

SYDNEY WESTERN CITY PLANNING PANEL

JRPP No.	2017SSW044 DA
DA Number	2138/2017/DA-SW
Local Government Area	Campbelltown City Council
Proposed Development	Subdivision of land to create 144 residential lots, construction of roads and associated civil and landscape works
Street Address	Lot 11 DP 1176190, Lots 381, 382 & 383 DP 1056580 Dorchester Park, Briar Road, AIRDS Lots 1 & 2 DP 1191996, Briar Road, AIRDS Lots 37, 39 & 40 DP 261258, Waterhouse Place, AIRDS
Applicant/Owner	Applicant: Landcom Owner: Department of Housing
Number of Submissions	Nil
Regional Development Criteria (Schedule 4A of the Act)	Development by the Crown with a capital investment value greater than \$5 million.
List of All Relevant s4.15C(1)(a) Matters	<ul style="list-style-type: none"> • Concept Approval MP 10_0186 Airs Bradbury Urban Renewal • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No. 44 – Koala Habitat • Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment • Campbelltown Local Environmental Plan 2015 • Campbelltown (Sustainable City) Development Control Plan 2015 • Airs Bradbury Development Control Guidelines
Does the DA require Special Infrastructure Contributions conditions (s94EF)?	No – not in a special contributions area
List all documents submitted with this report for the panel's consideration	Attachment 1 – Recommended Conditions of Consent Attachment 2 – Subdivision Plans Attachment 3 – Civil Plans Attachment 4 – Landscape Plans Attachment 5 – Flora and Fauna Impact Assessment Attachment 6 – Detailed Contamination Assessment
Recommendation	Approval subject conditions
Report by	Belinda Borg – Coordinator Urban Release
Report date	14 January 2019

Summary of 4.15 matters

Have all recommendations in relation to relevant 4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarised, in the Executive Summary of the assessment report? **Yes**

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report. **No**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)? **No**

Conditions

Have draft conditions been provided to the applicant for concurrence? **Yes**
Note: In order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comment to be considered as part of the assessment report.

EXECUTIVE SUMMARY

Reason for consideration by Sydney Western City Planning Panel

This Development Application ('the proposal') has been referred to the Planning Panel (PP) as the development has a Capital Investment Value (CIV) of \$9,088,027.96 and is Crown development pursuant to the provisions of Part 4 Division 4.6 Section 4.32 of the *Environmental Planning and Assessment Act 1979* ('the Act').

An assessment of the proposal has been undertaken by Campbelltown City Council in accordance with the provisions of the Act and the matter is now referred to the Panel for determination.

Proposal

The application proposes comprises the subdivision of land to create 144 residential lots and the construction of roads and associated civil and landscape works; being Stage 6 of the Airds Bradbury Urban Renewal Project ('ABURP').

Permissibility

The subject land is zoned R2 Low Density Residential pursuant to Campbelltown Local Environmental Plan 2015 (CLEP 2015). The subdivision of land is permissible with development consent in accordance with the provisions of Clause 2.6 (Subdivision - consent requirements) of CLEP 2015.

Consultation

The proposal was notified and exhibited in accordance with the public consultation requirements of the Campbelltown (Sustainable City) Development Control Plan 2015.

The proposal was also required to be exhibited in accordance with the nominated integrated provisions of the EP&A Act, as a Controlled Activity Approval (CCA) is required to be obtained pursuant to the provisions of the *Water Management Act 2000*.

The proposal was publicly exhibited from 12 September 2017 to 12 October 2017 and no submissions were received.

RECOMMENDATION

It is recommended that 2138/2017/DA-SW be determined by way of approval subject to the conditions outlined in **Attachment 1**.

1.0 APPLICATION OVERVIEW

1.1 Planning Controls

The following planning legislation and policies are applicable to the development:

Concept Approval

- Concept Approval MP 10_0186 Airds Bradbury Urban Renewal ('the Concept Approval')

State Environmental Planning Policies

- State Environmental Planning Policy No. 55 – Remediation of Land ('SEPP 55')
- State Environmental Planning Policy No. 44 – Koala Habitat Protection ('SEPP 44')
- Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment (deemed SEPP) ('REP 2')

Local Environmental Planning Policies

- Campbelltown Local Environmental Plan 2015 ('CLEP 2015')

Development Control Plans

- Campbelltown (Sustainable City) Development Control Plan 2015 ('Sustainable City DCP')

Other Policies/Documents

- Airds Bradbury Development Control Guidelines ('ABDCG')
- Airds Bradbury Renewal Project Voluntary Planning Agreement ('the VPA')
- Airds Bradbury Infrastructure Services Delivery Plan ('ISDP')
- Draft Campbelltown (Sustainable City) Development Control Plan ('Draft Sustainable City DCP')

1.2 Background

The Airds Bradbury Urban Renewal Project (ABURP) comprises the long term urban rejuvenation of the Airds Bradbury public housing estate in the Campbelltown Local Government Area (LGA).

The ABURP is the subject of a Concept Plan approval issued by the Minister for Planning (the Minister) pursuant to Part 3A (transitional arrangements) of the *Environmental Planning and Assessment Act 1979*.

Director General Requirements (DGRS) were issued for the project on 10 December 2010 and Campbelltown City Council was delegated the authority to undertake the environmental assessment of the Concept Plan. The environmental assessment was undertaken between June 2011 and December 2011; culminating in a Council resolution to support the project at the Council meeting of 13 December 2011 and further updated on 3 July 2012.

A Concept Plan approval was subsequently issued by the Minister on 24 August 2012, followed by a Section 75R (3A) Order on 24 May 2013 which amended the zoning of the project land to be consistent with the approved Concept Approval.

The Concept Approval was amended on 22 October 2013 in relation to development contributions, to reference the letter of offer to Council to provide greater certainty regarding the nature of contributions and timing of the delivery of the contributions. The modification also sought to amend the timing for execution of the contributions agreement to Stage 3 of the development.

At the time of the Concept Plan approval, the Airds Bradbury estate comprised approximately 1,542 dwellings, built during the 1970s and early 1980s. Of these, 94% are in public ownership, with only 91 dwellings privately owned.

The ABURP seeks to rejuvenate the locality through a revised street layout, improved parks, public areas, new and upgraded community facilities and importantly, a more diverse socio-economic resident population.

Under the Concept Plan, townhouse areas will be demolished and redeveloped, whilst existing cottages will be selectively upgraded.

In summary, the Concept Plan comprises:

- An increase of approximately 562 dwellings;
- Retention of approximately 880 existing dwellings on separate lots;
- A more diverse social mix with 70% private housing and 30% public housing;
- Formalisation and reinvigoration of the Airds Town Centre;
- New and upgraded urban infrastructure including pathways, lighting, open space, community facilities, drainage and new interconnecting public roads;
- A Staging Plan;
- A utilities and infrastructure Delivery Plan;
- Airds-Bradbury Development Control Guidelines; and
- A street tree and landscaping strategy.

The former Sydney South West Planning Panel (SSWPP) has issued consents for Stages 1 and 2 of the ABURP in November 2013 and April 2014, respectively (Panel Secretariat Ref. 2012SYW089DA and 2014SYW011DA).

Consent has been granted under Council delegation for Stage 3 of the ABURP on 11 December 2017 (DA No. 2678/2016/DA-SW).

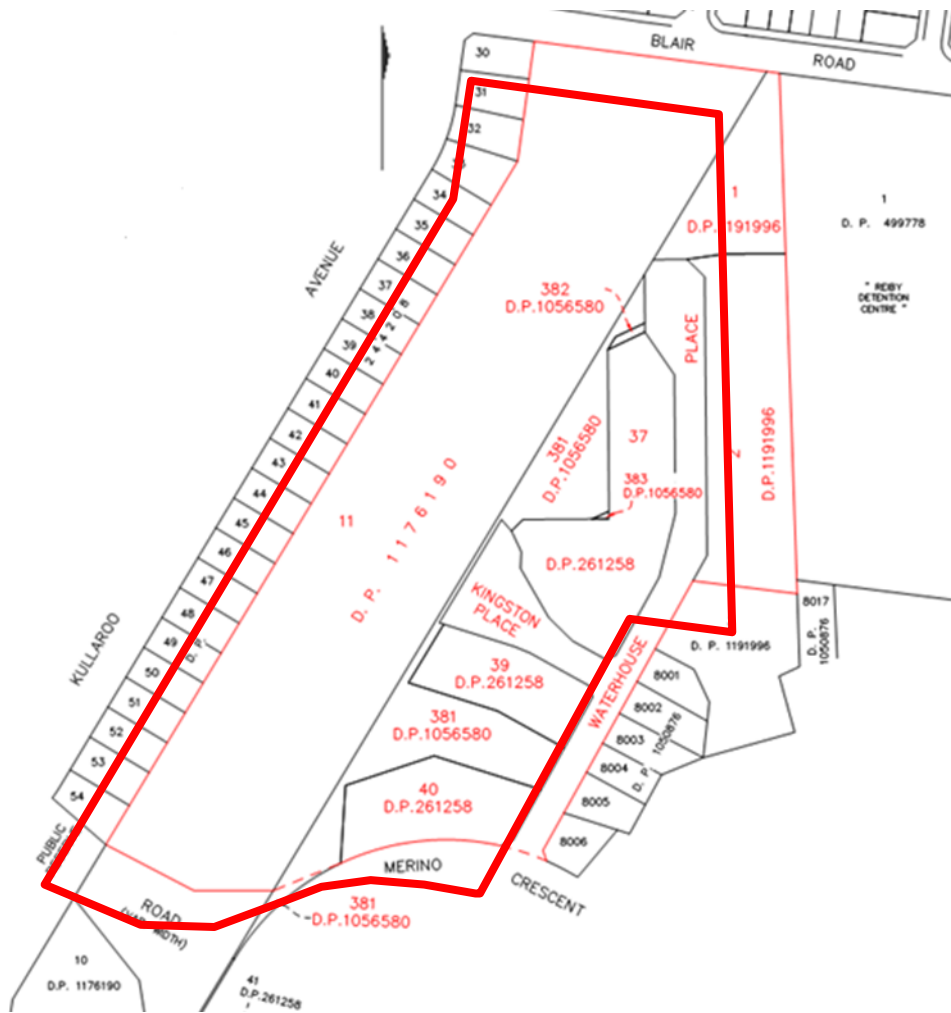
1.3 Site Description

The land the subject of this proposal ('the subject site') comprises the following lots, as illustrated in the following Figures 1 and 2:

Lot & DP	Address	Owner	Description
Lot 11 DP 1176190	Dorchester Park, Briar Road, AIRDS	NSW Land & Housing Corporation	<p>This lot along with Lots 381, 382 and 383 form the existing Dorchester Park. Lot 11 maintains an area of 37,680sqm. The lot is vacant with the exception of grass and scattered vegetation. There is currently a natural depression traversing the site, which is not a mapped watercourse.</p> <p>There are existing 66kV overhead powerlines through the lot which are proposed to be relocated under the central spine road that forms part of this proposal.</p> <p>This lot is operational land which is currently maintained by Campbelltown City Council.</p>
Lot 381 DP 1056580	Dorchester Park, Briar Road, AIRDS	Campbelltown City Council	<p>Part of the existing Dorchester Park and comprises a total area of 6762sqm. The lot is an irregular shaped lot and is characterised by grass and scattered vegetation.</p> <p>The lot is currently classified as community land and is subject to compulsory acquisition.</p>
Lot 382 DP 1056580	Dorchester Park, Briar Road, AIRDS	Department of Housing	<p>Forms part of the existing Dorchester Park and comprises a total area of 70.8sqm.</p> <p>The lot is classified as operational land.</p>
Lot 383 DP 1056580	Dorchester Park, Briar Road, AIRDS	Department of Housing	<p>Forms part of the existing Dorchester Park and comprises a total area of 5.3sqm.</p> <p>The lot is classified as operational land.</p>
Lot 1 DP 1191996	Briar Road, AIRDS	Department of Housing	<p>This lot comprises a triangular shaped allotment with a total area of 3,054sqm. The lot maintains a frontage to Briar Road to the north and Waterhouse Place to the south. The lot shares an interface with the existing Reiby Detention Centre to the east. The lot is predominantly vacant with grass and scattered vegetation.</p>
Lot 2 DP 1191996	Waterhouse Place, AIRDS	Department of Housing	<p>Maintains an interface with the Reiby Detention Centre to the east and Briar Cottage to the south. The lot comprises an area of 6,699sqm and has a frontage to Waterhouse Place to the west.</p> <p>Current improvements on the lot comprise 13 public housing dwellings and scattered vegetation in front and rear setbacks.</p>
Lot 37 DP 261258	Waterhouse Place, ARIDS	Department of Housing	<p>Irregular shaped allotment with a frontage to Waterhouse Place to the east. Current improvements include five semi-detached dwellings and three dwelling houses along with scattered vegetation in the front and rear setbacks.</p>
Lot 39 DP 261258	Waterhouse Place, ARIDS	Department of Housing	<p>Regular shaped allotment maintaining a total area of 2,585sqm. The lot maintains a frontage to Kingston Place to the north and Waterhouse Place to the east. Current improvements on the lot include two semi-detached dwellings and four attached dwellings, with scattered vegetation in the front and rear setbacks.</p>
Lot 40 DP 261258	Waterhouse Place, ARIDS	Department of Housing	<p>Slightly irregular shaped allotment comprising an area of 3,157sqm. The lot maintains a frontage to Merino Crescent to the south. Current improvements on the lot include existing public housing which comprises three semi-detached dwellings and two detached dwellings, with scattered vegetation in the front and rear setbacks.</p>

Table 1 The subject site

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To the south the site adjoins Briar Cottage, a heritage listed item of local significance. The cottage was previously known as Dorchester Farm. A Council run childcare centre currently operates from the cottage. There is also existing residential housing to the south which is to be retained.

The site is bounded by the existing Merino Crescent to the south with existing residential housing on the southern side of Merino Crescent which is also to be retained.



Figure 2 Aerial view of the subject site (Source: AAM Pty Ltd 2018)

1.4 Proposal

Development consent is sought for the construction of subdivision works to create 144 residential lots. The proposal specifically comprises:

Bulk Earthworks

Cut and fill works are required to make the land suitable for residential development. These works are proposed to be undertaken on a stage-by-stage basis.

A total cut volume of 43,200m³ is required, with the need for 25,800m³ of fill material. This will result in a balance of 17,400m³ of excess material. Due to the surplus of cut material, no fill will be required to be imported into the site; with suitable material to be re-used on site and the remainder to be transported off-site.

Construction of Utilities

New and upgraded utilities reticulation is to be provided to service the subdivision development. Sydney Water mains are to be relocated under the proposed central spine road, (Road No. 601) with an application separately submitted to Sydney Water.

In addition, the existing overhead 66kV high voltage powerlines are to be relocated under Road No. 601. An application for these works has been submitted to Endeavour Energy.

Telecommunication, NBN and gas services are also to be provided for each lot.

Construction of Roads

Consent is sought for the construction of roads generally in accordance with the Concept Plan. The proposed road layout has varied from the approved Concept Plan in the following respects:

- The alignment of the central spine road (Road No. 601) has shifted further west from the Concept Plan location, in order to facilitate the alignment of services within the road.
- The laneway identified in the Concept Plan has been removed; as the proposed lots are

greater than 9 metres in width and do not require a laneway. This outcome improves access and safety by increasing the number of east-west aligned roads and enhancing permeability of the development, resulting in an improved access and safety outcome.

Having regard to road widths, the Concept Plan and ISDP nominate a road width of 18.3 metres for the central spine road (Road No. 601), which is defined as a local road. A width of 16 metres is proposed, consistent with the variation to the central spine road approved in Stage 3. It has been demonstrated that the reduced road width is capable of accommodating all required services.

The remainder of the roads (Road Nos. 602, 603, 604 and 605) are defined as minor local roads with a required width of 14.8 metres. A 14.8 metre road width has been provided for these roads, with the exception of Road No. 602, which has provided a 15 metre road width, which is considered acceptable.

Subdivision

The proposal includes the subdivision of land to create 144 residential lots. The lots range in size from 260m² to 686m². Lots less than 300m² are accompanied by building envelope plans to demonstrate that the lots are capable of accommodating a dwelling.

As illustrated in Figure 3, the subdivision incorporates a range of lot sizes and widths which provides for a diverse range of future housing opportunities.

The road hierarchy is generally consistent with the Concept Plan, (Figure 4), with the exception of the removal of the laneway and the introduction of an increased number of east-west road links. The proposed road layout provides enhanced permeability and connectivity through Stage 6 as well as the broader Airds Bradbury project area.

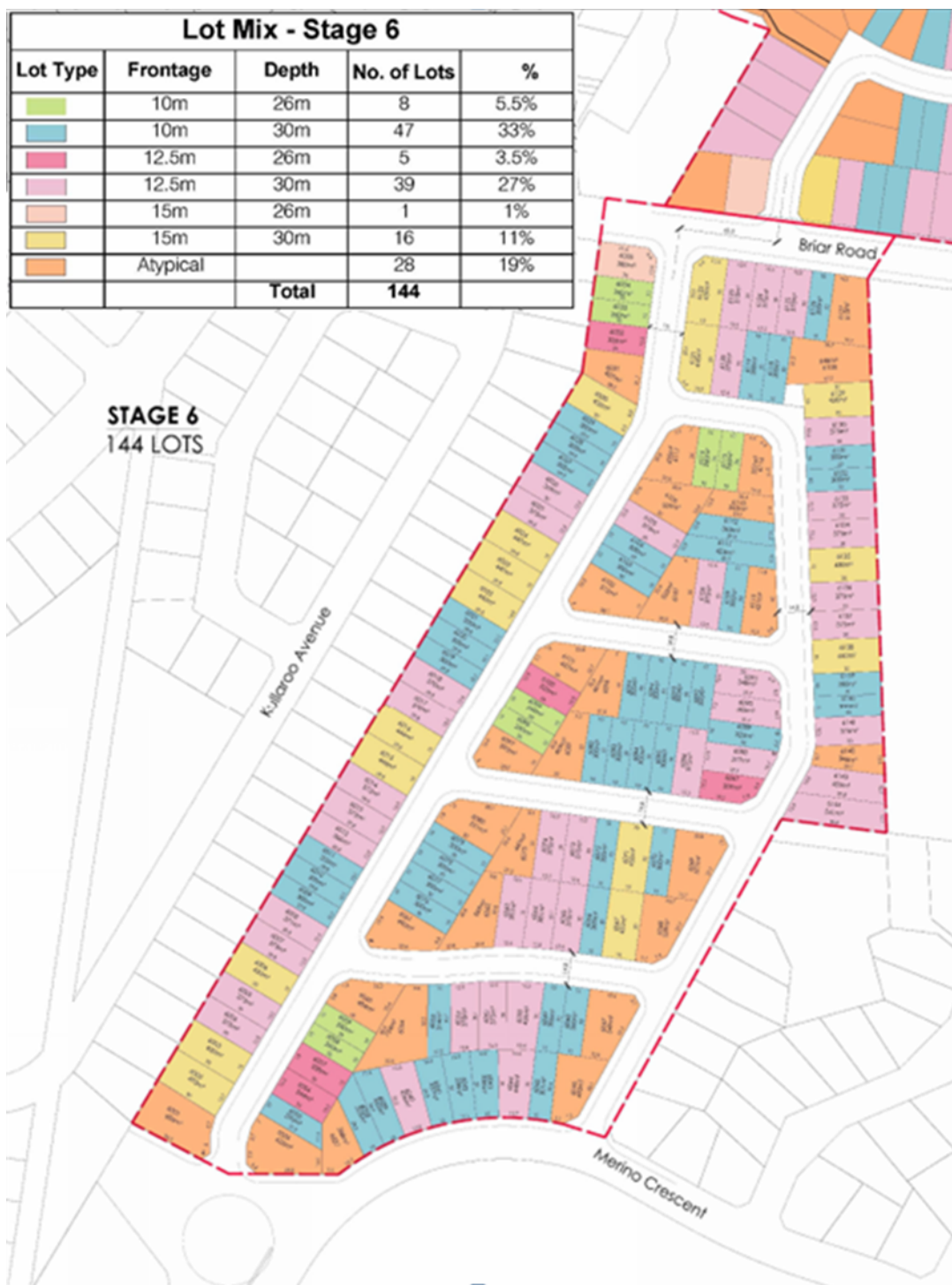


Figure 3 *Proposed Lot Mix (Source: UrbanGrowth NSW)*

It is acknowledged that demolition works required to facilitate the proposal do not form part of this application. Consent for demolition was granted as part of the Concept Approval, subject to the conditions at Schedule 7 of the Concept Approval.



Figure 4 **Approved Concept Plan – Stage 6**

1.5 Consultation

The DA was publicly exhibited and notified in accordance with the provisions of Section 9.4.2.1 (Publicly Notified and Exhibited Development) of the Sustainable City DCP, as the proposal comprises:

- (a)(iii) residential master plans (staged DA) involving more than 100 allotments.*

The public exhibition and notification period ran from 12 September 2017 to 11 October 2017 and no submissions were received.

The proposal does not constitute integrated development as defined under Section 4.47 of the Act and was not required to be referred to any external agencies for general terms of approval.

2.0 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

SECTION 4.15 ASSESSMENT

The following section provides an assessment of the proposed development against the provisions of Section 4.15 (Evaluation) of the Act.

(1) Matters for consideration - general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

<i>(a) the provisions of:</i>	
<i>(i) any environmental planning instrument, and</i>	See section 2.1
<i>(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i>	See section 2.2
<i>(iii) any development control plan, and</i>	See section 2.3
<i>(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and</i>	See section 2.4
<i>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,</i>	See section 2.5
<i>(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),</i>	See section 2.6
<i>that apply to the land to which the development application relates,</i>	
<i>(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i>	See section 2.7
<i>(c) the suitability of the site for the development,</i>	See section 2.8
<i>(d) any submissions made in accordance with this Act or the regulations,</i>	See section 2.9
<i>(e) the public interest.</i>	See section 2.10

Table 2 Section 4.15 Summary

2.1 Section 4.15(1)(a)(i) Any environmental planning instrument

This section provides an assessment of the proposed development against the provisions of the following EPIs:

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 44 – Koala Habitat Protection
- Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment (deemed SEPP)
- Campbelltown Local Environmental Plan 2015
- Concept Approval MP 10_0186 Airds Bradbury Urban Renewal

2.1.1 State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) provides for a statewide planning approach to the remediation of contaminated land.

The following Table provides an assessment of the proposed development against the relevant clauses of SEPP 55.

CLAUSE	PROVISION	RESPONSE	COMPLIES
7 Contamination and remediation to be considered in determining a development application	<p>(1) A consent authority must not consent to the carrying out of any development on land unless:</p> <p>(a) it has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or after remediation) for the purpose for which the development is proposed to be carried out, and</p> <p>(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.</p>	<p>A Detailed Contamination Assessment (DCA) prepared by Geotechnique Pty Ltd (Report No. 13793/5-AA, dated: 28 April 2017) has been undertaken to determine the contamination status of the site and to assess the suitability of the site for the proposed residential (with garden/accessible soil) land use.</p> <p>The DCA concludes that the site can be made suitable for the proposed residential (with garden/accessible soil) land use subject to implementation of recommendations, prior to site preparation and earthworks.</p> <p>As there are existing site features, an additional five (5) sampling points/locations have been identified for testing post demolition and removal of the site features.</p> <p>The assessment of soil in the footprints of site features such as the residential/public housing buildings, sheds/carports, any hardstand and sections of the existing Briar Road and Waterhouse Place, will be required after complete demolition and removal of structures and/or road closure. The purpose of this being to ascertain the presence or otherwise of "suspect materials" and fill.</p> <p>Further, due to the presence of long grass and dense vegetation in some areas of the site, sheet(s)/piece(s), ash materials, staining, etc. could be masked by the long grass and dense vegetation. The long grass and dense vegetation must be slashed to enable detailed site inspection and if required, additional sampling and testing.</p> <p>In the event that any contamination is identified, further assessment, the preparation of a Remedial Action Plan (RAP) and validation, post remediation, is to be undertaken by a suitably qualified environmental consultant.</p> <p>A condition of development consent is recommended to address further detailed investigations and any remediation work required.</p>	Yes
14 Category 2	For the purposes of this Policy, a category 2 remediation work is:	Should a RAP and remediation work be required, it is acknowledged that this would comprise Category 2	

remediation work: work not needing consent	(a) that is not a work of a kind 9 described in clause (a)–(f).	remediation work and separate development consent will not be required.	Noted
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Table 3 SEPP 55 Assessment

2.1.2 State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No 44 – Koala Habitat Protection (SEPP 44) aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline.

As part of the ecological studies undertaken for the Part 3A assessment, it was determined that the ABURP area does not constitute core koala habitat and that a Koala Plan of Management is not required.

The Flora and Fauna Assessment prepared by Cumberland Ecology (Report No. 15074RP5, Version 2, dated: 27/06/17), concluded that the proposal will require the modification and clearing of approximately 0.57 hectares of native vegetation and also large areas of exotic grassland with scattered urban native and exotic trees.

The majority of native vegetation present consists of patches of a low and moderate quality and regenerating form of Cumberland Plain Woodland (CPW), totalling 0.40 ha. CPW is listed as a critically endangered ecological community under the *Threatened Species Conservation Act 1995* (which has been repealed since the lodgement of this DA), but does not meet the minimum condition class required for listing under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The proposed works will not fragment the intact patches of CPW, and long-term viability of the local occurrence of this community is good due to the proposed active management proposed in the onsite conservation area to the north of the subject site. The large CPW patch to be conserved is of high quality and is intact, compared to that of the subject site. For these reasons, a significant impact to CPW is not expected.

Some marginal potential foraging and breeding habitat for threatened fauna species will be removed for the proposed works; however none of the known and potentially occurring threatened fauna species are likely to be dependent on habitat within the subject site for their survival. These are generally highly mobile species, including threatened bats and birds, that access resources from a wider area, in particular the higher value habitat is available in the locality of Georges River Reserve and retained native vegetation adjoining the subject site.

No significant impact is predicted to occur to threatened species, populations or communities as a result of the proposed development. Therefore, the preparation of a Species Impact Statement (SIS) is not warranted. The Project has been referred to the Commonwealth Department of Environment and Energy, under the EPBC Act and no further assessment is required.

A condition of consent has been recommended to ensure that, prior to the commencement of works, Pre-Clearing and Clearing Surveys are to be undertaken in accordance with the recommendations of the Flora and Fauna Assessment as well as the following matters raised by Council's environment officer:

- Include within the pre-clearance survey the requirement to include searching, removal and translocation of any Cumberland Plain Land Snail located on the site.
- Include a Nest-box Management Strategy that includes the installation of 4 nest boxes suitable for target fauna species and details on nest-box designs, site suitability (within the development footprint and in proximity to the trees being removed), installation protocols, nest-box monitoring /maintenance commitments and the requirement for nest-box installation prior to clearing.

2.1.3 Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment (deemed SEPP)

The Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment (REP 2) provides planning controls to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment.

The Planning Principles at Part 2 of the REP apply when a consent authority determines a development application. The specific planning principle applicable to the proposal is:

(9) Urban/stormwater runoff

The impacts of stormwater runoff, including sewage contaminated runoff into or near streams within the Catchment, is to be minimised and mitigation measures that address urban stormwater runoff are to be implemented in accordance with the local council requirements and the Managing Urban Stormwater series of documents. Development is also to be in accordance with the NSW State Rivers and Estuaries Policy available from offices of the Department of Urban Affairs and Planning. Stormwater management must be integrated so that quality, quantity and land use aspects are all encompassed.

The impacts of stormwater generated by the proposal have been assessed and are deemed acceptable. Conditions of consent have been recommended to ensure that stormwater quantity and quality is effectively managed so as not to result in any adverse impacts to the Catchment.

Part 3 identifies Planning Requirements to be considered as part of the assessment of development applications. The proposal is considered to be consistent with the provisions of Part 3.

2.1.4 Campbelltown Local Environmental Plan 2015

The proposed development has been assessed having regard to the provisions of Campbelltown Local Environmental Plan 2015. (CLEP)

The relevant Clauses of the CLEP 2015 are discussed in Table 4 below.

CLAUSE	PROVISION	RESPONSE	COMPLIES
2.1 Land use zones & 2.2 Zoning of land to which Plan applies	For the purposes of this Plan, land is within the zones shown on the Land Zoning Map.	The subject site is zoned R2 Low Density Residential. The subdivision of land is permissible within the R2 zone with Council consent.	Yes
2.3 Zone Objectives	The objectives of the R2 Low Density Residential Zone are: <ul style="list-style-type: none"> 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 enable development for purposes other than residential only if that development is compatible with the character of the living area and is of a domestic scale. To minimise overshadowing and ensure a desired level of solar access to all properties. To facilitate diverse and sustainable means of access and movement. 	The subdivision of land will provide a mix of lot sizes that will enable the construction of a diverse range of housing within the Airds community. The proposed development will also facilitate the revitalisation of the Airds/ Bradbury locality in accordance with the Concept Plan Approval. The objectives of the zone are considered to be met.	Yes
2.6 Subdivision – consent requirements	(1) Land to which this Plan applies may be subdivided, but only with development consent.	Development consent is sought for the subdivision of the subject site.	Yes
4.1 Minimum subdivision lot size	(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.	A minimum lot size of 500sqm is applicable to the subject site. The proposal includes lots that are less than 500sqm. In accordance with the provisions of the Act, the Concept Approval takes precedent over the provisions of an LEP. The proposed minimum allotment size is inconsistent with the minimum allotment size specified by CLEP 2015. However, the proposed allotment sizes are consistent with the minimum allotment sizes in the Concept Approval. Clause 3B(2)(f) of Schedule 2 of the Environmental Planning and	Yes

		<p>Assessment (Savings, Transitional and Other Provisions) Regulation 2017 states that the provisions of any environmental planning instrument do not have effect to the extent to which they are inconsistent with the terms of the Concept Plan. Therefore, the minimum lot size guidelines within the Concept Plan prevail to the extent of any inconsistency with the CLEP.</p> <p>The Airds Bradbury Design Guidelines, which form part of the Concept Approval, provide that all allotments intended for residential housing shall have a minimum site area of 200 square metres.</p> <p>All of the proposed lots are greater than 200m² in area.</p>					
<p>4.1A Maximum dwelling density in certain residential areas</p>	<p>(3) Despite clauses 4.1, 4.1AA, 4.1B and 4.1C, the total number of dwellings that may be created by the development of land specified in Column 1 of the table to this clause must not exceed the number specified in Column 2 of the table.</p> <table> <tr> <td><i>Column 1</i></td> <td><i>Column 2</i></td> </tr> <tr> <td>"Area 1" on the Restricted Dwelling Yield Map, being land at Airds-Bradbury</td> <td>2104</td> </tr> </table>	<i>Column 1</i>	<i>Column 2</i>	"Area 1" on the Restricted Dwelling Yield Map, being land at Airds-Bradbury	2104	<p>Stage 6 provides for 144 residential lots, this is consistent with the maximum projected dwelling yield of 2104 for the Airds-Bradbury land.</p>	<p>Yes</p>
<i>Column 1</i>	<i>Column 2</i>						
"Area 1" on the Restricted Dwelling Yield Map, being land at Airds-Bradbury	2104						
<p>5.2 Classification and reclassification of public land</p>	<p>(1) The objective of this clause is to enable the Council to classify or reclassify public land as "operational land" or "community land" in accordance with Part 2 of Chapter 6 of the <i>Local Government Act 1993</i>.</p>	<p>Lot 381 DP 1056580 is currently owned by Campbelltown City Council and is classified as Community Land.</p> <p>A condition of consent has been recommended requiring this lot to be compulsorily acquired in accordance with the provisions of the executed VPA and ISDP, prior to the commencement of works.</p> <p>This approach is consistent with previous stages and upon acquisition would extinguish its classification.</p>	<p>Yes</p>				
<p>7.1 Earthworks</p>	<p>(2) Development consent is required for earthworks.</p> <p>(3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the</p>	<p>Development consent has been sought as part of this DA for cut and fill works across the site to facilitate the proposed residential development. The impacts of these earthworks have been assessed by Council. Conditions of consent have been recommended to manage impacts of the earthworks during the construction and operational phase of the development.</p>	<p>Yes</p>				

	<p>development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p>		
7.4 Salinity	<p>(3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider the following:</p> <p>(a) whether the development is likely to have any adverse impact on salinity processes on the land,</p> <p>(b) whether salinity is likely to have an impact on the development,</p> <p>(c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	<p>A Geotechnical Investigation was undertaken by Geotechnique Pty Ltd (Project No 50392, dated: 1 May 2017) which having regard to salinity relevantly concluded that the soils across the site are non-saline soils up to depths of about 1.0m from existing ground surface. However, localised saline soils are likely to be encountered at depths exceeding 1.0m. It is recommended that the works be undertaken in accordance with a Saline Soil Management Plan to minimise the likely environmental, economic and social impacts due to saline soils.</p> <p>Conditions of consent have been recommended to mitigate salinity impacts during the construction phase.</p>	Yes
7.10 Essential services	<p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage,</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable road and vehicular access,</p> <p>(f) telecommunication</p>	<p>It has been demonstrated that the proposal is capable of being serviced by necessary infrastructure, with proposed Road No. 601 to accommodate the placement of reticulation services, including water, electrical, gas, NBN and Telstra.</p> <p>Conditions of consent have been recommended to ensure that these services are provided prior to the issue of a Subdivision Certificate.</p>	Yes

	services, (g) the supply of natural gas.		
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Table 4 **CLEP 2015 Assessment**

2.1.5 Concept Approval MP 10_0186 Airds Bradbury Urban Renewal

Concept Approval MP 10_0186 Airds Bradbury Urban Renewal (the Concept Approval) was issued by the Minister on 24 August 2012, with approval granted for the following as identified in Schedule 1:

- A Masterplan for the long term urban rejuvenation of the Airds Bradbury estate involving:
 - The increase in dwellings from 1542 to approximately 2104 dwellings;
 - Retention of approximately 880 existing dwellings on separate lots;
 - An increased social mix within the estate of 70% private and 30% public housing;
 - Formalisation and reinvigoration of the Airds town centre; and
 - New or upgraded urban infrastructure such as pathways, lighting, open space, community facilities, drainage and a series of new interconnecting public roads.
- Staging plan
- Utilities and infrastructure delivery plan
- Airds-Bradbury Development Control Guidelines
- Street layout and building typologies
- Street tree and landscaping strategy.

The Concept Approval was amended on the 22 October 2013 (MP 10_0186 MOD 1 - Airds Bradbury Urban Renewal) in relation to development contributions, to reference the letter of offer to Council to provide greater certainty regarding the nature of contributions and timing of the delivery of the contributions. The modification also sought to amend the timing for execution of the contributions agreement to Stage 3 of the development.

In accordance with the modification, the Airds Bradbury Renewal Project Planning Agreement between Campbelltown City Council and New South Wales Land and Housing Corporation, was executed on 19 November 2014.

The following Table 5 provides an assessment of the relevant provisions Schedule 3 (Part B – Modifications to the Concept Plan) of the Concept Approval.

REQUIREMENT	PROVISION	RESPONSE	COMPLIES
Building setbacks	1. The proposed Masterplan shall be amended to reflect the provision of a 6m rear building setback to properties that adjoin the Reiby Juvenile Justice Centre. The Airds Bradbury Urban Renewal Development Control Guidelines and approved Concept Plan for Airds Bradbury shall be amended to reflect this amendment and submitted to Council prior to any future application.	A condition of consent has been recommended to require a 6 metre rear building setback restriction be placed on the lots that adjoin the Reiby Juvenile Justice Centre.	Yes

Table 5 **Concept Approval Schedule 3 Assessment**

The following Table 6 provides an assessment of the proposal against the provisions Schedule 4 (Further Environmental Assessment Requirements for Applications under Part 4) of the Concept Approval.

CLAUSE	PROVISION	RESPONSE	COMPLIES
General Requirements	1. The proponent shall ensure that any future applications shall include: a. A detailed description of the layout and design of the proposed development, and b. A demonstration that the project is consistent with the requirements of this approval.	The DA includes a detailed description of the proposed development and demonstrates consistency with the requirements of the Concept Approval.	Yes
Built form and urban design	2. Each subsequent subdivision application is to demonstrate consistency with the Airds Bradbury Urban Renewal Development Control Guidelines.	The proposal has demonstrated consistency with the provisions of the Airds Bradbury Urban Renewal Development Control Guidelines.	Yes
Development contributions	4. Prior to any subsequent subdivision applications being determined a voluntary planning agreement (VPA) for payment of local infrastructure contributions, with the details of the contributions, and the nature of any land dedications or works in kind is to be negotiated and executed with Council. Each subsequent subdivision application must be consistent with the VPA and identify any relevant contributions or works in kind required to be delivered for that stage.	<p>The Airds Bradbury Renewal Project Planning Agreement between Campbelltown City Council and New South Wales Land and Housing Corporation, was executed on 19 November 2014.</p> <p>A condition of consent has been recommended requiring compliance with the provisions of the executed VPA.</p> <p>The works the subject of this application trigger items 5 (Collector roads) and 8 (Trunk stormwater pipes and pits) of the VPA; these works are triggered by the development stage.</p> <p>The VPA also includes works that are triggered by the release of Final Lots; this application does achieve a lot count that triggers any of those works.</p>	Yes
Biodiversity Offset Package	<p>7. Prior to the determination of any future application for development under the concept plan, the applicant must satisfy the Council that the biodiversity offset package has been approved by the Director-General.</p> <p>8. Prior to the determination of any future application which requires the removal of any Cumberland Plain Woodland or Shale Sandstone Transitional Forest, the proponent shall demonstrate to the satisfaction of Council that the measures in the biodiversity offset package have been secured via an agreed legal mechanism.</p>	<p>The Director-General of the Department of Planning and Infrastructure issued approval for the Biodiversity Offset package on 2 July 2013.</p> <p>Stage 6 includes the removal of Cumberland Plain Woodland. There is no regeneration works located in Stage 6.</p> <p>A Deed of Agreement is the legal mechanism to secure the outcomes of the biodiversity offset package. The Deed of Agreement has formed part of previous DAs which have triggered regeneration works, namely the Stage 1 DA on which a condition of consent was imposed requiring the Deeds of Agreement to be finalised prior to the issue of any Construction Certificate for the Stage 1 land.</p>	Yes

Site filling and disposal	12. Any future applications are to provide details of the nature and extent of any cut and fill that is required to be undertaken. Compliance with the relevant council's requirements (as relevant to cut and fill) should also be demonstrated.	<p>Cut and fill works are required to facilitate the proposed subdivision development, the extent of these works have been delineated on the Preliminary Cut-Fill Soil and Water Management Plan submitted with the application. This plan identifies the following earthwork volumes:</p> <p>Cut 40,600 m³ Fill 25,000m³</p> <p>This would result in a total excess in the order of 17,400m³ of material.</p> <p>Conditions of consent have been recommended to manage these earthworks during the construction phase of the development, having regard to vehicle movements and access to the site.</p>	Yes
Utilities	13. The provision of utilities and services are to be carried out generally in accordance with the Infrastructure Servicing Report prepared by Mott McDonald (dated March 2010). Each future application for residential subdivision and commercial/retail development shall demonstrate consistency with the Infrastructure Servicing Report.	<p>It has been demonstrated that the proposal is capable of being serviced by necessary infrastructure, with proposed Road No. 601 to accommodate the placement of reticulation services, including water, electrical, gas, NBN and Telstra.</p> <p>Conditions of consent have been recommended to ensure that these services are provided prior to the issue of a Subdivision Certificate.</p>	Yes
Contamination	14. Prior to any future application for subdivision and if required by the Phase 1 Contamination Assessment approved with the concept plan, a detailed Phase 2 contamination assessment must be carried out in accordance with the requirements of State Environmental Planning Policy No 55 – Remediation of Land.	<p>As has previously been discussed in Section 2.1.1, a Detailed Contamination Assessment (DCA) prepared by Geotechnique Pty Ltd (Report No. 13793/5-AA, dated: 28 April 2017) has undertaken an assessment to determine the contamination status of the site and to assess the suitability of the site for the proposed residential (with garden/accessible soil) land use.</p> <p>In accordance with the findings of this assessment, conditions of consent have been recommended to ensure that the land is made suitable for the proposed residential use.</p>	Yes
Flooding	15. Any future applications for subdivision are to demonstrate compliance with the flood management measures outlined in the Part 3A Concept Plan, Water Cycle Management Study and Flooding Analysis prepared by Storm Consulting, March 2010. Compliance with	<p>The proposal has been assessed against the provisions of the flood management measures outlined in the Concept Approval and Council's requirements.</p> <p>Conditions of consent have been recommended to ensure that the flood management measures are implemented.</p>	Yes

	Campbelltown City Council requirements (as relevant to flooding) should also be demonstrated.		
Water quality and riparian corridors	16. Any future applications for subdivision are to provide details on the proposed water sensitive urban design infrastructure, to the satisfaction of the consent authority.	The proposal has been assessed having regard to the principles of water sensitive urban design and is considered satisfactory.	Yes
Future Development	<p>18. Any future applications for residential subdivision and dwellings (that are not defined as exempt or complying development) within the site shall:</p> <p>a) include an assessment of construction impacts, including noise, traffic, soil and erosion (including acid sulphate soils where relevant), waste and dust, and identify the mitigation and management measures that would be implemented to address these impacts;</p> <p>b) demonstrate compliance with the Water Sensitive Urban Design principles established in the concept plan;</p> <p>c) where applicable, demonstrate compliance with the commitments and management procedures detailed in the Vegetation Management Plan, including the strategy for the retention of trees on site;</p> <p>g) provide subdivision plans in accordance with Council's requirements and illustrate the following:</p> <p>i) dimensions of the proposed allotments</p> <p>ii) location of all structures proposed and retained on the site</p> <p>iii) access points</p> <p>iv) a detailed survey showing existing and proposed levels and quantities of fill, and</p> <p>v) any easements, rights of way, covenants or other restrictions either existing or required as part of the development.</p>	<p>Conditions of consent have been recommended to ensure that the construction phase of the development will not result in adverse environmental impacts, including dust and noise generation, as well as erosion and sediment control and waste management.</p> <p>The proposal is consistent with the principles of Water Sensitive Urban Design identified in the Concept Plan.</p> <p>The subject site is not subject to any Vegetation Management Plan works.</p> <p>The subdivision plans are consistent with these requirements.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

Table 6 Concept Approval Schedule 4 Assessment

Table 7 below provides an assessment of the proposal against the provisions Schedule 5 (Statement of Commitments) of the Concept Approval.

5.1 Statement of Commitments

SECTION	PROVISION	RESPONSE	COMPLIES
5.1.2 General	A. The development will be undertaken generally in	The proposal is generally consistent with the provisions of	

	accordance with the Environmental Assessment Report dated March 2011 prepared by BBC Consulting Planners (including accompanying Appendices) and the Final Response to Submissions and Preferred Project Report prepared by BBC Consulting Planners dated May 2012.	these approval documents.	Yes
	E. The proponent will enter into a planning agreement with Council to provide roads, social and community infrastructure, drainage and facilities and amenities generally as indicated in the Environmental Assessment Report.	<p>The Airds Bradbury Renewal Project Planning Agreement was executed between Campbelltown City Council and New South Wales Land and Housing Corporation on 19 November 2014.</p> <p>The works the subject of this application trigger items 5 (Collector roads) and 8 (Trunk stormwater pipes and pits) of the VPA – works are triggered by the development stage.</p>	Yes
5.1.3 During Demolition	A. Demolition will be undertaken in accordance with the requirements of Australian Standard AS2601-2001: The Demolition of Structures which is incorporated into the Occupational Health and Safety Act 2000 administered by WorkCover NSW.	<p>The demolition works required to facilitate the proposed subdivision do not form part of this application.</p> <p>Consent for the demolition works has been granted as part of the Concept Approval, with the conditions of consent detailed at Schedule 7.</p>	Yes

<p>5.1.5 Access and Movement</p>	<p>A. Roads will be constructed on accordance with the objectives principles and design criteria contained in Appendix 12 of the Environmental Assessment Report as amended by the drawings contained in Appendix 9 of the Final Response to Submissions and Preferred Project Report dated May 2012.</p>	<p>Whilst the proposed road layout is generally consistent with the approved Concept Plan, the proposed layout has varied from the approved Concept Plan in the following respects:</p> <ul style="list-style-type: none"> • The alignment of the central spine road (proposed Road No. 601) has shifted further west from the Concept Plan location, in order to facilitate the alignment of services within the road. • The laneway identified in the Concept Plan has been removed; all of the proposed lots are greater than 9 metres in width and the laneway is not required. The removal of the laneway and increase in the number of east-west aligned roads has increased the permeability of the development and results in an improved access and safety outcome. <p>Having regard to road widths, the Concept Plan and ISDP nominate a road width of 18.3 metres for the central spine road (Road No. 601), which is defined as a local road. A width of 16 metres has been proposed, this variation is consistent with the variation to the central spine road within the approved Stage 3 area. It has been demonstrated that the reduced road width is capable of accommodating all required services.</p> <p>The remainder of the roads (Road Nos. 602, 603, 604 and 605) are defined as minor local roads with a required width of 14.8 metres. A 14.8 metre road width has been provided for these roads, with the exception of Road No. 602, which has provided a 15 metre road width.</p> <p>The proposed roads maintain consistency with the design criteria contained in Appendix 12 of the Environmental Assessment Report.</p>	<p>Yes</p>
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5.1.6 Urban Design	A. Development will take place generally in accordance with Development Control Guidelines contained in Appendix 4 of the Final Response to Submissions Report dated May 2012.	The proposal has been assessed against the provisions of the Development Control Guidelines, this assessment is provided at Section 2.3.1 of this report.	Yes
5.1.7 Water Cycle Management	A. Stormwater management works will be undertaken in accordance with the Water Cycle Management Plan contained in Appendix 8 of the Environmental Assessment Report.	As part of the Stage 3 development consent, a condition was imposed which required additional stormwater studies to be undertaken. These studies have been completed and have resulted in flow on implications for the Stage 6 development. These have been considered as part of this assessment and conditions of consent have been recommended to ensure consistency with the approved Stage 3 development to the north of the subject site, having regard to stormwater management.	Yes
	B. Any existing stormwater infrastructure to be retained shall be designed and modified in accordance with the guidelines on the major and minor stormwater system in Australian Rainfall and Runoff, Water Cycle Management Plan in Appendix 8 of the Environmental Assessment Report and Australian Standards.	Conditions of consent have been recommended to ensure that any existing stormwater infrastructure to be retained is designed and modified in accordance with the relevant guidelines.	Yes
5.1.8 Biodiversity and Vegetation	A. The proponent will prepare and implement a Bushland Management Plan and Biodiversity Offset Package for the site.	The Bushland Management Plan and Biodiversity Offset Package for the ABURP have both been implemented as part of previous stages. Stage 6 does not involve any bushland retention or regeneration works, the subject of the BMP or BOP.	N/A
	B. The proponent will undertake a survey of all trees and other site features prior to the commencement of construction of any stage of the project and will seek to retain as many trees as possible for incorporation into the new urban form.	Conditions of consent have been recommended to ensure that pre-clearance and clearance surveys are undertaken for the site.	Yes
	C. The proponent will provide landscaping to all streets and parks as outlined in the Environmental Assessment Report.	A landscape concept plan has been provided which demonstrates that street tree planting is to be provided.	Yes
5.1.9 Aboriginal Culture	A. The proponent will implement the recommendations on page 46 of the Assessment of Aboriginal Heritage Impact in Appendix 7 of the EA.	The subject site comprises an area of low sensitivity as per the Assessment of Aboriginal Heritage Impact (AAHI) and the recommendations of the AAHI are not applicable to the subject site.	N/A

5.1.11 Construction Management	A. Prior to commencing construction, a Construction Environmental Management Plan will be prepared.	Whilst a Construction Environmental Management Plan is not considered necessary, given the scope and scale of the proposed works, conditions of consent have been recommended to ensure that the environmental impacts during the construction phase are managed and mitigated.	Yes
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Table 7 Concept Approval Schedule 5 Assessment

2.3 Section 4.15(1)(a)(iii) Any Development Control Plan

2.3.1 Draft Campbelltown (Sustainable City) Development Control Plan 2015

Council, at its meeting on 12 December 2017, resolved to exhibit the Draft Amendment No 5 to the Campbelltown (Sustainable City) Development Control Plan 2015 (the Draft Amendment No 5).

The Draft Amendment No 5 included the introduction of a site specific development control plan for the urban renewal areas of Airds/Bradbury and Claymore under Volume 2 (Site Specific Development Control Plans).

The draft Amendment No 5 was publicly exhibited from Wednesday 17 January 2018 to Friday 16 February 2018.

The subject DA was lodged with Council on 7 July 2017; prior to the exhibition of the Draft Sustainable City DCP. Notwithstanding, as the draft controls were informed by the Concept Approval, the proposal is generally consistent with the provisions of the Draft Sustainable City DCP.

Amendment No 5 was adopted by Council on 10 April 2018 and came into effect on 25 April 2018.

2.3.2 Airds Bradbury Development Control Guidelines

The Airds Bradbury Development Control Guidelines (ABDCG) have been prepared to guide the design of subdivision and the construction of housing in the ABURP area.

The ABDCGs form part of the Concept Plan approval for the renewal project. Development for the purpose of subdivision of land and the construction of dwellings are to occur generally in accordance with these guidelines and with the terms of approval of the Concept Plan (MP101_0186).

An assessment of the proposed subdivision layout and design is provided in accordance with Part 2 Subdivision Guidelines.

2. SUBDIVISION GUIDELINES

CONTROL	PROVISION	RESPONSE	COMPLIES
2.3 Development Guidelines Allotment Size and Design	1. Design of residential allotments shall have regard for the impact of orientation, slope, and aspect to facilitate solar access to future dwelling development.	The proposed lots have been designed and oriented to have regard to solar access and the design requirements, including setbacks and private open space of future dwellings.	Yes
	2. All proposed allotments shall have a street frontage.	All of the proposed lots maintain a street frontage.	Yes
	3. Battle axe lots shall only be permitted where a street frontage can not otherwise be provided because of existing conditions.	No battleaxe lots proposed.	N/A
	4. All allotments intended for	The proposed lots range in size	

	residential housing will have a minimum site area of 200 square metres with a minimum width measured at the building line of 6 metres.	from 260sqm to 686sqm and range in width from 10 metres to 15 metres.	Yes
	5. Any allotment with a width to the street frontage of less than 9 metres is to have the garage located to the rear of the property accessed from a rear lane or accessway.	All of the proposed lots maintain a width in excess of 9 metres; no lane or accessways are required.	Yes
	6. Allotments are to have a minimum depth of 25.8 metres.	A minimum lot depth of 26 metres is provided.	Yes

Table 8 ABDCG Assessment

An assessment of the proposed building envelope plans for allotments less than 300sqm is provided in accordance with Part 3 Dwelling Controls:

3. DWELLING CONTROLS

CONTROL	PROVISION	RESPONSE	COMPLIES
3.1 Dwelling Guidelines	Maximum Site Coverage 65%	Building envelope plans submitted demonstrate that future development on lots <300sqm could comply with this requirement.	Yes
	Primary Street Setback 3 metres	3m proposed.	Yes
	Secondary Street Setback 1 metre	N/A. None of the lots that are less than 300sqm have access to a secondary street.	N/A
	Rear boundary setback 1 metre for rear garage or 3 metre where no garage	3m proposed. 6m to Reiby JJ Centre	Yes
	Side Setbacks Lot width 6 – 8 metres: 0 Lot width 8 – 10 metres: one side zero and 0.9 metre the other	Proposed building envelopes comply with this requirement.	Yes
	Built to Boundary (zero lot line walls) Lot width 6 – 8 metres: both sides Lot width 8 – 10 metres: one side and 0.9 metre the other	Building envelope plans submitted demonstrate that future development on lots <300sqm could comply with this requirement.	Yes
	Maximum length of zero lot line walls 66% of the total depth	Building envelope plans submitted demonstrate that future development on lots <300sqm could comply with this requirement.	Yes
	Garage setbacks 1 metre for rear access garage or 5.5 metres to primary street	Rear accessed garages not proposed.	N/A
	Garage dominance Rear access garage (6 metre max door width) or single garage only to primary street	Rear access garages not proposed.	Yes
	Principal private open space area (directly accessible to living room) 16sqm (provision of 4m x 4m square)	Building envelope plans submitted demonstrate that future development on lots <300sqm could comply with this requirement.	Yes
	Maximum building height 9.5 metres	Building envelope plans submitted demonstrate that future	Yes

CONTROL	PROVISION	RESPONSE	COMPLIES
		development on lots <300sqm could comply with this requirement.	
	Maximum floor area for detached studio on laneway 45sqm (not to be separately titled)	No laneways proposed.	N/A

Table 9 ABDCG Assessment

2.4 Section 4.15(1)(a)(iia) Any Planning Agreement

Section 4.15(1)(a)(iia) states ‘any planning agreement that has been entered into under section 7.4 or any draft planning agreement that a developer has offered to enter into under section 7.4.’

The provision and timing of infrastructure within the ABURP area is detailed in the Airds Bradbury Renewal Project Planning Agreement (the VPA) between Campbelltown City Council and New South Wales Land and Housing Corporation, as executed on 19 November 2014.

A condition of consent has been recommended to ensure that the provisions of the VPA, as they relate to Stage 6, are undertaken by the applicant; to facilitate the timely delivery of infrastructure, in accordance with the VPA.

The works the subject of this application trigger items 5 (Collector roads) and 8 (Trunk stormwater pipes and pits) of the VPA – works are triggered by the development stage, i.e Development Area 6. Consent has been sought for these works as part of this application.

The VPA also includes works that are triggered by the release of Final Lots; this application does achieve a lot count that triggers any of those works.

2.5 Section 4.15(1)(a)(iv) The Regulations

Section 4.15(1)(a)(iv) states that ‘the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates.’

There are no regulations applicable to the subject site to which the DA relates.

2.6 Section 4.15(1)(a)(v)

Section 4.15(1)(a)(v) states that ‘any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)’

The subject site is not subject to any coastal zone management plan.

2.7 Section 4.15(1)(b) The likely impacts of the Development

Section 4.15(b) states ‘The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality’

Having regard to the built environment, the proposal provides a subdivision pattern and road layout which is generally consistent with the Concept Approval. The amendments to the approved road layout provide enhanced connectivity and permeability. The proposed landscaping further enhances the aesthetic appeal of the development, with the planting of street trees.

The subdivision lot mix provides a range of lot sizes and widths that are capable of accommodating a range of future residential accommodation options.

The site is not bushfire prone land.

The proposal would provide housing to meet the current demand for affordable housing in south-west Sydney, whilst also generating short-term positive economic impacts through the generation of employment through the construction phase of the development.

The contribution of the proposal to the rejuvenation of the ABURP area facilitates a change in the socio-economic structure of the area; which has historically been associated with low incomes and poor social outcomes.

2.8 Section 4.15(1)(c) The suitability of the site for the Development

The site is zoned to facilitate the proposed residential subdivision development. The proposal is generally consistent with the Concept Approval and the site is therefore considered suitable for the development.

2.9 Section 4.15(1)(d) Any submissions made in accordance with this Act or the Regulations

No public submissions were received as part of the exhibition and notification period.

2.10 Section 4.15(e) The Public Interest

The proposal is contributing to the rejuvenation of the Airds Bradbury area; an area that has historically been characterised by a high concentration of public housing designed around the unsuccessful 'Radburn' design. These factors have contributed to the Airds Bradbury area being associated with a high proportion of social and economic disadvantage.

The proposal contributes to the rejuvenation of the Airds Bradbury area and the provision of affordable housing to meet the demand for housing supply in south-west Sydney and is therefore considered to be in the public interest.

3.0 CONCLUSION

The Airds Bradbury Renewal Project Stage 6 residential subdivision proposal is considered to be generally consistent with the provisions of the Concept Approval, relevant EPIs and policies.

The environmental, built environment, economic and social impacts of the proposal on the Airds Bradbury Renewal Project area, as well as the broader locality have been considered as part of this assessment and are deemed acceptable.

The proposal been referred to the PP as the development maintains a CIV of \$9,088,027.96 and is Crown development pursuant to the provisions of Part 4 Division 4.6 Section 4.32 of the Act.

An assessment of the proposal has been undertaken by Campbelltown City Council in accordance with the provisions of the Act and the matter is now referred to the Panel for determination.

4.0 RECOMMENDATION

It is recommended that the PP determine 2138/20174/DA-SW pursuant to Section 4.16(1)(a) of the *Environmental Planning & Assessment Act 1979* by way of a consent subject to the conditions provided at **Attachment 1**.

5.0 ATTACHMENTS

- Attachment 1 – Recommended Conditions of Consent
- Attachment 2 – Subdivision Plans
- Attachment 3 – Civil Plans
- Attachment 4 – Landscape Plans
- Attachment 5 – Flora and Fauna Impact Assessment
- Attachment 6 – Detailed Contamination Assessment

