

## JOINT REGIONAL PLANNING PANEL (Sydney West Region)

<b>JRPP No</b>	<b>2011SYW129</b>
<b>DA Number</b>	<b>2267/2011</b>
<b>Local Government Area</b>	<b>Campbelltown City Council</b>
<b>Proposed Development</b>	<b>Stage 11 subdivision of Minto urban renewal project creating 149 residential allotments and one public open space area</b>
<b>Capital Investment Value</b>	<b>\$12.8m</b>
<b>JRPP Referral Criteria</b>	<b>Crown authority development exceeding \$5 million</b>
<b>Street Address</b>	<b>Eagleview Road, Pendergast Avenue, Friendship Way and Dunlop Way, Minto</b>
<b>Applicant/Owner</b>	<b>Landcom/Housing NSW and Campbelltown City Council</b>
<b>Number of Submissions</b>	<b>One</b>
<b>Recommendation</b>	<b>Approval with conditions of consent</b>
<b>Report by</b>	<b>Adam Coburn</b>

### Attachments

1. Conditions of consent
2. Indicative urban design treatments to existing dwellings

**Statutory Provisions:**      Campbelltown Local Environmental Plan (Urban Area) 2002  
    Minto Renewal Development Control Plan 2005

**Non-Statutory:**                Campbelltown 2025 Looking Forward

## **The purpose**

The purpose of this report is to assist in the determination of the subject development application in accordance with the provisions of the Environmental Planning and Assessment Act, 1979.

The application has been made by a Crown authority exceeding \$5 million (\$12.8m) and the project also forms part of a joint development initiative involving Campbelltown City Council, Housing NSW and Landcom, and therefore the application is forwarded to the Sydney West Joint Regional Planning Panel, for determination in accordance with Part 4 of State Environmental Planning Policy (State and Regional Development) 2011.

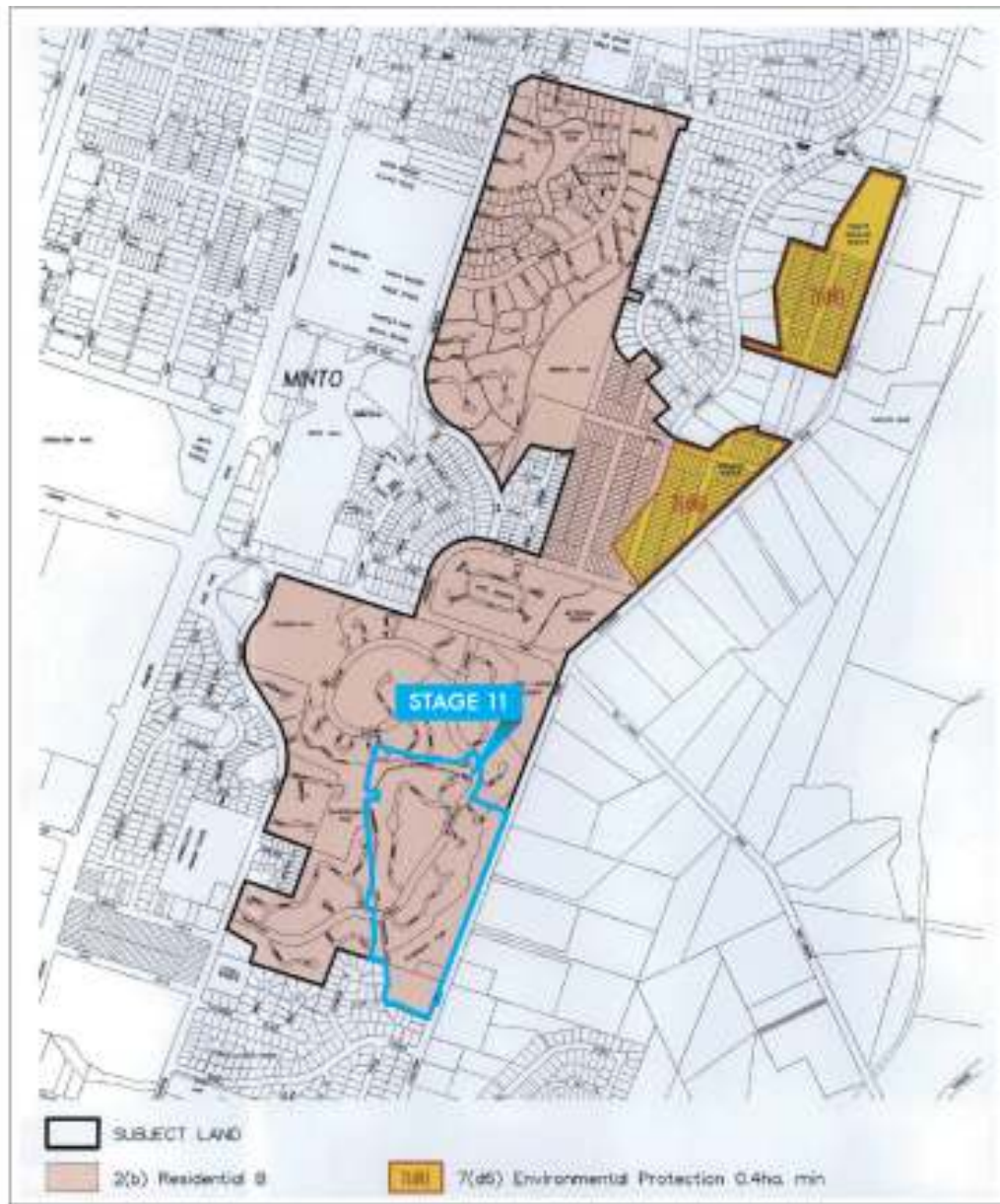
## **Background and History**

Council is in receipt of a development application from Landcom for a 149 lot residential subdivision as part of stage 11 of the Minto renewal project. A concept plan was approved for the Minto urban renewal project in 2006, which approved in principal the creation of 1,100 residential allotments and associated works over 13 stages.

The Minto estate was initially developed as a public housing estate during the 1970's, with approximately 1000 dwellings being built on the site. This comprised some 800 townhouses and 200 detached dwellings, with many dwellings built on 'Radburn' planning principles. The Radburn principle involved the design of dwellings facing open space areas and walkways, with rear laneways providing access to carports. The 'Radburn' planning principles have been proven to be unsuitable for public housing communities because of the poor vehicle access, unsafe rear lanes and inadequate surveillance of open space.

The locality plan of the stage 11 in respect to the overall masterplan approval for the Minto Urban renewal project is contained below, with the thick black edged line indicating the urban renewal area, with stage 11 located towards the southern precinct of the project area:

**Figure 1 – locality and zoning plan**



**Source:** BBC Consulting Planners 2011

The State government with the support of Campbelltown City Council have committed to undertaking a series of urban renewal projects within the public housing estates of Campbelltown. The estates will be transformed into contemporary urban areas, with a government mandate to increase the percentage of private housing within these estates to 70%, with the remaining housing stock of 30% comprising public housing dwellings.

#### **The site**

Stage 11 is bounded by stage 12 to the north, stage 10 to the west and the semi rural area of Minto Heights to the east, bounded by Eagleview Road. It extends to the southern boundary of the renewal site and includes parts of Orelia Way, Scarborough

Walk, Dunlop Way, Pendergast Avenue and Friendship Way as well as several cul-de-sacs. It also includes significant areas of public open space and a pedestrian network linking these spaces.

The property description for the Stage 11 of the Minto Renewal Area project includes:-

Lot 66 DP 261817  
Lot 1 DP 745364  
Part Lot 19 DP 716486  
Part Lot 18 DP 716486  
Part Lot 14 DP 716487  
Part Lot 15 DP 716487  
Lot 17 DP 716487  
Part Lot 20 DP 716486  
Part Lot 21 DP 716486  
Part Lot 22 DP 716486  
Part of Scarborough Walk

A cadastral plan of the affected development area is contained below

Figure 2 – cadastral plan of the subject site



**Figure 3 Concept plan approved for Minto Renewal Project**



**Source:** Minto Renewal DCP 2005

### **The Proposal**

The stage 11 application involves the following:

- Re-subdivision of 149 lots for housing and 1 lot for a public park
- Associated subdivision work including the construction of roads and roadworks, associated drainage, site re-grading & retaining works, utility services and landscaping,
- Minor associated works such as the removal of redundant services, sedimentation control and tree removal,
- Excavation works associated with road grading, site benching and the construction of Kyngmount Reserve,
- Retention of 36 dwellings. Upgrading works to the dwellings will be subject to a separate development application or works without consent under Part 5 of the Act. Dwelling upgrade works typically include façade works, carports/garages and front fencing (see attachment two).

The proposal does not include an application for dwelling construction. This will be subject to further individual applications for development and construction approval.

Kyngmount Reserve will comprise a passive open space area of 1.53 hectares, which will be appropriately landscaped with native and locally indigenous species.

### **Notification**

The application was notified to adjoining land owners and occupiers for 14 days in accordance with Council's Notification and Advertising DCP. The notification period attracted one submission from an adjoining land owner and will be addressed further within this report.

### **Assessment**

The development has been assessed in accordance with the heads of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, and having regard to those matters, the following issues have been identified for further consideration.

#### **1. Applicable planning instrument and controls**

Section 79C(1)(a) of the Act requires Council to consider any relevant environmental planning instrument, draft environmental planning instrument or development control plan.

#### ***a) State Environmental Planning Policies (SEPP) & Regional Environmental Plans (REP)***

##### **State Environmental Planning Policy 19 – Urban Bushland**

SEPP 19 – Bushland is applicable. The general aims of the policy are to protect and preserve bushland within urban areas. The proposed development will not remove significant vegetation and will not impact on the aesthetic, environmental, historical or scientific value of bushland within the Campbelltown area.

A detailed ecological report was prepared and supported as part of the concept plan approval, which addressed some loss of vegetation within stage 11.

#### **Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment**

The REP applies to the land as the site falls within the Georges River Catchment. The REP aims to maintain and improve water quality within the catchment area and to protect and enhance the environmental quality of the catchment.

The development is located within an established urban area. Measures are proposed to manage stormwater quality and quantity during construction and operation as outlined in the Water Cycle Management Plan which accompanied the concept plan application. This includes improvements in stormwater treatment and management on the site. This will be to the benefit of downstream receiving waters and will comply with the aims, objectives and provisions of the REP.

***b) Campbelltown (Urban Area) Local Environmental Plan 2002***

The subject site is zoned 2(b) Residential under the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002. The proposed development is defined as a residential subdivision and is permissible with consent in the zone.

The proposal is consistent with the 2(b) zone objectives, particularly objective (a) and (e) of the zone:

- (a) to make general provision for land to be used for housing and associated purposes, and*
- (e) to allow development which:*
  - (i) is compatible with residential use, and*
  - (ii) is capable of visual integration with the surrounding buildings, and*
  - (iii) serves the needs of the surrounding population without conflicting with the residential intent of the zone,*
  - (iii) is capable of visual integration with the surrounding buildings, and*
  - (iv) does not place demands on services beyond the level reasonable required for residential use.*

The proposed residential subdivision is consistent with the zone objectives and provides a range of lot types and configurations for future dwellings. The development also incorporates the creation of a new public park with associated recreational facilities for the benefit and enjoyment of the community.

The existing dwellings will be integrated into the development through a range of public domain works, such as street trees and through embellishment of existing dwellings. Dwelling embellishment through façade treatment includes; front awnings, a range of new and upgraded building finishes, new windows and provision of carports or similar. A copy of an example of the method dwelling embellishment is attached as attachment two.

**Relevant Provisions**

Clause 32 deals with subdivision generally. It states:

***“32 Subdivision generally***

- (1) Land to which this plan applies may be subdivided only with development consent.*
- (2) Consent must not be granted to the subdivision of land traversed by a zone boundary unless the boundaries of lots so created correspond generally with the boundaries between the zones as shown on the map.*



*(3) Where the subdivision of land would result in the opening of a new road, the road must accord with any pattern of proposed roads indicated on the map unless the consent authority is satisfied that the road will provide adequate access to adjoining land and fulfils the objectives of the road pattern indicated on the map.”*

Clause 32(1) of the LEP permits subdivision with consent. The proposed development complies with Clause 32(2) of the LEP in that the proposed subdivision corresponds generally with the zoning boundaries. The road layout and subdivision pattern is consistent with the approved concept plan, which identified road hierarchy and networks throughout the estate. The development therefore complies with Clause 32(3) of the LEP.

Clause 39 – earthworks and preservation of trees; applies to the development application as it proposes some cut and fill, removal of trees and excavation. The excavation & cut and fill has been designed to be sympathetic to topography of the site and will not cause an adverse impact upon the local drainage catchment or flood conditions. See table below, specifically section 2.9 relating to maximum cut and fill.

### ***c) Development Control Plans***

#### ***Campbelltown (Minto renewal) Development Control Plan 2006***

Minto Renewal DCP is a site specific DCP that applies to the site, and was adopted by Council in April 2006. It provides guidance in relation to the detailed design of new development within the Minto urban renewal area. Whilst the majority of the controls contained within the DCP relate to dwelling construction, the DCP includes relevant provisions relating to lot size and configuration, which have been assessed as part of this application.

The Minto DCP identifies three main dwelling types within the project area, namely;

*Integrated housing;* containing a predominant character of a strong built edge opposite parks and open space areas. Part of stage 11 directly adjoins public open space and shall have a higher density to the rest of the site.

*Detached housing;* These areas will be a transition between the dense areas surrounding the park to the large ridge top allotments. Allotment sizes should vary based on topography with larger lots located on higher and steeper slopes and smaller lots on the lower gentler slopes.

*Rural residential;* This area is zoned 7(d6) Environmental Protection and is most prominent from the suburbs surrounding Minto. Stage 11 does not include any rural residential allotments.

The relevant provisions of the DCP applicable to the subdivision application are found in the following compliance table:

**Table 1 – Compliance with Minto Renewal DCP 2005**

<b>Minto Renewal Development Control Plan</b>			
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>2.6 Car parking and access</b>	<ul style="list-style-type: none"> <li>To ensure that the location of driveways, parking and service areas are adequately provided.</li> <li>Driveways to be located at least 6m from tangent point of kerb and gutter.</li> </ul>	<ul style="list-style-type: none"> <li>New driveways have been located appropriately and allow for the safe passage of vehicles entering and leaving properties.</li> <li>The subdivision layout is suitable and new dwellings are capable of locating driveways 6m from tangent point of the kerb &amp; gutter.</li> </ul>	YES
<b>2.7 Landscaping</b>	<ul style="list-style-type: none"> <li>Detailed landscape plans will be required as part of each DA. Landscaping shall use native species, with at least 50% locally indigenous.</li> </ul>	<ul style="list-style-type: none"> <li>A concept landscape plan incorporating street trees and public parks accompanied the DA. Detailed landscape plans will be required for each application for dwellings.</li> </ul>	YES
<b>2.8 Erosion and sediment control</b>	<ul style="list-style-type: none"> <li>A soil and water management plan is required for sites greater than 2,500 sq m.</li> </ul>	<ul style="list-style-type: none"> <li>A detailed soil and water management plan has been prepared and is satisfactory.</li> </ul>	YES
<b>2.9 Cut, fill &amp; flooring levels</b>	<ul style="list-style-type: none"> <li>Balanced cut and fill operations, with a Max 1m cut and fill for new dwellings.</li> <li>Earthworks shall have regard to council's specifications for construction and drainage works and AS 3798 – guidelines for earthworks for commercial and residential development.</li> <li>Dilapidation report may be required of adjoining infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Balanced cut and fill operations will occur across the site and respond to the topography and natural landscape of the project area.</li> <li>Bulk earthworks associated with the proposal will limit the requirement for extensive excavation as part of individual dwelling development. Where required retaining walls are generally less than 900mm. Where they exceed 900mm they are stepped.</li> <li>A dilapidation report will be required as part of the consent.</li> </ul>	YES

<b>Minto Renewal Development Control Plan</b>			
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>2.11 Water cycle management</b>	<ul style="list-style-type: none"> <li>• Development shall not impact upon adjoining properties by way of overland flow. Overland flow shall be maintained at pre development levels.</li> <li>• Development shall comply with Council's engineering design guide for development.</li> <li>• Easements shall be created where development cannot (under gravity) connect to the street or directly to Council's truck drainage system.</li> </ul>	<ul style="list-style-type: none"> <li>• Appropriate methods of drainage have been prepared and are detailed in the drainage concept plan. Council's development engineers have raised no objection to the drainage plan.</li> <li>• Easements will be required on downstream properties, and will be shown further as part of detailed engineering and construction plans.</li> <li>• Council will not release the linen plans until easements are detailed.</li> </ul>	YES
<b>2.12 fencing and retaining walls</b>	<ul style="list-style-type: none"> <li>• Fencing and retaining walls are to be shown where they are required as part of a development.</li> <li>• Fencing shall not obstruct utilities and other infrastructure services.</li> <li>• Retaining walls shall not be greater than 900mm.</li> </ul>	<ul style="list-style-type: none"> <li>• A fencing strategy has been prepared and approved previously as part of the concept plan. It guides the introduction of fencing across the estate.</li> <li>• Fencing and retaining walls will be conditioned to be located clear of utilities and other services.</li> <li>• Generally retaining walls are less than 900mm, however where greater they will be required to be stepped and engineering details provided.</li> </ul>	YES
<b>2.13 Safety &amp; security</b>	<ul style="list-style-type: none"> <li>• Maximize opportunities for passive surveillance and avoid entrapment locations.</li> <li>• Dwelling design should articulate entrances.</li> <li>• Clearly differentiate between public and private areas.</li> </ul>	<ul style="list-style-type: none"> <li>• All allotments compromise direct road access with majority fronting roads. Whilst there are some battle-axe allotments, they are adjoined by allotments facing streets and service existing dwellings.</li> <li>• A fencing strategy is prepared that clearly identifies private areas, i.e. dwellings.</li> </ul>	YES

Minto Renewal Development Control Plan			
Control	Requirement	Proposed	Complies
<b>2.17 Bushfire</b>	<ul style="list-style-type: none"> <li>Manage the risk of bushfire within the project area.</li> </ul>	<ul style="list-style-type: none"> <li>Bushfire issues were considered as part of the concept plan approval, and recommends that 20 Asset Protection Zone (APZ) be established, which will be contained within Eagleview Road. No objections have been raised from Rural Fire Service.</li> </ul>	YES
<b>2.18 Waste management</b>	<ul style="list-style-type: none"> <li>Construction shall maintain healthy and safe practices towards waste management and minimization.</li> </ul>	<ul style="list-style-type: none"> <li>A construction waste management plan will be prepared prior to construction and is included as a condition of consent.</li> </ul>	YES
<b>3.1 Dwelling</b>	<ul style="list-style-type: none"> <li>Dwellings are to be consistent with the development criteria in part 2 of DCP.</li> <li>New housing and redevelopment of existing dwellings are to be integrated in the design character of the project area.</li> </ul>	<ul style="list-style-type: none"> <li>The configuration and size of proposed allotments are consistent with the DCP dwelling types. In this regard integrated dwellings can be provided opposite the park and a range of detached and attached dwellings can be built within the remaining areas of the project area</li> <li>Existing dwellings to be retained will be embellished, with further public domain works proposed, such as street tree planting and fencing. Indicative details of existing dwelling embellishment are provided in attachment two.</li> </ul>	YES
<b>3.1 Lot size</b>	<ul style="list-style-type: none"> <li>Minimum 300 sq m</li> </ul>	<ul style="list-style-type: none"> <li>Minimum lot size is complied with. Lots facing the park are generally smaller in size, down to 330m, which is consistent with the concept plan approval for integrated housing within this precinct.</li> <li>Other allotments vary in size with most lots generally being within the range of 450m-700 sq m.</li> </ul>	YES

Minto Renewal Development Control Plan			
Control	Requirement	Proposed	Complies
<b>3.1 Lot width</b>	<ul style="list-style-type: none"> <li>• 10m lot width required at the building line, i.e. 4-4.5m into the property.</li> <li>• Access handles for battle-axe allotments to be a minimum 3.5m in width or 5m for shared handles.</li> </ul>	<ul style="list-style-type: none"> <li>• All proposed lots have been checked for compliance with this provision and are satisfactory.</li> </ul>	YES
<b>4.1.1 Neighbourhood subdivision</b>	<ul style="list-style-type: none"> <li>• The neighborhood subdivision shall be consistent with the concept plan</li> <li>• The design of the allotment shall have regard to orientation, slope and aspect for future residential development.</li> <li>• Subdivisions shall promote through street access and minimize culdesacs.</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed street layout and configuration is consistent with the concept plan.</li> <li>• The lots have been appropriately designed to maximize solar orientation and topography of the site.</li> <li>• The development incorporates a number of new street penetrations through the precinct that encourage through access and avoid or remove culdesacs. Culdesacs are limited to Meharry Place, on the edge of the development and is a short culdesac, with a maximum length of 30m.</li> </ul>	YES
<b>4.2 Streets</b>	<ul style="list-style-type: none"> <li>• Streets shall be constructed in accordance with the road hierarchy plan.</li> <li>• Roads shall comply with Council's specification for construction of subdivision of roads and drainage.</li> <li>• Traffic calming shall be incorporated where required and upright kerbing is to be installed.</li> <li>• Where an allotment adjoins an intersecting road, a 4m x 4m splay is required.</li> </ul>	<ul style="list-style-type: none"> <li>• As previously indicated the road layout and hierarchy is consistent with the concept masterplan.</li> <li>• The design of the road incorporates traffic calming measures, with all kerbs being upright and no rollover kerbs.</li> <li>• All adjacent to intersection include appropriate splays.</li> </ul>	YES

Minto Renewal Development Control Plan			
Control	Requirement	Proposed	Complies
<b>4.3 Access</b>	<ul style="list-style-type: none"> <li>A network of footpaths and cycleways are to be provided in accordance appendix K of the DCP.</li> <li>A palette of Street lighting and street furniture shall be provided.</li> </ul>	<ul style="list-style-type: none"> <li>Footpaths and shared paths are provided within the precinct.</li> <li>A Street tree planting strategy is included in the application incorporating appropriate tree planting which improves the streetscape.</li> <li>Further details of street lighting and furniture will be provided at the detailed engineering and construction certificate stage.</li> </ul>	YES
<b>4.4 Stormwater</b>	<ul style="list-style-type: none"> <li>Stormwater systems and drainage to comply with Council specifications for the construction of subdivision road and drainage.</li> <li>All stormwater systems to design for 100 year ARI event and be designed by a qualified professional.</li> <li>Suitable drainage easements to be created where required and to benefit Council.</li> </ul>	<ul style="list-style-type: none"> <li>Concept drainage plans have been submitted with the application and have been reviewed by Council's development engineers. Further detailed drainage design and calculations will be required at detailed construction stage.</li> <li>Drainage systems have been designed to 100 year ARI event.</li> <li>Easements will be provided and reviewed further at detailed design stage.</li> </ul>	YES
<b>5.1 Public open space</b>	<ul style="list-style-type: none"> <li>Parks to be located in accordance with concept plan. Retain existing vegetation where possible and new trees to incorporate native and locally indigenous species</li> <li>Lighting, safety and security shall be considered and addressed as part of the proposal.</li> </ul>	<ul style="list-style-type: none"> <li>The park is located in accordance with the approved concept plan.</li> <li>Existing trees have been retained where possible and street species are native and indigenous and conform with the DCP species list.</li> <li>The Lighting for the park will conform to the current Australian Standards.</li> </ul>	YES

#### ***d) Other planning policies***

##### ***Section 94A Development Contributions Plan***

As part of the approval and redevelopment of the Minto project area a Planning Agreement was entered into between Campbelltown City Council, Landcom and Housing NSW. The Planning Agreement dealt with and required the proponent to deliver public infrastructure improvements, such as roads, drainage and other public domain works such as the provision and embellishment of public parks.

Accordingly as part of the Planning Agreement the proponent is not required to provide a monetary contribution to Council for local infrastructure and they are exempt from the provisions of Campbelltown City Council's Section 94A Contributions Plan.

##### ***Campbelltown 2025 Looking Forward***

'Campbelltown 2025 Looking Forward' is a statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- *Responds to what Council understands people want the City of Campbelltown to look, feel and function like;*
- *Recognises likely future government policies and social and economic trends; and*
- *Sets down the foundations for a new town plan that will help achieve that future.*

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

The strategic directions relevant to this application are:

- *Growing the Regional City,*
- *Building a distinctive Campbelltown sense of place, and*
- *Creating employment and entrepreneurial opportunities.*

The proposed development is generally consistent with these directions. The development contributes to the growth of the regional city of Campbelltown and a distinct neighborhood within Minto.

Some of the relevant desired outcomes of the strategic directions included in Campbelltown 2025 include:

- *Urban environments that are safe, healthy, exhibit a high standard of design, and are environmentally sustainable;*
- *An impression of architecture that engages its environmental context in a sustainable way; and*
- *Development and land use that matches environmental capacity and capability.*

The proposed subdivision has been assessed having regard to Campbelltown 2025 *Looking Forward*. It is considered that the development application is generally consistent with the Vision's desired outcomes and provides a contemporary residential subdivision with improvements to the public domain. The public park will make a significant contribution to the community and provides sufficient leisure and recreation opportunities for a range of users.

## **2. Impact of the development**

Section 79C(1)(b) of the Act requires Council to consider the likely impacts of the development, including environmental impacts on both the natural and built environment, and social and economic impacts in the locality.

The proposed development poses no adverse impacts on the built form of the locality. The proposed subdivision is appropriate and has been designed to accommodate a range of dwelling types that will contribute towards the character of the locality. The street patterns and road hierarchy that form part of the development will make a positive contribution to the streetscape and the safety and efficiency of the local road network.

The development poses no adverse environmental impact. No threatened or endangered species or habitat will be adversely affected by the proposed development. A comprehensive flora and fauna report was undertaken as part of the approval of the concept plan. This report established that no significant flora or fauna species were present within the project area and consequently the current proposal has no adverse impact upon the ecological values of local flora and fauna.

## **3. Suitability of the site**

Section 79C(1)(c) of the Act requires Council to consider the suitability of the site to accommodate the development.

The site forms part of the Minto Renewal Area and has been zoned and approved for residential development. In conjunction with the masterplan and staging plan of the project, the proposed subdivision provides for the efficient and orderly development of land.

Extensive investigations have been undertaken in respect to soil, flora & fauna, hydrology and traffic, which found that the site is suitable for development.

## **4. Submissions**

Section 79C(1)(d) of the Act requires Council to consider submissions made in respect to the proposal.

Whilst extensive community and public authority consultation was undertaken as part of the concept approval this application was notified to adjoining land owners/occupiers. As a result one submission was received from a land owner directly adjoining the development within Clark Place and they raised the following issues:

**a) Construction management and communication with residents** – *“I would hope that there will be continued communication between the developer and existing residents at all times during the site works and building stages. I would expect that if the*



*plans create difficulties for existing residents at any time during the process that there is a mechanism to halt works so that necessary consultation and remediation can be carried out."*

*Applicant's Response: Any issues arising during Construction can be raised with the appointed contractors representative, should their response be unsatisfactory then the appointed Site Superintendent can be contacted to determine the appropriate course of action.*

**Council response:** The conditions of consent should deal with and mitigate any adverse impacts upon residents during construction. The commitment from Landcom to deal with issues that arise during construction is accepted and Landcom have historically addressed and demonstrated a strong commitment to resolving construction related issues as part of previous stages of the Minto Renewal Project.

b) Management of local drainage and no adverse impacts on resident retaining wall – *"I would like to be assured that my retaining wall will not be affected by any works and that all loose matter will be controlled so as not to cause any dust or sediment being washed downhill during any rainy period."*

*Applicant's response* - Design levels at the resident's northern boundary will be at or close to natural surface level. There will be a common drainage line across the rear of lot 1101 adjacent to the back corner of the property, this drainage line will then return to the North and connect to the drainage in McClintock Drive.

**Council response:** the drainage concept plan prepared for the development will accommodate localised water run-off and satisfies Council's Engineering Design requirements.

c) Management of sediment and dust during construction – *"At present sediment from Kyngmont Reserve is washed downhill into Clark Place during rainy weather and accumulates in front of my property. Will this continue after the Stage 11 Minto Renewal development is completed?"*

*Applicant's response: the works in Kyngmont Reserve will improve this situation with increased planting adjacent to the problem area.*

**Council response:** There are several conditions of consent that require sediment and erosion controls to be in place during construction and that disturbed areas be stabilised once works have been completed.

d) Replanting of native species such as Cumberland Plain Woodland within the reserve area – *"Concerning the plantings in the park and public areas - are all the proposed species Cumberland Plains Woodlands' species? I believe that any steps to strengthen or renew the presence of the natural vegetation of the area should be taken whenever the opportunity presents itself. If possible, will residents be supported in planting Cumberland Plains Forest species on their own properties?"*

*Applicant's response:* please refer to the Landscape DA documents and the Minto Renewal DCP for plant species to be used in Kyngmont Reserve and streetscape.

**Council response:** The original concept plan included a detailed ecological report that addressed the removal and loss of Cumberland Plain Woodland across the entire project area. In respect to stage 11, there will be the loss of some remnant stands of trees, however this will be offset with replacement planting of locally

indigenous tree and plant species within the reconfigured and embellished Kyngmount Reserve.

## **5. The Public interest**

Section 79C(1)(e) of the Act requires Council to consider the public interest when determining an application.

The proposed development is considered to be in the public interest, particularly in regard to the social benefit that the embellishment of community infrastructure and the provision of residential land to meet the housing needs of the community. The proposal is in accordance with the requirements of the relevant planning instruments and policies and will not have a negative impact upon the environment, property values or public health. For the reasons identified above the proposal is considered to be in the public interest.

## **Conclusion**

The proposed development is for the subdivision of stage 11 of the Minto renewal project. The proposal is consistent with the concept plan approved for the site. The subdivision provides a range of allotment sizes that can cater for detached & attached dwellings, integrated housing and the retention of existing public housing dwelling.

The proposed development is permissible with consent and is consistent with relevant planning controls and has a strong public benefit. The development poses no adverse environmental impact and is sympathetic and compatible with the character of the locality.

The issues raised by the adjoining resident have been addressed in the report and the resulting development will improve local drainage within the area and Landcom will continue to maintain open communication with adjoining residents throughout the construction process.

This report has assessed the proposal in accordance with the provisions of the Section 79C of the Environmental Planning and Assessment Act, 1979, and the development has been found to be satisfactory and worthy of support.

## **Officer's Recommendation**

That the development application be approved subject to conditions of consent contained in attachment one.

