

Statement of Environmental Effects

MIXED USE DEVELOPMENT, OVER TWO
STAGES, INCLUDING STRATA
SUBDIVISION

1 KELLICAR ROAD,
CAMPBELLTOWN

AUGUST 2023



QUALITY ASSURANCE	
PROJECT:	Statement of Environmental Effects – Mixed Use Building
ADDRESS:	1 Kellicar Road, Campbelltown
LOT/DP:	Lot 1, DP882496
COUNCIL:	Campbelltown City Council
AUTHOR:	Think Planners Pty Ltd

Date	Purpose of Issue	Rev	Reviewed	Authorised
25 August 2023	Final Co-Ordination	Draft	EJ/AB	AB
1 September 2023	DA Issue	Final	EJ	AB

Integrated Development (under S4.46 of the EP&A Act). Does the development require approvals under any of the following legislation?

Fisheries Management Act 1994	No
Heritage Act 1977	No
Mine Subsidence Act 1992	No
Mining Act 1992	No
National Parks and Wildlife Act 1974	No
Petroleum (Onshore) Act 1991	No
Protection of the Environment Operations Act 1997	No
Roads Act 1993	No
Rural Fires Act 1997	No
Water Management Act 2000	No

Concurrence	
SEPP (Industry and Employment) 2021	No
SEPP (Resilience and Hazards) 2021	No
SEPP (Transport and Infrastructure) 2021	Yes
SEPP (Planning Systems) 2021	No
SEPP (Precincts – Central River City) 2021	No
SEPP (Precincts – Eastern Harbour City) 2021	No
SEPP (Precincts – Regional) 2021	No
SEPP (Precincts – Western Parkland City) 2021	No
SEPP (Biodiversity and Conservation) 2021	No

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EXECUTIVE SUMMARY

THE PROPOSAL

This Statement of Environmental Effects has been prepared in support of a Development Application seeking to demolish all existing structures in-order to construct 8 buildings comprising a mixed use development inclusive of ground floor commercial with residential dwellings above, proposing strata subdivision, to be delivered in stages.

The key aspects of the proposal are provided below:

Residential flat-building

761 Apartments spaces with the following mix;

- 2 x Studio Apartments
- 156 x 1 bedroom Apartments
- 556 x 2 Bedroom Apartments
- 47 x 3 Bedroom Apartments

Inclusive of 87 adaptable units.

Commercial premises

Approximately 4,329m² of commercial floor space proposed, with potential neighbourhood supermarkets and café.

Parking:

A total of 887 car parking spaces within the basement level and ground floor are proposed with the following breakdown:

- Commercial premises (Non-residential) – 103 spaces
- Residential apartments – 704 spaces
- Visitor – 76

Strata Subdivision

Strata subdivision of apartments and associated commercial spaces is proposed.

Staged Development

The application proposes delivery of the project in stages.

RELATED SITE SPECIFIC PLANNING PROPOSAL

A separate planning proposal has been lodged with the City of Campbelltown Council seeking an amendment to Clause 7.9 of the LEP. The purpose of the amendment is to permit residential apartments on the ground floor, where appropriate.

Accordingly, the design for the site has been worked up in consultation with the Council design panel, anticipating this future permissible use on the ground floor.

Notwithstanding, and for the purpose of this application, the proposal is permissible with the current planning controls and proposes 100% commercial/retail activity on the ground floor.

A future modification will be undertaken once the application is approved and the PP finalised, to convert some of the ground floor space to residential. Alternatively, if the PP is made ahead of the determination of this application, the plans will be modified as discussed above. For this reason, this application is accompanied also by plans illustrating this intended future amendment / modification.

SETTING

Residing within the north-eastern section of the Macarthur Town Centre. The site has a frontage to four roads: Kellicar Road to the south, Menangle Road to the north, Bugden Place to the east, and Gilchrist Drive to the west. The site is within walking distance to Macarthur Train station and several bus stops, the development site is within close proximity to schools, local parks/reserves, services and employment opportunities within the city centre itself.

The site itself can be described as a large regular shaped land parcel with a frontage of 131.6m to Kellicar Road and a total site area of 23,002m². The site adjoins a small shopping complex to the west. A former Bunnings Warehouse occupies the site with associated at-grade parking. The site can be identified as an independent land parcel being adjacent to a raised overpass road, Gilchrist Drive and bounded by three additional streets.

PLANNING FRAMEWORK

The development site is zoned MU1 Mixed Use under Campbelltown Local Environmental Plan 2015, and subject to a maximum building height of 32m and no prescribed FSR. *'Residential flat buildings'*, and *'Shop top housing'* are permissible with consent within the MU1 Mixed Use zone.

Considering the site's MU1 zoning which permits commercial and mixed use buildings of up to 32m, the existing Bunnings building represents a gross undercapitalisation of valuable land situated within a significant regional centre. The built form is also inconsistent with the evolving built form within the city centre itself. As such, the current

proposal will not only permit the site to be developed to its full zoning potential, but will deliver a built form more consistent with the evolving higher density built form in the immediate locality and within the city centre itself, and contribute to housing supply in the town centre.

The proposed development seeks to continue to utilise the land in accordance with the zoning and take advantage of its location within Campbelltown Town Centre, public transport and recreational opportunities.

The proposal which aims to undertake appropriate intensification of an approved mixed use building which will not only be consistent with the evolving higher density built forms character within Campbelltown City Centre but will also provide additional housing and localised commercial floor space within the city centre.

The design response continues to embody the desired future character statement and controls associated with the Campbelltown City Centre. The proposal incorporates a built form that has been worked up in consultation with the Council design panel, that provides a variation in the height profiles across the site, intended to create a superior urban design and amenity outcome, though necessitating an amendment to the prevailing height of building control. The application is supported by a Clause 4.6 variation in this regard.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, and that the proposal represents an appropriate use of well-located land; the application is submitted to Council for assessment. Think Planners recommends approval of the application.

BACKGROUND / LODGED PLANNING PROPOSAL

The subject site is currently under assessment for a planning proposal seeking amendments to Campbelltown LEP 2015 to allow for the redevelopment of the site for the purpose of high-density residential development by:

- Removing the application of Clause 7.9 .

Currently the subject site requires ground floor to only accommodate non-residential land uses, as seen below.

7.9 Mixed use development in Zone B3 and Zone B4

(1) The objective of this clause is to promote employment opportunities and mixed use development in Zone B3 Commercial Core and Zone B4 Mixed Use.

(2) This clause applies to land in Zone B3 Commercial Core and Zone B4 Mixed Use.

(3) Development consent must not be granted to the erection of a building that will contain a residential component, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that—

(a) the building will have an active street frontage after its erection or change of use, and

(b) the ground floor will only accommodate non-residential land uses, and

(c) if the land is in Zone B3 Commercial Core—the building will have at least one additional level of floor space, immediately above the required non-residential ground floor, that is also set aside for non-residential land uses.

(3A) Subclause (3)(a) and (b) does not apply to land at Goldsmith Avenue, Campbelltown, being Lot 1097, DP 1182558.

(4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following—

(a) entrances and lobbies (including as part of mixed use development),

(b) access for fire services,

(c) vehicular access.

(5) In this clause—

active street frontage, of a building, means that all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises.

non-residential land uses includes uses for the purposes of commercial premises, medical centres, recreation facilities (indoor) and other similar uses but does not include car parking.

The intent of the Planning Proposal as mentioned above is to remove the application of Clause 7.9. This Development Application is made consistent with the current planning controls, and is supported for information purposes, by plans that illustrate the outcome once the planning proposal is made. The two scenarios comprise:

1. Current Campbelltown LEP 2015 complying scheme (entire ground floor being commercial and no residential floor space) and
2. Intent of the Planning Proposal (introducing apartments to the ground floor).

SITE AND LOCALITY DESCRIPTION

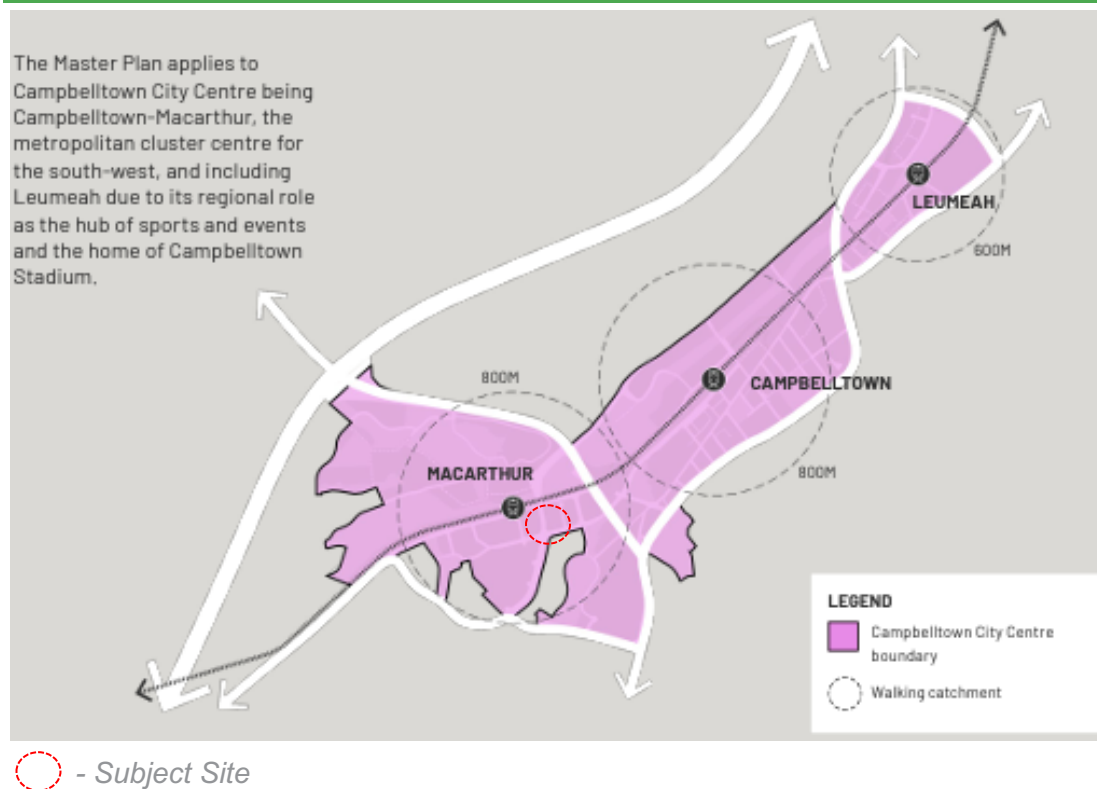
CAMPBELLTOWN-MACARTHUR CENTRE

Campbelltown-Macarthur Centre is identified as Metropolitan Cluster, which is an important place to intensify residential and quality commercial space.

“Campbelltown City Centre is the metropolitan capital of the Macarthur Region. Characterised by a unique urban structure, the City Centre is made up of three distinctive, yet complementary centres. Comprising Campbelltown, Macarthur and Leumeah, the City Centre is underpinned by the existing economic anchors of health, education, justice, arts, sports and industry.”

The subject site resides within the Campbelltown City Centre associated with Part 6 of the Campbelltown Development Control Plan 2011, as illustrated below.

Figure 1: Campbelltown City Centre Map (Source: Campbelltown DCP 2011)



Campbelltown City Centre is currently experiencing a significant transformation of its built form as it progresses towards fulfilling its role as the key Regional Centre of Western Sydney.

SITE AND LOCALITY DESCRIPTION

LEGAL DESCRIPTION

The site is located within the north-eastern section of the Macarthur Town Centre and is legally described as Lot 1 DP882496, 1 Kellicar Road, Campbelltown (subject site). The site has an area of 23,002m².

SITE CONTEXT AND SITE ANALYSIS

The site has a frontage to four roads: Kellicar Road to the south, Menangle Road to the north, Bugden Place to the east, and Gilchrist Drive to the west. The site adjoins a small shopping complex to the west. A former Bunnings Warehouse occupies the site with associated at-grade parking.

The site is located within the Campbelltown City Council Local Government Area (LGA) and on the southern side of the railway line, providing a connection between Sydney and Mossvale. Access to the site is along Bugden Place and Menangle Road, which has numerous connecting streets, providing high accessibility. Narellan Road is a clear entry point into Bugden Place via Kellicar Road.

Figure 2: Aerial photograph showing immediate context. (Six maps, 2023)



LOCALITY

The immediate locality is characterised by a commercial precinct (Macarthur Square and Bulky goods stores). Over the other side of Kellicar Road the locality is characterised by traditional one and two storey residential dwellings.

The site is bound by the train line to the north where the train travels between Macarthur and Campbelltown station. The site is highly accessible by active and public transport modes, with the Macarthur Station approximately 400 m away and bus stops within about 200m. The Macarthur train station services towards Campbelltown, Sydney CBD and Sydney Airport. Connecting train lines provide multiple options to access other areas of Greater Sydney with high degrees of efficiency. In addition to the exceptional accessibility by the rail network, as mentioned above is also within 200m of bus stops on Kellicar Road that provide local accessibility to Liverpool (bus route 872), Liverpool Station (bus route 870), Glenquarie Shops (bus route 872) and Campbelltown (bus route 887). Together with the rail network, the diversity of bus services ensures that residents can choose the best mode of public transport to access local and regional jobs, services and entertainment.

It is also situated within close proximity to Campbelltown CBD, such that the site is recognised in the Reimagining Campbelltown document. The location of the subject site is shown in Figure 2 below:

Figure 3: Aerial photograph with the subject site outlined in yellow. (Six maps, 2023)



Figure 4: Aerial Map Extract of the Subject Area (Source: Google Maps)



Photograph 2: Shows the site as viewed from Gilchrist Drive (Source: Google Maps 2023)



Photograph 3: Shows the site as viewed from Menangle Road (Source: Google Maps 2023)



Photograph 4: Shows the site as viewed from Bugden Place (Source: Google Maps 2023)



Photograph 5: Shows Macarthur Station viewed from Menangle Road 400m from subject site (Source: Google Maps 2023)



Photograph 6: Shows Macarthur Square viewed from Kellicar Road 700m from subject site
(Source: Google Maps 2023)

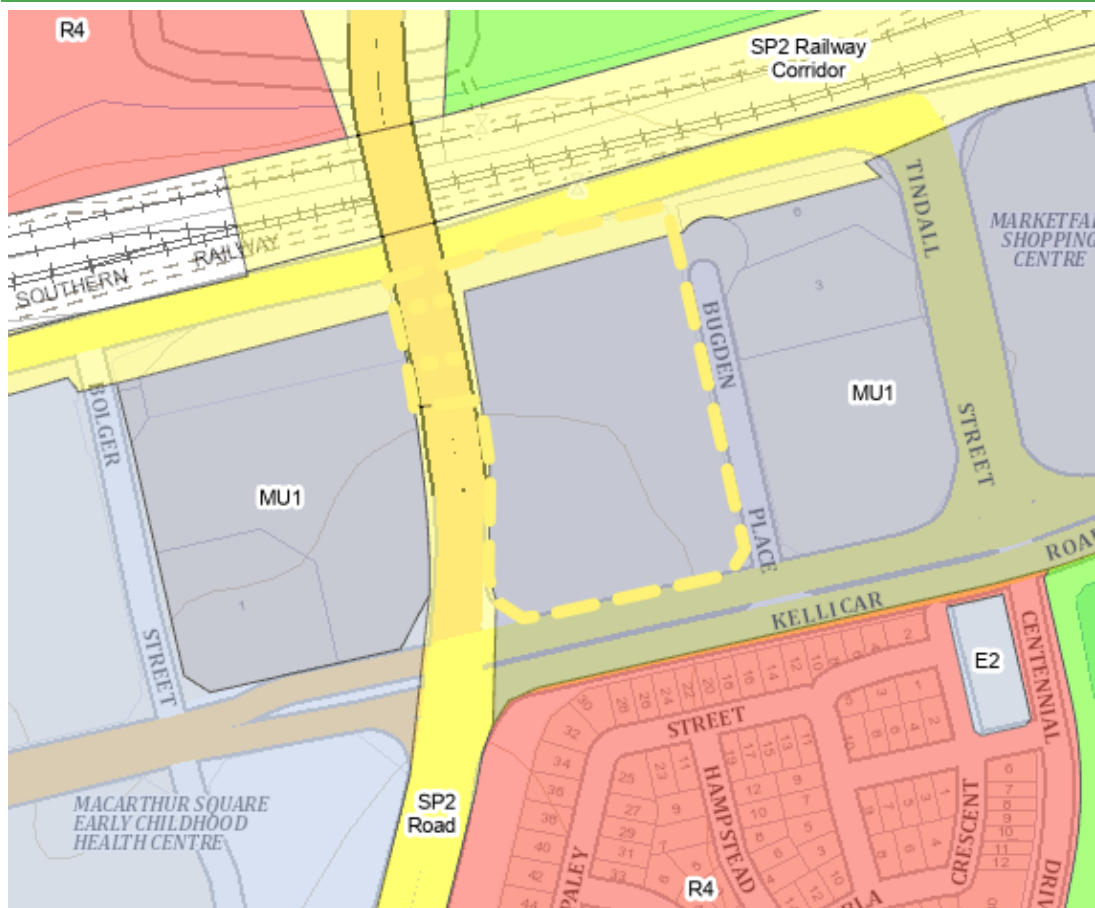


LAND USE ZONE

As per Council's zoning map extract overleaf, the subject site is zoned MU1 Mixed Use under the provisions of Campbelltown Local Environmental Plan 2015.

'Residential Flat Building' and 'Shop-top housing' are both, permissible with consent within the MU1 Mixed Use zone.

Figure 5: Zoning Map Extract (Source: Campbelltown LEP 2015)



Considering the site's MU1 zoning which permits commercial and mixed use buildings of up to 32m, the current building represents a gross undercapitalisation of valuable land situated within a significant regional centre.

The built form is also inconsistent with the evolving higher density built form within the city centre itself.

The current proposal will permit an independent site to be developed to its full economic and zoning potential whilst providing a built form that is consistent with the evolving high density character within the immediate locality.

HERITAGE

The site is not identified as a heritage item and is not located within a heritage conservation area. Given the location of the subject site and its context, the proposal will not have any impact on items of heritage value. Accordingly, no further discussion of heritage is necessary.

Figure 6: Heritage Map - (eplanning spatial viewer, 2023)



 Subject Site

DESCRIPTION OF PROPOSAL

This Development Application is seeking redevelopment of the site as a mixed use development.

Due to the scale of the overall proposal, the redevelopment of 1 Kellicar Road is to be undertaken over two distinct stages. The development incorporates a total of 761 Residential units, and a total of 887 car parking spaces within basement and ground floor with subsequent strata subdivision over two stages.

Stage 1

- Demolition of existing structures
- Construction of 4 mixed-use building comprising of commercial retail on ground floor with residential apartments above over a three level basement. The development incorporates a total of 391 Residential units, and a total of 494 car parking spaces and 86 Bicycle spaces within basement and ground floor in Stage 1.
- Strata Subdivision.
- the development incorporates the following dwelling mix;
 - Building A: 8 storeys
 - 7 x 1 bedroom unit;
 - 42 x 2 bedroom unit;
 - Total: 49 units
 - Building B: 15 Storeys
 - 25 x 1 bedroom unit;
 - 74 x 2 bedroom unit;
 - 13 x 3 bedroom units
 - Total 112 units
 - Building C: 6 Storeys
 - 10 x bedroom unit;
 - 25 x 2 bedroom unit;
 - Total 35 units
 - Building D: 14 Storeys
 - 65 x bedroom unit;
 - 117 x 2 bedroom unit;
 - 13 x 3 bedroom units
 - Total 195 units

Parking:

The development proposal within stage 1 includes a total of 494 car parking spaces within basement and ground floor, including 454. residential, 40 Commercial car

parking spaces. The proposal also provides a total of 45 Accessible car parking spaces.

Building A, B& C

- Basement Level 2 – Total 92 car parking spaces with the following breakdown
 - 92 Residential car parking spaces, including 9 accessible car parking space; and
 - 26 bicycle parking spaces
- Basement Level 1 – Total 151 car parking spaces with the following breakdown
 - 151 Residential car parking spaces, including 23 accessible car parking space; and

Building D

- Basement Level 3 – Total 211 car parking spaces with the following breakdown
 - 108 Residential car parking spaces, including 3 accessible car parking space; and
- Basement Level 2 – Total 100 car parking spaces with the following breakdown
 - 94 Residential car parking spaces, including 6 accessible car parking space; and
 - 4 Commercial (non-residential spaces)
 - 40 bicycle parking spaces
- Basement Level 1 – Total 36 car parking spaces with the following breakdown
 - 32 Commercial (non-residential spaces), including 4 accessible car parking space;
 - 20 bicycle parking spaces

The proposed car parking is accessed via a driveway located on the eastern side of the site accessed via Bugden Place.

Stage 2

- Construction of 4 mixed-use building comprising of commercial retail on ground floor with residential apartments above over a one level basement. The development incorporates a total of 370 Residential units, and a total of 393 car parking spaces and bicycle parking spaces 74 bicycle parking spaces within basement and ground floor.
- Strata Subdivision
- the development incorporates the following dwelling mix;

- Building E: 11 Storeys
 - 1 x Studio
 - 24 x 1 bedroom unit;
 - 69 x 2 bedroom unit;
 - 8 x 3 bedroom units
 - Total 102 units
- Building F: 15 Storeys
 - 115 x 2 bedroom unit;
 - Total 115 units
- Building G: 6 Storeys
 - 5 x bedroom unit;
 - 27 x 2 bedroom unit;
 - Total 32 units
- Building H: 14 Storeys
 - 1 x Studio
 - 20 x 1 bedroom unit;
 - 87 x 2 bedroom unit;
 - 13 x 3 bedroom units
 - Total 121 units

Parking:

The development proposal includes a total of 393 parking spaces within basement and Lower Ground, including 355 residential, 38 Commercial, car parking spaces and 74 Bicycle spaces. The proposal also provides a total of 40 Accessible car parking spaces.

Building F& G

- Basement Level 1 – Total 101 car parking spaces with the following breakdown
 - 101 Residential car parking spaces, including 12 accessible car parking space;
- Level 0 (Lower Ground) – Total 60 car parking spaces with the following breakdown
 - 56 Residential car parking spaces, including 6 accessible car parking space; and
 - 4 Commercial spaces (non-residential)

Building E&H

- Basement Level 1 – Total 154 car parking spaces with the following breakdown
 - 152 Residential car parking spaces, including 12 accessible car parking space;

- Level 0 (Lower Ground) – Total 78 car parking spaces with the following breakdown
 - 44 Residential car parking spaces, including 6 accessible car parking space; and
 - 34 Commercial spaces (non-residential)

The proposed car parking is accessed via a driveway located on the eastern side of the site accessed via Bugden Place.

Strata Subdivision

This application seeks strata subdivision of the residential apartment and commercial premises.

A brief description of the various aspects of the development is provided below.

Level	Inclusion
Basement Levels 1-3	<p>Access Arrangements:</p> <p><u>Vehicular Access:</u> A graded car ramp from ground floor provides vehicular access to the basement parking level.</p> <p>The basement levels include a loading bay, waste room and services.</p> <p>A secure door separates the parking area from the lobby area/service area.</p> <p><u>Pedestrian Access:</u> A lift core from the ground floor provides pedestrian access to the basement parking level.</p> <p>Parking</p> <p>A total of 749 car parking spaces with the following breakdown:</p> <ul style="list-style-type: none"> - 40 x commercial car parking space - 709 x residential car parking spaces <p>Service Area:</p> <p>The service areas within the Basement Level includes the following:</p> <ul style="list-style-type: none"> - Garbage room with a bin tug area - Bulky waste room - OSD tanks = - Electrical room & comms room - Pump room - Fire control centre - WC

	Storage spaces.
	Lift core and stairwell.
Ground Floor	<p>Access Arrangements:</p> <p><u>Vehicular Access:</u> A new vehicular crossover and driveway from Bugden Place provides vehicular access to the building including parking spaces and loading zones.</p> <p>The parking area within the ground floor includes internal circulation areas , waste rooms</p> <p>A secure door separates the parking area from the lobby area/service area.</p> <p><u>Pedestrian Access:</u> Direct access to the building and lobby area accessed via the new through site link.</p> <p>Parking</p> <p>A total of 138 car parking spaces with the following breakdown:</p> <ul style="list-style-type: none"> - 38 x commercial car parking space - 100 x residential car parking spaces including an accessible car parking space <p>Lobby Area</p> <p>The lobby area includes direct access to commercial tenancies, lift core and parking area via secured door</p> <p>Commercial tenancy</p> <p>Total of 3,074m² of commercial tenancy is proposed.</p> <p>Public Open spaces and Communal Open spaces</p> <p>Service</p> <ul style="list-style-type: none"> - Fire control centre - Hydrant booster <p>Waste room and Bulky goods</p> <p>Lift core and stairwells.</p>
Level 01	Commercial tenancy

Total of 1,225m² of commercial tenancy is proposed.

Apartments

Stage 1

Building A: 7 apartments
Building B: 9 apartments
Building C: 7 apartments
Building D: 15 apartments

Total: 38 apartments
Including 5 adaptable apartments

Stage 2

Building F: 2 apartments
Building G: 4 apartments
Building H: 5 apartments

Total: 11 apartments

The apartment is provided within a bedroom, living area with direct access to a private open space, dining area, kitchen, bathroom and laundry.

Communal Open space

Lift core and stairwells.

Level 02

Apartments

Stage 1

Building A: 7 apartments
Building B: 9 apartments
Building C: 7 apartments
Building D: 15 apartments

Total: 38 apartments including 5 adaptable units.

Stage 2

Building E: 7 apartments
Building F: 9 apartments
Building G: 7 apartments
Building H: 12 apartments

Total: 35 apartments including 2 adaptable units.

Each apartment is provided with a bedroom, living area with direct access to a private open space, dining area, kitchen, bathroom and laundry.

Commercial tenancy

Total of 124m² of commercial tenancy is proposed.

	Planter boxes.
	Lift core and stairwells.
Level 03	<p>Apartments</p> <p><u>Stage 1</u> Building A: 7 apartments Building B: 9 apartments Building C: 7 apartments Building D: 15 apartments</p> <p>Total: 38 apartments including 5 adaptable units.</p> <p><u>Stage 2</u> Building E: 11 apartments Building F: 9 apartments Building G: 7 apartments Building H: 12 apartments</p> <p>Total: 39 apartments including 2 adaptable units.</p> <p>77 apartment within Level 03. Each apartment is provided with a bedroom, living area with direct access to a private open space, dining area, kitchen, bathroom and laundry.</p>
	Lift core and stairwells.
Level 04-05	<p>Apartments</p> <p><u>Stage 1</u> Building A: 7 apartments Building B: 9 apartments Building C: 7 apartments Building D: 15 apartments</p> <p>Total: 38 apartments including 5 adaptable units.</p> <p><u>Stage 2</u> Building E: 13 apartments Building F: 9 apartments Building G: 7 apartments Building H: 12 apartments</p> <p>Total: 41 apartments including 3 adaptable units</p> <p>Each apartment is provided with a bedroom, living area with direct access to a private open space, dining area, kitchen, bathroom and laundry.</p>
	Lift core and stairwells.

Level 06	<p>Apartments</p> <p><u>Stage 1</u> Building B: 9 apartments Building C: 7 apartments Building D: 15 apartments</p> <p>Total: 31 apartments including 5 adaptable units.</p> <p><u>Stage 2</u> Building E: 13 apartments Building F: 9 apartments Building G: 7 apartments Building H: 12 apartments</p> <p>Total: 41 apartments including 3 adaptable units.</p> <p>Each apartment is provided with a bedroom, living area with direct access to a private open space, dining area, kitchen, bathroom and laundry.</p> <p>Lift core and stairwells.</p>
Level 07	<p>Apartments</p> <p><u>Stage 1</u> Building B: 9 apartments Building D: 15 apartments</p> <p>Total: 24 apartments including 5 units.</p> <p><u>Stage 2</u> Building E: 13 apartments Building F: 9 apartments Building H: 12 apartments</p> <p>Total: 34 apartments including 3 adaptable units.</p> <p>Each apartment is provided with a bedroom, living area with direct access to a private open space, dining area, kitchen, bathroom and laundry.</p> <p>Lift core and stairwells.</p>
Level 08	<p>Apartments</p> <p><u>Stage 1</u> Building B: 9 apartments Building D: 15 apartments</p>

Total: 24 apartments including 4 adaptable units.

Stage 2

Building E: 13 apartments

Building F: 9 apartments

Building H: 12 apartments

Total: 34 apartments including 3 adaptable units.

Each apartment is provided with a bedroom, living area with direct access to a private open space, dining area, kitchen, bathroom and laundry.

Lift core and stairwells.

Level 09

Apartments

Stage 1

Building B: 4 apartments

Building D: 15 apartments

Total: 19 apartments including 4 adaptable units.

Stage 2

Building E: 13 apartments

Building F: 9 apartments

Building H: 12 apartments

Total: 34 apartments including 3 adaptable units.

Each apartment is provided with a bedroom, living area with direct access to a private open space, dining area, kitchen, bathroom and laundry.

Lift core and stairwells.

Level 10

Apartments

Stage 1

Building B: 9 apartments

Building D: 15 apartments

Total: 24 apartments including 4 adaptable units

Stage 2

Building E: 6 apartments

Building F: 9 apartments

Building H: 5 apartments

Total: 20 apartments including 2 adaptable units.

	<p>Each apartment is provided with a bedroom, living area with direct access to a private open space, dining area, kitchen, bathroom and laundry.</p> <p>Lift core and stairwell.</p>
Level 11	<p>Apartments</p> <p><u>Stage 1</u> Building B: 9 apartments Building D: 15 apartments</p> <p>Total: 19 apartments including 4 adaptable units.</p> <p><u>Stage 2</u> Building F: 9 apartments Building H: 5 apartments</p> <p>Total: 14 apartments including 1 adaptable unit</p> <p>Each apartment is provided with a bedroom, living area with direct access to a private open space, dining area, kitchen, bathroom and laundry.</p> <p>HW Plant</p> <p>Lift core and stairwell.</p>
Level 12	<p>Apartments</p> <p><u>Stage 1</u> Building B: 9 apartments Building D: 15 apartments</p> <p>Total: 24 apartments including 4 adaptable unit.</p> <p><u>Stage 2</u> Building F: 9 apartments Building H: 5 apartments</p> <p>Total: 14 apartments including 1 adaptable unit.</p> <p>Each apartment is provided with a bedroom, living area with direct access to a private open space, dining area, kitchen, bathroom and laundry.</p> <p>Lift core and stairwell.</p>
Level 13	<p>Apartments</p> <p><u>Stage 1</u> Building B: 4 apartments</p>

	<p>Building D: 15 apartments</p> <p>Total: 19 apartments including 4 adaptable unit.</p> <p><u>Stage 2</u></p> <p>Building F: 9 apartments</p> <p>Building H: 5 apartments</p> <p>Total: 14 apartments including 1 adaptable unit.</p> <p>Each apartment is provided with a bedroom, living area with direct access to a private open space, dining area, kitchen, bathroom and laundry.</p> <p>Lift core and stairwell.</p>
Level 14	<p>Apartments</p> <p><u>Stage 2</u></p> <p>Building F: 5 apartments</p> <p>Total: 5 apartments including 1 adaptable unit.</p> <p>Each apartment is provided with a bedroom, living area with direct access to a private open space, dining area, kitchen, bathroom and laundry.</p> <p>Communal rooftop open space.</p> <p>Lift core and stairwell.</p>

Design consideration has been given to the scale, size, and form of the proposal in relation to the unique characteristics of the site and taking into the important location and contextual considerations of the site.

The proposal also incorporates a number of ancillary elements, including detailed landscape embellishment works and relevant drainage elements as shown on the submitted plans.

The relevant architectural plans for the proposal have been prepared by DKO, while supporting reports have been prepared by relevant sub consultants. The design of the proposed development incorporates contemporary architectural that relate to the existing and anticipated development in proximity to the site.

The proposed development aims to not only provide a strong interface to all four street but to provide a built form that is consistent with the evolving high density character of the subject area. Place making principles are incorporated into the design including

landscaping, communal open space at grade and on roof tops, pedestrian through site links, activated edges, etc.

Design consideration has also been given to residential amenity including aspects such as privacy and solar access for both future residents of the proposal and those of surrounding properties. The proposal complies with key planning requirements and discussed further and addressed in this report.

The development site presents a rare opportunity to redevelop an underutilised and undercapitalised site within an established and revitalising town centre, that will not only deliver a built form consistent with Councils vision but will increase additional residential dwellings and activate the ground level via a small localised retail precinct.

DESIGN EXCELLENCE PANEL MEETING

The proposed development has been reviewed by the Design Excellence Panel (DEP) on two occasions on, 21st April 2023 and 30th June 2023. The following table outlines the comments made from the panel and how the proposed development has responded through the architectural design.

DEP comments	Design Response
General Comments	
<i>The site is an important gateway site to Campbelltown and will be a critical part of the townscape of Campbelltown and its ongoing development of the “city image” as an important and distinctive regional centre.</i>	The architectural design responds adequately providing an active streetscape and improving the connectivity within the city centre through the provisions of a new site link. The proposed development provides high-quality building design and will improve the streetscape and the city image of Campbelltown.
<p>-----</p> <p><i>The urban contextual links of the site to the surroundings, existing shopping centre, commercial centre and pedestrian access to the railway station are important to acknowledge and demonstrate to inform preferred movement patterns of pedestrians and link to existing and established city nodes.</i></p> <p><u>30/06/23</u></p> <p><i>Further analysis of the urban links, ground plain structure including retail distribution, as well as pedestrian, bicycle, car and bus movement patterns, particularly to/from Macarthur Station and Macarthur Square are to be analysed and investigated. An urban structure plan is to be prepared between Macarthur Square and Narellan Road.</i></p>	
<p>-----</p> <p><i>The panel requests that further investigation of built form arrangements and subsequent modelling and overshadowing effects be investigated so as provide opportunities for integration with the surroundings and this to inform the potential mix of uses, streetscape, bulk and scale.</i></p> <p><u>30/06/23</u></p> <p><i>There has been insufficient further built form exploration. A site of this scale requires genuine options testing including a multi-criteria analysis. The issues of building address, activation and</i></p>	
	<p>The proposal has been modified significantly on the ground plain following the meeting, inclusive of recommended relocation of focal point for retailing to Bugden Place. The submitted proposal is restricted by clause 7.9 to provide 100% of ground floor as commercial/retail space. Architectural designs include the further analysis of the urban links, ground plain structures. Please see attached architectural plans for further detail.</p> <p>The site has been through a series of rigorous built form testing stages. This includes prior to the 1st design panel meeting, after that meeting leading to the 2nd meeting, and subsequent to the</p>

overshadowing, particularly to the ground floor communal landscaped areas are not satisfactorily shown to be resolved to provide an appropriate amenity to the open space areas.	meeting. The final built form responds to commentary of the design panel, while arriving at a overall site layout and building bulk, scale and form that is responsive to the site, respects adjoining land activity and zones, and creates place on site.
<p>The number of apartments proposed (around 700) is a substantial number and has a number of opportunities and constraints in forming satisfactory outcomes for this new community.</p> <p><u>30/06/23</u> The need for a series of addresses for the built form and reduction of number of buildings was noted to create more of a sense of place and entity.</p> <p>A landscape and ecological strategy that incorporates both the roofscapes and the pedestrian links through the site and to the surrounds would assist in the overall conceptual design approach for the site.</p> <p><u>30/06/23</u> The concepts for the landscape and ecological were noted, it would benefit the proposal by ensuring that the hydraulic flows proposed aligned with existing directional flows of the adjacent fluvial patterns.</p>	
<p>The Panel queries the primary orientation of the ground plane layout. The cross-site link is understood as a positive contribution however the orientation is driving apartment block layouts that are sub optimal in their orientation. Justify the link orientation in regard to the local context.</p> <p>Consider the ground plane spaces around all apartments and define public and private realm to establish Communal open spaces with equitable access from all apartments and a separation from public access for security. Please refer to notes above.</p> <p><u>30/06/23</u> Reconsider starting, finishing and connection orientation options for cross site link.</p>	<p>The concept has been developed and is consistent as seen in the attached plans.</p> <p>As seen in the landscape plans and architectural plans submitted the concept has been developed and is consistent.</p> <p>The options for the cross-site link has been considered throughout the design process. The location of the through-site link has been decided in providing connectivity to and from Macarthur station and Macarthur square to the wider Campbelltown precinct.</p>
<p>Whilst the underpass area may provide an area of opportunity , provide justification of how this would be a beneficial focus in this outer metropolitan area.</p> <p><u>30/06/23</u></p>	<p>The concept has been developed and is consistent as seen in the attached plans. The activation of the underpass has been maintained through the provision of a basketball court with retail is located within the development with a possible 8</p>

The development of the underpass as an active destination was noted, however the adjacent retail is thought to be not viable in this location (refer to pedestrian flows noted above)

The Panels suggests that any local retail hub should consider its location within the development (and possibly the future development of the adjacent sites) for its primary catchment. The current location is extremely peripheral with poor road access and parking availability . Economic sustainability of the location needs to be justified , even if the local demand is established.

The Panel questions the need to create a separate retail focal point that does not directly support the cross site link, given the strong retail attractions within short walking distance from the site.

The concept has been developed and is consistent as seen in the attached plans.

30/06/23

As noted above

Consider that a North south links may not be required as Bugden Place could simply be enhanced to provide the same outcome whilst further engaging the adjacent retail and future residential neighbours.

As seen on the submitted plans Bugden Place is proposed is proposed to provide vehicular access.

30/06/23

Bugden Place is an appropriate street frontage for vehicular access. This also suggests it is a prime location for retail address and the ability to expand on the limited local catchment. The panel is of the opinion that further investigation of the potential to connect Bugden Place with Menangle Road (even a restricted left in left out proposal) would assist in a better outcome.

Specific Issues

Architectural Design

The concept has been developed and is consistent as seen in the attached plans.

The presentation of an urban village concept for the site is welcome with the acknowledgement of the contribution that the proposal may provide to the site and its surroundings. The panel encourages further design development and investigation of options for pedestrian access and links that then may determine the proposed arrangement of the built form. It is not obvious or explained why the through site link runs NW/SE. running it East/West would provide better solar access. References to Campbelltown as a

distinctive urban entity, a city in a valley are noted and encouraged.

30/06/23

The panel notes that further investigation of the site's functionality would assist in the overall concept resolution. Options in relation to vehicular access through the site (Woonerf/ 'Living Street' concept for example) could be investigated for safety and security attributes combined with a structure plan.

The panel looks forward to more detail on the fine grain elevation treatment of the scheme. Note that the concept perspectives depict a high proportion of deep solid wall massing relative to window and door openings. Consider the opportunity to lighten the proportions.

Urban Design

The panel encourages further investigation into the urban and regional context of Campbelltown to inform meaningful and site-specific placemaking strategies. Connection to Country is encouraged to further inform the design process. Note is made of the size of the project and the projected population with pedestrian links to surrounding areas, the relationship with the road and railway network and the satisfying of exemplar city and urban design principles for the project. Nodal points for places community gathering are encouraged. The carpark entry appears too close to the intersection: has Traffic advice been sought?

30/06/23

The panel notes that the traffic advice has been sought and that the carpark entry has been moved away from Kellicar Road. A single entry is questioned for the number of apartments proposed and the resultant traffic volumes. Additional 'Woonerf' type streets will create opportunities for additional car parking entries.

The development of the concepts using Connection to Country is encouraged with further reference to the fluvial patterns of the immediate area for example. Further recognition of the role of Macarthur Square, Macarthur Station, MarketFair and pedestrian links are needed so that the proposal responds to the opportunities provided by these existing key nodal points.

The proposed development now contains two vehicle access from Bugden Place. As described in the Transport Impact Assessment the proposed access points is adequate for the proposed development.

As seen in the site plans prepared by DKO the development is designed to provide a pedestrian network within the development site. Allowing pedestrian connection to Macarthur Square and Macarthur Station.

Landscaping

As noted above a clear and unambiguous landscape and ecological strategy for the site as part of cooling and greening cities outcomes is a major component in the overall strategic outcome for the site.

30/06/23

It is noted that the landscape provides both ground level and roof level amenity. Issues of overshadowing and focal areas need to be addressed into the overall conceptual framework. Acknowledgement and analysis of the broader cultural landscape patterns (Gilchrist Avenue and Narellan Road and their landscape plantings as key entry points into the City of Campbelltown) need to be unified into the overall analysis of the site and its surrounding ecological urban framework.

As seen in the landscape plans and architectural plans the comments have been addressed adequately.

The landscape plan notes the following as the way the proposed development can achieve connecting with Country.

“The landscape design approach and strategy aims to reflect the cultural significance to residents and public. Through the incorporation of an ever-changing landscape and the careful selection of native plants, one can truly feel, touch, and witness the transformative beauty of the different seasons. This vision harmoniously intertwines with the reinterpretation of water’s essence within the landscape, offering a profound connection to the land and its cultural legacy.”

Streetscape

Links to the surrounding and broader destinations are as noted above and the need for a considered approach of a pedestrian amenity that includes street trees.

Structure plans have been submitted as part of the urban design report which outlines how the proposed development responds to the existing streetscape and the new through-site link

30/06/23

A Structure Plan needs to address existing and proposed street typologies including typical sections.

Solar access

The present arrangement of built form appears to create a substantial degree of self shadowing. Investigation of alternate arrangement of built form will assist in clarifying this issue. No explanation, justification as to why Building D is above the height plane, and the separation to Building E doesn’t appear to comply with the ADG.

30/06/23

The panel is particularly concerned about the solar access to communal open spaces on each side of the site. Solar penetration appears minimal due to self-shadowing created by the building placement. The options testing should include greater

As seen in the architectural plans prepared by DKO the Communal solar access plan diagrams indicate by lowering the height of building A,C and G solar access as improved significantly. Please see attached shadow diagram for further detail.

variation in building heights to achieve better solar outcomes.

Privacy

Buildings D & E questionable separation.

30/06/23

The Panel noted that some of the floor planning changes were addressing this issue

As seen in the architectural plans adequate building separations has been provided between buildings.

Lightning

30/06/23

The options testing should include lighting to arrive at a balanced preferred scheme.

The concept has been developed and is consistent as seen in the attached plans.

Ventilation

In principle the block arrangements

The concept has been developed and is consistent as seen in the attached plans. As seen in the architectural plans the development the building achieves 66% cross ventilation.

30/06/23

The options testing should include ventilation to arrive at a balanced preferred scheme.

Wind

The panel notes the arrangements of the built form and that the applicant be considerate of wind effects through the site.

The concept has been developed and is consistent as seen in the attached plans.

30/06/23

The south west corner under the elevated portion of Gilchrist Avenue would be very exposed environment in winter for example. Consider wind studies to confirm the conditions of ground plane in this area

Sustainable Design

The extensive use of green roofs are noted.

This application is accompanied by a BASIX certificate which identifies that the building achieves relevant standards.

30/06/23

The site strategy and planning need to include an approach to Country, natural systems and needs to address the Sustainable Buildings SEPP.

Retail Planning

Retail is in the wrong place and should face Bugden and other retail in order to create a hub and have any chance of surviving.

The proposed development identifies retail tenancy on the entire ground floor which is compliant with the current LEP.

30/06/23

Refer above and provide micro analysis of location options

PLANNING CONTROLS

STATUTORY CONTROLS

The relevant Statutory Planning Controls include:

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Industry and Employment) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021; and
- Campbelltown Local Environmental Plan 2015

POLICY CONTROLS

The applicable policy control documents include:

- Campbelltown (Sustainable City) Development Control Plan 2015
- Apartment Design Guide

CONSIDERATION OF PLANNING CONTROLS

The following summarises the relevant planning controls in relation to the proposal and the compliance of each.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS)

This SEPP came into effect on 1 March 2022 and incorporated the provisions of three now repealed SEPP's being:

- State Environmental Planning Policy (Coastal Management) 2018;
- State Environmental Planning Policy No 33—Hazardous and Offensive Development; and
- State Environmental Planning Policy No 55—Remediation of Land.

Chapter 2 of the SEPP contains controls for coastal management and it not applicable to this development.

Chapter 3 of the SEPP contains controls for Hazardous and Offensive Development. This development is not for Hazardous and Offensive development and accordingly this chapter is not applicable to this development.

Chapter 4 of the SEPP contains a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.

The following table considers the risk of the site being contaminated:

Matter for consideration	Yes	No
Does the application involve re-development of the site or a change of land use?	X	
Is the development going to be used for a sensitive land use (e.g. residential, educational, recreational, childcare or hospital)?	X	
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site?		X
acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries,		

oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	
Is the site listed on Council's Contaminated land database?	X
Is the site subject to EPA clean-up order or other EPA restrictions?	X
Has the site been the subject of known pollution incidents or illegal dumping?	X
Does the site adjoin any contaminated land/previously contaminated land?	X
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	NA.

Given the historical use of the site for commercial purposes and with the site residing within an established town centre, land contamination is not likely. The site has been used for commercial purposes for decades and there is no evidence of potentially contaminating activities on the site and therefore the proposal satisfies Chapter 4 of the SEPP.

Geotechnical investigation has been carried out on site which confirms as follows;
"Based on the findings of the PSI JKE is of the opinion that the site can be made suitable for the proposed development described in in section 1.1. A DSI is required to characterise the risks and inform the preparation of a RAP, if required."

If any contaminated material or suspected contaminated material is unearthed during the construction process, then actions consistent with the legislative requirements and guideline document will be undertaken.

STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

This SEPP came into effect on 1 March 2022 and incorporated the provisions of two now repealed SEPP's being:

- State Environmental Planning Policy (Western Sydney Employment Area) 2009; and
- State Environmental Planning Policy No 64—Advertising and Signage.

Chapter 3 – Advertising and signage’ contains planning provisions from within the former SEPP 64 for advertising and signage in NSW.

No signage is proposed as part of this application.

STATE ENVIRONMENTAL PLANNING POLICY – (BIODIVERSITY AND CONSERVATION) 2021

This SEPP came into effect on 1 March 2022 and incorporated the provisions of eleven now repealed SEPP’s being:

- SEPP (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP)
- SEPP (Koala Habitat Protection) 2020 (Koala SEPP 2020)
- SEPP (Koala Habitat Protection) 2021 (Koala SEPP 2021)
- Murray Regional Environmental Plan No 2—Riverine Land (Murray REP)
- SEPP No 19—Bushland in Urban Areas (SEPP 19)
- SEPP No 50—Canal Estate Development (SEPP 50)
- SEPP (Sydney Drinking Water Catchment) 2011 (Sydney Drinking Water SEPP)
- Sydney Regional Environmental Plan No 20 – Hawkesbury – Nepean River (No 2 – 1997) (Hawkesbury–Nepean River SREP)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour Catchment SREP)
- Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment (Georges River REP)
- Willandra Lakes Regional Environmental Plan No 1 – World Heritage Property (Willandra Lakes REP).

Chapter 2 of the SEPP contains planning rules and controls from the former Vegetation SEPP relating to the clearing of native vegetation in NSW on land zoned for urban and environmental purposes that is not linked to a development application.

This chapter seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation.

The subject site is within a well-established commercial precinct, void of any vegetation. The development proposes landscape embellishment work through-out the site, please see attached landscape plans for further details.

STATE ENVIRONMENTAL PLANNING POLICY (PLANNING SYSTEMS) 2021

The current proposal has a capital investment value of less than \$30 million as such the consent authority is the local planning panel.

STATE ENVIRONMENTAL PLANNING POLICY – (TRANSPORT AND INFRASTRUCTURE) 2021

This SEPP came into effect on 1 March 2022 and incorporated the provisions of four now repealed SEPP's being:

- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017;
- State Environmental Planning Policy (Major Infrastructure Corridors) 2020; and
- State Environmental Planning Policy (Three Ports) 2013.

Chapter 2 – contains planning rules and controls from the former Infrastructure SEPP for infrastructure in NSW, such as for hospitals, roads, railways, emergency services, water supply and electricity delivery.

Division 15 relates to Development in or adjacent to rail corridors and interim rail corridors

The following table discussed the requirements of division 15.

Clause	Response
2.97 Development involving access via level crossings (1) This section applies to development that involves— (a) a new level crossing, or (b) the conversion into a public road of a private access road across a level crossing, or (c) a likely significant increase in the total number of vehicles or the number of trucks using a level crossing as a result of the development.	In accordance with clause 2.96, the development does not propose a level crossing or increase traffic generation across an existing level crossing. Accordingly, no further consideration of this clause is required.
2.98 Development adjacent to rail corridors (1) This section applies to development on land that is in or adjacent to a rail corridor, if the development— (a) is likely to have an adverse effect on rail safety, or (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or	The site is located across Menangle Road from a rail corridor. The development will not have any adverse impacts on rail safety and will not involve the placing of metal finish on the structure and the rail corridor.

- (c) involves the use of a crane in air space above any rail corridor, or
- (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities

2.99 Excavation in, above, below or adjacent to rail corridors

(1) This section applies to development (other than development to which section 2.100 applies) that involves the penetration of ground to a depth of at least 2m below ground level (existing) on land—

- (a) within, below or above a rail corridor, or
- (b) within 25m (measured horizontally) of a rail corridor, or
- (c) within 25m (measured horizontally) of the ground directly below a rail corridor, or
- (d) within 25m (measured horizontally) of the ground directly above an underground rail corridor.

The site is separated from the rail corridor by Menangle Road, and the outer edge of the rail corridor is within 25m.. The development proposes excavation with a depth of at least 2m below ground level.

2.100 Impact of rail noise or vibration on non-rail development

(1) This section applies to development for any of the following purposes that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration—

- (a) residential accommodation,
- (b) a place of public worship,
- (c) a hospital,
- (d) an educational establishment or centre-based child care facility.

(2) Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Secretary for the purposes of this section and published in the Gazette.

(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following Lea levels are not exceeded—

- (a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,
- (b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

The site is separated from the rail corridor by Menangle Road, and the outer edge of the rail corridor is within 25m..

The development proposes excavation with a depth of at least 2m below ground level.

On the site residential accommodation is proposed.

The Proposed development is capable of complying with the noise levels and appropriate measures are to be put in place.

As per the acoustic report the development will implement glazing with the recommended thickness to comply with the noise intrusion objective calculations. The acoustic report concludes as follows

“There are no site conditions, statutory or other requirements that would preclude this development from complying with the criteria defined in this report”

See attached acoustic report for detail that addresses this issue.

<p>2.101 Development within or adjacent to interim rail corridor</p> <p>(1) This section applies to development that is—</p> <p>(a) on the land shown as “Zone A” on a rail corridors map and has a capital investment value of more than \$200,000, or</p> <p>(b) on the land shown as “Zone B” on a rail corridors map and—</p> <p>(i) involves the penetration of ground to a depth of at least 2m below ground level (existing), or</p> <p>(ii) has a capital investment value of more than \$200,000 and involves the erection of a structure that is 10 or more metres high or an increase in the height of a structure so that it is more than 10m, or</p> <p>(c) on the land shown as “Sydney Metro West Tunnel” on a rail corridors map and involves the penetration of ground to a depth of at least 2m below ground level (existing).</p>	<p>The site is not adjacent to an interim rail corridor.</p>
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Division 17 relates to Development in or adjacent to road corridors and road reservations

The following table discussed the requirements of division 17.

Clause	Response
<p>2.116 Development other than road facilities on public roads</p> <p>(1) Development may be carried out with consent on a public road that is unzoned land for any purpose that may be carried out (either with or without consent) on land adjoining the road.</p> <p>(2) Development for any purpose may be carried out by a public authority without consent on a public road that is unzoned land.</p>	<p>The development is not proposed on part of a public road that is to be reclassified as part of this application. Accordingly, no further consideration of this clause is required.</p>
<p>2.117 Highway service centres in road corridors</p> <p>(1) Development for the purpose of a highway service centre may be carried out in a road corridor for a freeway, main road or tollway only with consent</p>	<p>The development is not proposed in a road corridor. Accordingly, no further consideration of this clause is required.</p>
<p>2.118 Development on proposed classified road</p> <p>(1) Consent for development for any of the following purposes on land reserved for the</p>	<p>The development is not located on a proposed classified road. Accordingly, no further consideration of this clause is required.</p>

purposes of a classified road (but before the land is declared to be a classified road) may be granted only with the concurrence of TfNSW—

- (a) subdivision that results in the creation of an additional lot with dwelling entitlements,
- (b) development with a capital investment value greater than \$185,000,
- (c) development for the purpose of dwellings that are, or any other building that is, to be held under strata title.

2.119 Development with frontage to classified road

(1) The objectives of this section are—

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.

(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—

- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—
 - (i) the design of the vehicular access to the land, or
 - (ii) the emission of smoke or dust from the development, or
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

The development site does have frontage to a classified road. The development will remove an existing driveway on the classified road with no new vehicular access will be provided on the classified road and the proposed development will not impact on the safety or efficiency of the ongoing operations. Vehicular access will be provided via Bugden Place and not from Kellicar Road.

The proposed development is not sensitive to traffic noise or vehicle emissions and will be appropriately designed to ameliorate potential traffic noise.

2.120 Impact of road noise or vibration on non-road development

(1) This section applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of TfNSW) and that the

The site is located proximate to a classified road however is not located in proximity to a road that has an annual daily traffic volume greater than 20,000 vehicle per day and is for a residential accommodation.

consent authority considers is likely to be adversely affected by road noise or vibration—

- (a) residential accommodation,
- (b) a place of public worship,
- (c) a hospital,
- (d) an educational establishment or centre-based child care facility.

(2) Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Secretary for the purposes of this section and published in the Gazette.

(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—

- (a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,
- (b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

2.121 Excavation in or immediately adjacent to corridors

(1) This section applies to development that involves the penetration of ground to a depth of at least 3m below ground level (existing) on land that is the road corridor of any of the following roads or road projects (as described in Schedule 2)—

- (a) the Eastern Distributor,
- (b) the Cross City Tunnel,
- (c) the Lane Cove Tunnel,
- (d) the Tugun Bypass,
- (e) the Liverpool—Parramatta Transitway,
- (f) the North-West Sydney Transitway Network,
- (g) the Gore Hill Freeway,
- (h) the Western Distributor,
- (i) Southern Cross Drive,
- (j) the Cahill Expressway,
- (k) General Holmes Drive,
- (l) the Hume Motorway,
- (m) the M1 Pacific Motorway,
- (n) the M2,
- (o) the M4,
- (p) the M5,
- (q) the M4—M5 link,
- (r) the M7,
- (s) NorthConnex,
- (t) the Sydney Harbour Tunnel,

The proposal is not located in or immediately adjacent to a corridor. Accordingly, no further consideration of this clause is required.

- (u) the King Georges Road Interchange,
- (v) the Pacific Highway.

2.122 Traffic-generating development

(1) This section applies to development specified in Column 1 of the Table to Schedule 3 that involves—

- (a) new premises of the relevant size or capacity, or
- (b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.

The development is classified as traffic generating development due to the number of units proposed.

Concurrence from Transport for NSW is expected as part of the assessment process.

Chapter 3 – contains planning provisions from the former Education and Childcare SEPP for child-care centres, schools, TAFEs and Universities. Given the proposed use of the development, this chapter is not applicable.

Chapter 4 – contains provisions from the former Corridor SEPP, including planning controls and reserves land for the protection of 3 corridors (North South Rail Line, South West Rail Link extension and Western Sydney Freight Line). The site is not identified as being within any of these corridors and accordingly this chapter is not applicable to this development.

Chapter 5 – Contains the land-use planning and assessment framework from the former Three Ports SEPP for appropriate development at Port Kembla, Port Botany and Port of Newcastle. The site is not identified as being within any of these port precincts and accordingly this chapter is not applicable to this development.

STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT

The development application is accompanied by a design verification statement by DKO (Registered Architect Nicholas Byrne) verifying that the has directed and designed the proposal, and that the design quality principles set out in Part 2 of the SEPP are achieved for the residential flat building development.

A description of compliance with the applicable development controls such as setbacks, building depth, separation, height, etc. is provided in the local planning controls discussion and tables below.

The table below provides a detailed discussion against the relevant provisions of the Apartment Design Guide. An assessment against the relevant objectives and design guidelines contained in parts 3 and 4 of the Architectural Design Guide can be found below.

Clause 6A of the amended SEPP states that development controls plans cannot be inconsistent with the Apartment Design Guide for the following matters set out in Parts 3 and 4 of the guide;

- (a) Visual privacy,
- (b) Solar and daylight access,
- (c) Common circulation and spaces,
- (d) Apartment size and layout,
- (e) Ceiling heights,
- (f) Private open space and balconies,
- (g) Natural ventilation,
- (h) Storage

The SEPP states that if a development control plan contains provisions that specify requirements, standards or controls in relation to a matter to which clause 6A applies, those provisions are of no effect.

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
Part 3 Siting the Development			
3A Site Analysis	Appendix 1 of the ADG	Provided	Yes
3B Orientation	Building to define the street, by facing it and incorporating direct access from the street	The proposed flat building has been designed to address its frontage, with direct access to the proposed 15storey building from Budgen place and via the new through-site link.	Yes
	Where an adjoining building does not currently receive 2 hours of sunlight in midwinter, solar access should not be further reduced by >20%	Not applicable.	N/A
3C Public Domain Interface	Terraces, balconies should have direct street entry, where appropriate	No direct access to street entry is provided to the ground floor units, however residential lobby area and pedestrian pathway provides direct street entry is provided to all ground floor units.	Yes
	Mail boxes should be located in lobbies, perpendicular to the street alignment	Mailboxes are appropriately located.	Yes
	Substation, pump room, garbage storage rooms and other service rooms should be located in the basement carpark or out of view	Garbage storage area is located within the basement level and therefore will not be visible from the street level.	Yes
3D Communal and Public Open Space	<u>Design Criteria:</u>		
	Communal open space has a minimum area equal to 25% of the site	8787m ² (38%) of the site area is dedicated for communal open space area.	Yes
	50% of the principal COS should receive 2 hours of sunlight between 9am and 3pm	Complies. See attached shadow diagrams for further details.	Yes
	<u>Design Criteria:</u>		

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
	Minimum dimension of 3m		Yes
	Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies	The common open space area has a width > 3m. Complies	Yes
	Where communal open space cannot be provided at ground level, it should be provided on a podium or roof	Proposal ensures that direct, equitable access in line with relevant Australian Standard is provide to communal open space areas from common circulation areas, entries and lobbies.	Yes
	Facilities are provided within communal open spaces and common spaces for a range of age groups, incorporating some of the following elements:	Common open space area is provided on the ground floor and also within Level 14.	Yes
	<ul style="list-style-type: none"> seating for individual or groups barbecue areas play equipment or play area swimming pools, gyms, tennis courts or common rooms 	Noted.	Yes
	Communal open space and the public domain should be readily visible from habitable room and private open space areas while maintaining privacy	The proposed RFB has been designed with the orientation of balconies and windows to maximise passive surveillance to the communal open space areas on the ground floor and to the public domain.	Yes
	Public open space should be well connected with public street along at least one edge	Direct access to the ground floor communal open space area is via a pedestrian pathway from the new thorough-site link. See attached plans for detail.	Yes
3E Deep Soil Zones	<u>Design Criteria:</u>		

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
	A deep soil zone equivalent to 7% of the site must be provided	A total of 3,565m ² or 15.5% of the site area is dedicated for deep soil zones.	Yes
	If the site is between 650m ² to 1500m ² then the DSZ must have minimum dimension of 3m. If over 1,500m ² then minimum dimension of 6m		Yes
3F Visual Privacy			
Buildings separation up to 4 storeys (up to 12m)	12m between habitable rooms (6m) 6m between non-habitable rooms (3m)	Most of the proposed building complies with the building separation. However there are point encroachments derived from an urban design analysis of the best method to layout across the site while maintaining amenity. See urban design report for further details. The windows will be treated to ensure privacy amenity of each of the buildings and units will be maintained and therefore the underlying principles of the building separation controls is achieved. Furthermore, the proposal will continue to comply with the side setback controls under the Campbelltown DCP 2015.	Yes
Building separation between 5-8 storey (up to 25m)	18m between habitable rooms (9m) 9m between non-habitable rooms (4.5m)		
3G Pedestrian Access and Entries	Buildings entries should be clearly identified, and communal entries should be clearly distinguished from private areas	The proposal provides a clear entry point to the building from the new through-site links which has been designed to be clearly identified and visible from the street level.	Yes
3H Vehicle Access	Car park access should be integrated with the building's overall façade	Vehicle access point to the car parking are integrated with the proposal building's overall façade	Yes
	Car park entry and access should be located on secondary streets or lanes where available	Yes- the car park entry has been located on the secondary street, Bugden Place.	Yes

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
	Adequate separation distance should be provided between vehicle entries and street intersection.	The location of the vehicle driveway is sufficiently separated from the street intersection.	Yes
	Garbage collection, loading and service areas are screened	Garbage collection is to be undertaken internally within the basement level and therefore will not be visible from street frontages.	Yes
	Clear sight lines should be provided at pedestrian and vehicle crossing	Clear sight lines are provided at pedestrian and vehicle crossing to ensure safety of pedestrians.	Yes
3J Carparking	<u>Design Criteria:</u>		
	Carparking for sites within 800m of a railway station or light rail stop can provide parking at the rate of:	Parking spaces are provided with rate stipulated within the <i>RMS Guide to Traffic Generating Developments (GTTGD)</i> . The rate is as follows;	Yes
		0.6 spaces per 1 bedroom unit.	
	>20 units	0.9 spaces per 2 bedroom unit.	
	<u>Metropolitan Sub-Regional Centres</u>	1.40 spaces per 3 bedroom units.	
	0.6 spaces per 1 bedroom unit.		
	0.9 spaces per 2 bedroom unit.		
	1.40 spaces per 3 bedroom units.		
	1 space per 5 units (visitor parking)		
	<u>Design Guidelines:</u>		
	Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas	Secure undercover covered bicycle parking spaces are provided within basement levels and have been located to be easily accessible from future residents.	Yes
Part 4 – Designing the Building			
4A Solar Access	<u>Design Criteria:</u>		

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
	Living rooms and private open space of at least 70% of units to receive 2 Hours Solar Access between 9am and 3pm Mid-Winter	607 out of 761 units or 80% of units achieve the required 2 hours of solar access at mid-winter.	Yes
	A maximum of 15% of apartments receive no direct sunlight between 9am and 3pm Mid-Winter		Yes
4B Naturally Ventilation	<u>Design Criteria:</u>		
	60% of units are cross ventilated in a building up to 9 storeys	362 out of 545 units 66% of units achieve cross ventilation.	Yes
	Overall width of cross over or cross through apartments is < 18m	Complies	Yes
	<u>Design Guidelines:</u>		
	The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths	Development has a mix of dual aspect apartments and corner apartments. See attached architectural plans for detail.	Yes
4C Ceiling Height	<u>Design Criteria:</u>		
	2.7m for habitable and 2.4m for non-habitable	Complies.	Yes
4D Unit Sizes	<u>Design Criteria:</u>		
Studio	35m ²		
1 bed	50m ²		
2 bed	70m ²		
3 bed	90m		
+5m² for each unit with more than 1 bathroom			
	Every habitable room must have a window in an external wall with a total	Every habitable room is provided with a window.	Yes

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
	minimum glass area of not less than 10%		
	<u>Design Criteria:</u>	Habitable room depths and heights are compliant.	Yes
	Limited to 2.5m x Ceiling Heights		
Habitable Room Depths	8m to a window	Comply	Yes
Bedroom sizes		Comply	Yes
Master	10m ²	Comply	Yes
Normal	9m ²		
Living room/dining areas have a minimum width of:		Comply	Yes
3.6m		Comply	Yes
4m			
Open plan layouts that include a living, dining room and kitchen			
4E Private Open Space			
Balcony Sizes			
1 bed	8m ² & 2m depth	Comply	Yes
2 bed	10m ² & 2m depth	Comply	Yes
3 bed	12m ² & 2.4m depth	Comply	Yes
Ground level / podium apartments	15m ² & 3m depth	Comply	Yes
4F Common circulation and space	<u>Design Criteria:</u>		
Common circulation units per plate	8 – 12 unit per plate	Complies, development provides a lift core per plate, noting a maximum of 9 units per plate per level.	Yes
Corridors > 12m	Are articulated	N/A	N/A
4G Storage	<u>Design Criteria:</u>		

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
	<p>1 bed: 6m³ 2 bed: 8m³ 3 bed: 10m³</p> <p>Minimum 50% of required storage is within the apartment</p>	<p>The proposal provides: 1 bed: >6m³ 2 bed: >8m³ 3 bed: >10m³</p> <p>This is provided within the ground floor parking and within the units themselves, and where appropriate a minimum of 50% of storage is to be provided within each individual unit.</p> <p>The development is considered to offer storage space that aligns with the provision of the ADG.</p>	<p>Yes</p> <p>Yes</p>
4H Acoustic Privacy	<u>Design Criteria:</u>		
	Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses	Development has provided adequate separation from neighbouring buildings/properties in-line with 3F Visual Privacy – design criteria above.	Yes
	Windows and door openings are generally orientated away from noise source	Where appropriate windows and door openings are orientated away from noise sources.	Yes
	Noisy areas within buildings including building enters and corridors should be located next to or above each other and quieter areas next to or above quieter areas.	The application is designed to create different 'zones' with more active areas clustered together and more passive areas also clustered together to maximise acoustic privacy and also take advantage of the lot orientation.	Yes
4K Apartment Mix	<u>Design Guidelines:</u>		
	A variety of apartment types is provided	<p>Dwelling diversity provided with the development providing the following unit mix:</p> <ul style="list-style-type: none"> ○ 2 x Studio ○ 156 x 1 bedroom unit; ○ 556 x 2 bedroom unit; and ○ 47 x 3 bedroom unit. 	Yes

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
		<p>The proposed unit mix will offer a variety of housing choice.</p> <p>The proposal is designed with a mix of units to provide a variety of housing choices that responds to market demand, noting that the bedroom numbers and sizes of units are varied that will provide for a range of sizes to meet the needs of occupants and also provide different pricing points for the alternative sizes which will contribute to affordability.</p>	
4M Facades	<p><u>Design Guidelines:</u> Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale</p>	<p>The proposed facades are well articulated with a mixture of vertical and horizontal features including windows, projecting walls and balconies and framed elements.</p> <p>Overall the proposed facade is considered a quality design outcome that is compatible with other comparable modern residential flat buildings developments within the locality and within the wider local government area.</p>	Yes
4O Landscape Design			
Site Area			
850m² to 1500m²	1 large tree (12m) or 2 medium trees (8m – 12m) per 90m ² of DSZ	Complies, refer to attached Landscape Plan for detail.	Yes
4Q Universal Design			
20% of the total apartments	Achieve Liveable Housing Guidelines silver level universal design features	Complies, development provides 87 adaptable units (11% of total apartments)	Yes
4U Energy efficiency		The application has been provided with a BASIX certificate indicating	Yes

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
		energy efficiency for each residential unit provided. Furthermore, 80% of units achieve the minimum 2 hours of solar access at mid-winter and 66% of units for first 9 storeys achieve natural ventilation.	
4V Water management and conservation	<u>Design Guidelines:</u> Reduce mains consumption, and reduce the quantity of stormwater runoff	The residential development has been provided with BASIX certificate indicating energy efficiency for each residential unit provided.	Yes
4W Waste Management	<u>Design Guidelines:</u> Supply WMP Allocate storage area	Provided. Appropriate waste storage areas are provided.	Yes Yes
4X Building Maintenance	<u>Design Guidelines:</u> To ensure long life and ease of maintenance for the development	The proposed material is considered durable which may be easily cleaned.	Yes

CAMPBELLTOWN LOCAL ENVIRONMENTAL PLAN 2015

The subject site is zoned MU1 Mixed Use under the provisions of Campbelltown Local Environmental Plan 2015. Council's zoning map extract is provided below.

Figure 7: Zoning Map Extract (Source: Campbelltown LEP 2011)



'Residential flat buildings' and, 'Shop top housing' are permissible with consent within the MU1 Mixed Use zone and the proposal is consistent with the definition contained within the LEP.

Residential Flat Building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

The development proposal is consistent with the prescribed zone objectives under the MU1 Zone that are stipulated as:

- *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*
- *To ensure that new development provides diverse and active street frontage to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*
- *To encourage the timely renewal and revitalisation of centres that are undergoing growth or change.*
- *To provide a focal point for commercial investment, employment opportunities and centre-based living.*

The proposal development is to undertake a redevelopment of an independent site to the site's full economic and zoning potential whilst providing a built form that is consistent with the evolving higher density development within the city centre itself.

The proposed development provides a residential flat building that will make available a variety of housing types and contribute towards increasing the housing stock within Campbelltown and within the Campbelltown-Macarthur City Centre. The site is well located and is within close proximity to essential services, public transportation and recreation opportunities.

The residential flat building incorporates a contemporary design that achieves good presentation that addresses the sites four frontages. The development proposed is to provide a built form that is consistent with the evolving mixed-use development within the locality.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant LEP provisions.

Campbelltown Local Environmental Plan 2011 – Compliance Table			
Clause	Controls	Comments	Complies
Zoning	MU1 – Mixed Use	Residential flat buildings and shop top housing are permissible with Council consent in the MU1 Mixed Use Zone.	Yes
Part 2 Permitted or Prohibited Development			

Clause	Controls	Comments	Complies
2.3	Zone objectives and land use table	The proposal is consistent with the zone objectives of the MU1 – Mixed Use Zone and will appropriately fulfil the subject site's zoning potential and permit an independent site to be developed to its full zoning potential.	Yes
2.6	Subdivision – consent requirements	Council consent is sought for the strata subdivision of the development.	Yes
2.7	Demolition requires consent	Development is seeking consent to demolish all existing structures in-order to accommodate the proposed new mixed-use building.	Yes
Part 4 Principal Development Standards			
4.3	Height of Buildings	<p>Campbelltown Local Environmental Plan 2015 Height of Buildings Map indicates that the maximum building height within the subject site is 32m.</p> <p>The development proposes a variation to the height of building control for the site to 4 buildings, that will exceed the height limit, noting that the remaining 4 buildings are intentionally designed to be below the height limit.</p> <p>This is discussed in detail in the Clause 4.6 variation that sets out the design rationale and amenity benefits of the scheme.</p> <p>As outlined in the Re-imagine Campbelltown City Centre Master Plan the subject site is identified as an area to provide higher intensity of land use with a focus on providing housing in proximity to people's workplace and public transport.</p> <p>Additionally the document notes as follows; <i>"Taller building forms are clustered near the three train stations, and transitions down in the city centre fringe. Building height across the city is not considered a fixed and definitive datum rather, variations in height enhance the city's legibility,</i> </p>	Clause 4.6 Variation

Clause	Controls	Comments	Complies
		<p><i>visual interest and to ensure solar access to public spaces. Building height should be varied."</i></p> <p>As outlined above the proposed built forms responds to the strategic document of Re-imagining Campbelltown City Centre Master Plan with the provision of a new through-site link and variation in building height between 8 towers, providing visual interest in accordance with councils future vision of the CBD.</p> <p>Refer to Clause 4.6 discussion for more detail in regarding the non-compliance to the height control.</p>	
4.4	Floor Space Ratio:	There is no prescribed FSR for the subject site. Not applicable.	N/A
4.6	Exceptions to development standards	The proposal varies the Building Height Standard and this is addressed in the Clause 4.6 variation request.	Yes
Part 5 Miscellaneous Provisions			
5.10	Heritage Conservation	<p>The site is not identified as a local heritage item nor is it located within a heritage conservation area.</p> <p>As such no further heritage investigation is considered necessary.</p>	N/A
5.21	Flood Planning	The subject site is not identified as being flood prone land.	N/A
Part 7 Additional Local Provisions			
7.1	Earthworks	<p>This application seeks Council consent for the excavation of the site as per the attached plans. It is considered that the proposed excavations will have minimal adverse environmental or amenity impacts.</p> <p>It is also considered that the proposal will result in an appropriate outcome given the nature of the development, the unique</p>	Yes

Clause	Controls	Comments	Complies
		<p>characteristics of the site and the proposed compliance with relevant Council controls.</p> <p>In addition, it is considered unlikely due to the location of the site that excavation will lead to the disturbance of relics.</p>	
7.3	Riparian Land and Watercourses	The site is not identified on the Natural Resources Riparian Land and Waterways Map.	N/A
7.4	Salinity	The subject site is not identified as containing saline soils. Not applicable.	N/A
7.7	Considerations for Development on Environmentally Constrained Land	The subject site is not identified as being an environmentally constrained land under Council's Environmental Constraints Map.	N/A
7.9	Mixed use development in Zones E2 and MU1	The entire ground floor of the proposed development is dedicated for commercial and retail spaces.	Yes
7.10	Essential Services	The development site is well serviced by water and sewer and the required utility clearances will be obtained prior to works commencing on the site.	Yes
7.13	Design Excellence	<p>The proposal has designed a series of contemporary residential flat buildings that deliver a high standard of architectural and urban design.</p> <p>The proposal exhibits design excellence and embodies the matters prescribed in Clause 7.13 (4) as illustrated below:</p> <ul style="list-style-type: none"> - Proposal is to achieve a high standard of architectural design with the proposal to adequately address the street frontage. The development also aims to set the tone and scale for future apartment buildings in this area. the proposal results in an appropriate outcome on site that responds to the unique characteristics of the site and 	Yes

Clause	Controls	Comments	Complies
		<p>addresses the established context of the surrounding area.</p> <ul style="list-style-type: none"> - The development proposes a built form consistent with the desired future character of the locality given the MU1 zoning. - It is highlighted that the proposal is not located within a strategic view corridor, however maintains appropriate setbacks to minimise overshadowing and privacy impact on adjoining properties. - The development has been zoned for higher densities by virtue of its MU1 zoning and no impacts are anticipated on heritage items. - The proposal incorporates physical articulation of the built form and mixed palette of building materials and finishes. Materials used are consistent with that existing in the area while being contemporary in character. The range of materials significantly contributes to the articulation of the building and reducing the overall bulk and mass of the building. See plan for detail. - Development has been designed with a 15Storey residential component with ground floor retail precinct which is suitable on the site. - The proposed development is to be appropriately landscaped and is of a form and style that will positively contribute to the cohesiveness and visual appreciation of the streetscape. - The application has been provided with a BASIX certificate indicating the developments commitment to 	

Clause	Controls	Comments	Complies
		<p>ecologically sustainable development.</p> <ul style="list-style-type: none"> - Appropriate vehicular and pedestrian access to the site is provided. - The proposal is located with an appropriate location, within close public transportation and services and will permit the land to be developed to its full potential. - Proposal will contribute towards increasing the housing stock and housing mix within Campbelltown-Macarthur CBD. <p>The proposed development has been through The Design Excellence Panel on two occasions. Detailed comments in response to the DEP are addressed in above sections.</p>	
7.18	Restriction on access to or from public roads	<p>Vehicle access is proposed on Bugden Place and is not proposed on classified road.</p> <p>The location of the proposed vehicle access is safe and appropriate as described on the Traffic Impact Statement. Complies.</p>	Yes
7.20	Terrestrial Biodiversity	The site is not identified on the Natural Biodiversity Map.	N/A

CAMPBELLTOWN (SUSTAINABLE CITY) DEVELOPMENT CONTROL PLAN 2015

The table below provides detail on the development standards relevant to the current proposal.

Campbelltown (Sustainable City) Development Control Plan – Compliance Table			
Clause	Controls	Comments	Complies
2. Requirements Applying to all Types of Development			
2.2	Site Analysis	A Site Analysis has been prepared for the proposal and is attached as part of this application.	Yes
2.3	Views and Vistas	<p>The proposed development will not impact on significant views due to the nature of the proposal as well as its location. It is noted that the proposal is to be of a size and scale that is consistent with Council controls.</p> <p>Furthermore, the proposed development is to be appropriately landscaped and is of a form and style that will positively contribute to the cohesiveness and visual appreciation of the streetscape. The development aims to set the tone and scale for future high density development within the area.</p>	Yes
2.4	Sustainable Building Design	<p><u>2.4.3 Natural Ventilation</u> The proposal adopts a design that supports natural ventilation, noting 66% of units are naturally cross ventilated.</p> <p><u>2.4.4 Light Pollution</u> Outdoor lighting is designed to minimize pollution.</p> <p><u>2.4.5 BASIX</u> BASIX Certificate is provided as part of the development application.</p>	Yes
2.5	Landscaping	<p>Proposed landscaping is appropriate on site. Where appropriate, existing trees are to be retained, with the proposed landscaping to positively contribute to the cohesiveness and visual appreciation of the area and provides relief from the built form, softening the impact of the development. Noting the subject site has been majority cleared of vegetation. The proposed landscaping and open space areas will provide for a range of passive and active recreational activities and will contribute to a high level of residential amenity on site.</p> <p>The proposed development incorporates open space and landscaped areas that are consistent with and achieve the objectives of Council controls and will permit stormwater penetration, minimising run off from the site.</p> <p>The Landscaping plans outlines the following as the design approach for this site; <i>“The landscape design seamlessly integrates the water element from the surrounding environment into the development, establishing it as a pivotal source of lush greenery. This</i> </p>	Yes

Clause	Controls	Comments	Complies
		<i>incorporation fosters a verdant oasis within the village, nurturing a vibrant connection with nature. The concept of green spaces initiates the expansion, progressively filling the area as if creating inviting, organic chambers – both in horizontal and vertical dimensions.”</i>	
2.7	Erosion and Sediment Control	<p>This application seeks Council consent for excavation of the site as per the attached plans.</p> <p>It is considered that the proposed excavation will have minimal adverse environmental or amenity impact. The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls. An Erosion and Sediment Control Plan is attached as part of this application.</p>	N/A
2.8	Cut, Fill and Floor Levels	<p><u>2.8.1 Cut and Fill</u> The proposal has been designed to minimize the amount of cut and fill required, whilst also providing a built form that is appropriate considering the context of the site and the surrounding area.</p> <p>It is considered that the proposal results in an appropriate outcome on site that will not adversely affect the environment or the existing residential amenity of adjoining properties.</p> <p>The building has been designed respecting the existing topography of the site to minimize the level of cut and fill.</p> <p><u>2.8.2 Surface Water and Floor Levels</u> The site has not been identified as impacted by flood waters. Not applicable.</p>	
2.9	Demolition	<p>The development seeks consent for demolition of existing structures. Waste is to be appropriately managed during the demolition and construction stages of the development.</p> <p>A Waste Management Plan is attached as part of this application.</p>	Yes
2.10	Water Cycle Management	<p>The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and with the area.</p> <p>The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater.</p> <p>The proposal incorporates appropriate setbacks and landscaping that will permit stormwater penetration and will reduce runoff and the impact of stormwater on site and in the area.</p> <p>See attached Stormwater Management Plan for detail.</p>	Yes
2.11	Heritage Conservation	<p>There are no heritage restrictions on the site or within its immediate vicinity. Not relevant</p>	N/A

Clause	Controls	Comments	Complies
2.12	Retaining Walls	Retaining walls that are visible are mitigated through landscape plantings.	N/A
2.13	Security	<p>The proposed development incorporates an active façade that will permit casual surveillance of the sites four frontages as well as the driveway areas.</p> <p>The proposal incorporates open space and landscaped areas that will contribute to activity and natural surveillance of the area.</p> <p>The proposed landscaping and fencing is appropriate when considering CPTED principles and will not permit easy concealment of intruders. The basement access will be secured and / or involve controlled access to prevent unauthorized entry and an intercom system will be provided.</p> <p>The proposal incorporates built elements and landscaping that clearly distinguishes between the public and private domain. Clear entry points are proposed, that are easily read by resident, visitor and passer by alike.</p> <p>It is considered that the proposal does not impact on amenity or the streetscape of the area but is in context with development and street presentation of surrounding development.</p> <p>All materials and finished are appropriate. The proposed development is appropriate and provides measures, built elements, landscaping and design features that are consistent with CPTED principles.</p> <p>The new through-site link will have casual, passive surveillance from several units with windows and balconies facing the through-site link.</p>	Yes
2.14	Risk Management	<p><u>2.14.1 Contaminated Land</u> Given the historical use of the site for urban purposed, land contamination is not likely. Further investigation and reporting under SEPP (Resilience and Hazards) 2021 is not considered necessary.</p> <p>If any contaminated materials or suspected contaminated material is unearthed during the construction process then actions consistent with the legislative requirements and guideline document will be undertaken.</p> <p><u>2.14.2 Salinity</u> The subject site is not identifies as having salinity potential. Not applicable.</p> <p><u>2.14.3 Bushfire</u> The site is not identified as being bush fire prone land. Not relevant.</p> <p><u>2.14.5 Public Health</u> No cooling towers are proposed.</p>	<p>Yes</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
2.15	Waste Management	A Waste Management Plan is attached as part of this application. Notwithstanding it is noted that waste is to be appropriately	N/A

Clause	Controls	Comments	Complies
		<p>managed during the demolition and construction stages of the development.</p> <p>Appropriate waste facilities will be provided for future residents of the proposal. The proposal is provided with a communal waste storage area that provides sufficient space for the recycling and residual waste bins.</p> <p>It is noted that the lift is in proximity to the communal waste storage area with recycling bins located adjacent to the lifts and a chute system is proposed to facilitate transport from the residential dwellings to the waste storage areas.</p>	
2.16	Provision of Services	The development site is well serviced by water and sewer and the required utility clearances will be obtained prior to works commencing on site.	Yes
5. Residential Apartment Building and Mixed Use Development			
5.2	Desired future character	The development proposes a Residential Flat Building within an MU1- Mixed Use zone that has an attractive façade when viewed from the street and makes a positive contribution to the area, which is in line with the desired future character of Campbelltown-Macarthur CBD.	Yes
5.4.1	Relationship of the Plan to SEPP 65	SEPP 65 is addressed within this statement and the accompanying Design Verification Statement.	Yes
5.4.2	Building Form and Character	<p>a) The development proposes up to 15Storey residential flat building within an area that is currently undertaking a transformation of its built form, commercial to mixed use dwellings. The proposal aims to provide an attractive building that addresses its frontage whilst providing a built form that is compatible and complementary with the evolving character of the immediate locality.</p> <p>b) The proposed facades are well articulated with a mixture of vertical and horizontal features including windows, projecting walls and balconies, framed elements and designed to address all site frontage.</p> <p>The proposal incorporates physical articulation of the built form and a mixed palette of building materials and finished. Materials and finishes used are consistent with that existing in the area while being contemporary in character. The range of materials significantly contributes to the articulation of the building and reducing the overall bulk and mass of the building.</p> <p>The proposal incorporates appropriate setbacks and landscaping that will permit stormwater penetration and will reduce runoff and the impact of stormwater on site and in the area.</p>	Yes

Clause	Controls	Comments	Complies
		<p>The proposal will incorporate appropriate landscaping embellishing works that seeks to soften the built form and integrate with the development and the site's context whilst aiming to contribute positively to public domain areas and visual appreciation of the development. See attached architectural and landscape plans for detail.</p> <p>Overall, the proposed façade is considered a quality design outcome that addresses all street frontages whilst being compatible with other high-density and commercial developments within the locality.</p> <p>c) the proposed residential flat buildings have been designed to achieve the following:</p> <ul style="list-style-type: none"> i) The proposed development incorporates an active façade that will permit casual surveillance of its four frontages, new through-site link as well as the driveway areas. The proposal incorporates open space and landscaped areas that will contribute to activity and natural surveillance of the area. ii) Sufficient front setbacks are provided to permit landscaping works along the front of the site to soften the visual impacts of the proposed residential flat building. iii) The proposal adopts a design that supports natural ventilation, noting 66% of units are naturally cross ventilated. <p>d) Building colours, materials and finishes are to be consistent with other residential flat building/mix use buildings within the locality. see architectural plans for detail.</p> <p>e) Building materials are to be of high quality, durable and low maintenance. Complies.</p>	
5.4.3	Site Services	The development site is well serviced by water and sewer and the required utility clearances will be obtained prior to works commencing on site. All relevant services such as lift wells are to be incorporated into the design of the proposed buildings.	Yes
5.4.4	Acoustic Privacy	<p>Appropriate acoustic noise mitigation measures are to be employed to ensure adequate acoustic amenity is achieved for future residents by way of suitable soundproofing within walls to align with the BCA.</p> <p>Furthermore, the application is designed to create different 'zones' with more active areas clustered together and more passive areas also clustered together to maximise acoustic privacy.</p>	Yes

Clause	Controls	Comments	Complies
5.4.5	Vehicular Access	<p>Appropriate vehicular access and exit points are clearly defined and provided for the safe and efficient movement of vehicular traffic on site and entering and existing the site.</p> <p>The proposed parking area and ancillary driveway will not contribute to the creation of traffic hazards.</p> <p>Please see attached traffic impact statement for further details.</p>	Yes
5.4.6	Stormwater Drainage	<p>The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimize and manage the impact of stormwater on site and within the area.</p> <p>The proposed development appropriately addressed the unique characteristics of the site and will allow for the efficient management of stormwater. See attached Stormwater Management Plan for detail.</p>	Yes
5.4.7	Thermal Comfort	<p>The development has been designed to maximise thermal comfort through the use of energy efficient glazing and shading devices.</p> <p>Furthermore, the proposal incorporates appropriate design features including window size, skylights and location that will permit adequate solar penetration as well as cross ventilation.</p>	N/A
5.4.8	Waste Management	<p>The proposal has been designed to align with Councils waste requirements in terms of bin numbers and storage in the basement areas. A bulky waste room is also provided as part of the development.</p> <p>Due to the significant number of bins, waste collection will be accommodated on-site. As noted in the Transport Impact Assessment the proposed development is able to accommodate Council waste collection vehicles. .</p> <p><u>5.4.8.6 Mixed Use Developments</u></p> <p>Separate and lockable bin storage rooms will be provided to service residential and commercial sections of the development. The commercial bin rooms will be separately identified through the use of signage clearly indicating its use.</p>	Yes
5.4.9	Strata Subdivision	The application includes request for consent for strata subdivision of the commercial, retail and residential spaces, along with common / shared property.	Yes
5.4.10	Car parking	<p>a) All car parking spaces will be secured and separated from commercial car parking spaces.</p> <p>b) The design of car parking spaces has taken into consideration the principles of CPTED, minimizing opportunities for crime and enhances security.</p>	<p>Yes</p> <p>Yes</p>
5.4.11	Access for people with Disabilities	The proposal has been designed to comply with the requirements of AS1428 and the BCA.	Yes

Clause	Controls	Comments	Complies
5.4.12	Advertising Material	Special container will be located behind the building line to collect advertising and newspaper materials and will be emptied regularly by building manager.	Yes
5.5 Residential Flat Buildings (Zone R4)			
5.5.1	Site Requirements for Residential Apartment Buildings	a) the subject site has a frontage to Kellicar Road, Menangle Road, Gilchrist Drive and Bugden Place that is greater than 30m. complies	Yes
		c) The development will not result in any isolated sites as the site existing is already isolated and cannot be consolidated with one another.	Yes
5.5.2	Building Setbacks for Residential Apartment Buildings	<p>Please see discussion 5.6.2 Mixed Use Development.</p> <p>As the site is zoned MU1 proposing a Mixed Use Development, controls within 5.6.2 will apply. Not applicable.</p> <p>Front Setback: 5.5m</p> <p>6m any other boundaries</p>	N/A
5.5.3	General Requirements for Residential Flat Buildings and Mixed Ude Development	a) The proposal required a minimum of 5% of the total number of dwellings within a RFB to be 1 bedroom units. The proposal provides a total of 761 Units with such are required to provide more than 38.05 one-bedroom units. The development provides a total of 156 One bedroom units complies.	Yes
		b) A minimum of 10% of the total number of dwellings within a RFB is to be adaptable. The proposal provides 87 (11%) adaptable units. Complies.	Yes
		c) The DCP has prescribed the following minimum apartment size. <ul style="list-style-type: none"> - 1 bed – 50m² - 2 bed – 70m² - 3 bed – 90m² This submission proposes room sizes which are compliant with the DCP and ADG requirements: <ul style="list-style-type: none"> - Studio: 35m²+ - 1 bedroom: 50m²+ - 2 bedroom: 70m²+ - 3 bedroom: 95m²+ 	Yes
		d) All room sizes continues to comply with each unit providing additional 5m ² per each bathroom.	Yes
		f) each apartment buildings has included a study/nook area capable of accommodating a desk for working/studying.	Yes
		g) Main entry to each apartment building have been designed to include an entrance nook.	Yes

Clause	Controls	Comments	Complies
		<p>h) Variation. There will be a maximum of 9 dwelling per plate with 1-2 Lift core. The ADG notes the following; <i>"Where design criteria 1 is not achieved, no more than 12 apartments should be provided off a circulation core on a single level"</i> As the proposed development limits the number of dwellings to 9 per plate it is compliant.</p>	Variation on Merit
		i) Lift core provides access from the basement to all storeys within the proposed residential flat building including the roof space to access roof terrace. Complies.	Yes
		j) A maximum of 50 dwelling is to be accessible by a 1 lift core. Development proposes 1-2 Lift core is accessible for a total of maximum 50 units. However within building F, 1 lift core will service a maximum of 57 and 58 units. Noting Building F only contains 2 bedroom apartments and residential amenity will not be compromised.	Variation on Merit
		k) Lift is to be adequately lit and accessible for all residents and visitors.	Yes
		l) 25% of the total required open area or 15% of the total site area is required for deep soil planting. The proposal provides a deep soil area of 3,565 m ² or 15.5% and exceeds the minimum required deep soil zone area.	Yes
		<p>m) the proposal provides the following storage space per unit. Studio: 4m² 1 bed: 6m³ 2 bed: 8m³ 3 bed: 10m³</p> <p>This is provided within the basement and within the units themselves and aligns with the provisions of the ADG that is considered appropriate in the context of the site.</p>	Yes
5.5.4	Car parking and Access	a) Access ways and car parking spaces are to be appropriately dimensioned in accordance with Council controls and will permit the safe movement and parking of vehicles on site. See attached plans for detail.	Yes
		e) It is considered that the vehicular access and exit points are clearly defined and provide for the safe and efficient movement of vehicular traffic on site and entering and exiting the site. The proposed parking area and ancillary driveway will not contribute to the creation of traffic hazards.	Yes
		f) All car parking spaces are provided within three basement levels. Complies.	Yes
	<u>Minimum Parking Spaces:</u>	h) The development proposes the construction of a 8 separate building ranging from 6-15storey residential flat building with the following mix	Variation SEPP65
	1, 2&3 bed unit: 48 minimum Additional car parking space	<ul style="list-style-type: none"> - 2x Studio units - 156 X 1 bedroom units - 556X 2 bedroom units, and - 47 X 3 bedroom unit. 	

Clause	Controls	Comments	Complies
	for every 4 dwellings. Visitor/dwelling additional car parking space for every 10 dwellings.	<p>As per the DCP, this would equate to:</p> <ul style="list-style-type: none"> - 761 Resident space - 190.25 additional space - 76.1 Visitor spaces <p>Total of 1,027.35 spaces</p> <p>The development proposes the provision of 887 Car parking space, including 78 Commercial (non-residential) parking spaces and 85 Accessible car parking spaces.</p> <p>As the site is located within 800m of a heavy rail station, SEPP 65 applies a minimum car parking requirement set under the RMS Guide to Traffic Generating Developments.</p> <p>The proposed development is compliant with the minimum parking rates stipulated under the RMS guidelines and therefore complies.</p> <p>i) No car parking spaces are in a stacked configuration. j) bicycle storage at a rate of 1 space per 5 dwelling is provided. The development is to provide 152.2 spaces and provides 160 bicycle parking space.</p>	<p>Yes</p> <p>Yes</p>
5.5.5	Solar Access	<p>The dwellings adopt passive solar design principles through the orientation of the majority of living and private open space areas in a northerly direction as well as ensuring natural ventilation can also be provided.</p> <p>80% of units achieve the required 2 hours of solar access at mid-winter.</p> <p>The proposal has been designed to reduce the potential for overshadowing of neighboring properties. It is considered that appropriate solar access is to be provided on site and for neighboring properties.</p>	Yes
5.5.6	Balconies and Ground Level Courtyards	<p>a) All apartments are provided with a private courtyard/ balcony.</p> <p>b) it is noted that at least 8m² is provided for each dwelling as private open space in accordance with Council controls. Private open space areas are of suitable size, compliant with Council controls and are to be easily accessible. See attached plans.</p>	<p>Yes</p> <p>Yes</p>
5.5.7	Privacy	<p>a) No ground level dwellings are proposed as part of this application.</p> <p>b) Windows of habitable rooms or balconies that are proximate to another are designed so that they do not directly face a window of another habitable room, balcony or private courtyard of another dwelling, with appropriate setback and separation provided by the proposal that meets the 6m setback control contained within the DCP. Due to the design of the building, there are point encroachments derived from an urban design analysis of the best method to layout the buildings across the site while maintaining residential amenities. See attached urban design report for further details.</p>	<p>On Merit</p> <p>Variation on Merits</p>

Clause	Controls	Comments	Complies
5.5.3	Communal Recreation Facilities	<p>i) The residential Flat Building proposes a communal room on the roof top level with an area greater than 50m².</p> <p>ii) An outdoor communal open space area greater than 50m² is provided on the roof top and also on the ground floor level, that provides a BBQ and outdoor dining area.</p> <p>b) Communal open space is not within the primary front setback</p> <p>c) The communal area is all provided on the site.</p> <p>d) the communal area is located at the rooftop to maximise amenity for residents and this aligns with the provisions of the ADG. Some areas of COS are at ground level also to provide 25% which means compliance is achieved at ground level and the rooftop space is additional.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
5.6 Residential Flat Buildings (Zone B3 & B4)			
5.6.1	General Requirements for Mixed-use Development in areas zoned B3 & B4	<p>a) As outlined above the proposed development is consistent with the requirements for residential flat buildings.</p> <p>b) The ground level of the site is limited to commercial retail tenancy.</p> <p>c) No ground floor level areas are occupied by residential use.</p> <p>d) Noted. The proposed commercial tenancies implement adequate ventilation facilities.</p>	<p>On merit</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
5.6.2	Site requirements and Building Envelope for Mixed-Use Development in areas zoned B3 & B4	<p>a) The site complies with the design requirements, having an area of 22,991m² and a width more than 30m.</p> <p>b) the site provides a 6m setback to the site boundary which is compliant with the DCP control.</p>	<p>Yes</p> <p>Yes</p>
5.6.3	Car Parking and Access in areas zoned B3 and B4	<p>In addition to the residential car space outline above of 809 Spaces the development provides one (1) car parking spaces per 25sqm of leasable floor space which equates to 165 Spaces</p> <p>The traffic Impact Assessment attached as part of this application notes as follows;</p> <ul style="list-style-type: none"> <i>Providing 165 car parking spaces for the retail component, as per the strict DCP requirement, would result in a significant level of traffic generated to and from the site. The proposed shared parking arrangement provides for a more environmentally sustainable outcome that would not detrimentally impact the road network operation.</i> <i>It is considered that on-site parking spaces are most suitable to be allocated to the residential uses so as to satisfy resident parking demands. Meeting parking demands of residents on-site will ensure that vehicles</i> 	Variation

Clause	Controls	Comments	Complies
		<p><i>do not park all day and night on surrounding streets negatively impacting surrounding uses.</i></p> <ul style="list-style-type: none"> <i>The small format retail tenancies are ancillary to the development and will draw in mostly walk-up trade from the surrounding area and from the adjacent residents, with visitors unlikely to be reliant on car parking. The retail is not considered to be 'destination retail' particularly given the two major retail centres of Macarthur Square and Marketfair within a short walk of the site."</i> <p>Please see attached transport impact assessment for further justification and details.</p> <p>Pedestrian access to residential dwellings are separated from commercial retail uses.</p> <p>The proposed development will provide adequate space for on-site parking, loading and unloading of all delivery/ service vehicles.</p>	
5.6.4	Roof Terraces	As seen in the attached landscape plan, the rooftop communal open space provides BBQ and outdoor dining are as well as several social spaces satisfying the requirement of recreation facilities. Complies.	Yes
5.6.5	Mixed-use Development and Waster Management	Commercial and residential waste will be separated and be self contained in lockable areas.	Yes

CONCLUSION

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents.

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.