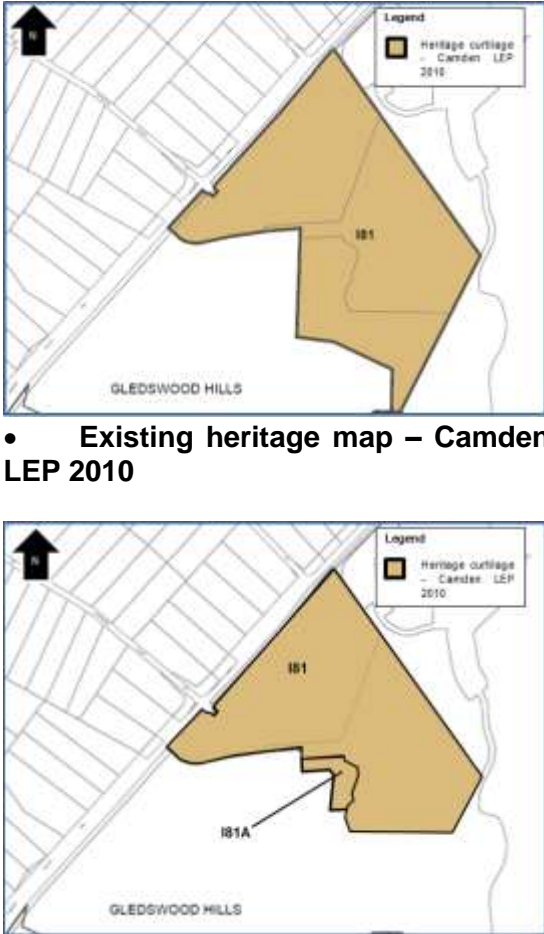
Ref No	Issue / Comment	Officer Response	Proposed Action
	<p>consider the need for appropriate bush fire protection measures;</p> <ul style="list-style-type: none"> events not be held on days with an extreme or catastrophic bush fire danger rating for the local area; and no camping be allowed. 		
Submission 3a -3b – Office of Environment and Heritage (OEH)			
3.01	OEH (Heritage Council) supports the administrative review of heritage items and the review of heritage maps as part of the draft Planning Proposal and requests that Council supply its heritage mapping database to OEH.	The heritage mapping database will be supplied to OEH.	Heritage mapping database to be provided to OEH.
3.02	OEH (Water) notes the suggested amendment to LEP Clause 7.1 (Flood planning) is consistent with recent flood studies undertaken for the Camden Local Government Area and supports the proposed change.		

Table 2 Community Submissions

Ref No	Issue / Comment	Officer Response	Proposed Action
Submission 4			
4.01	<p>Mapping anomaly</p> <p>Lot size category “F” is not represented in the respective Key or Legend on Camden LEP 2010 – Lot Size Map No. 16. This mapping anomaly should be included in Phase 1 of the LEP Review.</p>	As part of the Phase 1 Review, Council will be amending all legends and scale bars to ensure consistency with the new <i>Standard Technical Requirements for Spatial Datasets and Maps</i> . This is stated in Clause 2.1 of the Planning Proposal under Amendment 2 – Mapping. Nevertheless, the anomaly identified in	No further action required.

Ref No	Issue / Comment	Officer Response	Proposed Action
		LSZ_016 has been added as an item for resolution under Amendment 2.	
Submission 5a – 5b			
5.01	<p>Amendment to heritage curtilage</p> <p>Requests the local heritage curtilage that applies to Gledswood under Camden LEP 2010 be amended to apply to part of Lot 1203 (currently all of Lot 1203 is included in the curtilage). The submission notes that Council resolved, on 14 February 2017, to request OEH to retain part of Lot 1203 within the state heritage curtilage.</p> <p>Requests amendments are made to the Camden LEP 2010 height of buildings map and lot size map to make these consistent with the suggested amendments to the heritage map. Requests amendments are made to the Camden LEP 2010 height of buildings map and lot size map to make these consistent with the suggested amendments to the heritage map.</p> <p>Requests the LEP Schedule 5 be amended to reflect 'local' heritage significance, as opposed to state heritage significance.</p>	<p>The image below provides a comparison of the local heritage curtilage that applies to Gledswood under Camden LEP 2010 and the OEH state heritage curtilage.</p>  <p>On 14 February 2017, Council resolved to make a submission to OEH requesting that part of Lot 1203 be retained in the state heritage curtilage. This was not supported by OEH and the amended state heritage curtilage was gazetted on 30 August 2017.</p> <p>The amendments sought to the local heritage curtilage would be consistent with Council's previous resolution and the Gledswood Conservation Management Plan (CMP) shown below. This would</p>	Include in Phase 1 of the LEP Review.

Ref No	Issue / Comment	Officer Response	Proposed Action
		<p>prevent complying development under the State Environmental Planning Policy (Exempt and Complying Codes) 2008 (known as the Codes SEPP) from occurring on the 'L shaped development area' shown below.</p>  <p>Under the Codes SEPP, development with a height of buildings of 8.5m is permissible. The 'L shaped development area' is intended to have a maximum height of buildings of 7m. Also under the Codes SEPP, there is no requirement to use specific materials and colours, which is a requirement of the CMP.</p> <p>Amendments would also be required to the Camden LEP height of buildings and lot size map to make these maps consistent with the revised heritage curtilage map and the CMP.</p> <p>Officers support the further amendment of</p>	

Ref No	Issue / Comment	Officer Response	Proposed Action
		<p>LEP Schedule 5 to list the state heritage curtilage and local heritage curtilage that would apply to Gledswood. The current and proposed heritage curtilage maps are shown below.</p>  <ul style="list-style-type: none"> Existing heritage map – Camden LEP 2010 	

Ref No	Issue / Comment	Officer Response	Proposed Action
		• Proposed heritage map	
Submission 6			
6.01	<p>No objection to amendment of property description</p> <p>Supports the proposed amendment to Raby's property description in LEP Schedule 5 Heritage Listings.</p>	Noted.	No further action required.
6.02	<p>Amendment to heritage curtilage</p> <p>Requests the heritage curtilage for Raby be reduced in size. This would serve to protect and preserve the heritage significance of Raby whilst at the same time allow for the residential development planned as part of the South West Growth Centre (SWPGA).</p>	Raby is listed as a heritage item on the state heritage register (in addition to being listed as a local item in Camden LEP 2010) and is located in the Catherine Field Precinct of the SWPGA. Consideration of additional residential development potential and the heritage curtilage extent will be addressed as part of any future precinct planning process.	No further action required.
Submission 7			
7.01	2 lots that form part of the Australian Botanic Garden (ABG) site are zoned R2 Low Density Residential and should be rezoned to SP1 Special Activities, consistent with the remainder of the ABG site.	Council officers have reviewed the request. The subject lots have been zoned R2 in error and their rezoning to SP1 is consistent with the remainder of the ABG site. Amendments are also required to the height of buildings and lot size maps.	Include in Phase 1 of the LEP Review.
7.02	A lot that forms part of the southern extent of the ABG site (nearby to the Glenlee coal washery site) should be rezoned from RU1 Primary Production to SP1 Special Activities.	The Rural Lands Strategy applies to land zoned rural within the Camden LGA (excluding the SWPGA). The intent of the Strategy is to protect Camden's remaining rural land and to protect the quality of scenic landscapes, vistas, ridgelines or heritage values.	Include in Phase 1 of the LEP Review.

Ref No	Issue / Comment	Officer Response	Proposed Action
		<p>The suggested rezoning of the subject lot from RU1 to SP1 is supported on the basis that the rural character of the land will be retained as part of the ABG estate. It is not considered that there will be any impact on the quality of scenic landscape or heritage values. Amendments are also required to the height of buildings and lot size maps.</p>	
7.03	<p>The ABG has requested its site be included in the draft 'community events clause' to enable community events (such as concerts, exhibitions, open-air cinema, markets, festivals and the like) to be carried out at the ABG as exempt development (without the need for development consent).</p>	<p>Council officers have considered the request and support the inclusion of the ABG within the draft community events clause, subject to a number of restrictions being placed on an event (a maximum of 2 days per calendar year and operating between 7.00am and 10.00pm with the exception of the ANZAC day dawn service).</p> <p>The suggested revised draft LEP clause is included at Amendment 8 in the draft Planning Proposal.</p>	<p>Include in Phase 1 of the LEP Review.</p>



Submission to:
Draft Greater Sydney Region Plan &
Draft Western City District Plan





Executive Summary

Camden Council welcomes the release of the 'Draft Greater Sydney Region Plan' and the 'Draft Western City District Plan' and appreciates the opportunity to provide comment. This submission highlights Camden Council's key issues and recommendations to achieve desired outcomes outlined in both plans.

Council supports the vision for Greater Sydney as a metropolis of three cities which will transform land use and transport patterns across Greater Sydney enabling people to commute to their nearest city within 30 minutes. The Western Sydney Airport will be the economic catalyst to transform the Western Parkland City over the next 40 years.

The draft Western City District Plan provides a unique opportunity to strengthen our identity and to lay down the strategic foundations to ensure that we create and maintain 'liveable' and 'connected' places for new and existing communities.

Key Messages

- The District Plan should better reflect Camden's identity and history (e.g. rural villages).
- There is heavy reliance for the success of the Western Parkland City on the Western Sydney Airport / Aerotropolis. There is a need to ensure that the district plan identifies other economic development opportunities.
- In order to deliver the Western 'Parkland' City, commitment is needed to deliver quality open spaces to help attract visitors and differentiate the city.
- Commitment is needed for corridor preservation and timing for key infrastructure projects to inform future growth, including the identification of important transport corridors in the plan.
- The District Plan should protect Camden's valued rural land by identifying the 'urban edge' for the Camden LGA. This boundary should be reflected within the Growth Centres SEPP.
- Social and cultural infrastructure gaps need to be better addressed and alternate funding mechanisms should be explored.
- The District Plan should explore opportunities for additional health and tertiary education facilities within the South West Priority Growth Area.
- Existing and emerging centres must be strengthened and our industrial lands retained and expanded.
- There is a need for incremental housing supply targets, by local government area, at a minimum 5-year increment as agreed by local Councils. Local housing strategies should inform targets.



Continued consultation with local government is a critical step in facilitating the positive collaboration necessary for the success of the Plans. Council looks forward to an ongoing partnership with the Greater Sydney Commission (GSC) and relevant state agencies to ensure that the desired outcomes are achieved.

Introduction

This document forms Camden Council's formal submission to the exhibition of the *Draft Greater Sydney Region Plan* and the *Draft Western City District Plan*.

The submission was endorsed by Council on 12 December 2017.



Infrastructure and Collaboration

Growth Infrastructure Compact

Region Plan: *Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact*

District Plan: *Planning Priority W1: Planning for a city supported by infrastructure*

The draft Region and District Plan outlines methods for aligning infrastructure with population growth, most notably through introducing the growth infrastructure compact approach.

A clearer understanding is required of not only how the process of prioritising infrastructure investment using this approach will occur, but also when, where, how much, by whom etc. While it may be that the District Plan won't include this level of detailed information, it must at least establish a framework for determining and prioritising infrastructure.

Additionally, whilst the growth infrastructure compact will be beneficial for identifying areas of potential future growth, or planning new areas for growth which utilise existing or planned infrastructure, it does not adequately address areas where growth is currently being rolled out, most significantly for Camden the ongoing release of land within the SWPGA.

It is noted that in delivering on the growth infrastructure compact initiative, existing Priority Precincts and Priority Growth Areas will be unaffected. Council recommends that the GSC pilot a growth infrastructure compact within the SWPGA to plan for the appropriate level of growth for the remaining precincts, in addition to the other areas already nominated in the Greater Sydney Region. Alternatively, the establishment of an infrastructure coordination authority, which oversees the planning and delivery of essential infrastructure within identified growth areas and priority precincts, should be investigated.

The growth experienced within the Camden LGA over the past decade has placed significant pressure on existing road infrastructure as a result of housing targets not being matched to suitable transport commitments. This issue could partly be addressed through an appropriate land-use strategy to accompany the identification and delivery of rail options for Western Sydney. This strategy could provide a broad timescale and sequence for the release and development of the rail link and its associated stations.

The review of the SWPGA Structure Plan provides an ideal opportunity to align the staged release of precincts within the SWPGA with that of the delivery of the preferred Western Sydney rail options. In conjunction, the land-use strategy and structure plan could align to provide a phased/staged release of higher density zonings around train



stations which do not come online until the delivery of the associated train station, enabling them to grow and develop in line with transport and service provision.

Recommendation:

- That the NSW Government ensure that all precinct release areas have an approved servicing and staging strategy for key infrastructure that responds to future densities.
- That the District Plan further clarify how the growth infrastructure compact will be used to determine locations for future growth.
- That the NSW Government investigates the establishment of an infrastructure coordination authority, which oversees the planning and delivery of essential infrastructure within the identified growth areas and priority precincts.
- That the GSC pilot a growth infrastructure compact within the SWPGA.

Funding Infrastructure

Council's previous submission to the then draft South West District Plan raised concerns around the ability of the District Plans to deliver on key promises under the current development contributions funding framework, and recommended a review of the framework and linking promises to funding mechanisms to provide certainty to the community. Council recommended that the NSW Government commit to a holistic and comprehensive review of the development contributions framework, with particular regard to the \$30,000 cap on contributions in greenfield release areas and the definition of essential infrastructure.

The Department of Planning and Environment (DPE) have gone part of the way in realising this recommendation, by announcing in July 2017 that the cap amount for contributions in greenfield areas would be incrementally increased, and eventually released altogether by 2020.

Council supports this approach as offering the first step in contributions reform. However, further investigation must be undertaken to redefine "essential infrastructure" for which Council can use contributions. Councils are currently unable to collect contributions towards the construction of "non-essential" infrastructure, which currently includes the construction of community facilities, libraries, performing arts spaces, riparian corridors and district and regional active open space.

The draft Region Plan recognises that many councils are limited in their ability to invest in infrastructure and its maintenance within the current settings for rates and Section 94 development contributions for local infrastructure. The Plan states that "there is a need to work within fiscal limits and manage community expectations for infrastructure whilst achieving the Plans objectives to create great places and support growing communities".

The inability to secure a funding stream for these forms of community and open space infrastructure is considered to be fundamentally at odds with the aims and objectives of the draft District Plan, as no certainty can be provided regarding the funding source and timing for delivery of works which play an essential role in establishing cohesive, vibrant, functioning and inclusive communities. The inability to fund these kinds of facilities is



especially problematic when considering greenfield development, for which emerging communities have no existing infrastructure to utilise.

It is vital that the NSW Government investigate opportunities for additional funding mechanisms which will allow local government to deliver infrastructure to communities, as well as ensuring that any additional release of land is supported by a commitment for regional infrastructure and appropriate funding mechanisms and commitments, and appropriate timeframes.

Recommendation:

- That the NSW Government commit to a further review of the development contributions framework, including the definition of non-essential infrastructure.
- That the NSW Government further investigates additional funding mechanisms, including 'value capture' and prepare an implementation framework with input from local government and the development industry.

Working through Collaboration

Region Plan: Objective 5: Benefits of growth realised by collaboration of governments, community and business.

District Plan: Planning Priority W2: Working through collaboration

The draft Region and District Plan provides a 20 year vision for the emerging Western City. The eventual realisation of this vision will require the coordination of plans, strategies and policies across all levels of government to ensure priorities and timeframes are clearly identified and worked towards.

Most of the development pressure currently being experienced within the Camden LGA is within the SWPGA, to which the Growth Centres SEPP applies. Whilst the draft District Plan outlines the responsibilities for Council with regard to aligning LEPs with the actions and priorities in the plan, it is not clear how land within the SWPGA is to be considered, particularly the ongoing process of precinct planning.

Council urges that the vision and principles outlined in the draft Region and District Plans are reflected within the SWPGA Structure Plan review, currently being undertaken by the DPE.

It is noted that Action 13 of the draft Region Plan outlines that the GSC will work with the DPE to develop its role in peer reviewing key land use and infrastructure plans prepared by the DPE to ensure that planning is being undertaken that is consistent with the directions, priorities and objectives of the District and Region Plans. Council supports this approach and recommends that it be expanded upon to require both policy and plans to be approved by the GSC, as opposed to just reviewed. This action should be implemented within 12 months of finalising the Plan.



Recommendation:

- That the NSW Government and the GSC clarify the legislative relationship between the GSC, District Plans and Growth Centres SEPP, and the precinct planning process.
- That the review of the Structure Plan for the SWPGA reflect the draft Regional and District Plan, as well as the precinct planning that has occurred in the SWPGA and the key infrastructure required to support development in the SWPGA.
- That Action 13 of the draft Regional Plan be implemented within 12 months of finalising the Plan, and expanded to require key land use and infrastructure policy and plans prepared by the DPE be approved by the GSC.

Liveability

Region Plan: Objective 6: Services and infrastructure meet communities' changing needs

District Plan: Planning Priority W3: Providing services and social infrastructure to meet people's changing needs.

Council broadly supports the GSC's approach to delivering improved liveability outcomes for the Western Parkland City. Council shares the view that this will require a place-based approach that starts with public places and open spaces and transit oriented developments.

Importantly, the timely delivery of new targeted community and social infrastructure will be crucial to supporting new communities and achieving social inclusion.

Education

Tertiary and vocational education and training

The draft District Plan notes that the Camden LGA is projected to see the greatest increase in population generally, as well as the largest growth in people aged 20–24 years (150 per cent between 2016 and 2036). Whilst the Liverpool, Penrith and Campbelltown city centres have a strong existing and growing education focus, the emerging population in the SWPGA will require additional high level secondary, tertiary and vocational education facilities. There must be greater emphasis within the draft District Plan on potential future higher tertiary education facilities to service the SWPGA, including a greater university presence.

Proposed TAFE campus at Leppington

There is no mention in the draft District Plan of the TAFE campus proposed for the Leppington Major Centre.



Recommendation:

- Consider including the identified TAFE campus at the Leppington Town Centre in the District Plan.
- That the GSC explore innovative opportunities for additional tertiary education facilities (including a university), within the SWPGA.

Health

It is acknowledged that the concentration of existing regional health and education facilities in both Liverpool and Campbelltown/Macarthur centres offers a great opportunity to further advance these centres as health and education super precincts, providing knowledge intensive employment opportunities for residents in South Western Sydney.

The draft District Plan provides limited focus on health facilities outside of these centres. Given the overwhelming residential population expected in the SWPGA, the District cannot rely only on existing facilities. Planning must be undertaken now to ensure that new health and education facilities are planned in emerging centres, where the bulk of housing growth is occurring.

The existing hospital facilities in the SWPGA are currently at capacity. The NSW Governments current approach of providing integrated primary and community care centres, and the expansion of existing medical precincts is not sufficient to cater for the future population.

It is important that the District Plan include a new public hospital within the SWPGA and that it be appropriately planned for in the precinct planning process.

Recommendation:

- The planning for a new medical precinct, including an additional public hospital, in the SWPGA should be identified as a priority in the District Plan.
- The District Plan to require a commitment from the NSW Government to provide and fund early services to new communities, with key agencies as partners in delivery.
- The GSC and the NSW Department of Health commit to developing an integrated strategic framework for the delivery of health infrastructure.

Social infrastructure gaps

Whilst the draft District Plan provides a vision for a liveable district into the future, there is a lack of focus on the provision of human services across a wide range of target groups. The draft District Plan instead places a large emphasis on the provision of hard infrastructure. The Camden LGA and the Western District more widely suffers significantly from a lack of access to key services. Services such as community health, mental health, aged care services, family and youth support services must be part of the delivery of the Western City.



Without these key services, the social wellbeing and community cohesion of new communities will continue to be disadvantaged.

Recommendation:

- The District Plan to require a study on the regional social infrastructure gaps within 12 months of the finalisation of the District Plan.
- The District Plan to require a commitment from the NSW Government to provide and fund early services to new communities, with key agencies as partners in delivery.

Delivering strategic housing supply targets

Region Plan: Objective 10: Greater housing supply;

District Plan: Planning Priority W3: Providing housing supply, choice and affordability, with access to jobs and services.

The draft District Plan identifies Camden LGA to deliver 11,800 new dwellings between 2016 and 2021. Council's ability to meet the identified housing targets and associated housing diversity and densities is dependent on transport infrastructure.

The draft District Plan also calls for Councils to prepare local housing strategies to make provision to meet five and ten-year targets and identify capacity to contribute to a rolling program to deliver the 20 year district supply. The 5 year target is not useful to assist with long term strategic planning when considering the time it would take Council to prepare, exhibit, adopt and implement the strategy.

To ensure aspirational strategic outcomes of the draft District Plan are realised, it is critical that the final District Plan provides incremental housing supply targets, by local government area, at a minimum 5-year increment, which is matched by infrastructure and informed by local housing strategies.

Recommendation:

- Amend the draft District Plan to include incremental housing targets by LGA, informed by a local housing strategy.



Affordable Rental Housing Targets

Region Plan: Objective 11: Housing is more diverse and affordable

District Plan: Planning Priority W3: Providing housing supply, choice and affordability, with access to jobs and services.

The draft District Plan identifies methods to address Sydney's affordable housing challenge, and provides, and prioritises the implementation of, an Affordable Rental Housing (ARH) Target of 5 – 10% of new floor space.

The draft Region Plan notes that a separate approach is needed for land release areas and that the GSC will work with the DPE to develop the mechanism required for the delivery of the proposed ARH targets. In order to better understand the challenge and practicalities of implementing ARH targets in greenfield areas, it is recommended that the GSC consults further with Councils.

Currently where affordable housing is undertaken by an approved social housing provider they are exempted from the payment of S94 monies. Consideration needs to be given to the impact the Affordable Rental Housing Target will have on development contributions planning.

Recommendation:

- The GSC to have additional consultation with Councils to better understand the practicalities of implementing ARH targets in greenfield areas.
- The GSC to consider the impact that ARH Targets will have on development contributions planning.

Productivity

Integrating Land Use and Transport

Region Plan: Objective 14: A metropolis of three cities – integrated land use and transport creates walkable and 30-minute cities

District Plan: Planning Priority W7: Establishing the land use and transport structure to deliver a liveable, productive and Sustainable Western Parkland City

Fundamental to the delivery of a 30-minute city is early identification and development of regional road networks, urban rail networks, increased urban density and integrated land use planning.



The draft District Plan outlines a number of planning initiatives that will shape the Western City District, including the delivery of the new Western Economic Corridor, the Western Sydney Airport Priority Growth Area and continued planning of the metropolitan city clusters of Penrith, Liverpool and Campbelltown-Macarthur.

Whilst the identification of these strategic areas will guide redevelopment opportunities, the vision of a coordinated and vibrant Western City District will not be achieved without early commitment to timeframes for transport corridor preservation/acquisition and construction of strategic road and rail infrastructure.

Camden Council recently provided comment to the NSW Government's *Draft Future Transport Strategy 2056*, a copy of which is included for reference with this submission. Council's key comments to the draft Strategy were:

- There is limited certainty surrounding the timeframes for delivery of integrated transport initiatives.
- There is an urgent need for Transport for NSW to work with Council and the GSC in determining definitive timeframes for corridor preservation/acquisition and future construction of the:
 - Outer Sydney Orbital;
 - North-south rail link in the Western Parkland City (i.e. Western Sydney Airport-Badgerys Creek Aerotropolis to Campbelltown-Macarthur, via Oran Park and Narellan);
 - Leppington Western Sydney Airport- Badgerys Creek Aerotropolis train link
- The preservation of future transport corridors must ensure clarity regarding permissible interim use of affected land, to provide landowners with certainty as to the ways their land can be used prior to being acquired by Government.
- The Western Sydney Airport/ Aerotropolis needs early provision of supporting infrastructure.
- Urgent action is required to alleviate road congestion through public transport infrastructure investment.
- Future road network provision must match road capacity improvements to anticipated growth, to ensure road capacity is provided before development occurs.
- The Draft Future Transport Strategy 2056 does not examine a prescribed corridor alignment for the various transport options. Future detailed planning of these routes should be made available as a matter of urgency.

It is noted that the Western City District Structure Plan (page 8 of the draft District Plan) does not identify the Outer Sydney Orbital, however the Greater Sydney Structure Plan 2056 includes this as a 'visionary road'. It is therefore recommended that the Western City District Structure Plan align with the Region Plan in identifying this important future transport corridor.



Recommendation:

- The NSW Government commit to timeframes for corridor preservation/acquisition and the future construction of:
 - North-south rail link in the Western City (i.e. Western Sydney Airport/Badgerys Creek Aerotropolis to Campbelltown-Macarthur, via Oran Park and Narellan)
 - The Outer Sydney Orbital;
 - Leppington Western Sydney Airport- Badgerys Creek Aerotropolis train link
- The NSW Government work collaboratively with the GSC and Camden Council to identify and prioritise additional transport connections to support the rapidly growing population in the South West Priority Growth Area.
- The Western City District Structure Plan on page 8 of the draft District Plan be amended to align with the Region Plan by identifying the Outer Sydney Orbital as a 'visionary road'.

Industry Sector Strategies

Region Plan: Objective 24: Economic sectors are targeted for success;

District Plan: Planning Priority W8: Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis

A key concern for Council regarding this Planning Priority is that it highlights that the NSW Government is planning a heavy reliance for the success of the Western Parkland City on the success of the Western Sydney Airport/Aerotropolis. There appears to be little investigation as to the opportunities for additional economic development within the adjoining areas, including Camden.

The Camden region has outstanding assets in its heritage, history, rural character and lifestyle, which if brought together with existing and future economic development opportunities will help to create a dynamic and unique place. It is disappointing that the draft District Plan does not highlight the visitor experiences within Camden and their potential to contribute to the visitor economy of the Western City.

The previous draft South West District Plan included an action identifying the need to develop an Economic Development Strategy for the Western City. It is noted that the current Draft District Plan contains no reference to this strategy, however outlines a number of initiatives currently being undertaken by the NSW Department of Industry, mostly targeted towards specific industries.

Council's previous submission to the draft South West District Plan identified the need for extensive consultation with and input from the broader Western Sydney business community in the development of any economic development strategy. This has yet to



occur, and the opportunity for this to occur as an outcome of the Draft District Plan has not been adequately addressed.

There must be greater emphasis on economic development opportunities within existing areas. Total reliance on the success of the Western Sydney Airport/Aerotropolis, particularly in the absence of any commitment to key infrastructure servicing this area, will not achieve the vision outlined within the draft District Plan and does little to address disadvantages currently experienced by the communities of Western Sydney.

Recommendation:

- The District Plan should be amended to include reference to Camden's natural, historical and cultural assets, and their contribution to the visitor economy of the Western City.
- Economic development opportunities should be informed by local economic development strategies to ensure local opportunities for investment are not lost in the context of the higher order employment lands surrounding the Western Sydney Airport.

Industrial Land and Office Development

Region Plan: Objective 23: Industrial and urban services land is planned, protected and managed

District Plan: Planning Priority W10: Maximising freight and logistics opportunities and planning and managing industrial and urban services land

The draft District Plan proposes a strategy to consider office development in industrial zones where it does not compromise industrial activities in the Western City District, in order to grow and diversify local employment opportunities. The rationale behind this approach is that there are currently no stand-alone office precincts within the Western City.

Council raises concern over the potential for this approach to divert commercial and professional activity away from existing and future centres, where they are better suited and supported by public transport and residential populations. Locating these uses within centres would also assist in revitalising centres through business investment, an approach that is desperately needed in Western Sydney.

It is therefore recommended that further initiatives be explored by the GSC and the DPE which address the lack of office development in existing and future centres within the Western City, and to attract this kind of development to centres. This should form the primary focus for growing local employment opportunities in Western Sydney.



Despite the above, the *Camden Employment Lands Analysis*, prepared in 2015, identifies that traditional industrial sectors are anticipated to comprise only 15% of all employment growth within the Camden LGA over the next 30 years. This highlights that there is the need for government to investigate new types of employment precincts that provide greater flexibility and are able to accommodate a diverse range of employment activity, however this should not be to the detriment of commercial growth in centres.

The inclusion of office development in industrial areas, and the preparation of appropriate development controls to facilitate this if determined appropriate, must be investigated further by Council. As identified within the draft Plans, there is a need to protect existing sites, as well as plan for more industrial and urban services land to meet the growing population, particularly in the South West. Any consideration of additional permitted uses within industrial precincts must be informed by an industrial needs analysis, to ensure that these precincts remain protected and viable into the future.

Action 49- *Consider office development in industrial zones where it does not compromise industrial activities* is not supported in its current form. This action should be amended to remove the implication that Council must consider planning proposals for office development in industrial areas, prior to the required strategic analysis being undertaken which determines whether or not this is appropriate in the local context.

Recommendation:

- The GSC and the DPE explore further initiatives to address the lack of stand-alone office precincts in existing and future centres within the Western City.
- Amend Action 49 of the draft District Plan to instead require Council to investigate office development in industrial zones as part of a centres hierarchy review, and require each Council to adopt a policy position on this matter.

Centres Hierarchy

Region Plan: *Objective 22: Investment and business activity in centres*

District Plan: *Planning Priority W11: Growing investment, business opportunities and jobs in strategic centres*

The draft District Plan has identified the significant quantum of additional retail and office floor space required to support the emerging population of the Western City. Council supports the GSC exploring opportunities to enhance initiatives which deliver jobs and investment in the strategic centres of Leppington and Narellan, however recommends that the GSC work closely with Council to develop a taskforce to focus on additional investment opportunities within emerging centres.

It is noted that the draft District Plan includes Smeaton Grange within the boundaries of the Narellan Strategic Centre, however it is considered that these industrial lands more appropriately service the southern portions of the SWPGA given the physical constraints



of Camden Valley Way and Narellan Road, and should not be included in any review of the Narellan Centre.

The provision of a range of job types close to home is important for the success of the future residential precincts within the SWPGA and to achieve the 30-minute city. The requirement for early identification of new centres in greenfield areas to allow their incorporation into transport infrastructure plans is strongly supported, however up-front infrastructure investment is essential for the ongoing development of existing centres, such as Narellan.

The draft District Plan has not addressed the required infrastructure improvements required to accommodate the development of the Narellan Town Centre, such as the link between Camden Valley Way and the Camden Bypass, or the future development capacity of the centre as a result of the rail link. In order for Council to investigate the capacity of key infrastructure to support additional growth in Narellan (Action 60 of the draft District Plan), the NSW Government must assist in providing detail of future infrastructure such as rail and road upgrades.

The draft District Plan identifies that the development of a local centres hierarchy is the responsibility of councils, and that this strategic work can inform the development of new centres. The establishment of a local centres hierarchy is challenging for Camden, given the extent of new centres located within the SWPGA, and as such subject to the precinct planning process. The DPE must work with Council to identify the location of future centres within the SWPGA, and identify mechanisms to ensure that the local hierarchy is maintained and supported through appropriate planning controls.

Recommendation:

- That the GSC work with Camden Council to establish a taskforce responsible for exploring opportunities within emerging centres.
- That planning for the Narellan Strategic Centre not commence ahead of commitments from the NSW Government to key infrastructure construction and upgrades that will support the growth of this centre.
- The extent of the Narellan Strategic Centre identified on page 93 of the draft District Plan be amended to remove Smeaton Grange Industrial Area.
- The DPE work with Camden Council to develop a local centres hierarchy,

Sustainability

Rural Lands

Region Plan: Objective 29: Environmental, social and economic values in rural areas are maintained and protected

District Plan: W15: Better managing rural areas



Council supports the GSC's approach of managing the Metropolitan Rural Area by limiting urban development to land within the urban area. Council agrees that design-led place-based planning in the Metropolitan Rural Area will help manage its environmental, social and economic values, maximise the productive use of land, and incentivise biodiversity protection for remnant vegetation.

There must be greater emphasis within the draft Region and District Plan on the protection of rural villages, which represent an important part of Camden's heritage and identity.

Recommendation:

- The GSC continues to protect Camden's valued rural lands and scenic and cultural landscapes.
- The District Plan identify the "urban edge" for the Camden LGA and that this boundary be reflected within the Growth Centres SEPP.
- All future urban development located within the SWPGA, but adjoining rural land not identified for future urban development, is required to include transitional zoning to reduce land use conflict.
- The GSC consider the Camden Rural Lands Strategy and the findings of the Camden Rural Lands Study to inform any future investigations and growth centre precinct planning.

South Creek

Region Plan: *Objective 26: A cool and green parkland city in the South Creek corridor*

District Plan: *Planning Priority W13: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element*

Council supports the vision of the draft Region Plan for South Creek as a green corridor that provides sites for parks, community facilities, and ecological services. Areas of higher density development and high quality public spaces will orientate towards waterways, making the most of the green infrastructure.

There is a need to develop a funding framework for the long term management and acquisition of South Creek. In addition, a strategic plan should be developed which identifies the range of opportunities for recreation and community facilities associated with the development of land within and adjacent to the South Creek corridor.



Recommendation:

- The GSC to work with state agencies and Councils to develop a funding framework for the acquisition and long term management of South Creek.
- GSC, Council and landowners develop a strategic plan which identifies diverse opportunities for recreation and community facilities associated with the development of land within and adjacent to the South Creek corridor.

Delivering high quality open space

Region Plan: Objective 31: Public open space is accessible, protected and enhanced

District Plan: Planning Priority W16: Delivering high quality open space

Implementing the Western 'Parkland' City vision

In order to achieve the vision for the Western Parkland City, significant investment is needed to deliver new and improved public open spaces. The plentiful amount of useable, accessible and multi-use public open space of a variety of sizes should be a defining and attractive feature of the district which will help attract visitors and help differentiate our city from other cities.

In addition to the South Creek corridor, one of the most unifying natural assets of the Western Parkland City is the Hawkesbury- Nepean River. The ultimate realisation of the parkland city vision will require additional initiatives, similar to those proposed for South Creek, focused on the rehabilitation of, and access to, the Nepean River.

The draft District Plan should be amended to indicate stronger commitment to investing in high quality public open spaces for the Western Parkland City. In particular, a district and regional level public open space strategy should be developed and new funding mechanisms should be explored.

Shared and co-located facilities

The draft District Plan promotes the delivery of shared and co-located sport and recreational facilities, including shared school grounds and repurposed golf courses. This approach has some merit, but there are a number of practical barriers for successful implementation and it is recommended that the GSC and the Department of Education consult further with Council to better understand these barriers, particularly in greenfield areas.



Recommendation:

- The GSC to amend the District Plan to include the Nepean River as an investigation area to emphasise the Green Grid within the Western Parkland City.
- The GSC to amend the District Plan to indicate stronger commitment to investing in high quality public open spaces for the Western Parkland City.
- The GSC to commit to working with Councils to develop a regional and district level public open space strategy and explore alternate funding mechanisms.
- The GSC and state agencies to work with Councils to better understand the barriers

Nepean River

Region Plan: Objective 25: The coast and waterways are protected and healthier.

District Plan: W10 – Protecting and improving the health and enjoyment of the District's waterways.

The health and usability of waterways, including the Nepean River, will be an essential element in realising the parkland city vision. Increased urban development and other factors are having a significant impact on the health of Camden's waterways, which also limits opportunities for the community to engage with and enjoy the river. The draft District Plan's actions do not appear to be tangible or measurable enough to ensure that the water quality and accessibility of the Nepean River is improved.

In order to achieve the parkland city vision, it is important that the GSC commits to setting up a Nepean River Catchment group to address issues such as water quality and to identify initiatives that will promote and grow recreation opportunities of the Nepean River. Alternate funding mechanisms should also be explored.

Recommendation:

- To achieve the parkland city vision, the GSC to commit to setting up a Nepean River Catchment group to address the accessibility and improvement of the Nepean River (including recreation opportunities) and to explore alternate funding mechanisms.

Increasing urban tree canopy cover

Region Plan: Objective 30: Urban tree canopy cover is increased

District Plan: Increasing urban tree canopy cover and delivering Green Grid connections

The Region Plan includes an objective that urban tree canopy cover is increased (urban tree canopy includes tree-lined streets, urban bushland and tree cover on private land).



Council broadly supports the District Plan's action (Action 69) to expand the urban tree canopy in the public realm. However, it is unclear how the urban tree canopy is to be increased on private land. It is recommended that the GSC undertake more work to identify ways that tree canopy can be increased on small lots.

Recommendation:

- The GSC to review the existing proposal and undertake additional work to identify the viability of increasing tree canopy cover in the context of small lot development.
- The NSW Government review existing policy (e.g. Codes SEPP and draft Greenfield SEPP) to support increased tree canopy cover on private land.

Energy Efficient Housing

District Plan: W17 – Reducing Carbon Emissions and managing energy, water and waste efficiency

The draft District Plan notes that designing high efficient homes and incorporating renewables will reduce emissions and reducing household energy and water costs.

It is important that the GSC work with Councils and state agencies to achieve more sustainable residential housing which is also affordable. This could be achieved by reviewing key policies and design outcomes (e.g. Codes SEPP / BASIX).

Recommendation:

- The GSC work with Councils and state agencies to identify and review existing and new mechanisms to achieve more sustainable housing without impacting on affordability.

Implementation and monitoring

Region Plan: Objective 40 – Plans refined by monitoring and reporting

District Plan: Chapter 9 – Implementation

Planning Hierarchy

Figure 35 of the draft District Plan sets out the planning hierarchy and appears to show that State Environmental Planning Policies prevails over the Region Plan and District Plans.

The planning hierarchy should be reviewed and clarified.

Relationship with Community Strategic Plan

Chapter 6 of the District Plan should be updated to confirm the relationship with Community Strategic Plans (CSPs).



In particular, Figure 35 of the draft District Plan (which sets out the planning hierarchy), should be updated to demonstrate that CSPs will inform local environmental plans.

Action Plan

While the draft District Plan identifies an extensive list of priorities and actions, these are not well presented into a concise 'Action Plan' of what will be done when, and by whom. This Action Plan should also articulate a clear correlation with other strategic initiatives/documents, such as the *Draft Future Transport Strategy 2056* and the *Draft Greater Sydney Services and Infrastructure Plan*.

Without a definitive action plan with prescribed timeframes and listed partners to the process, there is a risk that some of the objectives of the District Plan may not be realised.

Monitoring and Recording

The draft Greater Sydney Region Plan and draft District Plan outlines metrics to monitor the performance of the plan which will be reported annually to the NSW Government.

Concern is raised that the actions contained within the plan are often broad, non-tangible and difficult to deliver and monitor.

Examples:

- The direction 'A City for People' is measured by an annual survey of community sentiment. Clarity on the annual survey would assist Council to avoid duplication and may provide an opportunity to improve collaboration.
- Planning Priority W3 – Action 8 – "Deliver social infrastructure to reflect the needs..." This action should be amended so that community needs are identified first.

Having more definitive actions and responsibilities will ensure that performance is more accurately monitored and that the relevant stakeholders are accountable.

Recommendation:

- The planning hierarchy be amended to require SEPPs to be consistent with the Region and District Plans.
- GSC to provide clarification of the relationship between the draft District Plan and Council's Community Strategic Plan and to what extent Council will need to ensure that the CSP is consistent with the District Plan.
- The District Plan include a detailed 'Action Plan' identifying not only who will undertake each action, but also outlining timeframes and the correlation between other strategic documents.
- GSC to review all actions to ensure they are tangible and that the appropriate stakeholders are identified and how they are reported on.



Conclusion

The Draft Greater Sydney Region Plan and draft Western City District Plan provides an overview of key strategic directions to inform the development of the future Western City. Broadly these objectives are supported, however, success is dependent on the ability to implement the Plans and will require participation from all levels of government to achieve the vision for the Western City District.

The draft submission provides a number of recommendations for the consideration of the GSC. Camden's ability to continue to deliver growth and contribute to the Western City is reliant upon these recommendations being implemented jointly by the State Government and the GSC.

Camden Council welcomes the opportunity for ongoing collaboration with the GSC, which will deliver the productive, sustainable and liveable places required for the Western City District to thrive.

ORD02



ORDINARY COUNCIL

ORD02

SUBJECT: DRAFT SOUTH WEST DISTRICT PLAN AND DRAFT AMENDMENT TO A PLAN FOR GROWING SYDNEY.
FROM: Director Planning & Environmental Services
TRIM #: 17/38155

PURPOSE OF REPORT

The purpose of this report is to inform Council of the exhibition of the Greater Sydney Commission's draft South West District Plan ('the draft Plan') and a draft amendment to 'A Plan for Growing Sydney', and to seek Council's endorsement of a submission providing comment on the draft Plan. A copy of the draft submission is **provided as Attachment 1 to this report.**

A copy of the exhibition package is **provided as Attachment 2 to this report.**

BACKGROUND

The Greater Sydney Commission (GSC) is currently exhibiting six draft District Plans and an amendment to a Plan for Growing Sydney, until the end of March, 2017. The Camden LGA is located within the South West District with the LGAs of Campbelltown, Fairfield, Liverpool and Wollondilly local government areas.

The GSC is responsible for coordinating and aligning the planning for Greater Sydney, in partnership with the State Government and Local Government. The GSC has a direct reporting line to the State Government and has statutory responsibilities under the *Greater Sydney Commission Act 2015*.

District Plans sit in the middle of the hierarchy of metropolitan, district and local planning for the Greater Sydney Region. The District Plans offer a strategic and integrated approach to managing Sydney's growth through linking State and regional-level aspirations with local government land use and infrastructure planning.



Figure 1 – Hierarchy of Planning Documents

The draft District Plans have been developed to support a metropolis of three cities, based around the established Eastern City (Sydney CBD), the developing Central City



(Parramatta) and the emerging Western City (in and around the Western Sydney Airport).

The draft District Plans propose priorities and actions that will influence how different levels of government plan within their respective district, and how public and private investment decisions are made. For local government, the District Plans will:

- Inform the preparation and review of LEPs;
- Inform planning proposals;
- Guide strategic land use, transport and infrastructure planning across local government areas; and
- Inform infrastructure planning.

Towards Our Greater Sydney 2056' (Sydney 2056) is a separate 40 year vision document underpinning each of the draft District Plans. It presents a shift away from thinking of Sydney as reliant on a single business district. Sydney 2056 is a draft amendment to 'A Plan for Growing Sydney' and is on exhibition alongside the draft District Plans. Feedback received will inform a more comprehensive review of 'A Plan for Growing Sydney' to be undertaken throughout 2017.

Both the South West District Plan and Sydney 2056 are on public exhibition until the end of March, 2017.

Councillors were briefed on the draft District Plan on 7 February, 2017.

MAIN REPORT

A review of the draft District Plan and draft amendment to 'A Plan for Growing Sydney' has been undertaken and Council officers have prepared a draft submission.

Whilst the overall vision reflected within the draft Plan is broadly supported, key issues have been identified that relate mostly to the ability for this vision to be implemented within the current planning system and address the need for commitment to supportive infrastructure.

The submission addresses the following key issues:

1. Implementation and Monitoring;
2. Delivering the Western City;
3. Transport Infrastructure;
4. Social Infrastructure (including health and education);
5. Housing;
6. Rural Land; and
7. Environment.

The key issues are discussed in the draft submission. A summary of the key issues and officer recommendations are provided below.



Summary of draft Submission

1. Implementation and Monitoring

Funding Mechanisms

The draft submission raises concerns around the ability of the District Plans to deliver on key promises under the current contributions funding framework and recommends a review of the framework and linking promises to funding mechanisms to provide certainty to the community.

Recommendations

- That the NSW Government commit to a holistic and comprehensive review of the development contributions framework, with particular regard to the \$30,000 cap on contributions in greenfield release areas and the definition of essential infrastructure, within twelve months of the finalisation of the District Plan.
- That key deliverables within the draft District Plan such as the 'blue green grid' include a funding mechanism.
- That the NSW Government further investigate 'value capture' and prepare an implementation framework with input from local government and the development industry.

Policy Framework

The draft submission raises concerns around the inconsistency between the aims and objectives of the draft District Plan and other plans, policies and strategies. The ability to implement the District Plans relies on all levels of government and policy working consistently together.

The draft submission seeks clarity on the legislative and working relationship between the GSC, the Department of Planning and Environment (DPE) and other State Government agencies, and highlights the disparities between the objectives of legislation such as the Exempt and Complying SEPP and the District Plans.

Recommendations

- Require all policy changes to the NSW planning framework be approved by the GSC as being consistent with District Plans.
- The DPE clarify the legislative relationship between the GSC, District Plans and Growth Centres SEPP, and the precinct planning process.
- Request a review of the Exempt and Complying SEPP in relation to inconsistency with the draft District Plan.
- The District Plan include a detailed 'Action Plan' identifying not only who will undertake which action, but also outlining timeframes and the correlation between other strategic documents.
- That the review of the Structure Plan for the South West Priority Growth Area reflect the draft District Plan, as well as the precinct planning that has occurred in the Growth Area and the key infrastructure required to support development in the Growth Area.
- That the relationship between the draft District Plan and the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 be clarified, particularly given the potential inconsistency between the SEPP and the Plan.



- Clarification of the relationship between the draft District Plan and the preparation of Council's Community Strategic Plan and to what extent Council will need to ensure that the Community Strategic Plan is consistent with the District Plan.

2. Delivering the Western City

The draft submission reiterates Council's support for the City Deals initiative, and outlines the importance of local centres in the development of a regional Economic Development Strategy (EDS). The submission also highlights the importance of the centres hierarchy framework for developing key centres such as Leppington Town Centre and other centres identified within the South West Priority Growth Areas.

Economic Development Strategy for Western Sydney

Recommendations

- The EDS for the Western City should be informed by local economic development strategies to ensure local opportunities for investment are not lost in the context of the higher order employment lands surrounding the Western Sydney Airport.
- The GSC to undertake consultation with Councils and industry and business leaders prior to the preparation of the Western Sydney EDS.

The Centres Framework for the District

The draft District Plan identifies the need to undertake a review of the centres hierarchy for the District. The draft submission acknowledges the need for this review and recommends a timeframe be included as this is a matter of urgency for the Camden LGA due to the ongoing development of a number of commercial centres.

The draft submission also acknowledges the inclusion of action L13 with regard to the protection of the heritage values of the Camden Town Centre.

Recommendations

- The Centres Hierarchy Review be prioritised and completed within 12 months of finalising the District Plan to allow Council to appropriately consider development.
- The role of larger 'local centres' such as Oran Park and Camden be investigated and clarified through the development of the centres framework.
- The location of future local employment be identified through the Centres Hierarchy Review.

Leppington Town Centre

The draft District Plan highlights the need to review the vision and planning framework for the Leppington Town Centre. The draft submission agrees with this action and highlights the timely nature of delivery of the Leppington Town Centre. The draft submission also identifies the potential within Leppington to showcase innovative centres development and delivery, given its current stage of development.

Recommendations

- The GSC, Council and the DPE investigate using Leppington as a pilot project to encourage and incentivise innovative design outcomes.
- An interim framework for decision making in Leppington be developed with the DPE, GSC and Councils to inform development assessment and investment ahead of the finalisation of a broader vision for the centre.

This is the report submitted to the Ordinary Council held on 28 March 2017 - Page 31



3. Transport Infrastructure

The draft submission requests the District Plans to include the delivery of key infrastructure such as road and rail including timing and funding commitments. The draft submission also recommends greater emphasis on precinct planning to ensure infrastructure delivery is linked to dwelling densities.

Recommendations

- The District Plan must include a commitment by the NSW Government to the preservation of the South West Rail Link (SWRL) corridor (Leppington to Narellan).
- The NSW Government to commit to the investigation of the SWRL extension from Narellan to the T2 South Line and a timeframe for completion.
- Finalisation of the Regional Traffic Strategy as part of the Growth Centres Structure Plan review.
- The NSW Government commit to the extension of Badgally Road and a timeframe for completion.
- The NSW Government prioritise the planning and construction of the Spring Farm Parkway to the M31 Hume Highway.
- The District Plans must not be finalised until such time as there is a detailed Transport Infrastructure Delivery Plan with commitments to timing and delivery.

Developing Thresholds for Greenfield Dwelling Numbers based on Transport Provision

The draft District Plan includes an action linking dwelling numbers to transport provision. The draft submission supports this in principle however identifies a number of administrative issues for Councils in managing this. The draft submission instead recommends improving linkages to Precinct Planning for new release areas to ensure transport provision.

Recommendations

- All precinct release areas should have an approved servicing and staging strategy for key infrastructure that responds to future densities.
- The precinct planning process for new release areas be required to demonstrate how early delivery of public transport has been planned for including planning for key infrastructure such as bus lanes and depots, rail infrastructure including parking and cycle and pedestrian connectivity.
- TfNSW and contracted bus companies agree to early service provision in greenfield release areas to assist in mode shift to public transport.

4. Social Infrastructure

Health and Education

The draft submission suggests that, outside the Regional Centres of Liverpool and Campbelltown/Macarthur, there is a lack of provision of health and education facilities to support the projected population growth. The draft submission recommends further



investigations into tertiary education and major healthcare facilities outside the regional centres to support population growth within the priority growth areas.

Recommendations

- The draft District Plan to include the identified TAFE campus at the Leppington Town Centre.
- The planning for a new medical precinct, including an additional public hospital, in the South West Priority Growth Area is identified as a priority in the draft District Plan.
- Explore innovative opportunities for additional tertiary education facilities within the South West Priority Growth Area.

Social Planning and Services

The draft submission highlights the disadvantage of the South West District with regards to access to key services. The submission recommends an increased focus on the provision of services and not just built infrastructure.

Recommendations

- The draft District Plan to require a commitment from the NSW Government to provide and fund early services to new communities, with key agencies as partners in delivery.
- The draft District Plan to require a study on the regional social infrastructure and gaps within 12 months of the finalisation of the District Plan.

5. Housing

The draft submission acknowledges the housing targets within the draft District Plan and reiterates the need for a commitment to infrastructure before Council can commit to the delivery of the targets. The submission also seeks further clarity on the delivery of affordable rental housing within a greenfield development and recommends a practice note be provided to Councils on this matter.

Recommendations

- Housing targets must be aligned to the provision of infrastructure.
- Amend the draft District Plan to include incremental housing targets by local government area.
- The GSC to provide clarity around the mechanism to facilitate the delivery and handover of affordable housing for greenfield areas.
- Councils' local housing strategies inform the location of affordable housing. The percentage of affordable housing should be linked to the proposed future location (e.g. higher percentages next to highly serviced centres).

6. Rural Lands

The draft submission reiterates the significance of Camden's rural lands to our community and the unique identity of the area. The submission recommends further investigations into the location and impacts of key infrastructure such as the M9 Outer Sydney Orbital within Camden's rural lands.

This is the report submitted to the Ordinary Council held on 28 March 2017 - Page 33



Recommendations

- That the GSC consider the findings of the Rural Lands Study to inform any future investigation of Camden's rural land.
- All future urban development located within the Growth Centres, but adjoining rural land not identified for future urban development, is required to include a transitional zoning to reduce landuse conflict.
- The District Plan to identify the 'urban edge' for the Camden LGA and that this boundary be reflected within the Growth Centres SEPP.

7. The Environment

The draft District Plan identifies the need to protect and enhance the South West Districts unique environmental qualities and its distinctive landscape. Council supports the focus on enhancement of environmental qualities for the district as this is an important element of Camden's Community Strategic Plan Camden 2040.

The draft submission identifies a unique opportunity to work with Council, landowners and the GSC to protect and enhance the South Creek corridor as part of precinct planning associated with the South West Priority Growth Area (SWPGA).

Recommendations

- The GSC, Council and OEH to develop and investigate a regional strategy for the South Creek catchment including development of a funding framework for acquisition and long term management.
- GSC, Council and landowners to investigate recreational opportunities associated with the development of land within and adjacent to the South Creek corridor.

Summary

The draft South West District Plan provides an overview of key strategic directions to inform the development of the future Western City. Broadly these objectives are supported however success is dependent on the ability to implement the District Plans and require all levels to participate in their implementation.

The draft submission provides a number of recommendations for the consideration of the GSC. In summary, Council's key concerns relate to seeking a commitment from the GSC and State Government in relation to:

- Delivery of the SWRL extension from Leppington to Narellan, inclusive of timing;
- A review of the development contributions framework and identify funding mechanisms for key deliverables from the District Plan;
- A review of the policy framework in NSW with respect to inconsistencies between policies;
- The release of new housing precincts to be matched by provision and timing of key infrastructure; and
- The completion of the Centres Hierarchy Study within 12 months of the finalisation of the District Plans.



Camden's ability to continue to deliver growth and meet mandated housing targets is reliant upon these recommendations being implemented jointly by the State Government and the GSC.

Without this commitment from the State Government and the GSC, Council cannot deliver the productive, sustainable and liveable places required for the Western City of Sydney to succeed.

FINANCIAL IMPLICATIONS

There are no direct financial implications for Council as a result of this report, however should the draft District Plan be adopted, there may be resourcing implications to Council.

CONCLUSION

The GSC is exhibiting the draft South West District Plan and an amendment to A Plan for Growing Sydney until the end of March, 2017. The draft District Plans offer a strategic and integrated approach to managing Sydney's growth through linking State and regional-level aspirations with local government land use and infrastructure planning.

Council officers have reviewed the draft District Plan and broadly support the overall 20 year vision, priorities and actions for the South West District. However the draft submission raises concern as to the implementation of the vision of the District Plan due to apparent inconsistencies with other State government policy direction and priorities, no clear commitment to big ticket infrastructure items and a lack of information around funding mechanisms for delivery.

It is recommended that the GSC further investigate these issues prior to finalising the draft South West District Plan and that consultation with Council and the community continue throughout the process.

RECOMMENDED

That Council:

- i. endorse the attached draft submission to be forwarded to the Greater Sydney Commission;**
- ii. forward the submission to the Greater Sydney Commission; and**
- iii. forward a copy of the submission to Mr Chris Patterson, MP, State Member for Camden.**

ATTACHMENTS

1. Submission - Draft South West District Plan 22/3/17
2. Exhibition Documents District Plan



Submission to the Greater Sydney Commission

Draft South West District Plan

March 2017

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Executive Summary

Camden Council welcomes the release of the Draft South West District Plan and the opportunity to provide comment. With the South West District undergoing dramatic change, the District Plan provides a timely opportunity to consider a new vision for South West Sydney and to lay down the strategic foundations to ensure that the provision of infrastructure and economic growth keeps pace with our population growth. The District Plan also provides an opportunity to strengthen our unique identity and to help ensure that we create and maintain 'liveable' places for new and existing communities.

Whilst the overall vision reflected within the draft Plan is broadly supported, key issues have been identified. These issues relate to the ability to implement the vision within the current planning system, and the lack of consideration of key infrastructure to support the projected growth.

The submission addresses the following key issues:

1. Implementation and Monitoring;
2. Delivering the Western City;
3. Transport Infrastructure;
4. Social Infrastructure (including health and education);
5. Housing
6. Rural Land; and
7. Environment.

Continued consultation with Local Government is a critical step in facilitating the positive collaboration necessary for the success of the District Plan. Council looks forward to an ongoing partnership with the Greater Sydney Commission (GSC) and relevant state agencies to ensure that the desired outcomes of the Plan are achieved.

Introduction

This document forms Camden Council's formal submission to the exhibition of the *Draft South West District Plan* and the incorporated amendment to *A Plan for Growing Sydney*.

The submission was endorsed by Council on 28 March 2017.

A vision towards our Greater Sydney 2056 – A draft amendment to A Plan for Growing Sydney

Council broadly supports the proposed amendments to 'A Plan for Growing Sydney' which proposes to reconceptualise Greater Sydney as a metropolis of three cities including the 'Emerging Western City' focused around the Western Sydney Airport. The Western Sydney Airport is a major catalyst that will shape the structure of the "Western City" and its surrounding centres.

Council understands that this is a once in a lifetime opportunity and supports the focus of a third city within the metropolis of Sydney. The emergence of the third city is likely to have a significant influence on the form of Camden's future development.

Draft District Plan South West Sydney

Implementation and monitoring

Funding Mechanisms

A key theme within the draft District Plan is to align land use planning and infrastructure investment, including local infrastructure usually planned and delivered by Council such as local roads, drainage, open space and community facilities.

Local infrastructure is currently delivered via funding mechanisms such as Section 94 Contributions Plans and Voluntary Planning Agreements. However, the current development contributions framework substantially limits the ability of local government to deliver adequate and timely local infrastructure.

Given the high cost of acquiring land and constructing infrastructure to support development in formerly rural landholdings, the Section 94 Contributions Plans often exceed the \$30,000 per lot/dwelling cap imposed by the NSW Government in 2010. Once the cap is exceeded, Council is unable to collect contributions towards the construction of 'non-essential infrastructure' which includes the construction of community facilities, libraries, performing arts spaces, riparian corridors and district and regional active open space.

The inability to secure a funding stream for these forms of community and open space infrastructure is considered to be fundamentally at odds with the aims and objectives of the draft District Plan, as no certainty can be provided regarding the funding source and timing for delivery of works which play an essential role in establishing vibrant, functioning, cohesive and inclusive communities. The ability of Councils to acquire and embellish land to deliver upon the draft District Plan's vision of green grids and blue grids is also questioned.

The draft District Plan discusses 'value capture' as a potential funding mechanism for infrastructure. Further investigation should occur to prepare a holistic development control, zoning and contributions framework within which 'value capture' can be implemented in a variety of development contexts.

Recommendation:

- That the NSW Government commit to a holistic and comprehensive review of the development contributions framework, with particular regard to the \$30,000 cap on contributions in greenfield release areas, and the definition of essential infrastructure, within twelve months of the finalisation of the District Plan.
- That key deliverables within the draft District Plan such as the "blue green grid" include a funding mechanism.
- That the NSW Government further investigates 'value capture' and prepare an implementation framework with input from local government and the development industry.

Policy

The draft District Plan provides a 20 year vision for the South West District. The realisation of this vision will require the coordination of plans, strategies and policies across all levels of government to ensure priorities and timeframes are clearly identified and worked towards.

Whilst the overall vision, priorities and actions for the South West District are broadly supported, concern is raised regarding the potential inconsistency between the draft District Plan and other NSW Government policy direction which prioritises the supply of housing.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Whilst the draft District Plan outlines the responsibilities for Council with regard to aligning LEPs with the actions and priorities in the plan, it is not clear how land within the South West Priority Growth Area is to be considered, and whether the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 will be amended by the Department of Planning and Environment (DPE). Council seeks further clarification on this matter.

The DPE are currently undertaking a review of the Structure Plan for the South West Priority Growth Area. Given that the Structure Plan has not been substantially reviewed since 2007, this presents an opportunity to update the Structure Plan to accord with the objectives and intended outcomes of the draft District Plan, whilst also reflecting the Precinct Planning that has occurred since 2007 and the key items of local and regional infrastructure required to service the South West Priority Growth Area.

SEPP Exempt and Complying Development Codes

A significant amount of residential development within the Camden local government area, especially within the Growth Areas, is currently carried out under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (the Codes SEPP). The rigidity of complying development does not allow for design-led outcomes, which is a key focus of the draft District Plan.

Council recently provided comment to the DPE objecting to a proposed amendment to the Codes SEPP which would allow medium density housing forms such as terraces, manor homes and dual occupancies to be approved as complying development.

It is also noted that at present the delegation to approve SEPP Amendments does not sit with the GSC, unlike LEP's. In order to align all landuse planning decisions it is recommended the GSC and DPE jointly review and approve SEPP amendments in order to provide a connection between the objectives of the draft District Plan and SEPPs.

Environmental Planning and Assessment Act - Amendments

The NSW Government have also recently released draft amendments to the *Environmental Planning and Assessment Act 1979* (EP&A Act), which propose changes to allow the construction of dwellings on unregistered lots to be approved as complying development. Council's submission to the proposed amendments raise concerns regarding the potential conflicts which could arise between dwelling design and surrounding streetscape elements such as street trees and lamp posts.

Community Strategic Plans

It is unclear to what extent Council must consider the draft District Plan in the revision and preparation of a Community Strategic Plan (CSP) required to be prepared by all Councils under the Local Government Act 1993.

In accordance with the Local Government Integrated Planning and Reporting (IPR) Framework, Councils are required to review, prepare and complete their CSP by the 30 June following the election of a new Council. The deadline for councils that were declared "Fit for the Future" to adopt their CSP is 30 June 2017.

The IPR Framework indicates that all CSP's must give due regard to the State Plan and consider alignment with other relevant state and regional plans. The CSP should also be developed and delivered, as a partnership between Councils, state agencies, community groups and individuals.

Based on the above, the new South West District Plan when made available has no ability to align directly with the Local Government IPR Framework requirements, especially when the draft District Plan and CSP both deal with the following matters:

- Represent aspirations for the future of local government area
- Are in revision/preparation cycle where strategies are developed that translate into actions with set baseline targets and identification of lead agency and relevant partners
- The alignments with City Deals, Transport Infrastructure that includes rail corridors and transport connections
- The responsibility to report on the progress of the agreed actions back to the community and stakeholders.

Therefore, it is critical for councils to have a clear understanding of the relationship between the draft District Plan and CSP requirements to meet the IPR framework as well as in preparing Council's End of Term report (2019/20).

Recommendation:

- Require all policy changes to the NSW planning framework be approved by the GSC as being consistent with District Plans.
- The DPE clarify the legislative relationship between the GSC, District Plans and Growth Centres SEPP, and the precinct planning process.
- Request a review of the Exempt and Complying SEPP in relation to inconsistency with the draft District Plan.

- The District Plan include a detailed 'Action Plan' identifying not only who will undertake which action, but also outlining timeframes and the correlation between other strategic documents.
- That the review of the Structure Plan for the South West Priority Growth Area reflect the draft District Plan, as well as the precinct planning that has occurred in the Growth Area and the key infrastructure required to support development in the Growth Area.
- That the relationship between the draft District Plan and the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* be clarified, particularly given the potential inconsistency between the SEPP and the Plan.
- Clarification of the relationship between the draft District Plan and the preparation of Council's Community Strategic Plan, and to what extent Council will need to ensure that the Community Strategic Plan is consistent with the District Plan.

Delivering the Western City

The Western Sydney City Deal

It is clear that with the announcement of the Western Sydney Airport at Badgerys Creek, the Western City is well placed to play a significant role in the future success of the Sydney metropolitan area. However, for this success to be realised, solutions are needed to various challenges such as population growth, access to employment, education, health and sustainable transport services. The importance of early commitment and delivery of infrastructure, especially rail, by government cannot be underestimated, and should be prioritised through the City Deals initiative.

The Western City Deal will provide the opportunity for ongoing collaboration between all levels of government, to the benefit of the entire Western City. However, of note is the significant growth rate projected for the Camden local government area, the highest of all South West District Councils. It is vital that this growth rate is considered when priorities and actions are confirmed, and funds allocated, to ensure that future residents have timely and equitable access to all services and infrastructure.

It is important that the priorities outlined within the Western Sydney City Deal inform the development of the future Economic Development Strategy.

Council supports the City Deals initiative and looks forward to remaining actively involved in the future

The Economic Development Strategy for the Western City

The draft District Plan action P2 identifies the need to develop an Economic Development Strategy (EDS) for the Western City. The EDS for Western Sydney would provide a strategy for economic development across the district, linking opportunities across the region and importantly to the Western Sydney Airport.

The Western Sydney Airport will provide the connectivity needed to support Australia's third largest economy – Western Sydney.

When the airport opens mid-2020s, the single runway is expected to service approximately 5 million passengers per year plus freight, which if realised would bring approximately 4,000 jobs. The airport development is expected to create 35,000 jobs by 2035, increasing to 60,000 jobs over time.

The existing *Camden Council Economic Development Strategy* outlines the importance of securing infrastructure to support economic development in line with population growth, improving transport connectivity to promote relocation of businesses to the Camden local government area, and the ability of improved transport connections in supporting the tourism sector.

The draft District Plan does not currently address employment opportunities (existing and potential) specifically for the Camden LGA. Industry in Camden is well positioned to participate in some of the fastest growing market sectors – education, health and retail – all of which harness innovation and technology. With the development of key retail centres in Oran Park, Camden, Narellan, and Leppington, it will be important to ensure that future demand for commercial/retail floor space can be met.

Development of any economic development strategy for the Western City would require extensive consultation with and input from the broader Western Sydney business community. Council would strongly encourage the GSC to ensure that this occurs prior to finalising the South West District Plan.

Recommendation:

- The EDS for the Western City should be informed by local economic development strategies to ensure local opportunities for investment are not lost in the context of the higher order employment lands surrounding the Western Sydney Airport.
- The GSC to undertake consultation with Councils and industry and business leaders prior to the preparation of the Western Sydney EDS.

The centres framework for the District

The success of the District Plans, and the Western City, will be reliant on a clearly defined centres hierarchy to ensure that the characteristics of each of the centres are complementary and not competing. The review of the centres framework must consider the future rail network and the role this will play in shaping the centres through providing access to employment, health business and education.

The centres hierarchy review should consider centres not only based on their size or classification (for example as strategic, district, or local) but based on the function that they serve to the broader community.

It is noted that the draft District Plan includes an action (Action P17) to require the delivery of local jobs as a condition of approval for rezoning. Council strongly supports this initiative, however suggests that the location of residential development is not always appropriate for employment land uses. The focus instead should be on the '30-minute city' concept, with local employment being delivered within centres and close to public transport.

The provision of a range of job types close to home is important for the success of the residential precincts within the South West Priority Growth Area and to address the projected jobs deficit for Western Sydney. It is crucial that local job opportunities are delivered concurrently with housing development.

It is therefore recommended that the location of future opportunities for local employment delivery be identified through the centres hierarchy review, in consultation with Council.

Camden Town Centre

Council welcomes the focus on the protection of the heritage values of the Camden Town Centre. Council has recently undertaken work on a Camden Town Centre Vision (2014). The vision highlights the significance of the heritage and history of Camden Town and looks at opportunities to enhance economic inactivity and liveability of the centre. Recommendations from the vision are currently being implemented by Council.

Recommendation:

- The Centres Hierarchy Review be prioritised and completed within 12 months of finalising the District Plan, to allow Council to appropriately consider development.
- The role of larger "local centres" such as Oran Park and Camden be investigated and clarified through the development of the centres framework.
- The location of future local employment be identified through the Centres Hierarchy Review.

Leppington Town Centre

Council recognises that since being rezoned in 2013, there have been a range of significant changes in some of the planning assumptions made for the Leppington Major Centre, most notably the commitment to the Western Sydney Airport at Badgerys Creek, the Western Sydney Employment Area and significantly higher residential yields. As such, it is considered that the controls relating to Leppington are in need of review to ensure planning decisions made today do not hinder the centres capacity to deliver the types of services and facilities required to serve the significant population expected in the coming decades.

The Leppington Major Centre has the potential to become a destination for residents and to deliver a different form of development to other centres currently planned and delivered within the South West Priority Growth Area. Council would support further investigation into utilising Leppington Town Centre and its strategic advantages as a pilot project to encourage and incentivise innovative sustainable development outcomes.

The Leppington Town Centres strengths are its proximity to a fully operational and contemporary train station, with services to the Sydney CBD and Western Sydney, as well as the significant road infrastructure planning and investment seen within the area since its original rezoning, with several major roads in the area either already upgraded or in the pipeline.

Significant resources and master planning have gone into the planning of the Leppington centre, and whilst it is important to consider the future role of the centre in the broader

context of the Western City, it must be acknowledged that the land has already been rezoned for development.

Should the Centres hierarchy review being undertaken by the DPE identify additional centres within the Western City, that change the role of Leppington, planning mechanisms must be implemented to ensure that the development of the centre can still progress in the short term, but also evolve over time as the surrounding area is developed and other centres established.

The role of Leppington in the context of the Western City is vital in establishing the infrastructure framework for the wider Western City, particularly with regard to the road and rail network.

Recommendation:

- The GSC, Council and the DPE investigate using Leppington as a pilot project to encourage and incentivise innovative design outcomes.
- An interim framework for decision making in Leppington be developed with the DPE, GSC and Councils to inform development assessment and investment ahead of the finalisation of a broader vision for the centre.

Transport Infrastructure

East west and north south transport connectivity

Western Sydney is primarily reliant upon road based transport connections. Based on the most recent 2014/2015 Household Travel Survey, travel within the Camden local government area is currently dominated by the use of private cars, with 85% of trips being undertaken in a vehicle. The high percentage of car dependency is considered largely due to limited public transport coverage, adverse topography, large distances between origins and destinations in the local government area and a large proportion of residents working outside of the area.

The lack of functional east west connections between the centres of Camden/Narellan and Campbelltown/Macarthur continue as an infrastructure issue for discussion. Despite the NSW Government's commitment to the upgrading of Narellan Road, investigation into the broader regional transport network remains a challenge for all tiers of government.

Whilst the draft District Plan refers to the *Western Sydney Rail Needs Scoping Study*, it does not expressly articulate or support the integral need for rail services in promoting transport improvements, for example the South West Rail Link.

In addition the opportunity of connecting the SWRL Extension to the T2 South Line (Campbelltown to the City) is an option that requires further detailed investigation with a view to preserving a corridor as part of the current process. It is important to note that any such corridor to the T2 South Line should be underground.

The further investigation of the rail link past Narellan to link in with the T2 South Line is encouraged. This link would provide excellent east/west connectivity between the existing service and employment centre of Campbelltown/Macarthur and would link this strategic centre, which includes Western Sydney University and TAFE NSW campuses, with the rapidly expanding residential population of Oran Park, the existing population of Narellan and employment opportunities at Western Sydney Airport and the Western Sydney Employment Area.

In addition to the SWRL Extension, other critical infrastructure required to deliver on this action, are:

- Camden Valley Way additional widening to 6 lanes;
- Raby Road widening between Camden Valley Way and Campbelltown Road, as well as a north/western extension from Camden Valley Way to Bringelly Road;
- Additional transit options that deliver higher frequency, capacity and speed than bus services. This is intrinsically linked to the higher density development targeted in the draft District Plan.

These additional connections are needed to ensure the rapidly growing residential population in the South West Priority Growth Area will be able to develop in a more integrated and sustainable way.

Recommendation:

- The District Plan must include a commitment by the NSW Government to the preservation of the South West Rail Link (SWRL) corridor (Leppington to Narellan).
- The NSW Government to commit to the investigation of the SWRL extension from Narellan to the T2 South Line and a timeframe for completion.
- Finalisation of the Regional Traffic Strategy as part of the Growth Centres Structure Plan review.

The Badgally transport connection (Action P7)

Given the current timeframe for completion of the connection between Camden Valley Way and Badgally Road, it is strategically significant that the Badgally transport connection, linking Oran Park, Harrington Grove, Gregory Hills, Catherine Field and Gledswood Hills into Campbelltown city centre, occurs as soon as possible.

Recommendation:

- The NSW Government commit to the extension of Badgally Road and a timeframe for completion

Spring Farm Parkway (Action P8)

The Draft South West District Plan states the following:

"NSW Roads and Maritime Services will commence strategic planning for the section between Menangle Road and the rail line in early 2017, with the strategic design and business case planned to be completed in 2018".

The Spring Farm Link Road is strategically important to Camden as it would create an additional connection to the M31 Hume Highway, alleviating pressure on existing connections such as Narellan Road, and warrants progress as a matter of priority. Connection of the Spring Farm Link Road to the M31 would also unlock the future Glenlee employment lands by providing direct access to the highway and reducing any potential conflict between heavy industrial and residential uses.

Recommendation:

- The NSW Government prioritise the planning and construction of the Spring Farm Parkway to the M31 Hume Highway.

Developing a threshold for greenfield dwelling numbers based on transport provision (Action P9)

There is significant transport disadvantage in Western Sydney. Of concern is the lack of road infrastructure when additional residential lots are released, causing congestion and travel delays for residents. There is a need for early delivery of a transformative, holistic approach to land use planning and transport provision which would provide early access to jobs, health, and education.

The draft District Plan proposed the creation of a threshold for new homes linked to the delivery of transport connections, the draft District Plan does not outline the mechanism by which this would occur. The draft District Plan is not clear on; how the thresholds will be monitored/measured, or how the NSW Government will be compelled to commit funding based on these thresholds?

The growth experienced within the Camden LGA over the past decade has placed significant pressure on existing road infrastructure as a result of housing targets not being matched with suitable transport commitments. Whilst the concept of thresholds proposes to match infrastructure with population, it is likely to be difficult to implement.

This issue could partly be addressed through an appropriate land-use strategy to accompany the identification and delivery of the rail options for Western Sydney. This strategy could provide a broad timescale and sequence for the release and development of the rail link and its associated stations.

The review of the South West Priority Growth Area Structure Plan provides an ideal opportunity to align the staged release of precincts within the South West Priority Growth Area with that of the delivery of the preferred Western Sydney rail options. In conjunction, the land-use strategy and structure plan could align to provide a phased/staged release of higher density zonings around train stations which do not come online until the delivery of the associated train station, enabling them to grow and develop in line with transport and service provision.

The land-use strategy also has the ability to highlight appropriate land uses and developments within the rail protection corridor which could be effectively utilised in the short to medium term. This would (depending on the range of permissible uses) largely avoid the

sterilisation of land, potentially enabling landowners to productively utilise their land in the interim.

Recommendation:

- All precinct release areas should have an approved servicing and staging strategy for key infrastructure that responds to future densities.
- The precinct planning process for new release areas be required to demonstrate how early delivery of public transport has been planned for, including planning for key infrastructure such as bus lanes and depots, rail infrastructure including parking and cycle and pedestrian connectivity.

Encourage and support the use of public transport (Action P10)

Public transport usage in the Camden LGA is low when compared to the Sydney average, however it must be acknowledged that these low rates of use are due to the lack of public transport infrastructure available in the area, as opposed to a lack of interest by the community.

The Camden community's vision for the future (*Camden 2040*) reflects the desire for convenient and effective public transport options. This vision has been broken into three key transport objectives, being:

1. An effective and efficient road network
2. A variety of different transport options
3. A transport network that promotes positive environmental outcomes

Camden Council is committed to providing opportunities for public transport for all new release areas. Potential opportunities to respond to the above objectives and encourage and support the use of public transport in the Camden LGA are as follows:

- Early construction of rail as outlined in the *Western Sydney Rail Needs Scoping Study*;
- Provision of infrastructure to facilitate other forms of transport (e.g. bus depots);
- Protection of future rail corridors and road corridors where transport projects are currently not committed;
- Integration of transport and land-use planning;
- Planning for ancillary transport mediums e.g. taxi, community transport etc.;
- Implement a cycle way and shared pathway network, including both off-road (pathways) and on-road (dedicated road lanes) and a strategy to promote cycling and walking as viable transport methods.

Provision of transport options such as rail would be a significant catalyst toward realising the Camden community's vision, particularly as it relates to providing effective and sustainable transport (in easing congestion on strategic transport corridors) and generating employment and economic opportunities.

Recommendation:

- Transport for NSW and contracted bus companies agree to early service provision in greenfield release areas to assist in mode shift to public transport.

Social Infrastructure and Planning

To ensure all needs of the growing population are met in South West Sydney, it is crucial that the infrastructure needed to support social inclusion in the building of new communities is provided. Achieving social inclusion means all members of these new communities are ensured equitable opportunities to participate, via the delivery of new targeted community and social infrastructure in the South West Priority Growth Area.

Health

It is acknowledged that the concentration of existing regional health and education facilities in both the Liverpool and Campbelltown/Macarthur centres offers a great opportunity to further advance these centres as health and education super precincts, providing knowledge intensive employment opportunities for residents in the South West District.

The draft District Plan provides limited focus on health and education outside of these major centres. Given the overwhelming residential population expected in the South West Priority Growth Area, the District cannot rely only on existing facilities. Planning must be undertaken now to ensure that new health and education facilities are planned in emerging centres, where the bulk of housing growth is occurring.

The existing hospital services in the South West Priority Growth Area (SWPGA) are currently at capacity. The NSW Governments current approach of providing integrated primary and community care centres, and the expansion of existing medical precincts is not sufficient to cater for the future population.

It is important the District Plan include a new public hospital within the South West District and that it be appropriately planned for in the precinct planning process.

Education

There is no mention in the draft District Plan of the TAFE campus proposed for the Leppington Major Centre, however the site is depicted on the map on page 71. This point requires clarification as to the intention of future tertiary education provision in the South West, particularly on this site. As acknowledged in the draft District Plan, in order to grow the proportion of smart jobs in the District, it is important to grow the skilled workforce by improving access to the relevant vocational education and training, higher education facilities and training programs. The removal of this site from Leppington will limit the centres future potential and is not supported.

Whilst the Liverpool and Campbelltown city centres have a strong existing and growing education focus, the emerging population in the SWPGA will require additional high level secondary, tertiary and vocational education facilities. With an estimated need for 1 university per 500,000 persons the expected growth in the South West District will require at least 1 new facility.

The City Deals initiative presents the opportunity for key Councils to work together to explore innovative options for future innovative education facilities within the Western City, including the potential to attract international investment in education.

Social Planning and Services

Whilst the draft District Plan provides a vision for a liveable district into the future, there is a lack of focus on the provision of human services across a wide range of target groups. The draft District Plan instead places a large emphasis on the provision of hard infrastructure. The Camden LGA and the South West District more widely suffers significantly from a lack of access to key services. Services such as community health, mental health, aged care services, family and youth support services must be part of the delivery of the Western City. Without these key services the social wellbeing and community cohesion of new communities will continue to be disadvantaged.

Recommendation:

- The draft District Plan include the identified TAFE campus at the Leppington Town Centre.
- The planning for a new medical precinct, including an additional public hospital, in the South West Priority Growth Area is identified as a priority in the draft District Plan.
- Explore innovative opportunities for additional tertiary education facilities within the South West Priority Growth Area.
- The draft District Plan to require a commitment from the NSW Government to provide and fund early services to new communities, with key agencies as partners in delivery.
- The draft District Plan to require a study on the regional social infrastructure and gaps within 12 months of the finalisation of the District Plan.

Housing

Delivering strategic housing supply targets

Without early commitment to the delivery and timing of major infrastructure items, such as rail, Council cannot commit to the planning and delivery of the 20 year housing targets of 143,000 dwellings (for the South West District) as included within the draft District Plan.

The draft District Plan identifies Camden LGA to deliver 11,800 new dwellings between 2016-2021. Councils ability to meet the identified housing targets and associated housing diversity and densities is dependent on transport infrastructure.

The draft District Plan only provides 5 year housing targets at an LGA level, with the 20 year housing target only provided at a district level. The draft District Plan also calls for Councils to prepare a 'local housing strategy'. The 5 year target is not useful to assist with long term strategic planning when considering the time it would take Council to prepare, exhibit and adopt the strategy.

To ensure aspirational strategic outcomes of the draft District Plan are realised, it is critical that the final district plans provide incremental housing supply targets, by local government area, at a minimum 5-year increment, which is matched to key infrastructure.

Recommendation:

- Housing targets must be aligned to the provision of infrastructure.

- Amend the draft District Plan to include incremental housing targets by local government area.

Affordable Rental Housing Targets

The draft District Plan identifies methods to address Sydney's affordable housing challenge, and provides, and prioritises the implementation of, an Affordable Rental Housing (ARH) Target of 5-10% of new floorspace.

Whilst Council acknowledges and supports the need to address the affordable rental housing challenge, concern is raised that the 5-10% affordable rental housing target will be difficult to implement for greenfield rezonings, which are predominantly related to the subdivision of lots and not necessarily related to the development of floor space.

Council requests that the guidance note identified in Action L7 be provided as a matter of urgency for all Councils, as the implementation challenge is one that is of high importance for areas with significant growth and rezoning projects such as Camden Council.

In addition it is recommended that Councils local housing strategies set targets for the quantum and location of ARH, as it is likely more appropriate to plan for ARH adjacent to areas with access to employment and key services and connectivity, rather than a generic target that applied to all development types across all locations in Sydney.

Recommendation:

- The GSC provide clarity around the mechanism to facilitate the delivery and handover of affordable housing for greenfield areas.
- Councils' local housing strategies inform the location of affordable housing. The percentage of affordable housing should be linked to the proposed future location (e.g. higher percentages next to highly serviced centres).

Rural Lands

With the rapid urban growth over the past 20 years Camden LGA has a number of emerging pressures including the Western Sydney Airport and the Outer Sydney Orbital (M9), both of which have the potential to significantly impact on Camden's rural lands.

The draft District Plan provides a number of priorities relating to protecting the environmental, social and economic values of the Metropolitan Rural Area, including discouraging urban development on rural land not earmarked for future urban development. The draft District Plan also recognises that whilst there are common tensions experienced on all rural land across Sydney, these tensions must be resolved on a locality-by-locality basis to ensure that the complexities of rural land values can be properly considered.

Council recently commissioned a study to inform and guide decision making on matters such as rezonings/planning proposals, development applications and broader strategic plans. The

initial findings of the Study reinforce the importance of protecting Camden's remaining rural land, recommend methods for dealing with future land use conflicts such as the M9 and urban development within the South West Priority Growth Area, and identifies opportunities for agricultural industry associated with the development of the Western Sydney Airport. There is the opportunity for these findings to inform the future work of the GSC with regard to the future of Camden's rural lands, as outlined in the draft District Plan.

The review of 'A Plan for Growing Sydney' (expected to be released for comment towards the end of 2017) will consider the relationship between transport corridors and land use boundaries resulting from the resolution of a preferred alignment for the Outer Sydney Orbital. The development of the Outer Sydney Orbital has the potential to provide a visible, defensible boundary to Sydney's outer western city limit which would define and contain Sydney's urban growth. It is important that the corridor be located so as to have minimal impact on Camden's rural lands.

Recommendation:

- That the GSC consider the findings of the Rural Lands Study to inform any future investigation of Camden's rural land.
- All future urban development located within the Growth Centres, but adjoining rural land not identified for future urban development, is required to include a transitional zoning to reduce landuse conflict.
- The District Plan identify the "urban edge" for the Camden LGA and that this boundary be reflected within the Growth Centres SEPP.

Environment

The draft District Plan identifies the need to protect and enhance the South West Districts unique environmental qualities and its distinctive landscape. Council supports the focus on enhancement of environmental qualities for the district as this is an important element of Camden's Community Strategic Plan Camden 2040.

The ongoing urban development of the Camden LGA particularly within the SWPGA has placed significant pressure on existing ecosystems. Actions such as *S3 Protect the South Creek environment and development approaches to achieve excellent environmental performance* are supported by Council.

Management of this riparian corridor during and after urbanisation of the surrounding lands is an important issue for Council as this corridor plays a major role in flood management and mitigation and environmental amenity.

Council acknowledges there is an excellent opportunity for the GSC to work closely with Council, landowners and the Office Of Environment and Heritage to secure the length of the South Creek corridor (within the Camden LGA) to preserve the green grid in public ownership. It is also noted that a substantial portion of the land is currently under investigation as part of a rezoning process with the DPE.

Recommendation

- The GSC, Council and OEH develop and investigate a regional strategy for the South Creek catchment including development of a funding framework for acquisition and long term management.
- GSC, Council and landowners investigate recreational opportunities associated with the development of land within and adjacent to the South Creek corridor.

Conclusion

The draft South West District Plan provides an overview of key strategic directions to inform the development of the future Western City. Broadly these objectives are supported, however, success is dependent on the ability to implement the District Plans and require all levels to participate in their implementation.

The draft submission provides a number of recommendations for the consideration of the GSC. In summary Councils key concerns relate to seeking a commitment from the GSC and State Government in relation to:

- Delivery the SWRL extension from Leppington to Narellan, inclusive of timing;
- A review of the development contributions framework and identify funding mechanisms for key deliverables from the District Plan;
- A review of the policy framework in NSW with respect to inconsistencies between policies;
- The release of new housing precincts to be matched by provision and timing of key infrastructure; and
- The completion of the Centres Hierarchy Study within 12 months of the finalisation of the District Plans.

Camden's ability to continue to deliver growth and meet mandated housing targets is reliant upon these recommendations being implemented jointly by the State Government and the GSC.

Without this commitment from State Government and the GSC Council cannot deliver the productive, sustainable and liveable places required for the Western City of Sydney to succeed.

Attachment One – Fergusons Land Cricket Project, spatial diagram



Attachment Two – Macarthur BMX expansion project – Overlay





8 November 2017

Mr Ron Moore
General Manager
Camden Council
PO Box 183
Camden NSW 2570



Re: Police Citizens Youth Club for Camden

Dear Ron

Thank you for meeting with Superintendent David Scrimgeour and myself on Wednesday 4 October 2017.

We recognise and note the council's support for PCYC now, over a long period of engagement and more recently to identify new opportunities following the meeting with Mr Chris Patterson MP. As you are aware PCYC is a partnership with the NSW Police that drives activity based programs to engage young people and the community to reduce and prevent crime, develop skills, character and leadership and get young people active in life. This requires facilities that are more like leisure centres, ie multi court, multipurpose activity spaces and youth drop in areas that attract young people through the activities we offer. Moreover, as reinforced in the meeting, our belief is that the somewhat dated concept of youth centres do not work because activities drive diversion not facilities.

As represented in the meetings and communications since the meeting with Mr Patterson, PCYC's preference is to be part of Council's facilities management plans for the proposed leisure centre. PCYC could also make the Youth Centre work if the build included two courts and sufficient multipurpose spaces to conduct the kinds of activities that service youth and the community within a sustainable business model. The outcomes of the 4 October meeting were that none of these alternate options were possible in the current planning framework. Therefore, given the Elderslie site does not fulfil our requirements for sustainable youth engagement and as requested in the meeting, PCYC advises we cannot proceed on the current site. This decision will enable Council to release the section 94 funds for other projects.

The youth crime statistics and a growing youth population support the benefit that the NSW Police Youth Command and PCYC would have to the Camden community. PCYC is still committed to Camden but understands the need to close this chapter to allow council to release those funds. PCYC has a number of councils wanting a PCYC and will seek Ministerial advice regarding the allocation of the existing funds. That said, we are committed to continued dialogue and should Camden Council identify a new opportunity for partnership before any alternate options are finalised, the priority is Camden and those funds previously committed will come with that opportunity.

I thank Camden Council for the support of PCYC throughout this protracted process.

Yours sincerely

Dominic Teakle
Chief Executive Officer
PCYC NSW

CC: Minister Troy Grant, MP
Chris Patterson, MP
Assistant Commissioner Joe Cassar, Capability, Performance & Youth Command
Superintendent David Scrimgeour, NSW Police Force

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2018 Community Sponsorship Program Summary of Allocations/Recommendations - SAC Approvals January to June 2018													
ID	Applicant	Event (1)	Description	In-kind Requested	Monetary Requested	Multi Year Requested	Approved by SAC	Recommended Monetary to spend Budget (from SAC)	Total Recommended In-Kind	Total Recommended	Comments	Previous Allocation (2016,2017) Monetary & In-Kind	Ranking - Low, Medium, High
1	Mount Ararat Botanic Gardens	Ararat/ROMA Food & Wine Festival	A food and wine festival held in the Mount Ararat Botanic Gardens	Nil	\$10,000	✓	✓	\$0,000.00	\$0.00	\$0,000.00	Large event - economic benefit	\$5000 Monetary (2017)	H
2	Camden RSL Sub Branch	ANZAC Day Service	ANZAC Day dawn service and main service		\$10,000			\$0,000.00	\$0.00	\$0,000.00	Recommend \$0,000 from the sponsorship program and the additional \$20,000 from existing budget for Anzac Day (Late application)	\$10,000 (2017) 2014-2016 received funding from separate ANZAC Centenary subsidy	H
3	Meats on Wheels	Continarian Luncheon	Celebratory lunch for all those turning 100 or older in the Macarthur Area	Nil	\$4,725	✓	✓	\$2,000.00	\$0.00	\$2,000.00	Recommend same as 2016, additional funding requested was to cover advertising and printing costs and gear. It is recommended to fund same as 2017.	\$70 In-kind hire fee of gallery room (MTC centre) (late application) (2016) \$20000 Monetary (2017)	H
4	Camden Show Society Inc	Camden Show 2018	Agricultural show held over 2 days	Camden Council have in previous years provided marketing sponsorship of \$5,000 as provided. Marketing costs to be covered by the Camden Show to the value of approx. \$14,000 + and we would seek similar assistance again for the 2018 Show.	\$8,000	✓	✓	\$8,000.00	\$6,000.00	\$15,000.00	Recommend same as 2016	\$3000 Monetary + \$11000 In-kind for hire, cleaning, grading and road closure hire and maintenance (2016) \$5000 Monetary + \$6000 for hire fees, cleaning, grading, road closure fees and waste removal (2017)	H
5	Macarthur BMX Club	State Open Competition Round	Macarthur BMX are hosting a state open event for the BMX community	Nil	\$1,000	✓	✓	\$1,000.00	\$296 (20 bins)	\$1,296.00	State open round, not a state or national championship but still a high number of visitors and competitors.	\$1,000 monetary + \$288 in-kind for 20x bins (July - Dec 2016 - state series open) \$2000 monetary + \$600 in-kind to cover cost of bins (January to June 2017 for pre event)	M
6	Macarthur Lions Club	Camden Arctic Fun Run	Charitable 5km or 10km run / walk	Nil	\$4,000	✓	✓	\$4,000.00	\$0.00	\$4,000.00	Recommend same as 2016	\$4000 Monetary (2016) \$4000 Monetary (2017)	H
7	St Paul's School Camden	St Pauls Fair	Annual School Fair	Waste Management costs, inclusion on Council website, traffic barriers and road closures. \$3000 (park closure fees (Larkin Place) \$148 + \$20.20)	Nil	✓	✓	\$0.00	\$148 (10) bins + excess in-kind work hours = \$480	\$648.00	Recommend same as 2016	2014/2015/2016 x10 bins and x6 barrels	M
8	The Agile After	The Agile After	Market	In-kind requested for supply of event bins, Refunds Area hire, One off Daychasing Fees	Nil	✓	✓	\$0.00	\$296 (20 bins) x 2 DA modification Fee \$71.00, Refunds Area Fee \$84.30 x 2 and Archiving Fees \$30.70	\$667.30	Recommended as an in-kind contribution due to the economic benefit (2017 second round application)	\$767.00 (2016)	M
Not Recommended for sponsorship													
9	Macarthur Centre for Sustainable Living	Workshops	6 workshops for Camden residents including cheese, chocolate and pasta making	Nil	\$4,083.00	✓	✓	\$0.00	\$0.00	\$0.00	Already receives a large amount of money annually Annual \$30,000 from Recreation specifically for workshops Limited number of residents to benefit	\$68.45 (Community Small Grants 14/15) Annual \$30,000 grant from Recreation for six workshops	L
9	Just 4 Tots Family Day Care	Supertots Kids Disco	Disco for pre school children fundraising for bear cottage - July 2018	Cost of venue (\$670) and sound engineer (cost not detailed in application)	Nil	✓	✓	\$0.00	\$0.00	\$0.00	Event is held in July 2018. Will be required to re-apply in Feb-March round.	DCP 2016 (\$137)	N/A
10	Lifeline Macarthur	Book Fair and Car Park Sale	Book Fair and car park sale at head office in Smeaton Grange.	Nil	\$2,000			\$0.00	\$0.00	\$0.00	Not recommended for funding from the Community Sponsorship Program as the request was made for marketing costs only. It is recommended that this request be funded as a one-off charitable donation of \$200 from the Donations for Charitable Purposes account. The request is for the purchase of a new piece of equipment. Recommend purchasing table for the event. Has not included a budget breakdown nor advice on cost per table.	\$2,000 Monetary (2016)	L
11	Kids Of Macarthur	Fundraiser Ball	A ball to raise funds for equipment for paediatric unit	Nil	\$10,000			\$0.00	\$0.00	\$0.00		\$2000 for table at lunchtime 2017, \$6500 for CSEGP 2017	L
									\$7,823.30	\$36,823.30			
									Shortfall - \$ 23,142.30				

Total Budget 2017/2018	\$7,900.00
Total Amount Spent in July - December 2017	\$2,417.00
Total Sponsorship Applications Approved	\$5,902.00
Total Funds remaining	\$1,581.00
Total Monetary Requested	\$61,288.00
Total In-Kind Requested	\$9,133.30
Total Monetary Recommended	\$29,000.00
Total In-Kind Recommended	\$7,823.30
Total	\$46,156.30