2017SSW004 SEE.

Statement of Environmental Effects

CONSTRUCTION OF 2 x 7 STOREY RESIDENTIAL FLAT BUILDINGS CONTAINING A TOTAL OF 178 DWELLINGS OVER BASEMENT PARKING FOR 221 VEHICLES ON PROPOSED LOT 1 AT 28 INGLEBURN ROAD, LEPPINGTON

Prepared by: **Think Planners Pty Ltd**
Document Date: 15th December 2016
Consent Authority: Camden Council
Determination Authority: Sydney Commission

QUALITY ASSURANCE

PROJECT:	Statement of Environmental Effects – 2 x 7 Storey RFBs with a total of 178 Units
ADDRESS:	Lot 84 DP 8979:Proposed lot Lot 1 in a Re-subdivision of 28 Ingleburn Road, Leppington.
COUNCIL:	Camden City Council
CONSENT AUTHORITY:	Sydney Commission
AUTHOR:	Think Planners Pty Ltd

Date	Purpose of Issue	Rev	Reviewed	Authorised
13 December 2016	Draft SEE for client review	Draft	SR/BD	JW
15 December 2016	Lodgement Issue	Final	SR/BD	JW

Integrated Development (under S91 of the EP&A Act). Does the development require approvals under any of the following legislation?	
Fisheries Management Act 1994	*No*
Heritage Act 1977	*No*
Mine Subsidence Act 1992	*No*
Mining Act 1992	*No*
National Parks and Wildlife Act 1974	*No*
Petroleum (Onshore) Act 1991	*No*
Protection of the Environment Operations Act 1997	*No*
Roads Act 1993	*No*
Rural Fires Act 1997	*No*
Water Management Act 2000	*No*
Concurrence	
SEPP 1- Development Standards	*No*
SEPP 64- Advertising and Signage	*No*
SEPP 71 – Coastal Protection	*No*
SEPP (Infrastructure) 2007	*Yes*
SEPP (Major Development) 2005	*Sydney Commission*
SREP (Sydney Harbour Catchment) 2005	*No*

Contents

Executive Summary

This Statement of Environmental Effects has been prepared in support of a Development Application for the construction of 2 x 7 storey Residential Flat Buildings on proposed Lot 1 in a proposed re-subdivision of 28 Ingleburn Road, Leppington.

This development is part of a Residential Flat Building complex, which is to contain a total of 8 x 7 storey Residential Flat Buildings. The entire site will have a frontage of 80.47m, a depth of 333.45m and a total site area of 2.683 Hectares. The site at 28 Ingleburn Road is proposed subdivided into three separate lots. The proposal will be submitted in 4 separate development applications (1 for the construction of a Residential Flat building on each Lot and 1 for subdivision).

This development application for the construction of a residential flat building complex on proposed lot 1, comprises two buildings containing 178 residential units over basement parking for 221 cars.

The site comprises of 2 x 7 storey apartment buildings separated by a landscaped area. The development application incorporates the following dwelling mix:

- 28 x 1 bedroom units;
- 144 x 2 bedroom units; and
- 6 x 3 bedroom units.

Proposed lot 1, will have a frontage of 54.465m to Ingleburn Road, a frontage of 82.98m to proposed road 1, a frontage of 54.465m to proposed road 2, and 2 splay frontages of 8.5m on the south east and western corners of the lot, that results in a lot size of 5703m^2.

Situated within the Camden Growth Centre Precincts DCP 2015 – Schedule 1 – Austral and Leppington North Precincts. The site is located within 1.4km of the Leppington train station. This makes the site ideal to accommodate residential apartments in proximity to public transport and planned infrastructure. The site is zoned R3 Medium Density Residential under State Environmental Planning Policy (Sydney Region Growth Centre) 2006. *'Residential Flat Buildings'* are permissible with consent within the R3 zone. The proposed development seeks to utilise the land in accordance with the zoning, provide increased residential population, different dwelling choices and take advantage of its proximity to both the existing Leppington Train station and the future Leppington Town Centre and both educational and recreational opportunities.

The proposal has been designed to be predominantly consistent with the controls of the Growth Centres SEPP, the Development Control Plan and the Pre-DA comments received. As such, the proposal will comply with setbacks carparking provision, and deep soil areas.

The proposal presents a departure to the building height control by up to 100mm to some of the lift overruns (no habitable portion of the building) and this is considered satisfactory as discussed further in this statement.

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

Site and Locality Description

The site is located within the South West Priority Growth Area and is found within the Austral and Leppington North Precinct. The location of the precinct within the South West Growth Centre is outlined in figure 1 below. One of the key features of the Precinct is the Leppington train station which opened on 8 February 2015 and is within 1.4km of the subject site.

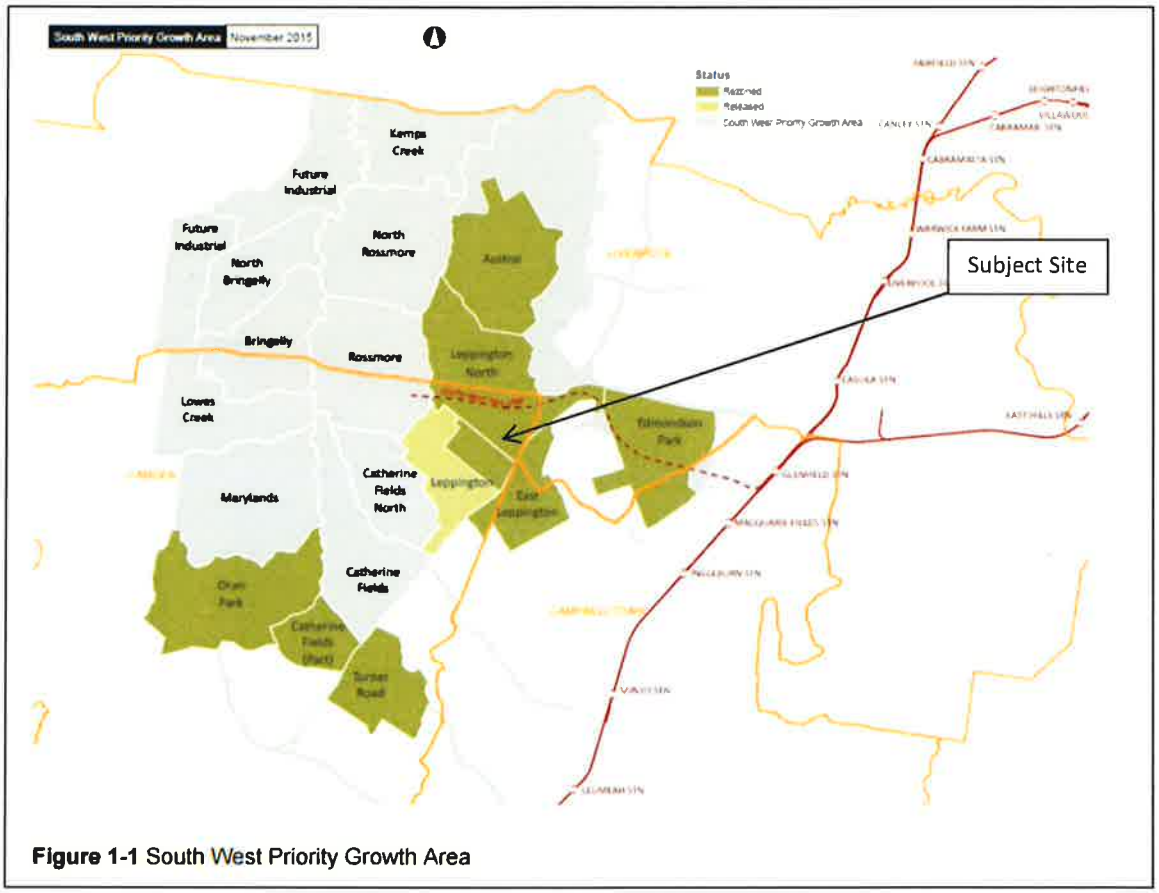


Figure 1-1 South West Priority Growth Area

Figure 1: South West Growth Centre Map Extract

In November 2011, the former Minister for Planning and Infrastructure released the Leppington Priority Precinct (the Precinct) for rezoning investigations. The draft Precinct Planning package, exhibited in November and December 2014, was a key step towards the introduction of new planning controls to enable urban development in the Precinct, which is within the South West Priority Growth Area. The gazetted Precinct Plan rezones land for urban development under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP). The new planning controls apply to land within the precinct, which has capacity for in the order of 17,350 new homes, and is where essential infrastructure will be available first.

The rezoning of the precinct:

- *permits development for a range of urban purposes, including housing, open space and infrastructure;*

- *establish controls to meet residential density targets and ensure appropriate standards for subdivision and urban development;*
- *identify and plan for delivery of infrastructure that is required to support development; and*
- *protect significant vegetation and water courses.*

Future occupants of the development will benefit from the delivery of local amenities close to transport options, including:

- a new primary and K-12 school;
- a new community centre;
- access to a Major Centre in the nearby Leppington North Precinct where jobs, shopping, entertainment, community and government services will be provided;
- proximity to the Leppington Railway Station on the South West Rail Link;
- upgrades to rail and major roads, including Camden Valley Way; and
- playing fields and recreational land along Scalabrini Creek.

Figure 2 is an extract of the Leppington Priority Precinct map, noting the subject site is within 1.4 km of the existing railway station that is connected by busses along Ingleburn Road and contains an 850 space commuter carpark.

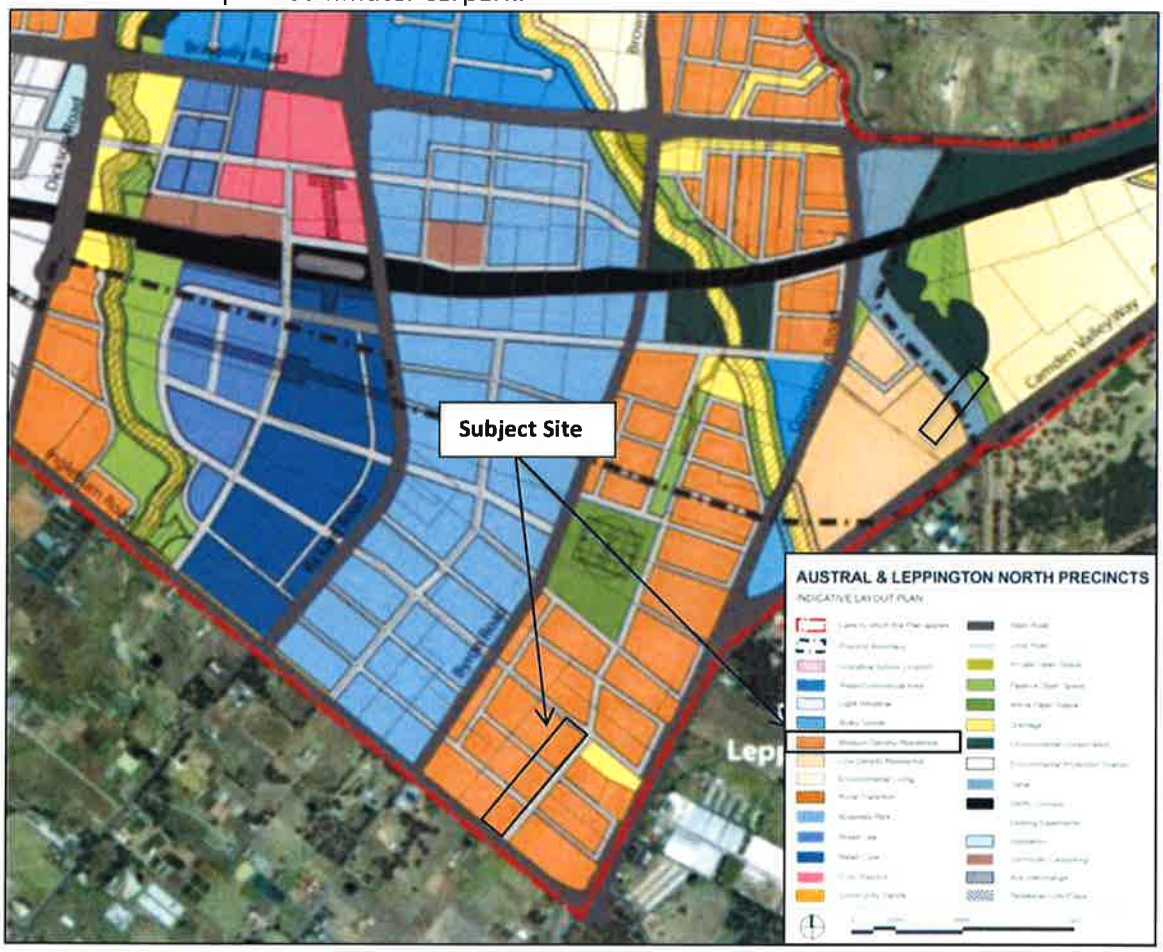


Figure 2: Indicative Layout Plan Extract

The subject site is legally identified as Lot 84 in DP 8979. The site is a large rectangular shaped land parcel with a total area of approximately 2.683Ha. The site is within close proximity to Leppington train station and the future town centre.

Located within an existing semi-rural/residential area, the site is currently surrounded by a mix of rural and semi-rural land parcels. Currently a residential dwelling, outbuildings and other structures are located on the site. The dwelling is in a reasonable condition; however, is significantly underutilising the sites full development potential given the R3 Medium Density zoning that permits higher density residential developments such as residential flat buildings.

Figure 3: Aerial Photograph of Site (Source Google maps)

The subject site is located within a semi-rural area, characterised by residential dwellings on large lots. The locality has been earmarked to accommodate significant future population growth by virtue of its R3 zoning which permit buildings of up to 21m and therefore the character of the area is to undergo a shift in character from semi-rural to higher densities.

Below is a wider locality photograph of the site, displaying its proximity to Leppington Railway Station and other relevant structures.

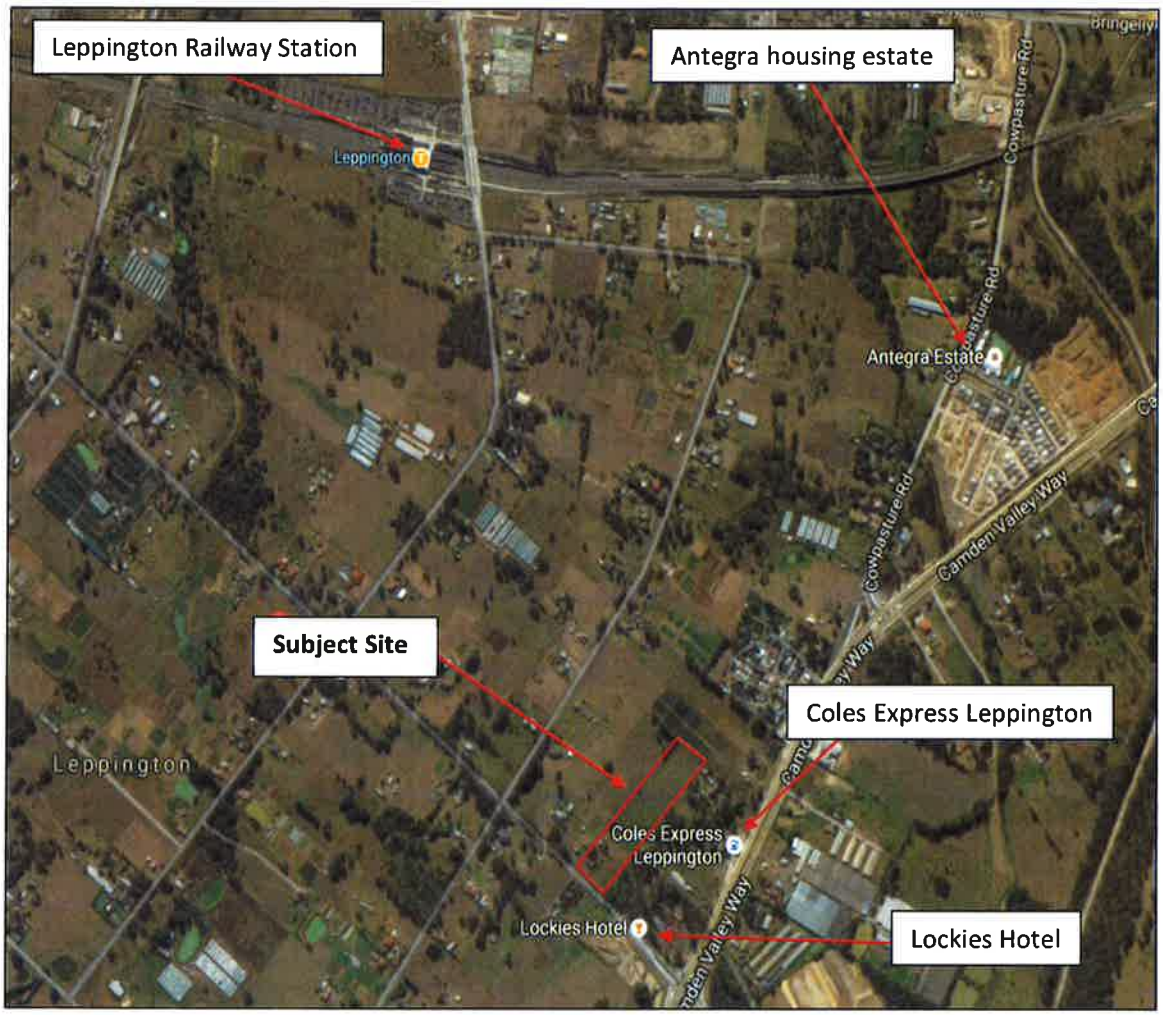


Figure 4: Wider Locality Photograph of Site

The close proximity to Leppington Train Station will provide future residents with an easy form of access to the Sydney CBD, the airport and other key areas for residents.

The photographs over the page provide context to the site and surrounding development.

Photograph 1: Shows the existing site as viewed from Ingleburn Road.

Photograph 2: Shows the site and its relationship to the neighbouring dwelling to its north western boundary.

Photograph 3: Shows the site and its relationship to the neighbouring dwelling to its south eastern boundary.

Photograph 4 Shows Leppington Railway Station, located approximately 1.4kmfrom the subject site.

Photograph 5 Shows the existing streetscape of Ingleburn Road viewing north west.

Photograph 6 Shows the existing streetscape of Ingleburn Road viewing south east.

Description of Proposal

The development application seeks approval to construct 2 x 7 storey residential flat buildings on proposed Lot 1 in a resubdivision of 28 Ingleburn Road, Leppington. The residential buildings incorporate a total of 178 residential units and a total of 221 car parking spaces within the basement carpark levels.

This development application to be part of four separate Development Applications for the site including a subdivision application. It is anticipated that all four development applications will be lodged concurrently.

The unit mix of this development application will be;

- 15.7% x 1 bedroom units (28 units);
- 80.9% x 2 bedroom units (144 units); and
- 3.4% x 3 bedroom units (6 units).

Parking

The proposal includes a total of 221 car parking spaces within two basement levels. The car parking spaces are composed of;

- 185 Residential Car parking spaces (including 18 accessible spaces); and
- 36 visitor car parking spaces.

The basement car parking levels also provide 63 bicycle parking spaces.

Common Open Space Embellishment

The development proposes a large communal open space area at the centre of the site between the two residential buildings. The 1236.27m^2 (21.7%) communal open space area will include facilities such as children's play equipment, seating areas and BBQs.

Unit Configuration

Building A

A summary of the unit configuration for Building A is provided below:

UNIT NO	UNIT TYPE	INT. FLOOR AREA	BALCONY/POS AREA
BUILDING A			
Ground Floor			
A001	2 BED	86m²	63m²
A002	2 BED	80m²	63m²
A003 – Adaptable	2 BED	75m²	40m²
A004	2 BED	75m²	45m²
A005	2 BED	78m²	45m²
A006	1 BED	54m²	30m²
A007	2 BED	76m²	37m²
A008	1 BED	54m²	30m²
A009	2 BED	75m²	45m²
A010	2 BED	83m²	58m²
A011	2 BED	75m²	55m²
A012 - Adaptable	2 BED	75m²	41m²
A013	2 BED	81m²	97m²
A014	2 BED	86m²	136m²
First - Third Floor			
A1-301	2 BED	86m²	27m²
A1-302	2 BED	80m²	17m²
A1-303 – Adaptable	2 BED	75m²	12m²
A1-304	2 BED	75m²	21m²
A1-305	2 BED	78m²	17m²
A1-306	1 BED	54m²	10m²
A1-307	2 BED	76m²	10m²
A1-308	1 BED	54m²	10m²
A1-309	2 BED	75m²	16m²
A1-310	2 BED	83m²	24m²
A1-311	2 BED	75m²	16m²
A1-312 - Adaptable	2 BED	75m²	13m²

A1-313	2 BED	81m²	17m²
A1-314	2 BED	86m²	24m²
Fourth Floor			
A401	2 BED	86m²	27m²
A402	2 BED	80m²	17m²
A403 – Adaptable	2 BED	75m²	12m²
A404	2 BED	75m²	13.5m²
A405	2 BED	78m²	13.5m²
A406	1 BED	54m²	10m²
A407	2 BED	76m²	10m²
A408	1 BED	54m²	10m²
A409	2 BED	75m²	16m²
A410	2 BED	83m²	24m²
A411	2 BED	75m²	13.5m²
A412 - Adaptable	2 BED	75m²	13m²
A413	2 BED	81m²	17m²
A414	2 BED	86m²	24m²
Fifth – Sixth Floor			
A5-601	2 BED	86m²	27m²
A5-602	2 BED	80m²	17m²
A5-603 - Adaptable	2 BED	75m²	12m²
A5-604	2 BED	75m²	13.5m²
A5-605	2 BED	78m²	13.5m²
A5-606	1 BED	54m²	10m²
A5-607	2 BED	76m²	10m²
A5-608	1 BED	54m²	10m²
A5-609	2 BED	75m²	16m²
A5-610	2 BED	83m²	24m²
A5-611	2 BED	75m²	13.5m²
A5-612 - Adaptable	2 BED	75m²	13m²
A5-613	2 BED	81m²	17m²
A5-614	2 BED	86m²	24m²
BUILDING B			
Ground Floor			
B001	2 BED	86m²	40m²
B002	2 BED	80m²	141m²

B003	2 BED	75m²	77m²
B004	2 BED	75m²	37.5m²
B005	2 BED	78m²	37.5m²
B006	1 BED	54m²	56m²
B007	2 BED	76m²	73m²
B008	1 BED	54m²	56m²
B009	2 BED	75m²	37.5m²
B010	2 BED	83m²	12m²
B011	2 BED	75m²	37.5m²
B012 - Adaptable	2 BED	75m²	78m²
B013	2 BED	81m²	146m²
B014	2 BED	86m²	41m²
First – Third Floor			
B1-301	2 BED	86m²	17m²
B1-302	2 BED	80m²	17m²
B1-303	2 BED	75m²	12m²
B1-304	2 BED	75m²	13.5m²
B1-305	2 BED	78m²	13.5m²
B1-306	1 BED	54m²	10m²
B1-307	2 BED	76m²	10m²
B1-308	1 BED	54m²	10m²
B1-309	2 BED	75m²	13.5m²
B1-310	2 BED	83m²	10m²
B1-311	2 BED	75m²	13.5m²
B1-312 - Adaptable	2 BED	75m²	13m²
B1-313	2 BED	81m²	17m²
B1-314	2 BED	86m²	15m²
Fourth Floor			
B401	1 BED	60m²	13m²
B402	2 BED	78m²	29m²
B403	2 BED	76m²	64m²
B404	3 BED	108m²	81m²
B405	3 BED	107m²	78m²
B406	2 BED	76m²	61m²
B407	2 BED	78m²	29m²
B408	1 BED	60m²	21m²

Fifth - Sixth Floor			
B5-601	1 BED	60m²	19m²
B5-602	2 BED	78m²	10m²
B5-603	2 BED	76m²	12m²
B5-604	3 BED	108m²	21m²
B5-605	3 BED	107m²	21m²
B5-606	2 BED	76m²	12m²
B5-607	2 BED	78m²	10m²
B5-608	1 BED	60m²	21m²

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

Level	Inclusions
Basement Levels 1-2	Access to the basement is via a double width crossover, driveway and graded access ramp from the ground floor level above, via the Proposed Local Road. The basement will also incorporate circulation areas in accordance with AS2890.
	A total of 221 car parking spaces are provided within the 2 basement levels
	185 x Residential Car parking spaces (including 18 accessible spaces.
	36 x visitor car parking spaces.
	The basement car parking levels also provide 63 bicycle parking spaces.
	Residential storage space.
	Waste Storage areas are contained on the upper basement level.
	Six lobby areas including a stair core with a lift.
Ground Floor	Vehicular access to the site will be via a double width crossover and driveway from the Proposed Local Road, located at the north eastern side of the site.
	Pedestrian access to the site is provided from the three roads that surround the site. The proposed pedestrian access arrangements will incorporate a graded ramp to ensure equitable access for all and will also provide secured access to the lobby areas.

	Landscaped areas that will include a children's play area, BBQs with seating areas, strategically placed raised planter beds, replacement canopy plantings and feature trees, screen plantings and embellishment works to deliver a garden setting, to reduce privacy and amenity impacts and to help soften the built form and physical bulk of the proposal while enhancing amenity for future residents.
Building A (Total 98 units)	
Ground Floor	Each unit will be provided with a kitchen, laundry, living area, dining area, and private open space area that are generally accessed from living areas. The ground floor contains a total of 14 units (2 accessible).
	2 x 1 bedroom units with private courtyard.
	12 x 2 bedroom units with private courtyard (2 accessible).
	Lobby areas including stairwell and lift core.
Levels 1-3	Each unit will be provided with a kitchen, laundry, living area, dining area, and private open space area that are generally accessed from living areas. Each floor contains a total of 14 units including 2 adaptable units (14 x 3 = 42 units) (3 x 2 = 6 adaptable units).
	2 x 1 bedroom unit with balcony.
	12 x 2 bedroom unit with balcony (2 adaptable units).
	Lobby area including stairwell and lift core.
Level 4	Each unit will be provided with a kitchen, laundry, living area, dining area, and private open space area that are generally accessed from living areas. The third floor contains a total of 14 units (2 adaptable units).
	2 x 1 bedroom unit with balcony.
	12 x 2 bedroom unit with balcony (2 adaptable units).
	Lobby area including stairwell and lift core.
Levels 5-6	Each unit will be provided with a kitchen, laundry, living area, dining area, and private open space area that are generally accessed from living areas. Each floor contains a total of 14 units including 2 adaptable units (14 x 2 = 28 units) (2 x 2 = 4 adaptable units).
	2 x 1 bedroom unit with balcony.
	12 x 2 bedroom unit with balcony (2 adaptable units).
	Lobby area including stairwell and lift core.

Building B (Total 80 units)	
Ground Floor	Each unit will be provided with a kitchen, laundry, living area, dining area, and private open space area that are generally accessed from living areas. The ground floor contains a total of 14 units (1 accessible).
	2 x 1 bedroom units with private courtyard.
	12 x 2 bedroom units with private courtyard (1 accessible).
	Lobby areas including stairwell and lift core.
Levels 1-3	Each unit will be provided with a kitchen, laundry, living area, dining area, and private open space area that are generally accessed from living areas. Each floor contains a total of 14 units including 1 adaptable units (14 x 3 = 42 units) (3 x 1 = 3 adaptable units).
	2 x 1 bedroom unit with balcony.
	12 x 2 bedroom unit with balcony (1 adaptable units).
	Lobby area including stairwell and lift core.
Level 4	Each unit will be provided with a kitchen, laundry, living area, dining area, and private open space area that are generally accessed from living areas. The fourth floor contains a total of 8 units.
	2 x 1 bedroom unit with balcony.
	4 x 2 bedroom unit with balcony.
	2 x 3 bedroom unit with balcony.
	Lobby area including stairwell and lift core.
Levels 5-6	Each unit will be provided with a kitchen, laundry, living area, dining area, and private open space area that are generally accessed from living areas. Each floor contains a total of 8 units (8 x 2 = 16 units).
	2 x 1 bedroom unit with balcony.
	4 x 2 bedroom unit with balcony.
	2 x 3 bedroom unit with balcony.
	Lobby area including stairwell and lift core.

The proposal seeks to redevelop the site in accordance with the R3 zoning by providing a high density residential development. Therefore, the proposed development, in conjunction with comparable future developments within the R3 zoned block, will help to sustain the function and encourage the development of the Leppington North Retail/commercial precinct in accordance with the DCP. The proposal will align with the principles of urban consolidation to ensure the efficient use of community infrastructure by providing higher density residential development at strategic locations, noting the proximity of the site to the Leppington Town Centre.

Design consideration has been given to the scale, size, and form of the proposal in relation to the unique characteristics of the site, and taking into account the important location and contextual considerations of the site. Additionally, it is noted that the proposal has been designed to substantially comply with the permitted maximum building height control.

The development proposal also incorporates, drainage measures and associated landscape works as shown on the submitted plans.

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

The size of the site permits orderly development over the three large land parcels and permits a comprehensive development that is conducive to a master planned approach that has been taken with this proposal.

Design consideration has also been given to broader amenity issues including solar access, views, location of open space, pedestrian movements, etc. Importantly design consideration has been given to ensuring a positive urban design outcome that will result in active streetscapes with buildings addressing streets and public places such as parks and drainage corridors.

Design Cubicle has prepared the relevant architectural plans for the proposal, with various supporting sub consultant reports submitted with this application. The following documents and plans accompany the application.

1. Architectural Plans prepared by Design Cubicle;
2. BASIX certificate prepared by Greenstar Energy Solutions;
3. Landscape Plans and report prepared by Vision Dynamics;
4. Arborist report prepared by Redgum Horticultural;
5. Survey Plan prepared by Franklin;
6. Stormwater Management Plans and Civil Engineering Plans prepared by SGC;
7. Geotechnical report prepared by Ground Technologies;
8. Traffic and Parking Assessment prepared by Varga Traffic Planning;
9. Waste Management Plan prepared by Design Cubicle;
10. Acoustic Report prepared by Rodney Stevens Acoustics;
11. Quantity Surveyors Report prepared by MMDCC;
12. Odour Assessment prepared by Todorski Air Sciences; and
13. Stage 2 Contamination Assessment and Salinity report prepared by Ground Technologies.

Consideration of Planning Controls

The following planning controls apply to the site.

State Environmental Planning Policy BASIX

The application has been assessed and is accompanied by a complying BASIX certificate that demonstrates how the apartments will utilise 40% less energy and water than a typical apartment pre Basix.

State Environmental Planning Policy No. 55 – Contaminated Land

Clause 7 of SEPP 55 provides:

> *(1) A consent authority must not consent to the carrying out of any development on land unless:*
> *(a) it has considered whether the land is contaminated, and*
> *(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
> *(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

A phase 1 and phase 2 detailed site investigation was prepared by Ground Technologies – that concludes:

The subject site appears to have been used for market gardening and agricultural purposes. A review of aerial photography supports this assumption. Common chemicals that are used in agricultural activities are Organochlorine Pesticides (OCP) and Organophosphorus Pesticides (OPP), herbicides and fungicides. OCP is the most persistent of these chemicals, with residues lasting in the environment up to 20 years, whilst OPP, herbicides and fungicides are less persistent in the environment and therefore not considered significant. Fertilisers used in market gardens can also contain heavy metals which are more persistent in the environment. This area has been designated as Area of Environmental Concern 1 (AEC1).

The farm sheds are likely to have been used for machine maintenance and storage. Contamination in the form of heavy metals and hydrocarbons is possible in these locations. This area is denoted as Area of Environmental Concern 2 (AEC2).

A full sampling and analysis program was undertaken in accordance with the 'Sampling Design Guidelines for Contaminated Sites', in order to assess the nature, location and likely distribution of any contamination present at the subject site, and also any potential risk posed to human health or the environment. Test results were compared to the relevant assessment criteria, Hils A, and were well below the assessment criteria and as such, indicate a low risk of contamination throughout the site.

The site is suitable for development for "Residential" use. No remediation action plan is required.

Given this, Council can be satisfied that the provisions of Clause 7 of the SEPP is satisfied. If any contaminated material or suspected contaminated material is unearthed during the construction process, then actions consistent with the legislative requirements and guideline document will be undertaken.

State Environmental Planning Policy (Infrastructure) 2007

The development site has frontage to Ingleburn Road that is a future sub arterial road. Given this and in accordance with the provisions of Clause 102 of the SEPP that it is appropriate consent authority to consider the impact of arterial roads on buildings used for residential purposes. In this regard an Acoustic report has been prepared by Rodney Stevens Acoustic that concludes that subject to design measures being implemented during the construction of the development that appropriate levels of acoustic amenity will be provided to future residents.

Clause 104 identifies a number of types of development that require concurrence from Roads and Maritime Services where development is identified as '*traffic generating development*'. The current proposal is not identified as traffic generating development as the development contains less than 300 apartments. Accordingly, the proposal is not required to be referred to the RMS for comment.

In accordance with clause 45, it is not anticipated that Council will refer the application to an electricity supply authority as works will not occur within 5m of an exposed overhead electricity power line.

In accordance with Clause 86, the application is not required to be referred to Trains NSW as the proposal does not impact on rail infrastructure. Accordingly given the distance from Rail infrastructure and in accordance with Clause 87, an acoustic and vibration report is not required to be prepared.

State Environmental Planning Policy (State and Regional Development) 2011

As the development has a capital investment value of more than $20 million and in accordance with part 4 of the SEPP, the determining authority for this development application is the Sydney Commission. The estimated capital investment value is $39,251,789.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development – Design Quality Principles

SEPP 65 contains nine (9) design quality principles that are to be applied to the design and assessment of residential apartment development. The Apartment Design Guide provides greater detail on how proposals can meet these principles through good design and planning practice. Discussion of the proposal responds to the nine principles follows.

Principle 1: Context and neighborhood character

Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.

Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.

Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.

Comment:

The locality is undergoing transition from rural residential dwellings and rural landuses to higher density residential developments. The area is currently partly redeveloped, its character is a mix of older and new buildings of varying heights and styles and rural landuses.

It is expected that older single dwellings and rural activities will be gradually replaced with higher density developments. Proposed new development is generally consistent with the desired future character for the locality as well as with the building envelope controls contained in the Growth Centres SEPP and the Camden Growth Centre DCP 2016.

The proposed development will contribute positively the quality, identity and character of the area, and will provide additional residential choice in the location.

Principle 2: Built Form and Scale:

Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.

Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

Comment:

The proposal is for a 7 storey residential flat complex that contains 2 separate buildings. The separate buildings fronting Ingleburn Road ensure that the development responds to the rhythm of and massing of lower scaled buildings in the area and ensures that the development reads a residential flat building in a landscaped garden setting.

The massing, bulk, scale and materiality of the proposal reflect the anticipated future context, whilst providing a highly articulated, contemporary building. The scale and bulk of the building is mediated by the articulation of lifts, stairs, balconies and the like as well as the use of contrasting materials and the blending and integration of vertical and horizontal proportions. The built form and scale is appropriate for the site.

Principle 3: Density

Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.

Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.

Comment:

The proposal achieves the minimum density required by the Growth Centres SEPP and is located within 1.4km walking distance of the Leppington Station.

Land to the north west of the site, is zoned B3 (Commercial Core) and B7 -Business Park and forms part of the Leppington North Commercial and Retail Centre. The intent of this centre is to provide employment opportunities for residents of the south west growth area.

As part of the release area planning, consultation occurred with service providers to ensure that utilities can be provided for the site. This part of the Leppington release area was rezoned first as upgrades to utilities are able to be provided to ensure that appropriate infrastructure is able to be provided. Provision has been made for the provision of community centers and reserves as part of the release area planning and the development would contribute via both state government and Council levies to providing these facilities.

The development proposes a series of buildings that present to a central courtyard that contains a high level of embellishment that will result in a high level of amenity being provided to future residents.

The proposed development complies with the landscaped area, communal open space and deep soil requirements for the site. The density is appropriate and suitable for the site having regard to the relevant planning controls and proximity to public transport and planned future services in the Growth Centre.

Principle 4: Sustainability

Good design combines positive environmental, social and economic outcomes.

Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.
Comment:

The building orientation and facade elements are implemented with a climate control strategy as described below:

- Buildings are oriented to maximise the eastern, western and northern solar access, with excellent cross ventilation strategies employed throughout the development;
- Elevation treatment to northern and western facades has large windows for penetration of light and solar access but featuring deep balconies projecting north and west to provide solar protection in summer months;
- The building design reflects a considered and efficient use of natural resources through effective cross ventilation. The building will incorporate other energy and water efficient devices appropriate to specification of the building and awareness of needs. Details are provided in The BASIX Report; and
- Energy Efficient Design strategies for this development include maximising occupants access to daylight, ventilation, sun and views and providing the majority of units with natural cross ventilation.

Principle 5: Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.

Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, microclimate, tree canopy, habitat values and preserving green networks.

Good landscape design optimises usability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management

Comment:

The development is to be extensively landscaped, as well as providing large areas of outdoor landscaped recreation for the residents. The central landscaped open space area of the site is extensively landscaped.

It is also noted that soil depth of 1m is provided in the form of planter boxes above the basement carpark to facilitate the provision of plantings within the central courtyard areas. This will ensure that a high level of amenity is provided to future residents and also ensures that that urban heat gain is minimised and water penetration maximised.

The provision of deep rooted landscaping around the perimeter of both sites ensures that the landscaped setting of the precinct will be enhanced and ensures that the development will be viewed as an apartment building complex in a garden setting.

Further it offers connectivity between the buildings while creating an adequate buffer to ensure maximum amenity is offered to the dwellings and their occupants. The inner landscaping of the courtyards is designed with different characters to create a variety of landscaped spaces. The deep soil areas around the perimeter of the complex will provide for a high level of common amenity as well as improve privacy and noise reduction for units within the complexes.

Principle 6: Amenity

Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.

Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.

Comment:

The proposed development provides high levels of amenity through the adoption of the following measures:

- provision of primarily dual aspect apartments to maximise natural cross flow ventilation and solar access;
- provision of generous areas or private open space to each apartment;
- provision of adequate setbacks so as to minimise opportunities for privacy impacts;
- provision of lifts to allow equitable access to all levels within the building;

- provision of sufficient car parking as to meet the likely future demand of the occupants of the building;
- provision of adaptable apartments with corresponding disabled parking spaces; and
- secure storerooms for each apartment, located within the basement level;

The proposed development provides indoor and outdoor spaces that will be comfortable and practical to use. The dimensions and layout of the apartments will appropriately control sunlight to living areas and balconies and provide natural ventilation. Areas of outdoor open space adjoin the main living areas and bedrooms of the apartments. All apartments are generous in size, with open plan designs allowing flexibility in terms of furniture layout and functionality.

Principle 7: Safety

Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.

A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.

Comment:

Proposed orientation of the building, outlooks and provision of balconies provide natural passive surveillance opportunities of the public domain and common open spaces. Appropriate security arrangements are incorporated at pedestrian entry points. The development provides secure parking for residents, as well as central foyers clearly visible from walkways.

All apartments have lifts which means that with a keyed system, there is a high degree of security is available. All pedestrian areas are designed to provide clear sight lines and minimise potential for obscure places for potential attacks.

Obscured areas and alcoves have been avoided in the design of the public domain spaces, and all lobbies are wide and brightly lit. All landscaped spaces and pedestrian boulevards within the site will be well lit, and designed to maximise personal security.

Principle 8: Housing diversity and social interaction

Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.

Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.

Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.

Comment:

The proposed development provides a mixed use development of a very high standard of design and amenity for the residents. The mix of apartments types as well as the integration of adaptable apartments provides for a range of user groups.

The development incorporates a high level of embellishment for future residents including d extensive common areas to facilitate casual social interact interaction

Principle 9: Aesthetics

Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure.

Good design uses a variety of materials, colours and textures. The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.

Comment:

The overall development has a high quality aesthetic. The building masses are appropriately articulated by considered massing aiming to reduce apparent building bulk at the large scale. The provision of two buildings on the site breaks down the massing of the buildings and ensures it has a more human scale.

The treatments of the facades serve to break the building form down into smaller bays and reduce overall building bulk. The landscaped setting will ensure they are integrated into their surroundings. The architectural style is contemporary.

An appropriate composition of building elements, material textures and colors has been utilised to reflect the building's residential character. It utilises a combination of solid walls with a series of articulated windows and spandrels along with box framing of the balconies which are articulated by louvered screens and balconies. The external appearance of the building reflects future local development and the typology encouraged by the SEPP 65

guidelines. The development also incorporates balconies to all road frontages to encourage passive surveillance and assisting in breaking up the massing of the buildings.

The articulation of the building facades, the design's massing & composition balance with its surrounding future development.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development – Apartment Design Guide

The development application is accompanied by a design verification statement prepared by Alex Sibir, verifying that the company has directed and designed the proposal, and that the design quality principles set out in Part 2 of the SEPP are achieved for the residential apartment development, noting the detailed discussion provided above on the design quality principles.

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

The table below provides a detailed discussion against the relevant provisions of the Apartment Design Guide, noting that a number of these provisions are embodied within SEPP (Sydney Region Growth Centre's) 2006 and supporting Camden Growth Centre's Development Control Plan.

An assessment against the relevant objectives and design guidelines contained in parts 3 and 4 of the Architectural Design Guide can be found below.

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

(a) visual privacy,
(b) solar and daylight access,
(c) common circulation and spaces,
(d) apartment size and layout,
(e) ceiling heights,
(f) private open space and balconies,
(g) natural ventilation,
(h) storage.

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

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
Part 3 – Siting the Development			
3A Site Analysis	Appendix 1 of the ADG	Provided	Yes
3B Orientation	Building to define the street, by facing it and incorporating direct access from the street	The proposed residential flat buildings have been designed to address its multiple frontages, with direct pedestrian access to the proposed buildings provided from both the future planned roads, and from Ingleburn Road.	Yes
3C Public Domain Interface	Terraces, balconies should have direct street entry, where appropriate.	Although balconies face the street and will assist with passive surveillance, direct secondary access is not provided to units from the street, having regards to the topography of the site.	Yes
	Substations, pump rooms, garbage storage rooms and other service rooms should be located in the basement carpark or out of view	Garbage storage areas, electrical and pump rooms are located within the basement level and therefore effectively screened from street view.	Yes
3D Communal and Public Open Space	*Design Criteria:* Communal open space has a minimum area equal to 25% of the site 50% of the principal COS should receive 2 hours of sunlight between 9am and 3pm	A 1236.27m^2 communal open space area is provided to Lot 1 which equates 21.7% of the site. 1236m2 of communal open space is a substantial area of land set aside for the recreational needs of future residents. Despite the minor departure and as illustrated on the submitted landscaping plan adequate opportunities for passive and active recreation are available on the site as well as on nearby future public reserves. More than 50% of the each of the central courtyards receive direct sunlight between 9am and 3pm in mid winter.	Minor Variation Yes

	Design Guidelines: Minimum dimension of 3m	All common open space areas have minimum dimension greater than 3m.	Yes
	Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies	Direct access the communal area is provided from the lobbies of the buildings and from pathways between the buildings that are also connected to the street frontages of the site.	Yes
	Where communal open space cannot be provided at ground level, it should be provided on a podium or roof	$70m^2$ of communal open space area is provided on the 4^{th} floor.	Yes
	Facilities are provided within communal open spaces and common spaces for a range of age groups, incorporating some of the following elements: • seating for individual or groups • barbecue areas • play equipment or play area • swimming pools, gyms, tennis courts or common rooms	A high level of communal open space embellishment is proposed with the proposed common open space include a children's play area, communal rooms, barbeque and seatings areas.	Yes
	Communal open space and the public domain should be readily visible from habitable room and private open space areas while maintaining privacy	The proposed RFB has been designed with the orientation of balconies and windows to maximise passive surveillance to the communal open space areas on the ground floor and to the public domain.	Yes
	Public open space should be well connected with public street along at least one edge	Direct access to site is provided from pedestrian pathways from planned future roads. See attached plans for detail.	

3E Deep Soil Zones	*Design Criteria:* A deep soil zone equivalent to 7% of the site area must be provided If over 1500m^2 then min dimensions of 6m.	The site is provided with a 1444m^2 deep soil zone which equates to 25.3% of the allotment. Minimum dimensions of 6m	Yes Yes
3F Visual Privacy Building Separation Up to 4 storeys (up to 12m) Building Separation 5-8 Stories	*Design Criteria:* 12m between habitable rooms (6m) 6m between non habitable rooms (3m) 18m between habitable rooms (9m) 9m between non habitable rooms (4.5m)	The proposed Residential Flat Building complex complies with the visual separation controls to the neighbouring external buildings. A 9m setback is provided to the northern boundary on levels 5 and 6. Complies On level 4, a 9m setback is provided to the building, however balconies that are screened by a planter encroach into this setback zone. Given that these balconies are utilising the roof space from the floor below and the landscaped screening will prevent overlooking of adjoining properties, this encroachment is warranted. Internally between the two buildings a setback of between 12m and 18m is provided. In addition those balconies located on Building B within the 18m separation distance are treated with privacy louvres to mitigate the minor departure to the control. Given these carefully considered designed measures it is considered that the objective of the Design Criteria has been met notwithstanding the reduced building separation to portions of the building.	Yes Yes Variation

3G Pedestrian Access and Entries	Building entries should be clearly identifiable and communal entries should be clearly distinguished from private areas	The proposal provides multiple entries to the subject site and are clearly identified and visible from the street level.	Yes
3H Vehicle Access	Car park access should be integrated with the building's overall façade Car park entry and access should be located on secondary streets or lanes where available	The vehicle access point to the basement level is integrated with the proposed building's overall façade. The ramps to the basement level of each site are accessed via the proposed new local road, which will prevent traffic from becoming congested on the major roads.	Yes Yes
3J Car parking	*Design Criteria:* Car parking for sites within 800m of a railway station or light rail stop can provide parking at the rate of: **>20 units** Metropolitan Sub-Regional Centres: 0.6 spaces per 1 bedroom unit 0.9 spaces per 2 bedroom unit 1.40 spaces per 3 bedroom unit 1 space per 5 units (visitor parking) Total: *Design Guidelines:* Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas	N/A – 1.4km to Leppington Station Complies with the car parking rates under the Camden Growth Centres DCP 2013 (216.6 spaces required, 224 provided). 53 Bicycle parking spaces are provided within the basement levels, that are secured. Complies.	N/A Yes

Part 4 – Designing the Building			
4A Solar Access	*Design Criteria:* Living rooms and private open space of at least 70% of units to receive 2 Hours Solar Access between 9am and 3pm Mid-Winter A maximum of 15% of apartments receive no direct sunlight between 9am and 3pm Mid Winter	127 of the 178 units or 71.34% of the total units receive at least the required 2 hours of solar access at mid-winter. Complies 10 of the 178 units on site A or 5.61% receive no direct sunlight between 9am and 3pm in mid winter.	Yes Yes
4B Naturally Ventilation	*Design Criteria:* 60% of units are cross ventilated in a building up to 9 storeys Overall width of a cross over or cross through apartment is < 18m *Design Guidelines:* The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths	112 of the 178 units or 62.92% of the total units are naturally cross ventilated. Complies Complies Development has a mix of dual aspect apartments and corner apartments. See attached architectural plans for detail.	Yes Yes Yes
4C Ceiling Height	*Design Criteria:* *2.7m for habitable and 2.4m for non-habitable.*	Minimum ceiling height of 2.7m for all habitable areas. Complies	Yes
4D Unit Sizes 1 bed 2 bed 3 bed	*Design Criteria:* *50m²* *70m²* *90m²*	All units comply with many units exceeding. Where additional bathrooms have been provided unit, sizes have been increased by at least 5m².	Yes

+ 5m^2 for each unit with more than 1 bathroom.	*Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10%*	Every habitable room is provided with a window.	Yes
Habitable Room Depths	*Design Guidelines:* *Limited to 2.5m x Ceiling Height*	Despite the noncompliance with objective 4D-2, figure 4D.3 indicates that an 8.1m depth (3 x ceiling height) is okay for open plan apartments.	Yes
Bedroom sizes Master Other	 *10m^2* *9m^2*	 Complies Complies	 Yes Yes
Living rooms/dining areas have a minimum width of: 3.6m 4m	 *Studio/1 br* *2br/ 3br*	 Yes Yes	 Yes
Open Plan Layouts that include a living, dining room and kitchen.	*8m to a window*	Complies given unit depths and design layouts.	Yes
4E Private Open Space	*Design Criteria:*		
Balcony Sizes 1 bed 2 bed 3 bed	 *8m^2 & 2m depth* *10m^2 & 2m depth* *12m^2 & 2.4m depth*	 Complies Complies Complies	 Yes
Ground level/ podium apartments	*15m^2 & 3m depth*	Complies	

4F Common Circulation and Spaces Common Circulation Units per Plate Corridors > 12m	*Design Criteria:* *8 Units per Plate* *Articulated*	Each Lift core services a maximum of 5 units per plate per level. The corridors are articulated and have access to natural light and ventilation.	 Yes Yes
4G Storage	*1 bed 6m^3* *2 bed 8m^3* *3 bed 10m^3* *Min 50% of required storage is within the apartment*	The proposal provides: 1 bed: 6m3 2 bed: 8m3 3 bed: 10m2 Appropriate storage is provided within the complex, noting that some units are provided with less than 50% of the required storage within the unit. This is considered acceptable as it is a small number of apartments and adequate storage is provided within the basement for these units.	Yes Yes
4H Acoustic Privacy	*Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses* *Windows and door openings are generally orientated away from noise source* *Noisy areas within buildings including building enters and corridors should be located next to or above each other and quieter areas next to or above quieter areas.*	Development has provided adequate separation from neighbour buildings/properties in-line with 3F Visual Privacy – design criteria above. Where appropriate windows and door openings are orientated away from noise sources. The application is designed to create different 'zones' with more active areas clustered together and more passive areas also clustered together to maximise acoustic privacy and also take advantage of the lot orientation.	Yes Yes Yes

4K Apartment Mix 7	*A variety of apartment types is provided*	The proposed unit mix will offer a variety of housing choice. The proposal is designed with a mix of units to provide a variety of housing choices that responds to market demand, the bedroom numbers and size of units are varied that will provide for a range of sizes to meet the needs of occupants and also provide different pricing points for the alternative sizes which will contribute to affordability, noting an increase in the affordable housing units within Leppington. The unit mix is as follows; • 28 x 1 bedroom units (15.7%); • 144 x 2 bedroom units (80.9%); and • 6 x 3 bedroom units (3.4%).	Yes
4M Facades	Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale	The proposed facades are well articulated with a mixture of vertical and horizontal features including windows, projecting walls and balconies, framed elements and fixed timber louvers. Overall the proposed facade is considered a quality design outcome that is compatible with other comparable modern RFB within the locality.	Yes
4O Landscape Design Site Area 850m2 to 1500m2 >1500m2	*1 large tree or 2 medium trees per 90m2of DSZ* *1 large tree or 2 medium trees per 80m2of DSZ*	N/A The landscape plan illustrates that adequate landscaping will be provided on the site to ensure that the development appears as an apartment building in a garden setting.	N/A Yes

4Q Universal Design 20% of the total apartments	*Achieve Liveable House Guidelines silver level universal design features*	In accordance with the precinct specific planning controls 10% of apartments are capable of being adapted.	Yes
4U Energy Efficiency		The development application is accompanied by a BASIX certificate demonstrating how the units will utilise 40% less energy than a unit pre-Basix.	Yes
4V Water Management and Conservation	Reduce mains consumption, and reduce the quantity of storm water runoff.	The development application is accompanied by a BASIX certificate demonstrating how the units will utilise 40% less water than a unit pre-Basix.	Yes
4W Waste Management	Supply WMP Allocate storage area	Waste storage areas are provided within the basement carpark.	Yes
4X Building Maintenance	To ensure long life and ease of maintenance for the development.	The proposed material is considered durable which may be easily cleaned.	Yes

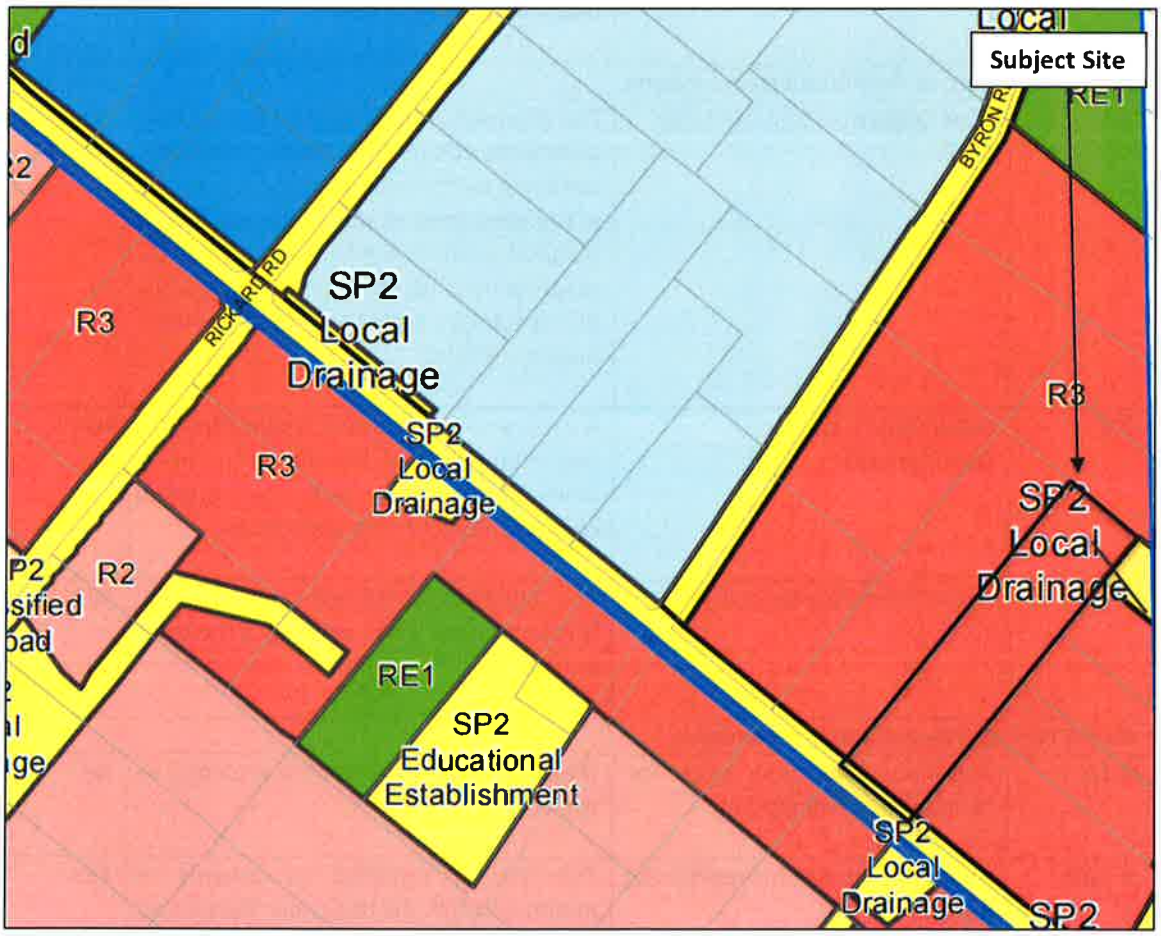
State Environmental Planning Policy – Sydney Region Growth Centres 2006

As shown on the zoning map extract at Figure 5, the development site is zoned R3 Medium Density Residential under the provisions of the SEPP - Sydney Region Growth Centres 2006. *Residential Flat Buildings* are permissible with consent and the proposal is consistent with the definitions contained within the SEPP:

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

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

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To support the well being of the community, by enabling educational, recreational, community, and other activities where compatible with the amenity of a medium density residential environment.*



State Environmental Planning Policy (Sydney Region Growth Centres) 2006 Land Zoning Map Extract **LZN_008**

The proposal provides a development that will provide a variety of housing types and also significantly contribute towards increasing the housing stock of Leppington while assisting in the achievement of the overall strategic goal of the South West Growth Centre by providing housing for Sydney's growing population over the next 5-10 years. The site is well located and is situated within close proximity essential services and public transportation.

The residential flat building complex incorporates a contemporary design that will achieve good presentation to planned road networks on the site. The locality is expected to provide increased density over the next 5 to 10 years with SEPP (Growth Centres) 2006 encouraging higher density development.

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

State Environmental Planning Policy – Sydney Region Growth Centre 2006			
Clause	**Controls**	**Comment**	**Complies**
Appendix 9 Camden Growth Centres Precinct Plan 2013			
Zoning	R3 – Medium Density Residential	Residential flat buildings are permissible with Council consent in the R3– Medium Density Residential Zone.	YES
Part 2 Permitted or Prohibited Development			
2.3	Zone Objectives and Land Use Table	The proposal is consistent with the zone objectives of the R3 – Medium Density zone and will provide additional housing in the catchment of public transport and planned services whilst contributing to range of housing types to suit the needs of residents within a medium-high density context.	YES
2.6	Subdivision – consent requirements	A separate Development Application for the subdivision of the site into three development lots will be lodged concurrently with this application.	N/A
2.7	Demolition requires consent	The 'Subdivision' DA will seek approval for demolition of all existing structures on the site.	N/A
Part 4 Principal Development Standards			
4.1A	Minimum allotment sizes for residential development	No minimum lot size control provided in the SEPP.	NA
4.1AB	Minimum lot size for residential development	The site is required to provide a minimum of 25 dwellings per hectare as per the LEP and therefore the minimum	YES

	(9) The minimum lot size for a residential flat building is 2,000m^2 if the dwelling density (per hectare) shown on the Residential Density Map in relation to the land is 25.	lot size for a residential flat building is 2000m^2. Proposed lot 1 has an area of 5703m^2. Complies	YES
4.1B	Residential density 25 dwellings per hectare	The site is required to provide a minimum of 14 dwellings and the proposal is for 178 dwellings. This exceeds the minimum and satisfies the LEP provisions.	YES
4.3	Height of Buildings: 21m	The design ensures that the proposed development is appropriate in terms of scale and bulk and will minimise overshadowing of adjoining properties. The residential flat buildings have been designed after careful consideration of the unique site attributes. The lift overrun proposes minor encroachments to the building height control, however due to its location in the centre of the buildings it will not be visible from street level, and will have no impact on neighbouring properties. See Clause 4.6 variation request at Annexure 1.	Minor Variation
4.4	Floor Space Ratio	Not applicable.	NA
Part 5 Miscellaneous Provisions			
5.1	Land reserved for acquisition	The proposal is designed to enable planned road dedication.	YES
5.9	Preservation of Trees or Vegetation	The development proposes to retain trees where appropriate. It is also noted that the proposal provides landscaping works that will improve and enhance the subject site. See attached Arborist Report for detail.	YES
5.10	Heritage Conservation	There are no heritage restrictions on the site or within its immediate vicinity. Accordingly, the development will not impact upon the curtilage of any heritage items.	YES

Part 6 Additional Local provisions			
6.1	Public utility infrastructure	The required utility clearances such as water, sewer and electricity will be obtained prior to works commencing on site and it is anticipated that conditions of consent will reinforce this.	YES
6.3	Development controls – native vegetation retention areas	The site has used for rural residential purposes and is sparsely vegetated. It is unlikely to contain significant native vegetation.	N/A

Camden Growth Centres Development Control Plan 2016

Camden Growth Centre's DCP 2016 is in force to guide future development within the Leppington North Priority Precinct. The following extract is contained in the DCP:

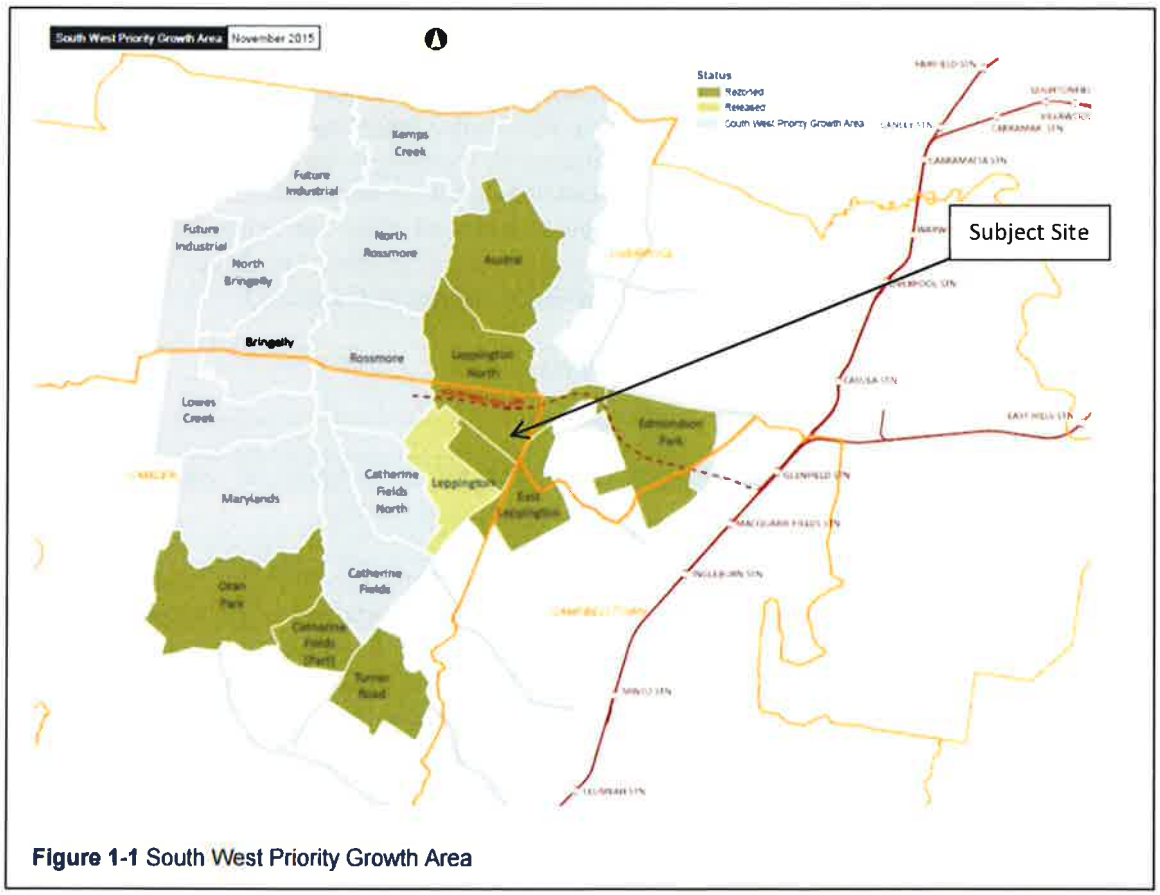


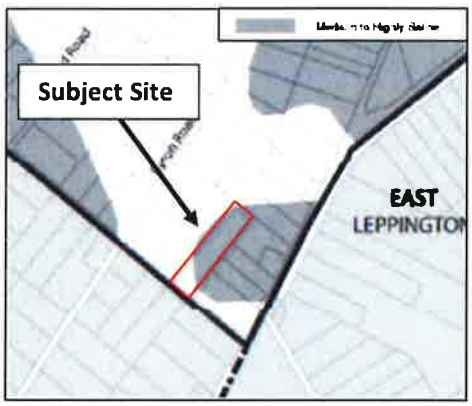
Figure 1-1 South West Priority Growth Area

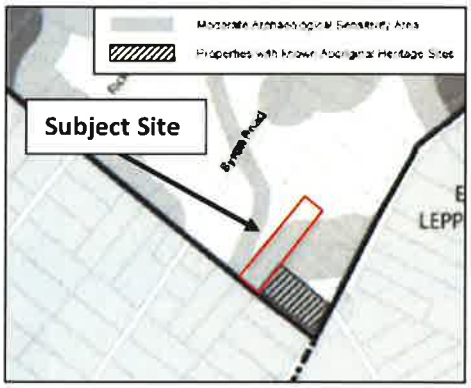
Figure 6: South West Growth Centre Map Extract

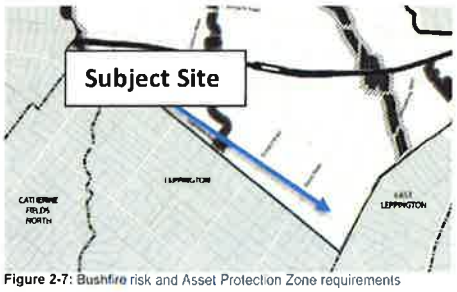
It should be noted that Camden LEP 2010 and Camden DCP 2011 do not apply to the land that a Precinct Plan applies to unless the Growth Centres SEPP or DCP specifically refers to the local Camden controls.

The key relevant controls have been considered in the following compliance table.

An assessment against the key controls contained in the DCP can be found in the table located over the page.

Camden Growth Centres Development Control Plan 2013 – Compliance Table			
Clause	**Controls**	**Comment**	**Complies**
2 Precinct Planning Outcomes			
2.2	Indicative Layout Plan	The proposal is consistent with the published Indicative Layout Plan.	YES
2.3	Site Analysis	Provided.	YES
2.3.1	Flooding	The subject site is not identified as been flood prone nor is it within a 1% AEP area.	N/A
2.3.2	Water Cycle Management	The proposed stormwater management procedures for this development will be designed according to Council's Engineering Specifications.	YES
2.3.3	Salinity and Soil Management	Under the Austral and Leppington North Precinct DCP, the site is identified as potentially containing medium to high levels of salinity. 	YES

		A salinity report has been prepared by Ground Technologies. This report concludes that: *From the results presented in Table 8, the electrical conductivity results indicate that the soil salinity is predominately moderately saline. No highly saline results were recorded. The laboratory test values of sulphates, chlorides and pH (table 9) indicate that the soil samples are mildly aggressive to both steel and concrete. Structural designs should take into account the following minimum design recommendations for concrete re-inforced structures.* Given this it is considered that the potential impacts of salinity have been appropriately considered.	
2.3.4	Aboriginal and European Heritage	Under the Austral and Leppington North Precinct DCP, the site is identified as Moderate Archaeological sensitivity area, and is neighbouring a property with a known Aboriginal Heritage site.  As this site is identified as being of low potential to contain aboriginal archaeology a preliminary archaeology assessment is not warranted and this was not required by the Pre-DA advice. Should any archaeology be uncovered during the construction phase, in accordance with regulatory requirements work will cease and discussions occur with the Office of Environment.	Yes

2.3.5	Native Vegetation and Ecology	The site contains some larger shrubs and smaller trees that are proposed to be removed to facilitate the development.	Yes
2.3.6	Bushfire Hazard Management	The site is not identified by figure 2-7 of the DCP as being subject to bushfire risk.  Figure 2-7: Bushfire risk and Asset Protection Zone requirements	Yes
2.3.7	Site Contamination	The development application is accompanied by a phase 2 detailed site investigation report. This report confirms that the site is suitable for residential development without remediation.	Yes
2.3.8	Development on and adjacent to electricity and gas easements	The site is not known to contain or be adjacent to an electricity of gas easement.	Yes
2.3.9	Noise	Given that the site has frontage to Ingleburn Road that is a future sub arterial road a noise assessment report has been prepared by Rodney Stephens Acoustics. This report concludes that subject to appropriate design measures being incorporated into the construction phase that an appropriate level of internal amenity will be provided to future residents.	Yes
2.3.10	Odour assessment and control	Although the site is currently surrounded by rural land uses, redevelopment is likely to occur in the short to medium term for commercial and residential uses. Odour is unlikely to present any concerns given the desired future character of this location.	YES

		To address the potential issues associated with existing rural landuses including poultry farms an odour report was prepared by Todoroski Air Sciences. This report concluded: *This report has assessed the potential air quality (odour) impacts associated with the proposed residential apartment buildings at 28 Ingleburn Road, Leppington.* *The modelling that was carried out used established odour emission estimates in a detailed air dispersion modelling analysis to predict the likely odour levels which may presently be occurring in this area. The predicted results indicate that odour levels would be largely below the most stringent NSW EPA odour impact assessment criterion of 2 OU which is applicable to residential areas. Odour levels of up to 3 OU are predicted in a small portion of the northeast corner of the Project site, closest to Farm 1.* *The predicted odour levels also indicate that Farm 1 impacts on an established residential estate, to the northeast of the Project site, with predicted odour levels ranging from 3 OU to 4 OU. Based on the modelling results it can be inferred that if these existing residences were adversely influenced by Farm 1, complaints about odour would be made and the farm would need to improve the management practices at the chicken farm operations to minimise the generation of odour.* *However if there are no odour complaints, it is not unreasonable to consider that the farm may not be generating a significant odour impact at the existing residences, and hence the modelling results would overestimate the potential impacts in reality and there would not be any significant impact likely at the Project location.*	

		Thus the assessment finds that it is unlikely that the Project site would experience adverse odour impacts from the surrounding poultry operations. This includes all potential floor heights of the proposed apartment buildings. *This assessment shows the cumulative impact of multiple poultry farms that were assumed to still be operating. The rezoning of the Leppington Precinct in the South West Growth Centres of Sydney would make it likely that more poultry operations would cease operating in the future and be replaced with residential development. Thus in the longer term, odour levels in the area are likely to decrease further.*	
2.3.11	Air Quality	The proposed development will ensure that effective site controls during and after demolition and construction are implemented to ensure that development does not contribute to increased air pollution.	YES
2.4	Demolition	Demolition is not proposed as part of this application. Appropriate measures will be undertaken during the construction phase of the development application to ensure that all soil materials will be contain on the site. Appropriate erosion and sediment control measures such as the use of sediment fencing will be undertaken to minimise erosion during the demolition and construction phase of the proposal.	N/A
2.5	Crime Prevention Through Environmental Design	The proposed development incorporates an active façade that will permit casual surveillance of Ingleburn Road and the new surrounding local streets, as well as the driveway areas. The proposal incorporates open space and landscaped areas that will contribute to activity and natural surveillance of the area.	YES

		The proposed landscaping and fencing is appropriate when considering CPTED principles and will not permit easy concealment of intruders. The proposal incorporates built elements and landscaping that clearly distinguishes between the public and private domain. Clear entry points are proposed, that are easily read by resident, visitor and passer by alike. It is considered that the proposal does not impact on amenity or the streetscape of the area but is in context with development and street presentation of surrounding development. All materials and finishes are appropriate. The proposed development is appropriate and provides measures, built elements, landscaping and design features that are consistent with CPTED principles.	
2.6	Earthworks	This application seeks Council consent for the excavation of the site as per the attached plans. It is considered that the proposed excavation, particularly for the basement car parking area will have minimal adverse environmental or amenity impact. The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls. The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.	

		The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies. It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.	
3 Neighbourhood and Subdivision Design			
3.1	Residential Density, Neighbourhood Design and Subdivision	The proposed subdivision layout substantially aligns with the indicative layout plan for Leppington in terms of road layouts and the allotments identified for medium density development including residential flat buildings. Detailed discussion is not required as the majority of the controls apply to the lower density residential development.	YES
3.1.1	Residential densities Typical characteristics of net residential densities for 25-30dw/Ha – single, double and 3 storey buildings including residential flat buildings.	The proposal comprises of a residential flat building development however, taking advantage of the site's proximity to the Leppington Railway Station the site takes on a 7 storey built form.	YES
3.1.2	Block and Lot Layout Residential flat buildings require 2,000m^2 Residential densities of 20 to 45 dw/h are required to have a minimum lot frontage of 7m	The principal lot on which this development is to be constructed in 5703m^2 which is greater than the DCP minimum controls. The development exceeds the minimum frontage controls.	YES
3.3.1	Street network layout and design	This application seeks to construction two residential flat buildings on proposed lot 1. The subdivision application that is to be lodged concurrently with this development application addresses compliance with this section of the DCP.	N/A

3.3.4	Pedestrian and Cycle Network	Ingleburn Road adjoins a major pedestrian/ on road cycle facility on Rickard Road, that future residents will be able to utilise to gain access to the Leppington North Commercial/Retail precinct and the railway station.	YES
3.3.6	Access to arterial roads, sub-arterial roads and transit boulevards	The site adjoins Ingleburn Road is identified as being a future four lane sub arterial road. Vehicular access is gained from the local road network in accordance with the road hierarchy controls within the DCP.	YES
3.4	Construction Environmental Management	A Construction Environmental Management Plan will be provided in accordance with the DCP at the CC stage.	YES
4.0 Residential Development			
4.1.1	Site Analysis	A detailed Site Analysis has been prepared and is attached as part of this application. The site analysis identifies the relevant considerations required by the State Government and Council 's planning controls and acknowledges the unique opportunities and constraints of the site that have informed the design of the development proposal.	YES
4.1.2	Cut and Fill	This application seeks Council consent for the excavation of the site as per the attached plans. It is considered that the proposed excavation, particularly for the basement car parking area, will have minimal adverse environmental or amenity impact. It is considered that the proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls. The proposed excavation is consistent with the proposed land use and it will facilitate development of the site in accordance with the State Government and Councils current and proposed planning strategies, noting compliance with the required levels of on-site parking is achieved by the extent of excavation.	YES

4.1.3	Sustainable Building Design	A complying BASIX certificate demonstrating a commitment to energy efficiency and water conservation has been prepared and forms part of the development application. The dwellings adopt passive solar design principles through the orientation of the majority of living and private open space areas in a northerly direction as well as ensuring natural ventilation can also be provided. Where appropriate native indigenous species are proposed as part of the planting schedule detailed on the landscape plan. See attached landscaping plan for detail.	YES
4.1.4	Salinity, Sodicity and Aggressivity	A salinity report has been submitted with the development application and confirms that subject to appropriate management strategies that the development will not exacerbate any saline soils in the vicinity of the development.	YES
4.3 4.3.1	Additional controls for certain dwelling types Residential development adjacent to transmission easements • Required to be setback as far as possible from transmission easement. • Landscaping to permit casual surveillance of easement. • Balconies on upper floors encouraged to face the easement. • POS to be screened from view of the transmission line and behind the building line.	The site does not adjoin an electricity easement.	N/A

4.3.5 Controls for Residential Flat Buildings			
	Minimum lot frontage of 30m	Complies	YES
	10% of dwelling must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995)	The development proposes a total of 18 (10.1%) adaptable units.	YES
	50% maximum site coverage	The proposal provides a maximum site coverage of 46.5%.	YES
	30% of site area to be landscaped area	Provides a total landscaped area of 330% (1888.08m^2).	YES
	15% of site area to be communal open space	The development provides 1236.27m^2 (21.7%) of communal open space; and	YES
	Private open space minimum 10m^2 per dwelling with dimension of 2.5m	The proposed residential flat buildings provide a minimum of 10m^2 of private open space for all dwellings with appropriate dimensions that comply with the ADG.	YES
	Front setback = 6m. Balconies and other articulation may encroach into the setback to a maximum of 4.5m from the boundary for the first 3 storeys, and for a maximum of 50% of the façade length.	The development provides 6m setback to its road frontages.	YES
	Secondary street setback = 6m. Side setback (up to 3 storeys) = 3m above that 6m.	Complies Complies	YES YES
	Rear setback = 6m.	N/A The site is a corner allotment and does not have a rear setback	N/A
	Building separation = 12m.	DCP requires a 12m building separation. The majority of the buildings are separated by at least 12m. The stairwell to habitable room separation distance is 10.2m. In these circumstances the separation is maximised and strategic window placement as well as privacy screens to balconies has been used to minimise any privacy concerns. The building separation has also been discussed in more detail in the ADG section of the report.	YES

	Car parking requirements 1 space per dwelling, plus 0.5 spaces per 3 or more beds. 1 visitor car parking space per 5. The development provides 178 apartments with the following breakdown: - 28 x 1 bedroom units; - 144 x 2 bedroom units; and - 6 x 3 bedroom units.	The DCP requires 181 residential spaces and 35.6 visitor spaces. A total of 216.6 car parking spaces are required. 221 car parking spaces provided.	YES
	Bicycle parking spaces: 1 per 3.	59.3 Bicycle spaces required. 63 bicycle spaces provided. All parking is provided within the basement and therefore suitable screened from view from the public domain.	YES YES

Camden Growth Centres Precincts Development Control Plan 2015 – Schedule 1 – Austral and Leppington North Precinct

Camden Growth Centres Precincts Development Control Plan 2015 – Schedule 1 – Austral and Leppington North			
3	Centre Development Controls	The site is not located within a Neighbourhood/Town Centre.	N/A
4	Site Specific Controls	The site is not identified as being located near any easements, and is not subject to any site specific controls.	N/A

Conclusion

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

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

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

Annexure 1: Clause 4.6 Variation: Building Height

Height Departures

As shown on the sections below, the proposed development comprises a complex of two x 7 storey residential flat buildings that predominantly complies with the 21m maximum building height control with the exception of a proportion of the lift core as illustrated by an extract of the elevation and as noted on the section drawings contained in the architectural package. This variation equates to 100mm or 0.48% of the control and is minimal.

The departure is a function of providing a series of well articulated roof forms to provide visual interest and attributing architectural design merit. There are no habitable portions of the building (i.e. residential floor space) which indicates the departure is to improve the design and form of the building- and not simply to achieve greater density on the site.

Given the building height departures a Clause 4.6 variation request has been prepared, noting that the request addresses a number of recent Land and Environment Court cases including *Four 2 Five v Ashfield* and *Micaul Holdings Pty Ltd v Randwick City Council* and *Moskovich v Waverley Council.*

The key tests or requirements arising from the above judgements is that:

- The consent authority be satisfied the proposed development will be in the public interest because it is "*consistent with*" the objectives of the development standard and zone is not a requirement to "*achieve*" those objectives. It is a requirement that the development be compatible with the objectives, rather than having to 'achieve' the objectives.

- Establishing that 'compliance with the standard is unreasonable or unnecessary in the circumstances of the case' does not always require the applicant to show that the relevant objectives of the standard are achieved by the proposal (Wehbe "test" 1). Other methods are available as per the previous 5 tests applying to SEPP 1, set out in Wehbe v Pittwater.

- When pursuing a clause 4.6 variation request it is appropriate to demonstrate how the proposal achieves a better outcome than a complying scheme; and

- The proposal is required to be in 'the public interest'.

In relation to the current proposal the keys are:

- Demonstrating that the development remains consistent with the objectives of the building height standard;
- Demonstrating consistency with the R4 zoning; and
- Satisfying the relevant provisions of Clause 4.6.

These matters are addressed below, noting that the proposal presents a more site responsive development than a complying scheme when having regard to the fact that the building steps to follow the typography and introduces a series of roof features to give greater articulation to the roof profile and attributing architectural merit to the final building form- this would be eroded by the removal of these roof features and strict compliance with the height control could be achieved by 'sinking' the buildings further into the site which would lead to poor outcomes for residents for the sake of strict compliance.

Building Height Context Considerations: Better Development Outcome

The proposed non-compliance occurs as a means of achieving a better development outcome because it enables the development to achieve the following.

- Adopt an appropriate Urban Form, and Quality Common Open Space: The proposal provides for a variety of building heights and building modulations, with the development distributed across the site to achieve a series of buildings in a landscaped setting that substantially exceeds the required levels of landscaped area, deep soil, and common open space. It also enables the proposal to achieve the required levels of solar access and natural ventilation to dwellings to present a more suitable and site responsive layout of the buildings;

  Response to Topography: It is also noted that the stepped building form is a direct design response to the natural topography of the site. The proposal provides a stepped building form but the need for consistent finishes floor levels dictate the need for a consistent finished floor level to each building- which results in a technical departure to height due to the topography. Compliance with the height control could be achieved by 'sinking' the buildings further into the site which would lead to poor outcomes for residents for the sake of strict compliance.

Consideration of Clause 4.6

Clause 4.6 of the LEP provides that development consent may be granted for development even though the development would contravene a development standard.

This is provided that the relevant provisions of the clause are addressed, in particular subclause 3-5 which provide:

> *(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
>
> *(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
> *(b) that there are sufficient environmental planning grounds to justify contravening the development standard.*
>
> *(4) Development consent must not be granted for development that contravenes a development standard unless:*
>
> *(a) the consent authority is satisfied that:*
> *(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
> *(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
>
> *(b) the concurrence of the Director-General has been obtained.*
>
> *(5) In deciding whether to grant concurrence, the Director-General must consider:*
>
> *(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
> *(b) the public benefit of maintaining the development standard, and*
> *(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.*

Each of these provisions are addressed in turn.

Clause 4.6(3)

In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control are achieved.

The objectives of the building height development standard are stated as:

> *(1) The objectives of this clause are as follows:*
> *(a) to establish the maximum height of buildings,*
> *(b) to minimise visual impact and protect the amenity of adjoining development and land in terms of solar access to buildings and open space,*
> *(c) to facilitate higher density development in and around commercial centres and major transport routes.*

The remains consistent with the objectives based on the following:

- Buildings have been stepped to address the site's cross-fall that will contribute towards minimising building height, bulk and scale when viewed from the street level.

- The size of the site permits sufficient separation of building on site and also from neighbouring land parcels and also have negligible impacts in terms of privacy and overshadowing to adjoining properties.

- The increased height and modulation of building locations enables greater amenity to the proposed units through better solar orientation and increased levels of natural ventilation.

- The proposed development will permit the site to develop to its full zoning potential whilst complementing the future vision envisioned for the site by providing a residential flat building that provides good address to the street frontage.

- The proposed development complies with key planning controls applying to the proposal which indicates a suitable design response.

As outlined above the proposal remains consistent with the underlying objectives of the control and as such compliance is considered unnecessary or unreasonable in the circumstances. The unique circumstances of the case that warrant support of the departure are that the variation enables the development to:

- Adopt an appropriate Urban Form, and Quality Common Open Space: The proposal provides for a variety of building heights and building modulations, with the development distributed across the site to achieve a series of buildings in a landscaped setting that substantially exceeds the required levels of landscaped area, deep soil, and common open space. It also enables the proposal to achieve the required levels of solar access and natural ventilation to dwellings to present a more suitable and site responsive layout of the buildings;

  Response to Topography: It is also noted that the stepped building form is a direct design response to the natural topography of the site. The proposal provides a stepped building form but the need for consistent finishes floor levels dictate the need for a consistent finished floor level to each building- which results in a technical departure to height due to the topography. Compliance with the height control could be achieved by 'sinking' the buildings further into the site which would lead to poor outcomes for residents for the sake of strict compliance.

The above discussion demonstrates that there are sufficient environmental planning grounds to justify the departure from the control.

Clause 4.6(4)

In accordance with the provisions of Clause 4.6(4) Council can be satisfied that this written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3). As addressed the proposed development is in the public interest as it remains consistent with the objectives of the building height control. In addition, the proposal is consistent with the objectives of the R3 zone.

The proposal ensures that the medium density character envisioned for the land parcel is achieved. In addition, the proposal will complement and enhance the local streetscape by virtue of the careful siting of the development and the landscape embellishment works within the front setback areas to the street frontages.

It is understood that the concurrence of the Director-General can be assumed in the current circumstances.

Clause 4.6(5)

As addressed, it is understood the concurrence of the Director-General may be assumed in this circumstance, however the following points are made in relation to this clause:

a) The contravention of the building height control does not raise any matter of significance for State or regional environmental planning given the nature of the development proposal; and

b) There is no public benefit in maintaining the development standard as it relates to the current proposal. The departure from the building height control is acceptable in the circumstances given the underlying objectives are achieved and it will not set an undesirable precent for future development within the locality based on the observed building forms in the locality.

Strict compliance with the prescriptive building height requirement is unreasonable and unnecessary in the context of the proposal and its unique circumstances. The proposed development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts.

The design response aligns with the intent of the control and provides for an appropriate transition to the adjoining properties. The proposal promotes the economic use and development of the land consistent with its zone and purpose. Council is requested to invoke its powers under Clause 4.6 to permit the variation proposed.

The objection is well founded and taking into account the absence of adverse environmental, social or economic impacts, it is requested that Council support the development proposal.