

JOINT REGIONAL PLANNING PANEL (Sydney West)

JRPP No.	2015SYW080 DA
DA Number	2577/2014/DA-SL
Local Government Area	Campbelltown City Council
Proposed Development	Construction and occupation of 268 seniors housing dwellings, associated site works and landscaping
Street Address	Camden Valley Way and Denham Court Road, Denham Court
Applicant/Owner	Stockland Development Pty Ltd
Number of Submissions	One
Regional Development Criteria (Schedule 4A of the Act)	Capital Investment Value exceeds \$20 million
List of All Relevant s79C(1)(a) Matters	<p>Statutory provisions</p> <ul style="list-style-type: none"> • Rural Fires Act 1997 • Threatened Species Conservation Act 1995 • National Parks and Wildlife Act 1974 • State Environmental Planning Policy (Sydney Region Growth Centres) 2006 • State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 • State Environmental Planning Policy (Infrastructure) 2007 • Campbelltown Growth Centres Development Control Plan <p>Non Statutory Provisions</p> <ul style="list-style-type: none"> • Campbelltown 2025 Looking Forward
List all documents submitted with this report for the panel's consideration	<ol style="list-style-type: none"> 1. Location plan 2. Survey plan 3. Site plan 4. Landscaping plan 5. Typical floor plans 6. Typical elevation plans 7. Three dimensional coloured elevation plans 8. Recommended conditions of consent
Recommendation	Approval with conditions
Report by	Andrew MacGee, Senior Development Planner Campbelltown City Council

Purpose of the Report

The purpose of this report is to assist in the determination of the subject Development Application (DA) in accordance with the provisions of the *Environmental Planning and Assessment Act, 1979*.

Approval process

The staged development application has been lodged by Stockland Development Pty Ltd with a Capital Investment Value (CIV) of \$57.365 million. Therefore, under Section 23G and Clause 3 of Schedule 4A of the *Environmental Planning and Assessment Act 1979* (the Act), the Sydney West Joint Regional Planning Panel (JRPP) is the consent authority for the proposal.

Under the processes established by the Act, Campbelltown City Council has undertaken the assessment of the application and subsequently refers the matter to the JRPP for determination.

The application has also been lodged concurrently with Camden Council relating to the same development, as a small portion of the development site falls within that local government area.

Property Description:	Lot 7 DP 1200698, cnr Camden Valley Way and Denham Court Road, Denham Court
JRPP Application Number:	2015SYW080 DA
Council Application Number:	2577/2014/DA-SL
Applicant:	Stockland Development Pty Ltd
Owner:	Stockland Development Pty Ltd
Date received:	October 2014

Background

The subject site is located within the suburb of Denham Court and is part of the 'East Leppington' precinct of the South West Sydney Growth Centre. The 'East Leppington' precinct is situated in Campbelltown, Camden and Liverpool local government areas.

The land was rezoned for urban purposes in March 2013, following a detailed review of the precinct's capacity for urban development, acknowledging significant environmental assets (including a portion of the 'Scenic Hills' that fall within the Campbelltown local government area) and links to existing and future infrastructure in the immediate vicinity.

The urban release of the area has physically commenced, with three stages of Stockland's 'Willowdale Estate' completed and dwellings presently under construction. A regional park, one additional residential stage and a display home village have also been granted development consent after assessment by both Campbelltown and Camden Councils for the respective parts of the development within each local government area.

A staged development application has also been made in relation to the subject site, which sets out a concept proposal for the development of a retirement village and includes the area

set aside for the works subject to this application. This application forms Stage 2 of the retirement village's overall development.

The Site

The subject site is legally described as Lot 7 DP 1200698 and is located within the northern corner of the urban release area as it sits within Campbelltown and Camden Councils. The site would ultimately be accessed by an internal road that connects Willowdale Drive and Jamboree Avenue to Denham Court Road, as per the 'indicative layout plan' that was developed by the Department of Planning and Infrastructure during the rezoning process and subsequently contained within the Council's site-specific development control plan for the release area.



Figure 1 – site location and aerial photograph. The red line indicates the extent of Stockland's 'Willowdale Estate' within the 'East Leppington Precinct' and the blue line is the area subject to this current proposal. A larger version of this image is located in Attachment 1 to this report.

A survey plan is found in Attachment 2 to this report. It locates the local government boundary between Campbelltown and Camden Councils and illustrates that approximately 2.8% of the development site by area falls within Camden.

The site slopes towards the east and south, in the general direction of Bonds Creek, which runs through the urban release area in a north-south direction. The creek corridor is relatively heavily vegetated and contains some good examples of remnant riparian tree species. This vegetation would be enhanced and rehabilitated as part of ongoing work across the urban release area, to which further development application(s) will be made in due course.

Some other trees are scattered across the development site, although a large proportion has been cleared over time and used for grazing and cropping since the European settlement of

'the cowpastures', in particular, a Crown land grant of 700 acres to William Cordeaux in 1821, which he named 'Leppington'.

Camden Valley Way borders the development site to the west and Denham Court Road (as it is presently being realigned and reconstructed by Roads and Maritime Services) lies directly to the east.

The area of land to which the application applies is approximately 10.7 hectares, of which approximately 0.3 hectares is located within the Camden local government area, along the site's frontage to Camden Valley Way.

To the immediate south of the site, the Council has granted development consent for the construction of an 'east-west' collector road, which would form a valuable connection between Willowdale Drive and Denham Court Road.

An overlay of the retirement village site and the 'indicative layout plan' established during precinct planning for the release area is shown below. The precinct planning for the release area was a joint project between the Department of Planning and Infrastructure and the three Councils.

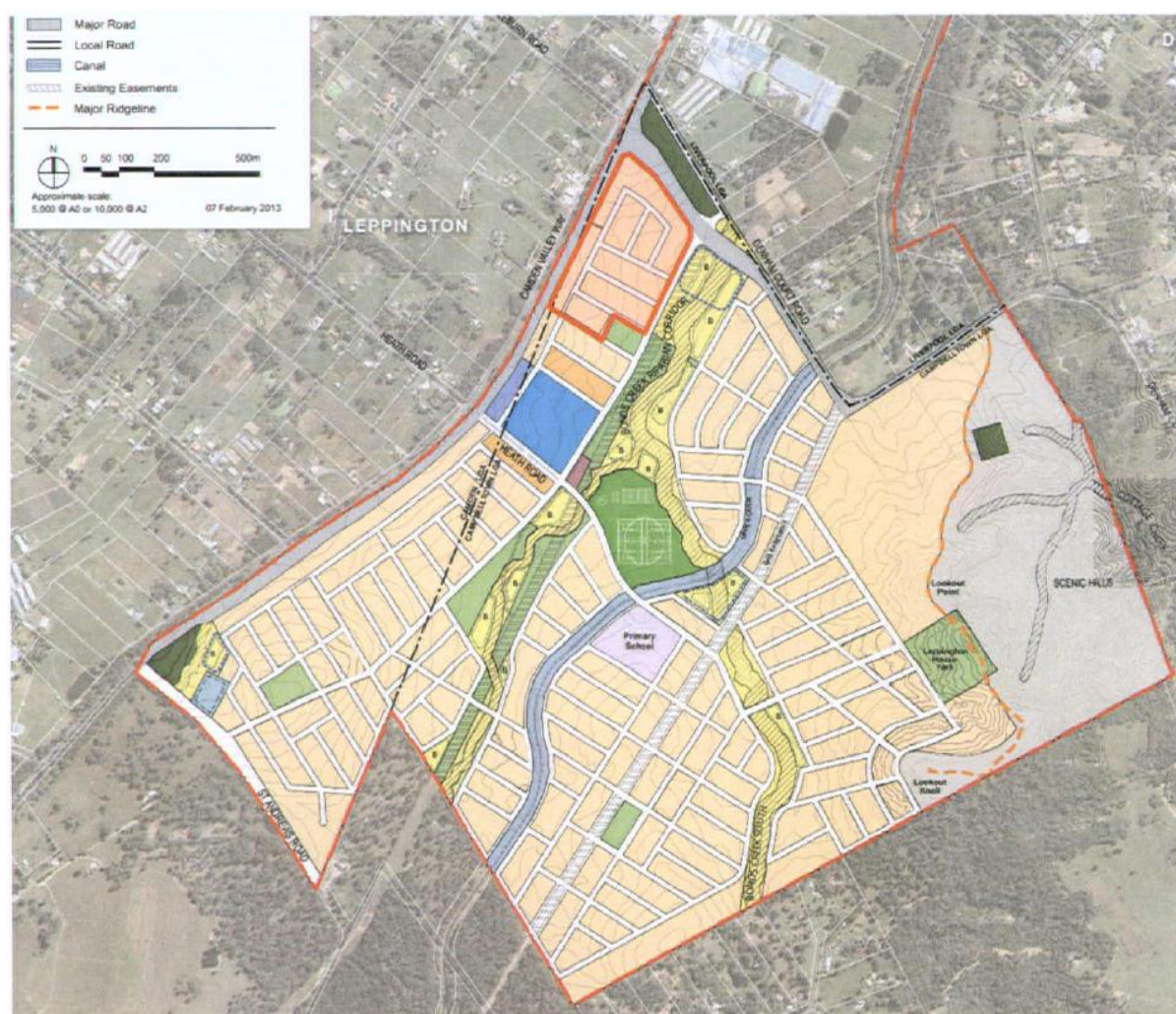


Figure 2 – the retirement village site within the 'indicative layout plan' for the 'East Leppington Precinct'.

The Council has previously granted 'partial development consent' to commence earthworks at the site (Council ref. 2170/2014/DA-CW). The consent was issued in a partial manner to

account for the fact that not all of the site is 'bio-certified' pursuant to Part 7AA of the Threatened Species Conservation Act 1995 (see discussion in Section 1.2 of this report for more detail).

In addition, the Sydney West Joint Regional Planning Panel (ref. 2014SYW132 DA) has considered an application for the staged development of the retirement village site, with future land uses nominated as part of the concept proposal. These future land uses included the self-contained residential dwellings, a future community centre, a future residential aged care facility and landscaping of the village.

Surrounding Development

As mentioned previously in the report, the site adjoins an existing urban release area, for which several development consents have previously been issued for residential subdivision and associated infrastructure. A number of dwellings are currently under construction or recently occupied.

The site is approximately 2.6 kilometres by road from Leppington railway station.

Future development in the site's immediate vicinity includes a commercial centre (incorporating a supermarket and a small range of specialty stores), open space and riparian corridor areas and a medium-density residential development. A school site and playing fields are also included in the precinct planning for the release area, as well as pocket parks.

The site is also located approximately 2.5 kilometres by road from the future Leppington town centre (within Camden Council), which will be a high-order retail and residential destination that capitalises on the Leppington train station.

The Proposal

The application forms Stage 2 of the retirement village's overall development. It provides for:

- 268 self-contained dwellings for seniors living
- A single storey shed (steel framed and metal clad) maintenance facility
- Landscaping
- Earthworks including retaining walls
- Associated works

A site plan of the proposed retirement village layout is contained in Attachment 3 to this report.

The dwellings and landscaping would be contained within areas identified for such as part of the concept proposal for which separate development consent has been sought.

The proposed 268 self-contained dwellings would consist of five building types. Two house types are two bedrooms with a single garage, one is two bedroom, study and single garage, another is three bedroom and double garage and the final type is two bedroom and double garage.

All dwellings would be of single storey construction and contain private open space in rear courtyards with areas between 75 and 90 square metres. The dwellings would not be subdivided from the parent allotment, rather, the village would remain as one property and managed by the applicant. The retirement village would be made available to people aged

55 and over or who have a disability pursuant to the requirements of the State Government's relevant environmental planning instrument, discussed later in this report.

The development application also includes the establishment of landscaping and open spaces throughout the village, construction of retaining walls in conjunction with dwelling construction and the installation of utilities and other ancillary site works.

The maintenance shed/facility would be located in the north eastern pocket of the development site and would be used to store and maintain small garden management plant.

The dwellings would be constructed from brick external walls and concrete roof tiles, with a variety of materials and colours used in varying combinations throughout the estate. A range of façade and window size/location options have also been developed for the five house types, which are influenced by the individual dwelling's orientation and relationship to adjoining buildings.

Building and Sustainability Index (BASIX) certification has been provided for each dwelling type that is proposed within the village, meaning that the dwellings meet thermal comfort, water and energy saving targets set by the State government.

Gradients of foot travel paths throughout the site would be required to comply with the standards provided in the Seniors Living State Environmental Planning Policy, which is discussed later in this report.

Small parks and pedestrian access ways that would be attractively landscaped are also located throughout the village and serve as a means of access as well as to 'break up' the built form of the development.

The capital investment value of this Stage of the retirement village project is approximately \$57 million.

As mentioned earlier, the development application complements the concept proposal submitted for the site by the applicant pursuant to Section 83B of the Act and is consistent with that concept proposal as required by Section 83D(2), which reads:

- (2) While any consent granted on the determination of a staged development application for a site remains in force, the determination of any further development application in respect of that site cannot be inconsistent with that consent.

Public Notification Process

The development application was notified to nearby owners in Liverpool City Council and publicly exhibited in local print media during December 2014. During the notification period, no submissions from the public were received; however, one submission was received from Campbelltown City Council subsequent to the exhibition. Matters raised in the submission are detailed later in this report.

1. Assessment

The development has been assessed in accordance with the matters for 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.

1.1 *Planning legislation, instruments and documents*

Section 79C(1)(a) requires the JRPP to consider environmental planning instruments and development control plans that apply to the site. In addition, there are other pieces of legislation that must also be considered as part of the application's assessment.

Relevant legislation includes:

1.1 *Rural Fires Act 1997*

The Rural Fires Act 1997, specifically Section 100B applies to the development as 'seniors housing' is considered to be a 'special fire protection purpose'. Accordingly and pursuant to the 'integrated development' provisions of the *Environmental Planning and Assessment Act 1979*, the application was forwarded to the Rural Fire Service for assessment.

The Service has responded by issuing a 'bush fire safety authority' for the development, which sets out its requirements for hazard protection and servicing of the site. The Service's requirements have been included in the recommended conditions of consent, found in Attachment 8 to this report.

1.2 *Threatened Species Conservation Act 1995*

The South West Sydney Region Growth Centre (the Growth Centre) encompasses land within Camden, Campbelltown and Liverpool local government areas and includes releases such as Oran Park, Austral, Leppington, East Leppington, Catherine Field, Bringelly and Edmondson Park. As part of the Growth Centre's gradual release for urban purposes, extensive planning was undertaken for the retention and rehabilitation of remnant Cumberland Plain Woodland.

Large tracts of relatively undisturbed woodland has been set aside as open space and for preservation through means provided by the *Threatened Species Conservation Act 1995* (TSC Act). As an offset to the retention of the areas of bushland throughout the growth centres, remaining parts were 'bio-certified' pursuant to Part 7AA of the Act.

Briefly, the primary effect of granting certification by way of a Ministerial Order is that it removes the need to undertake threatened species assessments or prepare species impacts statements at the development application stage. Hence, if certification is granted to land covered by the Growth Centres SEPP, this means that developments within those areas do not need to further assess the impacts on threatened species.

The conservation Order also sets up funding for land purchase and rehabilitation. Under the south west growth centres Order, there will ultimately be approximately \$530 million set aside for this purpose.

The 'East Leppington Precinct' of the growth centres falls under the bio-certification order and as such, no further detailed assessment of the impact of development on native vegetation and fauna is required under planning and related legislation.

1.3 *National Parks and Wildlife Act 1974*

The *National Parks and Wildlife Act 1974* applies to the development site. Following the completion of precinct planning undertaken by the Department of Planning and Infrastructure in consultation with the Councils, the applicant (with the support of the Office of Environment and Heritage) was able to apply for, and receive a permit pursuant to Section 90C(4) of the

National Parks and Wildlife Act 1974 (ref. 1132182, issued by the Office of Environment and Heritage on 16 May 2013).

This permit relates to the retention, relocation and destruction of Aboriginal heritage artefacts that are discovered at the urban release area site overall. A recommended condition of development consent requires the applicant to fulfil the commitments made in the permit and to comply with its conditions.

1.4 Planning Instruments

A table of the relevant instruments and the development's response to that instrument's applicable requirements is presented for the JRPP below:

SEPP (Growth Centres) 2006

The 'Growth Centres SEPP' sets the urban release area's development objectives and land zoning following its inclusion in the south west Sydney growth centre.

Appendix 10 of the Growth Centres SEPP applies to the site, as it falls in the Campbelltown local government area.

Appendix 10, Clause 2.2 - Zone R2 Low Density Residential

The site is zoned R2 Low Density Residential pursuant to the SEPP. The seniors housing is a permissible development type in the zone. Ancillary site services in the 'club building that would be subject to further development consent would also be permissible in the zone.

The development of the site as a retirement village is also considered to be complementary to the objectives for the R2 zone, being:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow people to carry out a reasonable range of activities from their homes where such activities are not likely to adversely affect the living environment of neighbours.
- To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.
- To provide a diverse range of housing types to meet community housing needs within a low density residential environment.

Appendix 10, Clause 4.1B – Residential Density

Pursuant to the Clause and its related map, the site is required to have a minimum density of 15 dwellings per hectare. The residential dwellings application provides for an approximate density of 40 dwellings per hectare.

Appendix 10, Clause 4.3 – Height of Buildings

The SEPP provides that a maximum building height of 9 metres affects the site. Buildings proposed in future stages of the development as part of separate development applications would be subject to assessment pursuant to this standard.

Accordingly, the application for the seniors living dwellings is considered to be consistent with relevant parts of State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

SEPP (Infrastructure) 2009

The Infrastructure SEPP applies to the development, with specific reference to Clause 101, which relates to development on land with frontage to a classified road, its access to the classified road and the impact of that road on the proposed development.

The subject site adjoins Camden Valley Way, which is a busy classified road (MR647 pursuant to the Roads Act 1993). RMS data does not show that the road's traffic volume exceeds 40,000 vehicles per day (meaning additional assessment pursuant to Clause 102 of the SEPP is not required) however, the amount of traffic along Camden Valley Way is expected to increase significantly over time as the South West Growth Centre's urbanisation continues.

The concept proposal and Stage 1 of the development provided for an assessment of the impacts traffic noise might have on the site's development for residential purposes. As a result of that assessment, the need for an acoustic barrier along Camden Valley Way and parts of Denham Court Road frontages were identified. Stage 1 of the staged development sought approval for the construction of these walls and has previously been presented to the Panel for determination.

Notwithstanding the above, further assessment was undertaken during the design of the residential component of the village. As a result of that assessment, certain dwellings were identified as requiring the installation of acoustic features to minimise the impact of noise from Camden Valley Way in particular. These treatments include laminated windows and certain criteria for internal wall/ceiling lining. These are referred to in more detail within the recommended conditions of consent, found in Attachment 8 to this report.

Accordingly, the application for the seniors living dwellings is considered to be consistent with relevant parts of State Environmental Planning Policy (Infrastructure) 2007.

SEPP 55 – Remediation of Land

SEPP 55 provides controls and guidelines for the remediation of contaminated land. In particular, the Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

Before determining a development application that changes the use of land, a planning authority must consider whether the land is contaminated and be satisfied that it is suitable in its current state or will be suitable, after remediation for the proposed development.

An assessment of the site's potential contamination was undertaken on behalf of the applicant by Douglas Partners in a report titled 'Detailed Site Investigation' (ref. 76611.00,

dated May 2014). The assessment included a historical search of known land uses in the area as well as soil sampling across the site. Douglas Partners set the sampling density after consideration of the historic land use of the site, the proposed future development and contamination risk profile. The site assessment criteria (SAC) was determined based on the proposed land use, being medium-density residential living with accessible soil.

The laboratory investigation of the samples taken at the site were undertaken to detect and measure a range of contamination types, including (but not limited to) hydrocarbons, heavy metals and organochlorine pesticides.

The report's findings and recommendations are summarised overleaf:

- A total of 14 samples were undertaken
- All concentrations of priority heavy metals were below their respective laboratory detection limits or within the SAC
- No asbestos containing material was detected
- Contaminant concentrations in the soil samples were all within the adopted SAC and accepted 'background ranges'.

The report concluded:

"Based on the findings of this Detailed Site Investigation with limited sampling, it is concluded that no remediation works are warranted and the site is considered compatible with the proposed retirement village/residential land use."

Accordingly, the development is considered to be consistent with the requirements of SEPP 55 and is suitable for the site in terms of potential land contamination.

SEPP (Seniors Living) 2004

The Seniors Living SEPP provides the State's planning objectives and controls for seniors housing developments.

Relevant parts of the SEPP are discussed as follows:

Clause 10

The development of the site for 268 dwellings proposes seniors housing in a manner that is consistent with the definition contained within the SEPP. It is reproduced below:

In this Policy, seniors housing is residential accommodation that is, or is intended to be, used permanently for seniors or people with a disability consisting of:

- (a) a residential care facility, or*
- (b) a hostel, or*
- (c) a group of self-contained dwellings, or*
- (d) a combination of these,*

but does not include a hospital.

The development would be used to provide self-contained dwellings and a residential care facility for people aged 55 or more years.

Clause 16	Clause 16 requires that consent be granted for development to which the SEPP applies. Accordingly, the staged development application has been made.
Clause 26	<p>This Clause contains the SEPP's requirements for access to services and public transport as well as the requirements for gradients throughout seniors living developments.</p> <p>The subject site is located within the Sydney statistical division and is therefore required to be located within 400 metres of a bus stop that has at least two services per day. Existing bus services run along Camden Valley Way within 400 metres of the site (857 and 858), with a new intersection at Camden Valley Way, Denham Court Road and Ingleburn Drive likely to provide suitable access to these services, which connect the site to Liverpool, future Leppington town centre and Oran Park shopping facilities. In the medium term, the bus service would be redirected through the 'Willowdale Estate' and would run across the front of the property along the approved east-west collector road. Access to this road would be provided at a gradient of 1:100 according to detail submitted by the applicant.</p> <p>It is considered highly likely that by the time new dwellings are constructed and occupied, a bus service would be in place along the site's eastern frontage. Notwithstanding, the applicant has pledged to operate its own courtesy bus (or van with a capacity of at least 12 seats) to facilitate movement for residents of the village.</p> <p>A recommended condition of consent requires that prior to the occupation of any residential dwellings on the site, that the bus service be implemented in accordance with the requirements of Cause 26(2)(b)(i-iii).</p> <p>A separate proposal currently in the planning stages would provide for a new shopping centre and a small range of speciality stores to be constructed approximately 400 metres from the retirement village at its closest point. The shopping area would be linked by pedestrian path through open spaces and public roads at gradients compliant with the SEPP.</p> <p>In addition, a separate and subsequent development application is to be lodged for the site, which provides for the construction of a community 'hub' and recreation room that would have dedicated space provided for a hairdresser and a medical practitioner to visit the village on a pre-arranged basis.</p> <p>Subject to the implementation of the applicant's bus service and a requirement for access to existing and future proposed bus stops complying with the requirements of the SEPP, the proposal is considered to be compliant with the Policy's standards for access to facilities.</p>
Clause 27	The site is categorised as being bush fire prone pursuant to Section 146 of the Act and its accompanying map for the Campbelltown local government area. Consequently (and noting that seniors housing is considered a 'special fire

Clause 28

Clause 29

Clause 30

development would integrate with future surrounding land uses, subject to separate application.

- Clause 33
- Clause 33 requires that the seniors living development be designed to enhance neighbourhood amenity and the streetscape. The development is considered to respond favourably to the SEPP's requirements. Open space and built form is in context with likely future development in the immediate vicinity and suitable amenity is provided to internal residents. The presentation of the development to nearby streets is considered to be acceptable upon consideration of proposed fence heights and landscape treatments (subject to the implementation of a condition of consent in Attachment 8).
- Clause 34
- Clause 34 requires that the development consider the visual and acoustic privacy of residents and neighbours. The proposal responds to the Plan's requirements through its internal design, the provision of courtyards to each unit that are fenced and appropriate consideration of the location of windows amongst dwellings within close proximity to each other.
- Clause 35
- Clause 35 requires that dwellings be designed and sited to best suit the climate and provide for adequate solar access to living and open space areas. The development responds by considering the orientation of dwellings in blocks so as to best accommodate the provision of sunlight to rear courtyards and other open spaces throughout the development. The applicant notes that *"The solar studies demonstrate that a high degree of solar amenity is afforded to the proposed self contained dwellings. Sunlight is achieved to 98% of Private open space to 98% of dwellings and 96% of living areas."*
- Clause 36
- Clause 36 contains the SEPP's requirements for the capture and treatment of stormwater. The concept proposal and Stage 1 application previously presented to the Panel provided for the construction and installation of stormwater infrastructure at the site. It would be connected to water quality and storage facilities provided downstream from the site, in accordance with Council's requirements and those of the relevant development control plan.
- Clause 37
- This Clause provides the Plan's requirements for the implementation of crime preventative measures in the design of seniors living developments. The village and the dwellings proposed therein provide suitable opportunities for casual observation of 'public' areas. In addition, an entry gate is proposed that would restrict access to the site during night time periods for increased security.
- Clause 38
- Clause 38 requires that the development have safe and obvious pedestrian links with access to public transport and facilities and provide safe and convenient parking for residents and visitors.
- The proposal responds favourably to these requirements. Pedestrian and car parking areas are well-defined, and compliant with the SEPP's accessibility (gradient) criteria.

Clause 39	Clause 39 requires that seniors living developments maximise opportunities for recycling. The applicant has not provided information regarding proposed waste management at the site. A recommended condition of consent requires the development and approval of a formal waste management plan for the retirement village, which discusses the storage and collection of waste and recycling from the site.
Clause 40	The site area is greater than the 1,000 square metres required by Clause 40 and no dwelling will be greater in height than 8 metres.
Clause 41	<p>Clause 41 requires compliance with Schedule 3 of the Plan, which details specific requirements for the design and fit out of self-contained dwellings such as those proposed in this instance. The requirements relate to matters such as wheelchair access, letterbox provision, car accommodation, security, kitchen and bathroom design (bench heights, manoeuvrability), bedroom dimensions, living room and dining area specifications as well as a laundry and linen storage.</p> <p>The specific detail of compliance for each of the dwelling types is required at construction certificate stage of the development. Notwithstanding, recommended conditions of consent require the development to comply with the SEPP's standards for self-contained dwellings to ensure maximum benefit for future residents.</p>

Having regard to the preceding discussion, the application is considered to be complementary to relevant controls within the Seniors Living SEPP.

The site is considered to be appropriate for the development and provides for an acceptable level of accessibility and amenity for future residents, noting the ongoing urban release of the surrounding districts.

Campbelltown Growth Centres Development Control Plan (CGC DCP)

Relevant portions of the CGC DCP are discussed below, noting however that the pre-eminent planning controls are contained in the Seniors Living and Growth Centres SEPPs.

Section 2.2 – The Indicative Layout Plan	<p>The CGC DCP adopts the 'indicative layout plan' (ILP) that was developed as part of the precinct planning in accordance with the requirements of the Growth Centres SEPP. The ILP details the preferred locations for residential, open space, roads, drainage corridors, vegetation retention and other specified land uses throughout the urban release area.</p> <p>In this case, the retirement village would be located in an area nominated for low density residential development in the ILP and would be bounded by a small local park and road network that is consistent with the Plan. The key difference would be the removal of the road network internally, which would become private, a fact that would be signified by the landscaped entry statement that is part of the village's Stage 1 development application, subject to previous assessment.</p> <p>The dwelling layout respects the location of the proposed local park as shown on the ILP.</p>
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The variation to the ILP is considered to be relatively minor and does not compromise the 'precinct vision' detailed in Section 2.3 of the DCP.

Section 2.4.1 - Flooding	Council's records do not indicate that the site is liable to flooding. However, due consideration must be given to the potential impact of water emanating from Camden Valley Way (in its widened form). More discussion on this issue is contained in Section 2 of this report.
Section 3.2.4 – Street Network and Design	<p>The proposal respects the street network detailed in the DCP and notes that the proposed bus route through the precinct would service the road immediately adjacent to the retirement village site.</p> <p>Pedestrian and cycle ways will be designed to satisfy AS 1428 and the Seniors Living SEPP in terms of the accessibility.</p>
Section 3.1 - Street Network	The subject application does not include space to be set aside for open space. Separate application would be made for the development of public open spaces in the immediate vicinity of the retirement village site, including a pocket park immediately adjacent to and a riparian corridor across from the approved 'East- West Collector Road'.

The application for seniors housing as submitted are considered to be complementary to the *Campbelltown Growth Centres Development Control Plan* as it applies to the development site and type.

It is also noted that *Campbelltown (Sustainable City) Development Control Plan Volume 3 – Engineering Design Guide for Development* applies to the site. The Guide details Council's requirements for the design, construction and installation of public infrastructure, including roads, drainage and street tree plantings. The Guide has been referenced in the recommended conditions of consent contained in Attachment 8 to this report.

1.5 Non-Statutory Plans

'Campbelltown 2025 - Looking Forward' is a vision 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 consistent with these directions.

The relevant desired outcomes associated with Council's vision, included in 'Campbelltown 2025 – Looking Forward' 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 development is consistent with the vision's desired outcomes having regard to the proposed scale, function and design of the proposed development.

2. Impacts on the Natural and Built Environment

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires the JRPP to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

A detailed investigation into the development's likely impacts on the natural and built environment was undertaken during the assessment of the concept proposal for the site. That assessment determined key areas where the development may impact on the environment to be traffic generation and stormwater management. The assessment concluded that the development is not likely to significantly or detrimentally impact on the natural or built environment with respect to those issues.

A key matter for consideration when considering this development's potential impact on the natural and built environment is:

2.1 Waste Management

The applicant has not provided specific detail regarding the management of waste for the development. Given the number of dwellings and the likely population of each, including visitors, waste management is considered to be a significant issue that will require more in-depth analysis prior to construction certification of the development.

A decision needs to be made regarding the storage of garbage and recycling waste at the site, be it individual bins for each dwelling or centralised bin storage areas at nominated sites throughout the village.

Further, should individual bins be preferred and Council's waste collection contractor be engaged for the pick-up of garbage and recyclable materials, the internal road network must be designed to accommodate those heavy vehicles.

A recommended condition of consent in Attachment 8 to this report requires the submission of a detailed waste management report as part of the suite of documents required for the Council's written approval prior to a construction certificate being issued for the dwelling's construction.

2.2 Social and Economic Impacts

It is anticipated that the development would contribute to the wider choice of housing available in the Campbelltown local government area and would provide a tangible social benefit. The scale and density of the development respects the identified desired planning outcome and takes advantage of nearby transport and other future support/retail services.

3. Site Suitability

Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979* requires the JRPP to assess the suitability of the site for the proposed development.

Having regard to the development's relative compliance with the overarching precinct planning and State Environmental Planning Policies that apply to the site and development

type, the environmental considerations detailed previously, the proposal's high level of compliance with relevant planning objectives and controls the proposal is considered to be suitable for the site.

4. Submissions

Section 79C(1)(d) of the *Environmental Planning and Assessment Act 1979* requires the JRPP to consider submissions made to the proposal.

The development application was notified to nearby owners in Liverpool City Council's local government area (Camden Council undertook its own notification) and exhibited in the local print media and at Council's municipal libraries during December 2014. No submissions were received during the exhibition period.

However, one submission was subsequently received from Campbelltown City Council. A copy of the submission has been provided to the Panel Secretariat.

The submission was written such that it was relevant to both the staged development application previously considered by the Panel and the subject application which relates specifically to Stage 2 of that development, being the construction of residential dwellings and landscaped open space areas.

Matters raised in the submission are detailed and responded to below:

4.1 Compliance with the Seniors Living SEPP's access to public transport requirements.

- The submission noted that the retirement village site is in close proximity to an existing bus service as required by the Seniors Living SEPP, however the practicality of accessing that service was questioned.

As mentioned earlier, the site is served by two bus routes along Camden Valley Way. It is acknowledged that access to bus stops associated with those services is not presently ideal. However, that situation is likely to change in the short term as works progress on the Camden Valley Way, Ingleburn Drive and Denham Court Road intersection, which is presently being significantly upgraded by RMS.

The applicant has supplied plans that illustrate an access pathway to the bus stops on Camden Valley Way, which complies with the gradient requirements of Clause 26(2)(a) of the Seniors Living SEPP.

The applicant proposes the use of a 'village bus' in the short to medium term, should the local bus route that is proposed to follow the retirement village's access road not be instituted at the time the first residents are able to occupy the site.

Recommended conditions of consent require that access to public transport services meet the requirements of the Seniors Living SEPP in terms of distance and gradient.

4.2 Compliance with the requirements of the *Threatened Species Conservation Act 1995*

- The submission noted that the retirement village site is not entirely 'bio-certified' in accordance with the provisions of the Threatened Species Conservation Act 1995.

A revision has since been made to the 'Bio Certification Order' mapping to include the entire development site.

4.3 Drainage from Camden Valley Way

- The submission notes the site's proximity to Camden Valley Way, which is known to be a source of a relatively significant volume of surface water during storm events.

Stormwater capture, treatment and disposal was discussed in detail during the assessment of the concept proposal and Stage 1 of the retirement village, which included the construction of infrastructure in relation to this issue.

Briefly, the applicant has prepared concept civil plans to illustrate the infrastructure that would be required to capture and treat this water (as well as that which is collected from the development site itself) prior to its disposal into Bonds Creek nearby. Subject to compliance with conditions of consent contained in the concept proposal and Stage 1 of the development (should it be granted by the Panel), the stormwater capture and disposal regime proposed at the site is considered to be adequate.

5. The Public Interest

Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979* requires the JRPP to consider the public interest in consenting to a development application.

The public interest is a comprehensive requirement that requires consent authorities to consider the long term impacts of development and the suitability of the proposal in a larger context. Implicit to the public interest is the achievement of desired environmental and built form outcomes adequately responding to and respecting the desired future outcomes expressed in SEPPs and DCPs.

In this instance, the proposal is to allow for the construction of a relatively large quantity of residential dwellings within a retirement village located in an existing urban release area, for which extensive investigation and reporting was undertaken as part of earlier assessment of the overall development by the State Government and local Councils.

The development has been designed to complement the indicative layout plan prepared for the release area and would capitalise on existing and future proposed transport, drainage and open space opportunities near the precinct.

The application is considered to have satisfactorily addressed relevant Council and State Government requirements and controls for development in this area, subject to further detailed design requirements for the construction and fit out of each residence being provided as part of the construction certification process.

Conclusion

A development application has been received for the construction of 268 seniors living dwellings at the subject site, which is located within the 'East Leppington' urban release area in the Sydney South West Growth Centre.

The urban release area has previously been the subject of detailed precinct planning in accordance with the requirements of the Growth Centres SEPP and development of the release area has commenced with residential development being undertaken by the applicant in relatively close proximity to the subject site.

The application forms Stage 2 of a staged development for the retirement village and is consistent with the concept proposal and Stage 1 as required by the *Environmental Planning and Assessment Act 1979*.

The application has an estimated capital investment value of \$57 million and includes:

- 268 self-contained single storey dwellings for seniors living
- A single storey shed (steel framed and metal clad) within a maintenance facility
- Landscaping
- Earthworks including retaining walls
- Associated works

The proposal is considered to be complementary and consistent with relevant State and local planning objectives and controls, with particular regard to State Environmental Planning Policies developed for the Growth Centres and Seniors Housing.

A range of conditions of consent are proposed to cover the broad spectrum of issues arising from the proposal, including standard matters such as reference to submitted plans and documents as well as the provision of detailed information regarding dwelling construction and fit out and waste management during the construction certification process.

The development is not considered likely to have a significant and detrimental impact on the natural or built environment and is suitable for the site, having regard to its consistency with local planning controls and compatibility with likely future development in its immediate vicinity.

Campbelltown City Council made a submission on the proposal during its assessment. As a result, three issues were identified as requiring further clarification. The application responds favourably to the issues raised, subject to the imposition of conditions in some cases.

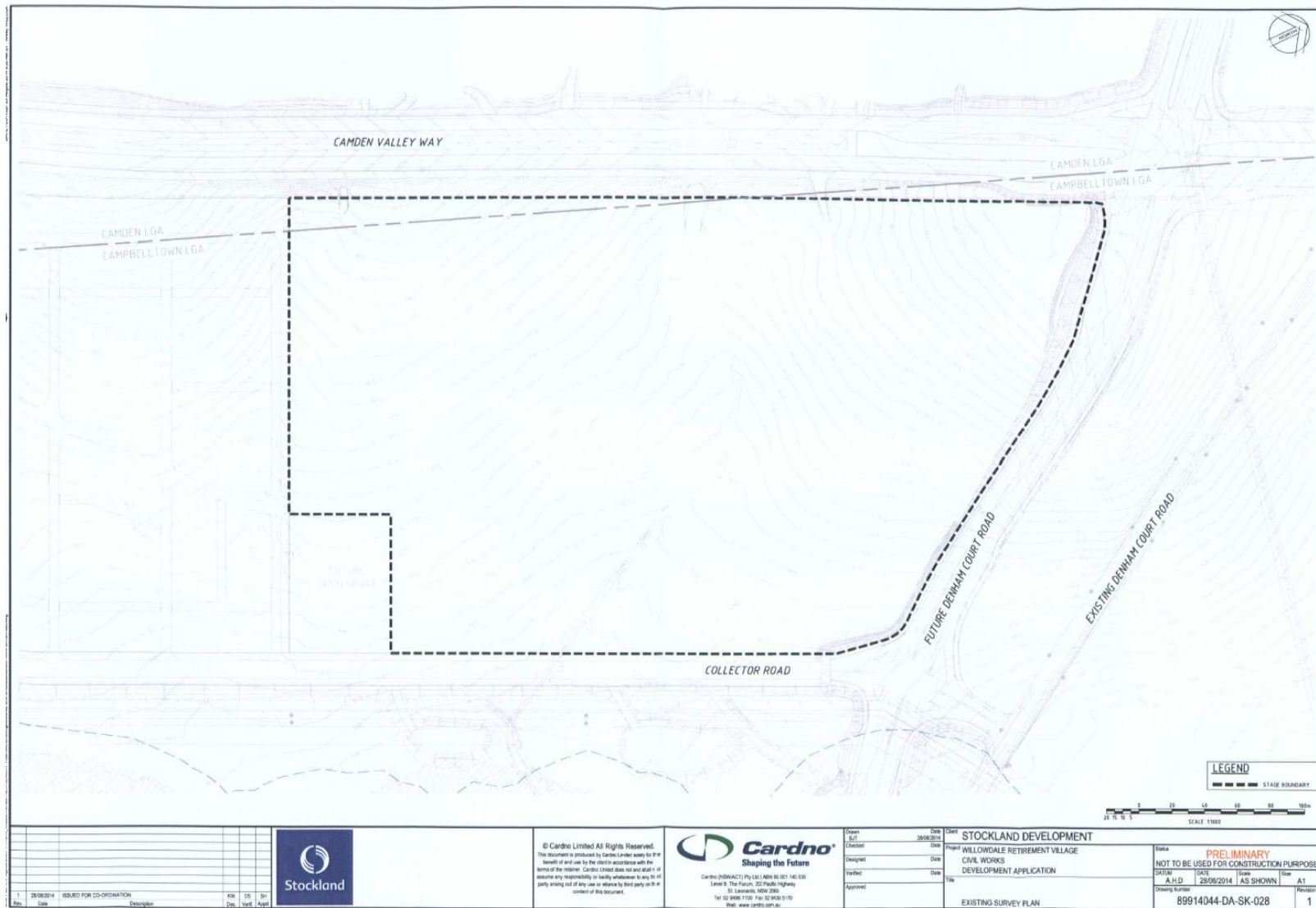
Recommendation

That development application 2015SYW080 DA (2577/2014/DA-SL) for the construction of 268 seniors living dwellings and associated site and landscaping works at Lot 7 DP 1200698, Camden Valley Way and Denham Court Road, Denham Court be approved subject to conditions in Attachment 8 to this report

Attachment 1 – Location plan



Attachment 2 – Survey plan



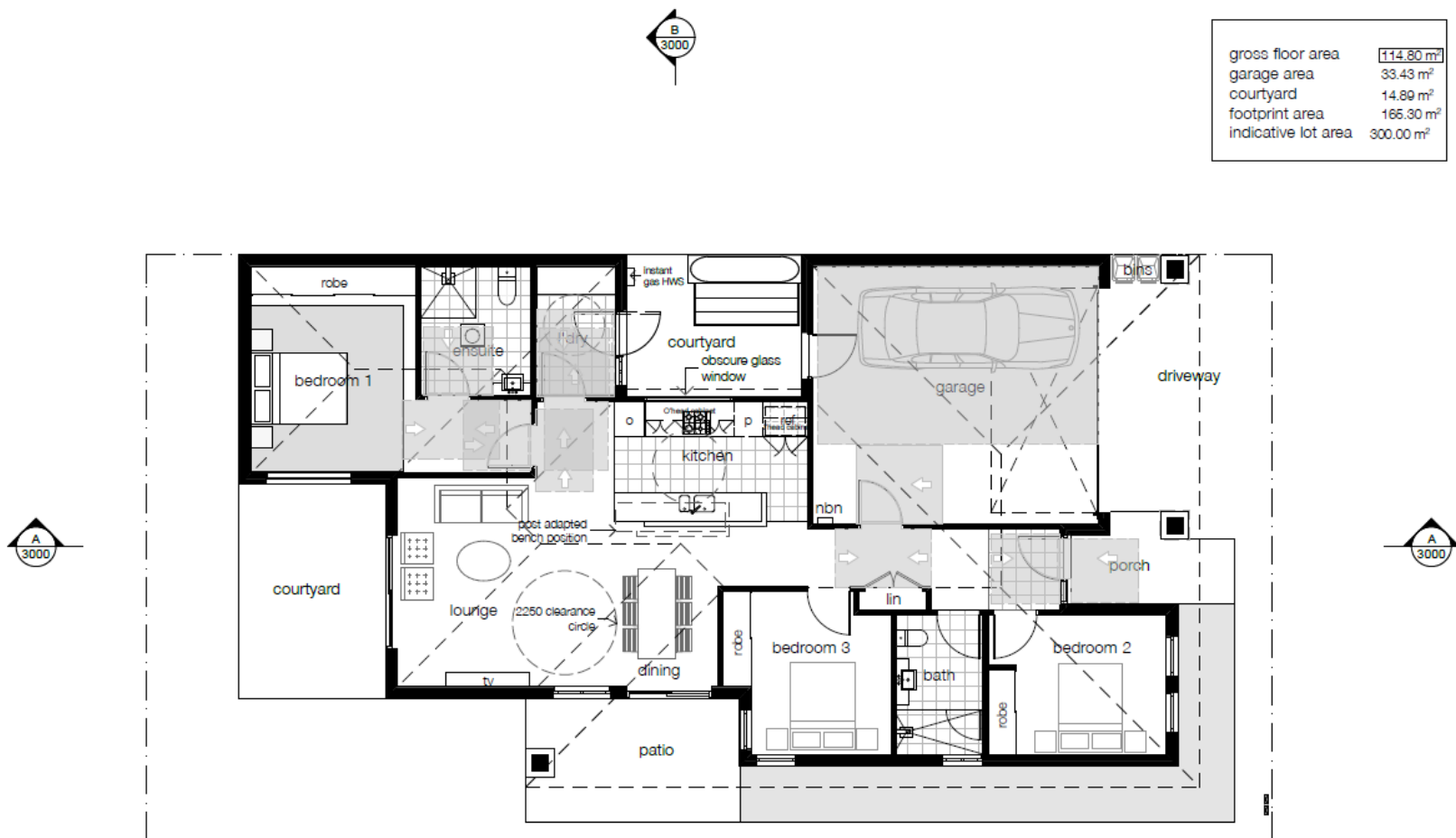
Attachment 3 – Site plan

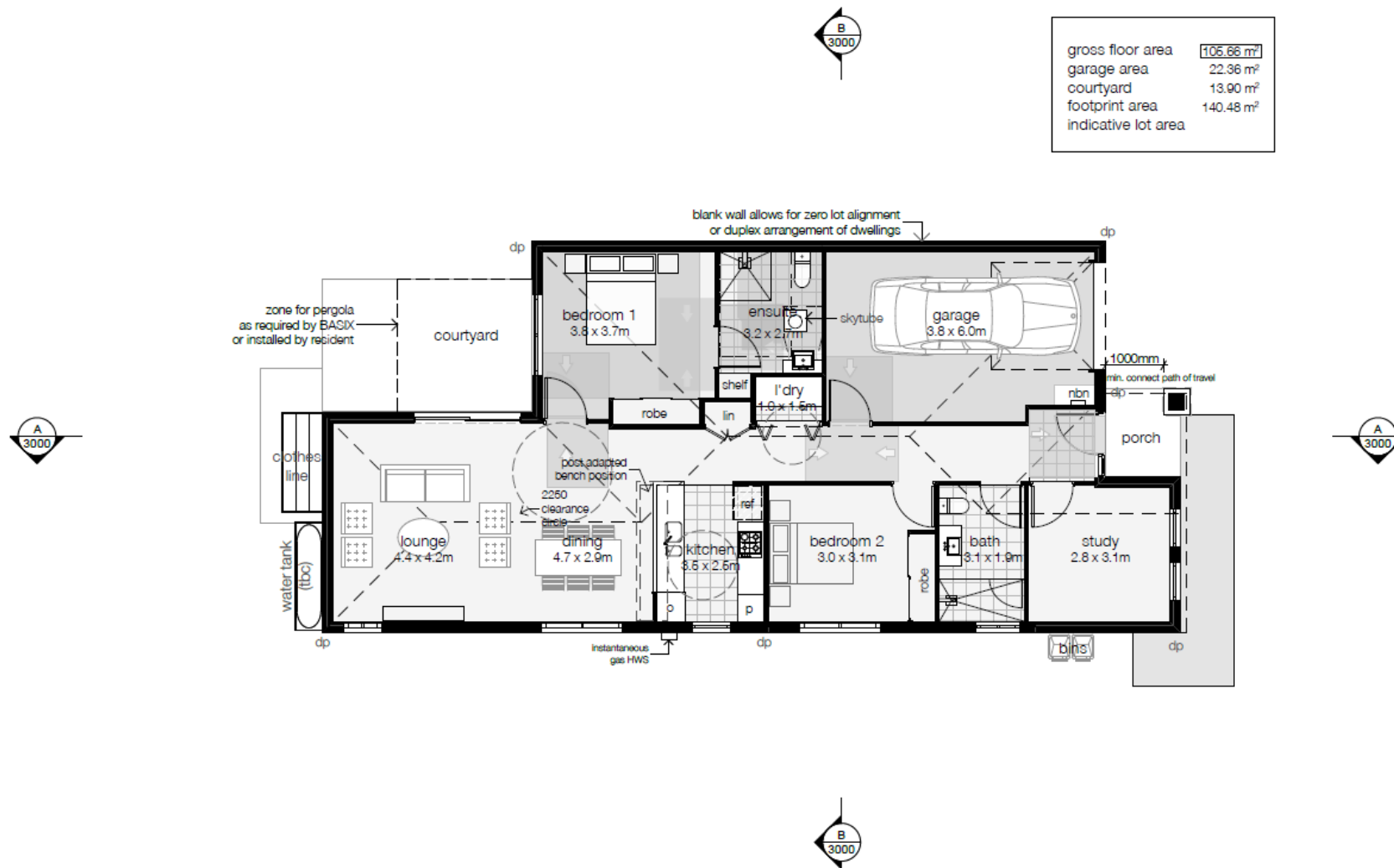


Attachment 4 – Landscaping plan

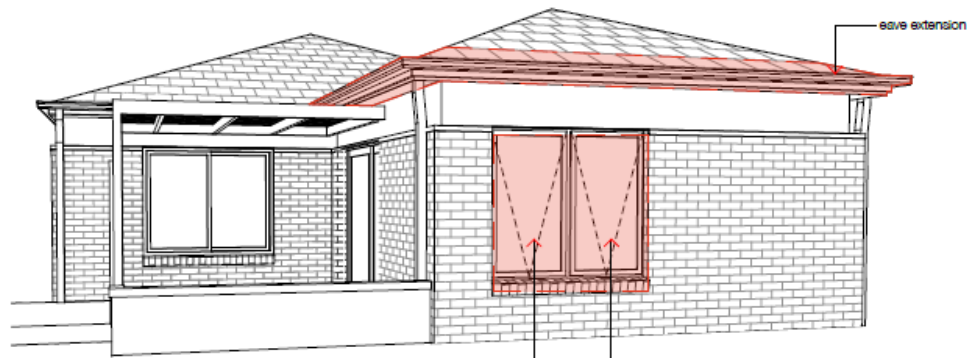


Attachment 5 – Typical floor plans

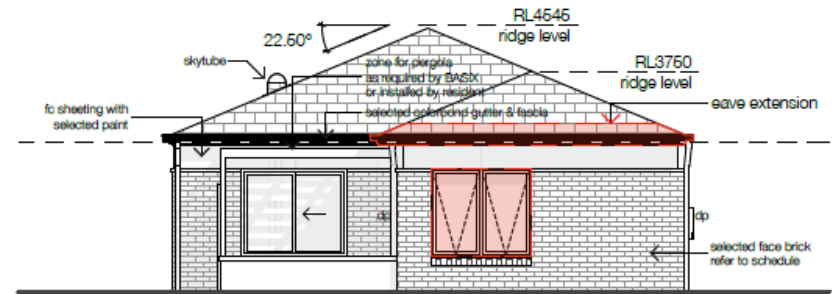




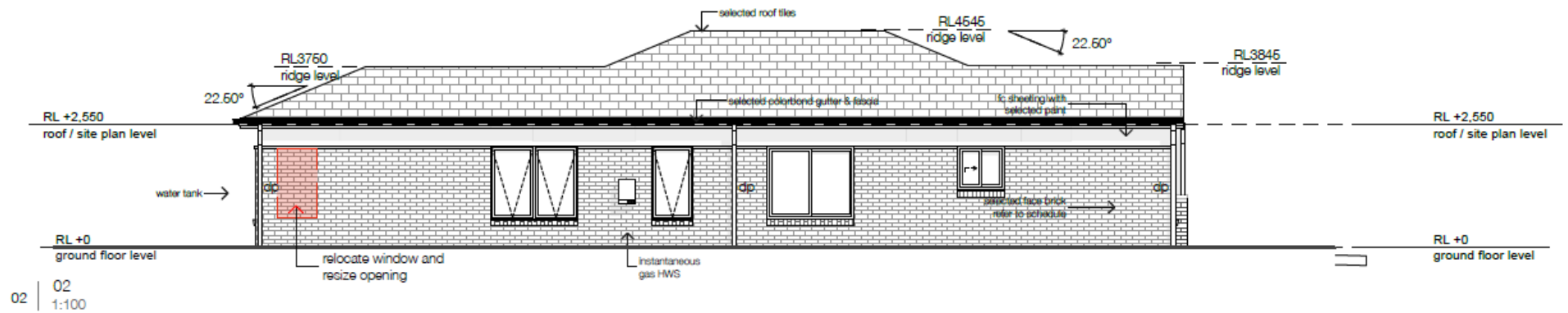
Attachment 6 – Typical elevation plans



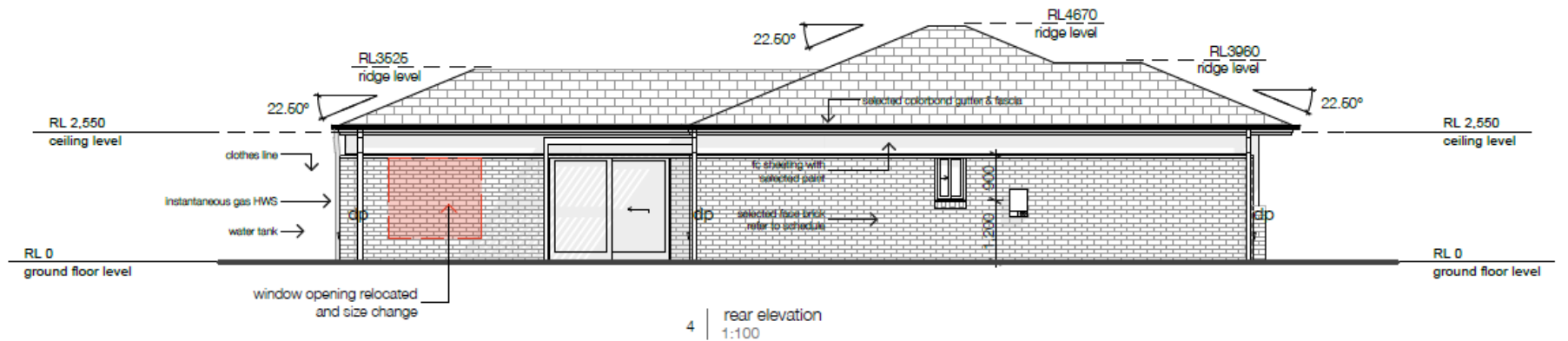
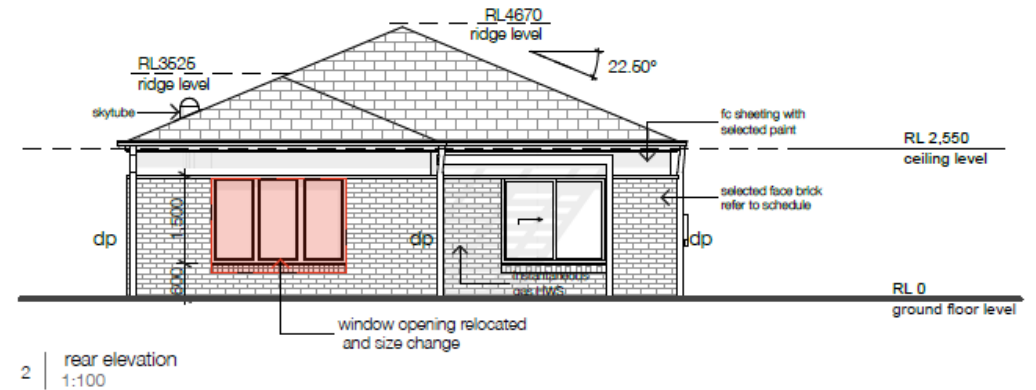
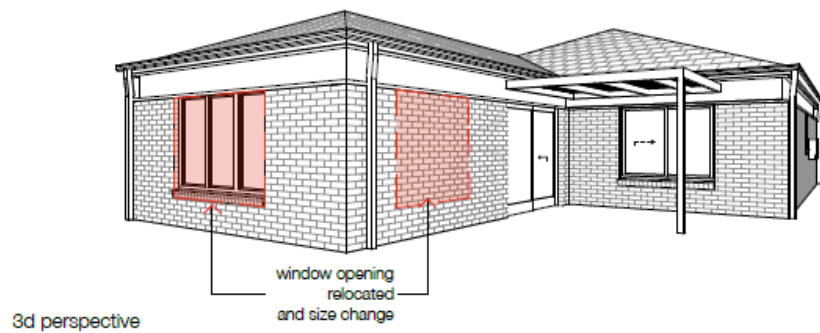
Generic Perspective

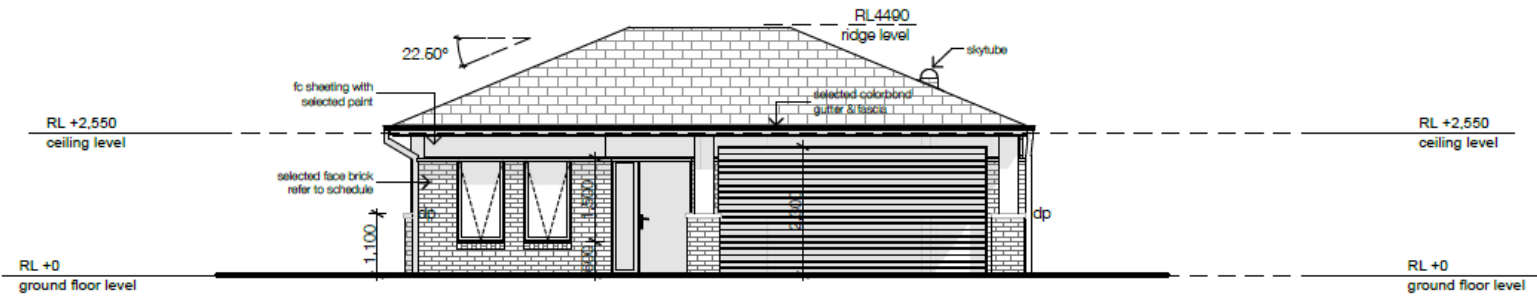


02 | dual front
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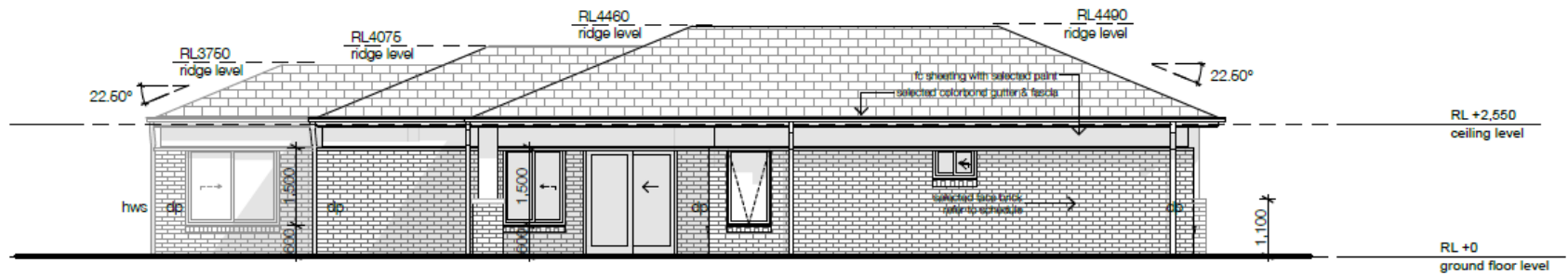


02 | 02
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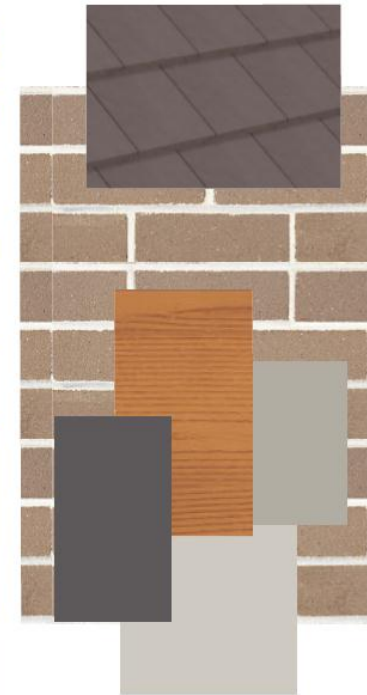


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Attachment 7 – Three dimensional coloured elevation plans





Attachment 8 – Recommended Conditions of Consent

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term ‘applicant’ means any person who has the authority to act on or benefit of the development consent.

1. Approved Development

The development shall be carried out in accordance with the approved plans listed below and all associated documentation supporting this consent, except as modified by any conditions within or by red ink.

Drawings by:

Integrated Design Group, Project STO14054

DA0100	Issue R	dated 29.09.2014
DA0105	Issue F	dated 29.09.2014
DA0106	Issue R	dated 29.09.2014
DA0100	Issue R	dated 29.09.2014
DA0200	Issue B	dated 29.09.2014

House Type C

DA1100	Issue E	dated 29.09.2014
DA1101	Issue E	dated 29.09.2014
DA1102	Issue E	dated 29.09.2014
DA2000	Issue F	dated 07.10.2014
DA2001	Issue E	dated 29.09.2014
DA3000	Issue E	dated 29.09.2014
DA8000	Issue C	dated 07.10.2014
DA8001	Issue B	dated 29.09.2014
DA8002	Issue B	dated 29.09.2014

House Type D

DA1100	Issue E	dated 29.09.2014
DA1101	Issue E	dated 29.09.2014
DA1102	Issue E	dated 29.09.2014
DA2000	Issue E	dated 29.09.2014
DA2001	Issue E	dated 29.09.2014
DA3000	Issue E	dated 29.09.2014
DA8000	Issue A	dated 16.09.2014
DA8001	Issue A	dated 16.09.2014
DA8002	Issue C	dated 29.09.2014

House Type F

DA1100	Issue E	dated 29.09.2014
DA1101	Issue E	dated 29.09.2014
DA1102	Issue E	dated 29.09.2014
DA2000	Issue E	dated 29.09.2014
DA2001	Issue E	dated 29.09.2014
DA3000	Issue E	dated 29.09.2014

DA8000	Issue C	dated 07.10.2014
DA8001	Issue B	dated 29.09.2014
DA8002	Issue B	dated 29.09.2014

House Type N

DA1100	Issue E	dated 29.09.2014
DA1101	Issue E	dated 29.09.2014
DA1102	Issue E	dated 29.09.2014
DA2000	Issue E	dated 29.09.2014
DA2001	Issue E	dated 29.09.2014
DA3000	Issue E	dated 29.09.2014
DA8000	Issue B	dated 29.09.2014
DA8001	Issue B	dated 29.09.2014
DA8002	Issue B	dated 29.09.2014

House Type S

DA1100	Issue E	dated 29.09.2014
DA1101	Issue E	dated 29.09.2014
DA1102	Issue E	dated 29.09.2014
DA2000	Issue E	dated 29.09.2014
DA2001	Issue E	dated 29.09.2014
DA3000	Issue E	dated 29.09.2014
DA8000	Issue B	dated 29.09.2014
DA8001	Issue B	dated 29.09.2014
DA8002	Issue B	dated 29.09.2014
DA8003	Issue B	dated 29.09.2014

Scheme 01 Dark	Issue B	dated 17.09.2014
Scheme 02 Medium	Issue B	dated 17.09.2014
Scheme 03 Light	Issue B	dated 17.09.2014

Group GSA – Willowdale 268 Dwellings Landscape D.A

Plans 3 – 24, dated 08 October 2014 as amended by the requirements of the Rural Fire Service and conditions of this and the concept proposal consent (JRPP ref 2014SYW0132 DA), with particular regard to the provision of screen tree planting along the Denham Court Road acoustic wall in plan No. 24

Cardno (NSW/ACT) Pty Ltd

89914044-CC-SK1030	Issue 1	dated 04.06.2015
89914044-CC-SK1031	Issue 1	dated 04.06.2015
89914044-CC-SK1032	Issue 1	dated 04.06.2015

Reports and Assessments by:

Cardno (NSW/ACT) Pty Ltd

Statement of Environmental Effects, Ref. 89914055, Ver. 2, dated October 2014

Integrated Design Group Pty Ltd

BASIX Certificate Nos. 575582S, 575643S, 575597S, 575458S and 575539S

Douglas Partners

Detailed Site Investigation, Ref. 76611.00, Rev. 0, dated 26.05.2014

Day Design Pty Ltd

Road Traffic Noise Intrusion Report, Ref. 5388-1.1R, Rev. C, dated 15.10.2014

Eco Logical Australia Pty Ltd

Bushfire Protection Assessment: Master Plan Approval – Proposed Retirement Village, Ref. 14SYDPLA-0018, Ver. 3, dated 22.08.2014 as amended by the ‘bush fire safety authority’ issued by the Rural Fire Service.

Morris Goding Accessibility Consulting

Willowdale Retirement Village – Self Contained Dwellings, 02.10.2014

2. Voluntary Planning Agreement

A Voluntary Planning Agreement (VPA) consistent with Stockland’s letter of offer to Council dated 29th of May 2013 and accepted by Council on the 8th of August 2013 is to be executed prior to release an occupation certificate for the first residential building in this development.

3. Existing Easements

Changes to existing easements and their physical infrastructure shall not occur without the written approval of the authority benefitting from such.

4. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements set out in the *Campbelltown (Sustainable City) DCP Volume 3*.

5. Building Code of Australia

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

6. Contract of Insurance (residential building work)

In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This clause does not apply:

- a. To the extent to which an exemption is in force under Clause 187 or 188 of the Environmental Planning and Assessment Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of that regulation, or
- b. To the erection of a temporary building.

7. Notification of Home Building Act 1989 Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being Council) has given Council written notice of the following information:

- a. In the case of work for which a principal contractor is required to be appointed:
 - i. The name and licence number of the principal contractor, and
 - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
- b. In the case of work to be done by an owner-builder:
 - i. The name of the owner-builder, and
 - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being Council) has given Council written notification of the updated information.

8. Landscape Requirements

The site's landscaping shall consider:

- a. all planting (trees, understorey, groundcover and grasses) in parks and public places to incorporate local indigenous species where possible;
- b. planting layout around parks and playgrounds consistent with the principles of Crime Prevention Through Environmental Design, particularly with respect to eliminating concealed areas; and
- c. the revision of street tree planting, as necessary, to be consistent with road engineering plans lodged with a construction certificate application;
- d. all proposed street trees are to be reviewed against the landscape master plan and are to be placed in a location adequate in size to accommodate the mature size of the tree;
- e. the consistency of proposed planting with the BASIX certificate issued for each dwelling;
- f. all trees shall be selected giving regard to the potential for the tree to adversely affect surrounding infrastructure (via leaf as well as any potential to impede garbage truck access to garbage bins; and
- g. details of proposed tree root guards, particularly in public areas adjacent to underground services.

All landscape works shall be undertaken and maintained in accordance with the approved detailed landscape plan or as otherwise approved in writing by Council.

9. Aboriginal Heritage Impact

Works at the site shall comply with the conditions as detailed in the permit issued pursuant to Section 90C(4) of the *National Parks and Wildlife Act 1974* (ref. 1132182, issued by the Office of Environment and Heritage on 16 May 2013).

The works shall be undertaken in accordance with the conditions (if any) of the permit.

10. External Finishes

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

11. Switchboards/Utilities

Switchboards, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

12. Site Manager

At all times, the site manager is responsible for the management of waste, relocating bins from the storage areas to the bin collection areas, moving bins for residents unable to do so and cleaning the bin storage areas for the retirement village.

13. Garage Doors

All garages must have a power-operated door and/or there must be a power point and an area for a motor or control rods to enable a power-operated door to be installed at a later date.

14. Occupation of Self Contained Dwellings

In accordance with the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 and the definitions therein, the occupation of the self contained dwellings within the retirement village is to be restricted to the following people:

- (a) seniors or people who have a disability,
- (b) people who live within the same household with seniors or people who have a disability,
- (c) staff employed to assist in the administration of and provision of services to housing provided under the SEPP.

15. Bedrooms

At least one bedroom within each dwelling must have:

- (a) an area sufficient to accommodate a wardrobe and a queen-size bed, and

- (b) a clear area for the bed of at least:
 - (i) 1,200 millimetres wide at the foot of the bed, and
 - (ii) 1,000 millimetres wide beside the bed between it and the wall, wardrobe or any other obstruction, and
- (c) 2 double general power outlets on the wall where the head of the bed is likely to be, and
- (d) at least one general power outlet on the wall opposite the wall where the head of the bed is likely to be, and
- (e) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and
- (f) wiring to allow a potential illumination level of at least 300 lux.

16. Bathrooms

At least one bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS 1428.1:

- (a) a slip-resistant floor surface,
- (b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS 1428.1,
- (c) a shower that complies with AS 1428.1, except that the following must be accommodated either immediately or in the future:
 - (i) a grab rail,
 - (ii) portable shower head,
 - (iii) folding seat,
- (d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it,
- (e) a double general power outlet beside the mirror.

17. Toilet

All dwellings must have at least one toilet that is visitable and that complies with the requirements for sanitary facilities of AS 4299.

18. Surface Finishes

All balconies and external paved areas must have slip-resistant surfaces.

19. Door Hardware

Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299.

20. Ancillary Items

Switches and power points must be provided in accordance with AS 4299

21. Illumination in Living and Dining Room

All living rooms and dining rooms must have wiring to allow a potential illumination level of at least 300 lux.

22. Linen Storage

All dwellings must be provided with a linen storage area in accordance with the relevant Australian Standards.

23. Opening and Closing of Front Gates

The front gates of the retirement village shall be opened at 7am and closed at 7pm seven days a week.

24. Pathway Lighting

Pathway lighting must be designed and located to avoid glare for pedestrians and adjacent dwellings and must provide at least 20 lux at ground level.

25. Rainwater Tanks

Rainwater tanks shall be provided for each self-contained dwelling in accordance with the approved plans and the BASIX certificate requirements.

26. Water Management

Surface water capture, disposal and quality management shall be undertaken generally in accordance with Council's Campbelltown (Sustainable City) Development Control Plan Volume 3, the approved plans and the submitted report.

27. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the acoustic walls and other surfaces of the property within 48 hours of its application.

28. Construction Certificate

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

- a. The applicant shall obtain a construction certificate for the particular works;
- b. The applicant shall appoint a principal certifying authority; and
- c. The private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works

29. Fencing

Fencing to public (or future public) areas such as the approved 'East-West Collector Road' (Council ref. 244/2014/DA-CW) and future roads associated with development on the adjoining property (Council ref. 647/2015/DA-RS) and the proposed public park shall generally be constructed in accordance with the approved plan by GSA Group (ref. No. 23, for Stockland, dated 08 October 2014) with landscaped shrub and tree plantings behind to enhance the development's streetscape appearance.

30. Shoring and Adequacy of Adjoining Property

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

- a. Protect and support the adjoining premises from possible damage from the excavation, and
- b. Where necessary, underpin the adjoining premises to prevent any such damage.

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

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

31. Soil and Water Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted to Council's Manager Development Services for approval.

32. Waste Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, a Waste Management Plan is to be developed and submitted to Council for its written approval, which addresses the disposal of construction waste and the method of waste collection and/or disposal throughout the operation of the village.

The applicant shall note that should waste collection by Council's contractor be considered, the retirement village must be able to accommodate a 10.3 metre heavy rigid truck, with a nominal wheelbase of 5.5 metres and rear overhang of 3.3 metres moving only in a forward direction.

The Plan must consider the requirements of State Environmental Planning Policy (Housing for Seniors or People with a Disability) in relation to the provision of waste storage and collection services and accessibility.

The Plan must consider the requirements of making the retirement village accessible to collection vehicles should the occupation of dwellings within the village be staged.

Should the nominated storage points for garbage bins be in the garage for any dwelling, sufficient and permanent natural ventilation must be provided within the garage.

The Plan shall note that individual garden organics services will not to be provided by Council or its collection contractor should the applicant wish to engage Council for waste collection at the retirement village. In this regard, the retirement village shall employ staff to manage the storage, disposal and reuse of garden organics.

Should the applicant intend to engage the Council and its collection contractor to provide waste and recycling collection services, the Plan shall also state that Council and its waste and recycling contractors are to be indemnified against any property damage caused while carrying out waste and recycling collection services on the property.

33. Dwelling Design

Prior to Council or an accredited certifier issuing a construction certificate for any residential dwelling, the applicant shall prepare a detailed schedule that details the compliance of each dwelling type with the requirements of Schedule 3 of State Environmental Planning Policy (Housing for Seniors or People with a Disability). The schedule shall be lodged as part of the construction certificate documentation.

34. Stormwater Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site and adjacent catchment, shall be submitted for approval. Stormwater shall be conveyed from the site to the nearest drainage system under Council's control. All proposals shall comply with *Campbelltown (Sustainable City) DCP Volume 3*.

35. Telecommunications Infrastructure

If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the Principal Certifying Authority prior to the issue of a construction certificate or any works commencing, whichever occurs first.

36. Utility Servicing Provisions

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

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

PRIOR TO THE COMMENCEMENT OF WORKS

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

37. Erosion and Sediment Control

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

38. Traffic Control Plans

Prior to the commencement of works on the land, should the approved 'East-West Collector Road' (Council ref. 2447/2014/DA-CW) be dedicated to the public at the time, the applicant shall prepare and obtain approval from an accredited person, a Traffic Control Plan (TCP) in accordance with the State Roads Authority manual "*Traffic Control at Work Sites*" and *Australian Standard AS 1742.3 (as amended)*.

A copy of the approved TCP shall be kept on site for the duration of the works in accordance with *Work Cover Authority* requirements. A copy shall be submitted to Council for its records.

39. Pollution Control

Prior to works commencing, the applicant shall ensure that suitable gross pollutant trap(s) and/or water quality treatment in accordance with the relevant guidelines of the Office of Environment and Heritage and Office of Water, and with the design requirements of the Campbelltown Growth Centres Development Control Plan and Campbelltown (Sustainable) City DCP Volume 3 for the stormwater drainage system has been installed and is operational.

40. Geotechnical Reference

Prior to the commencement of any works, a certificate prepared by the designing structural engineer certifying that the design is in accordance with the geotechnical investigation of the site. The designing structural engineer shall also nominate a site classification note *AS2870 – Residential Slabs and Footings*.

41. Erection of Construction Sign

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours;
- b. Stating that unauthorised entry to the work site is prohibited; and
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent);
- d. Stating the approved construction hours in which all works can occur.

- e. Showing the name, address and telephone number of the principal certifying authority for the work.

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

42. Vehicular Access during Construction

Prior to the commencement of any works on the land, suitable vehicle/plant access to shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. The access shall be constructed in accordance with Campbelltown City Council's requirements.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

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

43. Construction Work Hours

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

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 3.00pm

Council requests that works near existing occupied properties are undertaken at a time and in a manner that does not unreasonably impact on the amenity of that land's residents.

Limited works may be carried out site, being works that do not cause a nuisance to the amenity of surrounding neighbours subject to the following:

Notwithstanding the normal responsibilities of the contractor while on site, where Council receives complaints due to noise, dust or other matter causing nuisance to neighbouring properties during the hours below, Council may require all works to cease and no further works be commenced during the hours below until a suitable written response to the complaint has been received by Council and measures satisfactory to the Council have been put in place to prevent further nuisance.

Sunday and public holidays	8.00am to 5.00pm
----------------------------	------------------

44. Erosion and Sediment Control

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – *Soils and Construction (2004) (Bluebook)*, the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

45. Excavation and Backfilling

All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

46. Compliance with Council Specification

All design and construction work, shall be in accordance with:

- a. Council's specification for Construction of Subdivisional Road and Drainage Works (as amended);
- b. *Campbelltown (Sustainable City) DCP Volume 3*,
- c. 'Soils and Construction (2004) (Bluebook); and
- d. Relevant Australian standards and State Government publications.

47. Dust Nuisance

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

48. Earth Works/Filling Works

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

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

49. Revegetation

Revegetation to the requirements of the manual – '*Soils and Construction (2004) (Bluebook)*' shall be applied to all disturbed areas within seven days after completion of earthworks, and shall be fully established prior to release of the maintenance security bond.

50. Public Safety

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

barriers and lights, is maintained for pedestrians, including disabled pedestrians, at all times.

The applicant shall ensure that traffic control is undertaken and maintained strictly in accordance with AS 1742.3, the requirements set out in the NSW Roads and Maritime manual *"Traffic Control at Work Sites" (as amended)*, all applicable Traffic Management and/or Traffic Control Plans. The contractor shall also ensure that all *WorkCover Authority* requirements are complied with. Council may at any time and without prior notification make safe any such works that be considered to be unsafe, and recover all reasonable costs incurred from the applicant.

51. Associated Works

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

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

Note: For the purpose of this development consent, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

52. Section 73 Certificate

Prior to the principal certifying authority issuing an occupation certificate, a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

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

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

53. Community Facilities

Prior to the issue of an occupation certificate for any residential building, the applicant shall have also received a final occupation certificate and make available to residents of the village a community facility in accordance with the requirements of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

54. Access to facilities and public transport

Prior to the principal certifying authority issuing an occupation certificate or interim occupation certificate for any dwelling, the applicant shall provide a written statement detailing the provision of suitable access to public transport and facilities for residents of the retirement village.

55. Compliance with Seniors Living Policy

Prior to the principal certifying authority issuing an occupation certificate or interim occupation certificate for any dwelling, a certificate prepared by a suitably qualified professional demonstrating compliance with the *State Environmental Planning (Seniors Living) Policy 2004* shall be submitted.

56. Bush Fire Evacuation

Prior to the principal certifying authority issuing an occupation certificate for any residential dwelling on the site, the applicant shall prepare and submit for Council's written approval, a 'bush fire emergency evacuation plan' pursuant to the requirements of the Rural Fire Service's 'bush fire safety authority' for this development and in accordance with the requirements of 'Planning for Bush Fire Protection 2006'.

57. BASIX

Prior to the principal certifying authority issuing an occupation certificate, completion of all requirements listed in the relevant BASIX certificates for the subject development shall be completed/installed.

58. Soil Classification

Prior to the principal certifying authority issuing an occupation certificate, all lots/building pads are to be classified in accordance with guidelines contained in the Australian Standard for Residential Slabs and Footings - *AS2870.1996 (as amended)*.

59. Structural Engineering Certificate

Prior to the principal certifying authority issuing an occupation certificate, the submission of certificates from a practising structural engineer certifying that all buildings, retaining walls and other structures have been erected in compliance with approved structural drawings and relevant SAA Codes and are structurally adequate.

60. Final Inspection – Works as Executed Plans

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall submit to Council two complete sets of fully marked up and certified work as executed plans in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and with the design requirements detailed in the *Campbelltown (Sustainable City) DCP Volume 3*.

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

Survey Information

- Finished ground levels.
- Details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development.
- All existing and/or new footpaths, kerb and guttering and road pavements to the centre line/s of the adjoining street/s.
- The surface levels of all other infrastructure.

Format

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

AutoCAD Option

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

Package Type	-	zip
File Format	-	AutoCAD 2004 Drawing Format or later
Transmittal Options	-	Include fonts Include textures from materials Include files from data links Include photometric web files Bind external references The drawing is <u>not</u> to be password protected.

MapInfo Option

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

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

AT THE COMPLETION OF WORKS

The following conditions of consent must be complied with at the completion of works.

61. Public Utilities

Prior to the principal certifying authority issuing a final occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

62. Restriction On The Use Of Land

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall where appropriate or required by Council apply restrictions on the use of land under Section 88B of the Conveyancing Act. Restrictions may include the following:

- a. Floor Level Control

- b. No Alteration To Surface Levels
- c. Land filled
- d. Access Denied (Camden Valley Way and Denham Court Road)
- e. Acoustic protection for certain dwellings as detailed in the approved acoustic impact assessment report
- f. Asset Protection as required by Rural Fire Service and the approved bush fire assessment report
- g. Occupation of the self contained dwellings within the retirement village shall be for the following people only:
 - a. persons 55 years of age or older or people who have a disability,
 - b. people who live within the same household with seniors or people who have a disability,
 - c. staff employed to assist in the administration of and provision of services to housing provided under this Policy.

The applicant shall liaise with Council regarding the required wording. Any lots subsequently identified during the subdivision process as requiring restrictions shall also be suitably burdened. Design plans and work as executed plans shall show affected lots marked with Council approved symbols.

The authority empowered to release, vary or modify these restrictions on the use of land shall be the Council of the City of Campbelltown. The cost and expense of any such release, variation or modification shall be borne by the person or corporation requesting the same in all respects.

63. Council Fees and Charges

Prior to the principal certifying authority issuing a subdivision certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

64. Rural Fire Service

The 'bush fire safety authority', reference D14/3290 DA14110694538, dated 12 December 2014. These conditions form part of this consent.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

Asset Protection Zones

The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants. To achieve this, the following conditions shall apply:

1. At the commencement of building works and in perpetuity the property for a distance of 60m south-east of the south-easternmost buildings (i.e. adjoining the collector road), shall be managed as an inner protection area as outlined within

section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

2. A 10 metre asset protection zone (APZ) is to be provided from the south-western boundary of the development, which shall be maintained as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. This requirement will cease upon commencement of future development on the adjacent land, but only if the hazard is removed as part of the proposal.

Water and Utilities

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:

3. Water, electricity and gas are to comply with the following requirements of section 4.1.3 of 'Planning for Bush Fire Protection 2006'.
 - Fire hydrant spacing, sizing and pressures shall comply with Australian Standard AS 2419.1– 2005 'Fire Hydrant Installations'.
 - Fire hydrants shall not be located within any road carriageway.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

4. An Emergency/Evacuation Plan is to be prepared detailing the following: 1) under what circumstances will the complex be evacuated; 2) where will occupants be evacuated to; 3) roles and responsibilities of persons co-ordinating the evacuation; 4) roles and responsibilities of persons remaining with the complex after evacuation; and 5) a procedure to contact the NSW Rural Fire Service District Office / NSW Fire Brigade and inform them of the evacuation and where they will be evacuated to.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

5. Construction within 100m of identified bushfire hazards to the north-east and south-east shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection', generally as per the plan entitled "Masterplan Bushfire Impact Zones" prepared by Integrated Design Group, reference STO14054 DA 108 Issue B, dated 15/10/14.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000.
- b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days' notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.

Advice 2. Inspections – Building Works

REQUIRED INSPECTIONS

You have appointed Campbelltown City Council as the Principal Certifying Authority for the purposes of certifying the works involved in the development.

The following scheduled inspections are mandatory and must be completed by Council prior to the approval of an occupation certificate of the issuing of any compliance certificates. All inspection fees have been prepaid.

Booking Inspections

Inspections may be booked up to 9.00 am on the day that they are required by calling (02) 4645 4608.

Please quote the construction certificate, or complying development certificate number when you book.

INSPECTION SCHEDULE

- At the commencement of the building work.
- Excavation, pier holes and footings prior to placement, or the pouring of concrete, or the placement of prefabricated structures.
- Reinforced concrete steelwork prior to pouring concrete (footings, floors, beams, panels, pool coping, swimming pools).
- Framework (timber or steel) for any wall, roof or other building element prior to internal cladding.

- Bearers and joist (timber or steel) including antcapping, prior to flooring.
- Water proofing of wet areas prior to covering.
- Stormwater drainage connections prior to backfilling.
- Final/completion prior to occupation of the structure.

Advice 3. Inspections – Civil Works

The following stages of construction shall be inspected by Council. A compliance certificate or other documentary evidence of compliance is required to be obtained prior to proceeding to the subsequent stages of construction:

- 1) EROSION AND SEDIMENT CONTROL –
 - a) Direction/confirmation of required measures.
 - b) After installation and prior to commencement of earthworks.
 - c) As necessary until completion of work.
- 2) STORMWATER PIPES – Laid, jointed and prior to backfill.
- 3) SUBSOIL DRAINS – After:
 - a) The trench is excavated.
 - b) The pipes are laid.
 - c) The filter material placed.
- 4) CONDUITS – Laid and jointed prior to backfilling.

FINAL INSPECTION – All outstanding work.

Advice 4. Inspection Within Public Areas

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

Advice 5. Adjustment to Public Utilities

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

Advice 6. Disability Discrimination Act

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992). Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA). However, your attention is drawn to the existence of the DDA1992 and that compliance with the various requirements of the BCA does not provide

automatic compliance with the DDA1992. In this regard it is the sole responsibility of the owner, builder and applicant to ensure compliance with the DDA1992.

Advice 7. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within *Campbelltown (Sustainable City) DCP – Volume 3*.

Advice 8. Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

Advice 9. Bonds and Bank Guarantees

All bonds are to be provided in the form of Cash or a written Bank Guarantee from an Australian Banking Institution except where UrbanGrowth NSW is the applicant in which instance Council will accept a letter of undertaking. Bonds will not be accepted in any other form or from any other institution.

Advice 10. Asbestos Warning

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au
www.nsw.gov.au/fibro
www.adfa.org.au
www.workcover.nsw.gov.au

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

Advice 11. Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW).

If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

END OF CONDITIONS