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PROPERTY DEVELOPMENT SERVICES

Address: Bringelly Road, Leppington
Proposal: Residential Flat Development
DECEMBER 2018

STATEMENT OF ENVIRONMENTAL EFFECTS

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BRINGELLY ROAD, LEPPINGTON

PREPARED FOR AEROTROPOLIS GROUP

DECEMBER 2018

PROJECT INFORMATION

In Brief:	This Statement of Environmental Effects accompanies a development application lodged with consent of the registered property owners. The proposal is for integrated development as approval will need to be obtained from other public authorities before consent can be granted pursuant to Section 4.46 of the Environmental Planning and Assessment Act 1979. The application seeks approval for demolition of the existing dwellings and outbuildings, clearing of trees, subdivision of land to create roads and public open space which are to be dedicated to Council, and construction of 4 x 7 storey residential flat buildings comprising 254 units over 2 levels of basement car parking.
Site:	Lots 14 & 15 DP 120403 Nos. 183 – 185 Bringelly Road LEPPINGTON NSW 2179
Developer:	AEROTROPOLIS GROUP 250 Byron Road LEPPINGTON NSW 2179
Architect:	tony owen ptnrs Level 2, Queen Street CHIPPENDALE NSW 2008

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1 THE SITE & CONTEXT

The subject site is identified as Lots 14 & 15 DP 120403, Nos. 183 – 185 Bringelly Road, Leppington. The site is irregular in shape, has a frontage of 55.4 metres to Bringelly Road, a depth ranging between 312.5 metres and 322.7 metres, and an area of 1.763 hectares (see Survey Plan at **Attachment 1**). The site has a fall of 2.3 metres from Bringelly Road to its southern extremity. The consolidated site is occupied by two single storey detached dwellings, greyhound kennels, livestock enclosures, ancillary outbuildings and several established trees, and is bound by Bringelly Road to the north, rural residential allotments to the east and west, and a railway line to the south. No mapped drainage lines occur on the subject site, however, the southern half of the site is mapped as part of the floodplain of a tributary of Kemps Creek which, in turn, is a tributary of South Creek.

The site is zoned part R3 Medium Density Residential, part RE1 Public Recreation, part SP2 Infrastructure marked 'Local Drainage' and part SP2 Infrastructure marked 'Classified Road' under State Environmental Planning Policy (Sydney Region Growth Centres) 2006. New local roads are defined in the Indicative Layout Plan contained in the Camden City Council Growth Centre Precincts Development Control Plan 2017 (the DCP) and are to be constructed as part of any proposed development and dedicated to Council.

Leppington is within the South West Priority Growth Area, within the Leppington North Precinct. The site adjoins Bringelly Road which is being upgraded by the Australian and NSW governments as part of the Western Sydney Infrastructure Plan, a 10 year, $3.6 billion road investment program. The Bringelly Road upgrade will deliver new and upgraded roads to support integrated transport in the region and capitalise on the economic benefits from developing the Western Sydney Airport at Badgerys Creek, and includes the upgrade of Bringelly Road from two lanes to a six lane divided road.

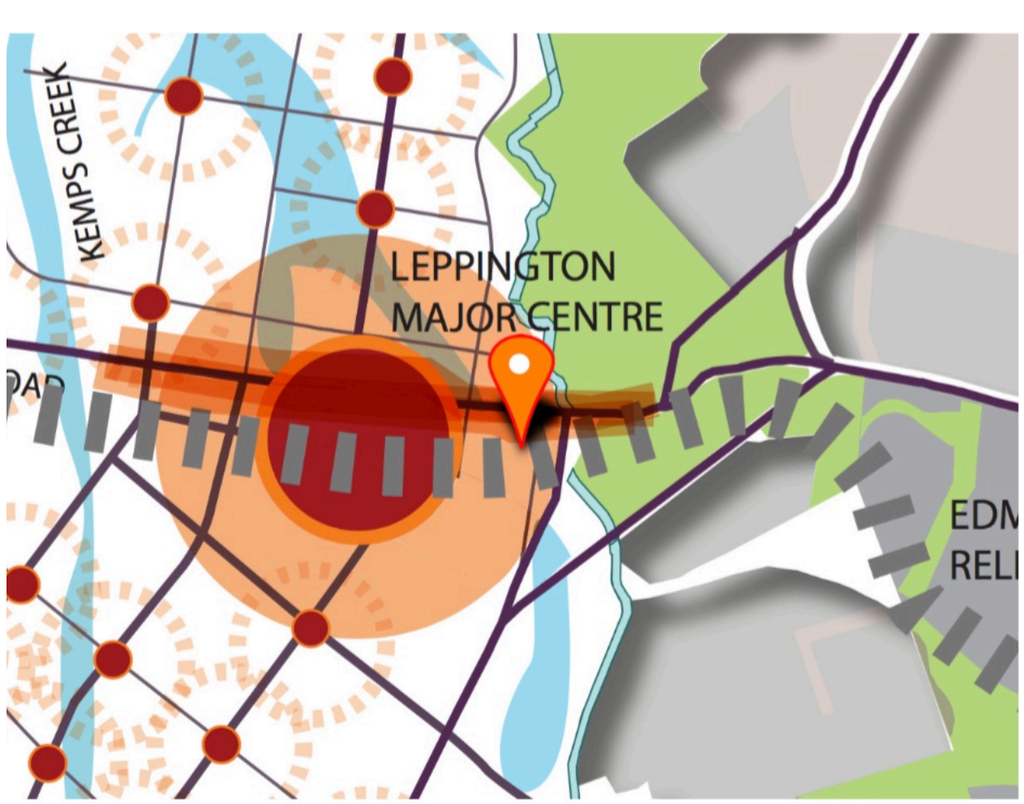


Figure 1

South West Growth Centres Structure Plan and Development Control Plan extract, illustrating the subject site in proximity to the Leppington Major Centre.

Figure 2

The site in context.

Figures 3 – 5

Site photos.

2 THE PROPOSAL

The proposal is for integrated development as approval will need to be obtained from other public authorities before consent can be granted pursuant to Section 4.46 of the Environmental Planning and Assessment Act 1979. The application seeks approval for demolition of the existing dwellings and outbuildings, clearing of trees, subdivision of land to create roads and public open space which are to be dedicated to Council, and construction of 4 x 7 storey residential flat buildings comprising 254 units over 2 levels of basement car parking (see Architectural Plans at **Attachment 2**).

Pursuant to Section 4.46 of the EPAA, the proposal is classified as integrated development as it requires:

- approval from the NSW Rural Fire Service pursuant to Section 100B of the Rural Fires Act 1997 in respect of bush fire safety of subdivision of land that could be lawfully used for residential purposes;
- approval from the Roads and Maritime Services pursuant to Section 138 of the Roads Act 1993 to connect a private access road (temporary) to a classified road (Bringelly Road); and
- approval from the Department of Primary Industries Water pursuant to the Water Management Act 2000, as the proposed development is within 40 metres of the top of bank of a watercourse.

The proposed residential flat buildings are contained entirely within the R3 Medium Density Residential zone. The proposal seeks approval for the construction of 254 units, comprising 65 dwellings x 1 bedroom units (26%); 163 dwellings x 2 bedrooms units (64%); and 26 dwellings x 3 bedrooms units (10%). 28 dwellings (11%) are nominated as adaptable, capable of being retrofitted post-completion for the purpose of housing persons with a mobility impairment, consistent with Council's prescribed minimum requirements. Further information on accessibility can be found in the Statement of Compliance at **Attachment 19**.

A landscaped area of 2,470.49m^2 (25.9%) is proposed for Stage 1, which includes temporary road construction to service the proposed development direct from Bringelly Road. All dwellings and local road infrastructure will be constructed as part of Stage 1 of the development, with temporary access being sought from Bringelly Road until such time the local road system is delivered. Stage 2 (post deletion of the temporary road) proposes a landscaped area of 3,047m^2 (31.95%), when the temporary access is demolished in favour of dedicated landscaping, whereupon vehicular and pedestrian connections to the buildings and basement will be provided direct to the new local road once constructed. Approximately 1,306.35m^2 (13.7%) of the site is provided in a deep soil zone for Stage 1, and 1,932.54m^2 (20.26%) for Stage 2 (see Architectural Plans at **Attachment 2** and Landscape DA Report at **Attachment 15**).

Temporary vehicular access is proposed to the site is gained via Bringelly Road and a temporary internal access provided along the eastern periphery of the site for residents, service vehicles and emergency vehicles. Car parking is provided over two basement levels, comprising 332 parking spaces. 281 spaces are designated for residential parking and 51 spaces for visitor parking (see Assessment of Traffic and Parking Implications at **Attachment 14**).

The development proposes concurrent subdivision (see Subdivision Plan at **Attachment 4**), which will see land dedicated to Council and to the RMS for the establishment of local roads and widening of Bringelly Road, and further land dedicated for public recreation and drainage.

Details of the proposed road, including sections and geometric design, are found variously in the Stormwater Concept Plan & Civil Works Plan at **Attachment 17**, Landscape DA Report at **Attachment 15** and Subdivision Plan at **Attachment 4**.

Figure 6

Photomontage image of the proposed development from an as yet unnamed future local road.

Figures 7 – 10

Photomontage images of the proposed residential development.

3 STATUTORY PLANNING FRAMEWORK

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

Clause 7(1)(a) of State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) states that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. The Department of Planning publication *"Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land"* provides advice on the process of determination as to whether a site is contaminated. In this regard, Section 2.2 of the Guidelines states:

> *When carrying out planning functions under the EP & A Act, a planning authority must consider the possibility that a previous land use has caused contamination of the site as well as the potential risk to health or the environment from that contamination.*
>
> *When an authority carries out a planning function, the history of the land use needs to be considered as an indicator of potential contamination. Where there is no reason to suspect contamination after acting substantially in accordance with these Guidelines, the proposal may be processed in the usual way.*

The Guidelines continue at Section 3.2.1 by stating that:

> *The potential for contamination is often linked to past uses of land and a good early indicator of possible uses is land zoning. Contamination is more likely to have occurred if the land is currently, or was previously, zoned for industrial, agricultural or defence purposes.*

The Geotechnical and Salinity Assessment Report at **Attachment 6** has been prepared in support of the application. A Detailed Site Investigation at **Attachment 5** has also been prepared in support of this application to characterise the environmental conditions of the site on the basis of historical land uses, anecdotal and documentary evidence of possible pollutant sources. The Assessment concludes:

> *The property located at 183 & 185 Bringelly Road, Leppington, NSW was the subject of Detailed Site Investigation that was conducted in order to assess the nature and degree of on-site contamination associated with current and former uses of the property. Based on the findings of this assessment it was concluded that:*
>
> - *The site covers a total area of approximately 1.76 ha. The site was bound by Bringelly Road to the north, rural residential properties to the east and west, and a railway corridor to the south of the site;*
> - *The site was free of statutory notices issued by the NSW EPA;*
> - *Soil sampling and analysis were conducted at 27 targeted test bore locations (BH101M - BH127) down to a maximum depth of 9.5 mBGL. Soil sampling regime was considered to be appropriate for investigation purposes and comprised judgemental and systematic (triangular grid) sampling patterns, with allowance for structural obstacles (e.g. building walls, underground and overhanging services and other physical obstructions in use by existing operating businesses);*
> - *Three (3) groundwater monitoring bores (BH101M, BH103M and BH104M) were drilled and constructed to a maximum depth of 9.5 mBGL. One monitoring bore (BH103M) was constructed down gradient of an identified septic tank on site;*
> - *The sub-surface layers comprised of topsoil/fill over residual clays with shale at depth;*
> - *Groundwater was encountered at depths ranging from 2.0 to 3.45 mBGL;*
> - *Results of soil samples collected from all soil test boreholes were reported to be below the adopted human-health based SILs, except for asbestos which was identified through laboratory analysis in fill at location BH115; and BH119*

- *Heavy metals were found to exceed the adopted freshwater criteria at locations BH101M (copper and zinc), BH103M (cadmium and zinc) and BH104M (cadmium and zinc), however, the concentrations identified are expected to relate to background groundwater quality;*
- *Micorbiologicals were identified at location BH103M, down gradient of the septic tank on site. It is expected this contamination can be managed during bulk excavation of basement, which will assist with long-term attenuation of the observed contamination; and*
- *On review of the Conceptual Site Model (CSM) developed as part of this DSI, the following data gaps were considered to require further investigation:*
  - *Assessment of hazardous materials in building structures currently on site; and*
  - *The quality of soils within the footprint of buildings in accessible during the investigation.*

Based on the findings of this report and with consideration of the Statement of Limitations (Section 12), EI concludes that localised contamination was identified at the site. It is concluded that the site can be remediated and made suitable for the planned land use by implementation of the recommendations outlined in Section 11.

EI consider the site contamination issues can be managed through the development application process in accordance with the State Environmental Planning Policy 55 (SEPP 55) – Remediation of Land.

3.2 State Environmental Planning Policy (Building Sustainability Index – BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 was gazetted on 1 July 2004 and created the requirement for a state wide building sustainability index, which seeks to encourage sustainable residential development. This policy aims to ensure consistency in the implementation of the BASIX scheme throughout the State.

In accordance with the requirements of the SEPP, each application for residential development must be accompanied by a list of commitments made by the applicant as to the manner in which the development will be carried out, to become conditional upon the development consent. A BASIX Report at **Attachment 22** accompanies this application and has been prepared in accordance with the legislation.

3.3 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 was gazetted on 21 December 2007 and created a statewide system to facilitate the delivery of infrastructure. Clause 87 of the SEPP applies to development on land in or adjacent to a rail corridor that the consent authority considers likely to be adversely affected by rail noise and vibration.

For residential development, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

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

The site currently has frontage to Bringelly Road, which is a nominated classified road. The site also adjoins a railway corridor. The Acoustic DA Assessment at **Attachment 9** has been prepared in support of this application to assess the potential for noise impacts associated with the site., and details compliance with statutory noise thresholds. The Assessment concludes:

An acoustic assessment of the proposed development has been carried out in accordance with the requirements of Camden Council's Environmental Noise Policy, Department of Planning and the EPA.

An environmental noise survey of the site has been conducted and the noise limiting criteria for mechanical plant/equipment noise emission has been determined based on the EPA NGLG. The limits are presented in Table 8.

A traffic noise impact assessment of the development is detailed in Section 2.5 . Also, as part of the assessment, we have also estimated the projection for traffic noise for the year 2031 based on the traffic assessment report as detailed in Section 2.6 . Construction for glazing, external walls and the roof/ceiling systems have been provided to achieve the internal noise criteria and are detailed in Section 3.1 and Section 3.2 based on the impact of current and future road noise.

Providing the recommendations in this report are implemented, the noise from the proposed development is predicted to comply with acoustic requirements of the Camden Council, Department of Planning, EPA, BCA Part F5 and relevant Australian standards.

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

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65) applies to residential flat buildings that comprise 3 or more storeys, and 4 or more dwellings. Its primary objective is to improve the design quality of residential apartment development in New South Wales.

Clause 50 of the Environmental Planning and Assessment Regulation 2000 requires that a development application that relates to residential flat development must be accompanied by a design verification prepared by a qualified designer. In the statement, the qualified designer is required to:

a) verify that he or she designed, or directed the design, of the development, and

b) provide an explanation that verifies how the development:

i. Addresses how the design quality principles are achieved, and

ii. Demonstrates, in terms of the Apartment Design Guide, *how the objectives in Parts 3 and 4 of that guide have been achieved.*

Tony Owen, a registered architect in accordance with the Architects Act 1921, has directed the design. See Design Verification Statement at **Attachment 3.**

3.4.1 The Apartment Design Guide

Clause 30(1) of SEPP 65 nominates 3 design criteria that, if met by a development, constitute matters on which the application cannot be refused. The criteria are:

a) If the car parking for the building will be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,

b) If the internal area for each apartment will be equal to, or greater than, the recommended minimum internal area for the relevant apartment type specified in Part 4D of the Apartment Design Guide,

c) If the ceiling heights for the building will be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.

The proposed development is consistent with these requirements.

Clause 30(2)(b) of SEPP 65 requires that in determining a development application for consent to carry out residential apartment development, a consent authority is to take into consideration the objectives specified in the *Apartment Design Guide* (ADG), a publication of the Department of Planning and Environment, dated June 2015. Whilst the ADG does not contain development standards, it does contain objectives that describe desired design outcomes for residential apartment developments, and design criteria that provide measurable requirements for how objectives can be met.

The Apartment Design Guide (ADG) accompanies State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development, and is designed to:

- *deliver better quality design for buildings that respond appropriately to the character of the area, landscape setting and surrounding built form*
- *improve liveability through enhanced internal and external apartment amenity, including better layout, apartment depth and ceiling heights, solar access, natural ventilation and visual privacy*
- *deliver improved sustainability through better traffic and transport solutions, greater building adaptability and robustness, improved energy efficiency and water sensitive urban design*
- *improve the relationship of apartments to the public domain including streets, lanes and parks*
- *deliver design guidance and assist in the provision of more diverse housing mix and choice*
- *support councils in developing planning controls and master plans through improved guidance.*

The ADG provides design guidance on design and siting elements for apartment developments. **Table 1** below summarises the objectives of the ADG in relation to the siting and design of the proposed apartment development, and addresses explicit Design Criteria provided.

Table 1

Apartment Design Guide: Objectives and Design Criteria

OBJECTIVES		COMMENTS
PART 3: SITING THE DEVELOPMENT		
3A – SITE ANALYSIS		
Objective 3A-1	Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.	Complies. See site analysis in the Architectural Plans at **Attachment 2**.
3B – ORIENTATION		
Objective 3B-1	Building types and layouts respond to the streetscape and site while optimising solar access within the development.	Complies.
Objective 3B-2	Overshadowing of neighbouring properties is minimised during mid-winter.	Complies.
3C – PUBLIC DOMAIN INTERFACE		
Objective 3C-1	Transition between private and public domain is achieved without compromising safety and security.	Complies.
Objective 3C-2	Amenity of the public domain is retained and enhanced.	Complies.
3D – COMMUNAL AND PUBLIC OPEN SPACE		
Objective 3D-1	An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping.	Complies.
	Design Criteria	
	1. Communal open space has a minimum area equal to 25% of the site (see figure 3D.3).	Complies. **57.06%** (5,441.52m^2) proposed.
	2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter).	Complies. 2 hours of direct sunlight is received to **68.26%** (3,714.22m^2) of the required communal open space area between 9am and 3pm midwinter.

	OBJECTIVES	COMMENTS
Objective 3D-2	Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting.	Complies.
Objective 3D-3	Communal open space is designed to maximise safety.	Complies.
Objective 3D-4	Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood.	Complies.
3E – DEEP SOIL ZONES		
Objective 3E-1	Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.	Complies.

Design Criteria

1. Deep soil zones are to meet the following minimum requirements:

Complies. **20.26%** (1,932.54m^2) proposed, consistent with the design guidance at this objective, which encourages a minimum 15% of the site area to be dedicated as deep soil.

Site Area	Minimum Dimensions	Deep Soil Zone (% of Site Area)
Less than 650m^2	-	7%
650m^2-1,500m^2	3m	
Greater than 1,500m^2	6m	
Greater than 1,500m^2 with significant existing tree cover	6m	

3F – VISUAL PRIVACY		
Objective 3F-1	Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.	Complies.

Design Criteria

1. Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:

N/A. No side or rear boundaries as the residential block is bound by roads.

Building Height	Habitable Rooms and Balconies	Non-habitable Rooms
Up to 12m (4 storeys)	6m	3m
Up to 25m (5-8 storeys)	9m	4.5m
Over 25m (9+ storeys)	12m	6m

	OBJECTIVES	COMMENTS
	Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room (see figure 3F.2). Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties.	Ground floor – Level 3: Complies Level 4 – Level 6: Complies
Objective 3F-2	Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space.	Complies.
3G – PEDESTIRAN ACCESS AND ENTRIES		
Objective 3G-1	Building entries and pedestrian access connects to and addresses the public domain.	Complies.
Objective 3G-2	Access, entries and pathways are accessible and easy to identify.	Complies.
Objective 3G-3	Large sites provide pedestrian links for access to streets and connection to destinations.	Complies.
3H – VEHICLE ACCESS		
Objective 3H-1	Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.	Complies. Vehicular access to the site is gained via a temporary access road until such time the local road to the east of the site is constructed.
3J – BICYCLE AND CAR PARKING		
Objective 3J-1	Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas.	Complies.
	<u>Design Criteria</u>	
	1. For development in the following locations: • on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or • on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre. the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.	N/A.
	The car parking needs for a development must be provided off street.	Complies.
Objective 3J-2	Parking and facilities are provided for other modes of transport.	Complies. Bicycle parking is also provided.
Objective 3J-3	Car park design and access is safe and secure.	Complies.
Objective 3J-4	Visual and environmental impacts of underground car parking are minimised.	Complies.
Objective 3J-5	Visual and environmental impacts of on-grade car parking are minimised.	N/A.

	OBJECTIVES	COMMENTS
Objective 3J-6	Visual and environmental impacts of above ground enclosed car parking are minimised.	N/A.
PART 4 (A-J): DESIGNING THE DEVELOPMENT – AMENITY		
4A – SOLAR AND DAYLIGHT ACCESS		
Objective 4A-1	To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.	Complies.
	Design Criteria	
	1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.	Complies. **75.2%** of apartments (191 apartments) receive 2 hours direct sunlight between the hours of 9am and 3pm at mid-winter.
	2. In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid-winter.	N/A.
	3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.	Complies. **14.9%** proposed.
Objective 4A-2	Daylight access is maximised where sunlight is limited.	Complies.
Objective 4A-3	Design incorporates shading and glare control, particularly for warmer months.	Complies.
4B – NATURAL VENTILATION		
Objective 4B-1	All habitable rooms are naturally ventilated.	Complies.
Objective 4B-2	The layout and design of single aspect apartments maximises natural ventilation.	Complies.
Objective 4B-3	The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents.	Complies.
	Design Criteria	
	1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.	Complies. **60%** of apartments (152 apartments) are cross ventilated.
	2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	Complies.
4C – CEILING HEIGHTS		
Objective 4C-1	Ceiling height achieves sufficient natural ventilation and daylight access.	Complies.
	Design Criteria	
	1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are:	Complies.

	OBJECTIVES	COMMENTS

Minimum Ceiling Height for Apartment and Mixed Use Buildings	
Habitable rooms	2.7m
Non-habitable	2.4m
For 2 storey apartments	2.7m for the main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area
Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope
If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use

These minimums do not preclude higher ceilings if desired

Objective 4C-2	Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms.	Complies.
Objective 4C-3	Ceiling heights contribute to the flexibility of building use over the life of the building.	Complies.
4D – APARTMENT SIZE AND LAYOUT		
Objective 4D-1	The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity.	Complies.
	<u>Design Criteria</u>	
	1. Apartments are required to have the following minimum internal areas:	Complies.

Apartment Type	Minimum Internal Area
Studio	35m^2
1 bedroom	50m^2
2 bedroom	70m^2
3 bedroom	90m^2

The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m^2 each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m^2 each.	Complies.
2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.	Complies.
Objective 4D-2 Environmental performance of the apartment is maximised.	Complies.

	OBJECTIVES	COMMENTS
	Design Criteria	
	1. Habitable room depths are limited to a maximum of 2.5 x the ceiling height.	Complies.
	2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.	Complies.
Objective 4D-3	Apartment layouts are designed to accommodate a variety of household activities and needs.	Complies.
	Design Criteria	
	1. Master bedrooms have a minimum area of $10m^2$ and other bedrooms $9m^2$ (excluding wardrobe space).	Complies.
	2. Bedrooms have a minimum dimension of 3m (excluding wardrobe space).	Complies.
	3. Living rooms or combined living/dining rooms have a minimum width of: • 3.6m for studio and 1 bedroom apartments • 4m for 2 and 3 bedroom apartments	Complies.
	4. The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.	Complies.
4E – PRIVATE OPEN SPACE AND BALCONIES		
Objective 4E-1	Apartments provide appropriately sized private open space and balconies to enhance residential amenity.	Complies.
	Design Criteria	
	1. All apartments are required to have primary balconies as follows:	Complies.

Dwelling Type	Minimum Area	Minimum Depth
Studio apartments	$4m^2$	-
1 bedroom apartments	$8m^2$	2m
2 bedroom apartments	$10m^2$	2m
3+ bedroom apartments	$12m^2$	2.4m

	The minimum balcony depth to be counted as contributing to the balcony area is 1m.	
	2. For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of $15m^2$ and a minimum depth of 3m.	Complies.
Objective 4E-2	Primary private open space and balconies are appropriately located to enhance liveability for residents.	Complies.

OBJECTIVES		COMMENTS
Objective 4E-3	Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building.	Complies.
Objective 4E-4	Private open space and balcony design maximises safety.	Complies.
4F – COMMON CIRCULATION AND SPACES		
Objective 4F-1	Common circulation spaces achieve good amenity and properly service the number of apartments.	Complies.
	Design Criteria	
	1. The maximum number of apartments off a circulation core on a single level is eight.	Complies.
	2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	N/A.
Objective 4F-2	Common circulation spaces promote safety and provide for social interaction between residents.	Complies.
4G – STORAGE		
Objective 4G-1	Adequate, well designed storage is provided in each apartment.	Complies.
	Design Criteria	
	1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:	Complies. See Area Schedule and Storage Matrix in the Architectural Plans.

Dwelling Type	Storage Size Volume
Studio apartments	$4m^3$
1 bedroom apartments	$6m^3$
2 bedroom apartments	$8m^3$
3+ bedroom apartments	$10m^3$

At least 50% of the required storage is to be located within the apartment

Objective 4G-2	Additional storage is conveniently located, accessible and nominated for individual apartments.	Complies.
4H – ACOUSTIC PRIVACY		
Objective 4H-1	Noise transfer is minimised through the siting of buildings and building layout.	Complies.
Objective 4H-2	Noise impacts are mitigated within apartments through layout and acoustic treatments.	Complies.
4J – NOISE AND POLLUTION		
Objective 4J-1	In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings.	Complies. See Acoustic DA Assessment at **Attachment 9.**

	OBJECTIVES	COMMENTS
Objective 4J-2	Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.	Complies. See Acoustic DA Assessment at **Attachment 9.**
PART 4 (K-T): DESIGNING THE DEVELOPMENT – CONFIGURATION		
4K – APARTMENT MIX		
Objective 4K-1	A range of apartment types and sizes is provided to cater for different household types now and into the future.	Complies. A range of 1, 2 and 3 bedroom units are proposed.
Objective 4K-2	The apartment mix is distributed to suitable locations within the building.	Complies.
4L – GROUND FLOOR APARTMENTS		
Objective 4L-1	Street frontage activity is maximised where ground floor apartments are located.	Complies.
Objective 4L-2	Design of ground floor apartments delivers amenity and safety for residents.	Complies.
4M – FACADES		
Objective 4M-1	Building facades provide visual interest along the street while respecting the character of the local area.	Complies. Refer to elevations and 3D renders.
Objective 4M-2	Building functions are expressed by the façade.	Complies.
4N – ROOF DESIGN		
Objective 4N-1	Roof treatments are integrated into the building design and positively respond to the street.	Complies.
Objective 4N-2	Opportunities to use roof space for residential accommodation and open space are maximised.	Complies. Communal open space is provided at grade and on the roof.
Objective 4N-3	Roof design incorporates sustainability features.	Complies.
4O – LANDSCAPE DESIGN		
Objective 4O-1	Landscape design is viable and sustainable.	Complies. See Landscape Plan at **Attachment 15.**
Objective 4O-2	Landscape design contributes to the streetscape and amenity.	Complies. See Landscape Plan at **Attachment 15.**
4P – PLANTING ON STRUCTURES		
Objective 4P-1	Appropriate soil profiles are provided.	Complies. See Landscape Plan at **Attachment 15.**
Objective 4P-2	Plant growth is optimised with appropriate selection and maintenance.	Complies. See Landscape Plan at **Attachment 15.**
Objective 4P-3	Planting on structures contributes to the quality and amenity of communal and public open spaces.	Complies. See Landscape Plan at **Attachment 15.**
4Q – UNIVERSAL DESIGN		
Objective 4Q-1	Universal design features are included in apartment design to promote flexible housing for all community members.	Complies. See Statement of Compliance at **Attachment 19**.
Objective 4Q-2	A variety of apartments with adaptable designs are provided.	Complies. Consistent with requirements of the DCP.
Objective 4Q-3	Apartment layouts are flexible and accommodate a range of lifestyle needs.	Complies. See Statement of Compliance at **Attachment 19**.

	OBJECTIVES	COMMENTS
4R – ADAPTIVE REUSE		
Objective 4R-1	New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place.	N/A.
Objective 4R-2	Adapted buildings provide residential amenity while not precluding future adaptive reuse.	N/A.
4S – MIXED USE		
Objective 4S-1	Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement.	N/A.
Objective 4S-2	Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents.	N/A.
4T – AWNINGS AND SIGNAGE		
Objective 4T-1	Awnings are well located and complement and integrate with the building design.	N/A.
Objective 4T-2	Signage responds to the context and desired streetscape character.	N/A.
PART 4 (U-X): DESIGNING THE DEVELOPMENT – PERFORMANCE		
4U – ENERGY EFFICIENCY		
Objective 4U-1	Development incorporates passive environmental design.	Complies.
Objective 4U-2	Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer.	Complies.
Objective 4U-3	Adequate natural ventilation minimises the need for mechanical ventilation.	Complies.
4V – WATER MANAGEMENT AND CONSERVATION		
Objective 4V-1	Potable water use is minimised.	Complies.
Objective 4V-2	Urban stormwater is treated on site before being discharged to receiving waters.	Complies. See Stormwater Concept Plan at **Attachment 17.**
Objective 4V-3	Flood management systems are integrated into site design.	N/A.
4W – WASTE MANAGEMENT		
Objective 4W-1	Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.	Complies. See Operational Waste Management Plan at **Attachment 16**.
Objective 4W-2	Domestic waste is minimised by providing safe and convenient source separation and recycling.	Complies. See Operational Waste Management Plan at **Attachment 16**.
4X – BUILDING MAINTENANCE		
Objective 4X-1	Building design detail provides protection from weathering.	Complies.
Objective 4X-2	Systems and access enable ease of maintenance.	Complies.
Objective 4X-3	Material selection reduces ongoing maintenance costs.	Complies.

3.5 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No 2 – 1997) (SREP 20) was gazetted on 21 December 2007. The aim of the plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development. The Overland Flow Flood & Water Quality Assessment at **Attachment 8** takes SREP 20 into consideration, and concludes that this development has no significant impact on the waterways.

3.6 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (SEPP Vegetation) was introduced on 24 August 2017. The aims of the plan are to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of the non-rural areas of the State through the preservation of trees and other vegetation. The clearing of vegetation from parts of the site and preservation on other parts of the site is addressed in detail by the Flora and Fauna Assessment at **Attachment 12** and Vegetation Management Plan at **Attachment 13**.

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

State Environmental Planning Policy No. 44 – Koala Habitat Protection (SEPP 44) was introduced on 20 April 2000 and aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas.

This requirements of this SEPP are addressed by the Flora and Fauna Assessment at **Attachment 12**, which concludes as follows:

> *One food and roost tree species (the Forest Red Gum), as defined under Schedule 2 of SEPP 44, comprise the majority of trees in remnant woodland on the subject site. Therefore, remnant woodland on the subject site is Potential Koala Habitat under SEPP 44. No Koala scats or tree scratchings were observed on trees within the subject site or neighbouring bushland areas, suggesting that Koalas have not used the subject site on a regular basis in the past. Koalas are most unlikely to currently occur on the subject site because of the urbanised and rural nature of the surrounding landscape (including busy roads), and the lack of recent records of Koalas occurring in the urban parts of the locality in recent times. Therefore, Potential Koala Habitat on the subject site will not be significantly impacted.*

3.8 State Environmental Planning Policy (Sydney Region Growth Centres) 2006

The site is within a locality identified as a priority growth area by the State government and as such, State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (SEPP SRGC) is the principal planning instrument applying to this development. The aims of SEPP SRGC are to, inter alia, provide for the comprehensive planning of the North West and South West growth centres for the Sydney Region, and to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity.

Land Use Zone

The site is zoned R3 Medium Density Residential pursuant to Appendix 9 of SEPP SRGC; Camden Growth Centres Precinct. The zone objectives that apply to the site and the development are as follows:

- *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, religious and other activities where compatible with the amenity of a medium density residential environment.*

Residential flat buildings are permissible within the R3 Zone with development consent.

Part of the site is zoned RE1 Public Recreation and marked 'Local Open Space' pursuant to Appendix 9 of the SEPP. The relevant zone objectives are as follows:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

Land zoned RE1 is to be dedicated to Council, consistent with the zone objectives.

Part of the site is zoned SP2 Infrastructure and marked 'Classified Road' and part is zoned SP2 Infrastructure and marked 'Local Drainage'. The relevant zone objectives are as follows:

- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*

Land zoned SP2 Infrastructure marked 'Classified Road' is to be dedicated to the RMS and land zoned SP2 Infrastructure marked 'Local Drainage' is to be dedicated to Council, consistent with the zone objectives.

4.1A – Minimum Lot Sizes for Residential Development in Certain Residential Zones

(7) The minimum lot size for multi dwelling housing is:

(a) 1,500m^2 if the dwelling density (per hectare) shown on the Residential Density Map in relation to the land is 15 or 18, or

The R3 Medium Density Residential land zoned parcel to be created by the development exceeds 1,500m^2.

(9) The minimum lot size for a residential flat building is 1,000m^2 if the dwelling density (per hectare) shown on the Residential Density Map in relation to the land is 30.

Land within the R3 Medium Density Residential Zone exceeds 1,000m^2.

Clause 4.1B – Residential Density

The residential density of land contained within the R3 Zone of the site must exceed 25 dwellings per hectare. The area of proposed Lot 2 on the Subdivision Plan at **Attachment 4** requires a minimum of 29 dwellings upon the site (11,511.26m^2/10,000m^2 x 25 = 29 dwellings).

The residential flat building comprises 254 dwellings and is therefore compliant with this requirement.

Clause 4.3 – Height of Buildings

Land identified within the R3 Medium Density Residential Zone is prescribed a maximum building height of 21 metres. The proposed development contained within this zone has a compliant building height of 20.9 metres.

Clause 4.4 – Floor Space Ratio

N/A.

Clause 5.1 – Relevant Acquisition Authority

Pursuant to Clause 5.1 of the SEPP, land zoned SP2 Infrastructure marked as 'Classified Road' is to be dedicated to Roads and Maritime Services; land zoned SP2 Infrastructure marked as 'Local Drainage' will be dedicated to Council; and SP2 Infrastructure marked as 'Local Open Space' will be dedicated to Council.

Clause 5.9 – Preservation of Trees or Vegetation

There are various trees identified upon the site, some of which are designated for removal to make way for the intended residential development. The Vegetation Management Plan at **Attachment 13** has been prepared in support of this development application, considers vegetation removal and recommends protection measures for trees to be retained.

Clause 5.10 – Heritage Conservation

The site is not identified as having an item of heritage significance however it does adjoin a heritage item. Environmental heritage Item No. 17 (Bringelly Road – cultural landscape) adjoins the site to the north. This item is of local significance, and the proposed development will have no effect on the significance. The site is not located within a heritage conservation area. A Due Diligence Aboriginal Archaeological Assessment at **Attachment 7** has been prepared in support of this application. The Assessment concludes:

> *The background archaeological research, site inspection, and assessment of the study area indicate that:*
>
> - *No Aboriginal sites, objects or isolated finds have been identified on the property, and no areas of PAD exist on the land.*
> - *There are no expectations that the property would have attracted intensive or repeated use by people in the past that would have created substantial archaeological deposits.*
> - *The site is extensively disturbed.*
>
> *On the basis of the above considerations, it is concluded that the 183 and 185 Bringelly Road redevelopment proposal is not going to have an adverse impact upon the Aboriginal archaeological values of the place and that no Aboriginal archaeological constraints are apparent for the proposal proceeding as planned.*

Clause 6.1 – Public Utility Infrastructure

Prior to approval of an application, the consent authority must be satisfied that the site is adequately serviced for water, electricity and sewerage. See Site Servicing Report at **Attachment 20**.

Figures 11 – 12

Photomontage images of the proposed development.

Figures 13 – 15

Ground floor planting and reference images for site landscaping.

4 SECTION 4.15 OF THE EPAA

4.1 Environmental Planning Instruments – Section 4.15 (1)(a)(i)

The proposal is permissible subject to the provisions of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006. The impacts of other environmental planning instruments including SEPP 44, SEPP 55, SEPP 65, SEPP (Infrastructure), SEPP (BASIX), SEPP (Vegetation in Non-Rural Areas) and SREP 20 have also been considered in the preparation of this development application. The provisions of these relevant environmental planning instruments have been satisfactorily addressed within Section 3 of the Statement of Environmental Effects.

4.2 Draft Environmental Planning Instruments – Section 4.15(1)(a)(ii)

Nil.

4.3 Development Control Plans – Section 4.15(1)(a)(iii)

4.3.1 Camden City Council Growth Centre Precincts Development Control Plan

The Camden City Council Growth Centre Precincts Development Control Plan (the DCP) applies to land administered by Appendix 9 of SEPP SRGC. The purpose of the DCP is to:

a. *Communicate the planning, design and environmental objectives and controls against which the Consent Authority will assess future Development Applications (DAs);*
b. *Consolidate and simplify the planning controls for the Precincts in the South West Growth Centre;*
c. *Provide guidance on the orderly, efficient and environmentally sensitive development of the Precincts as envisaged by the South West Growth Centre Structure Plan and State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP);*
d. *Promote high quality urban design outcomes within the context of environmental, social and economic sustainability.*

The proposal is consistent with the broad aims of the DCP and generally compliant with the specific controls applicable to the site and the type of development proposed. Controls relevant to the residential component of the proposal are addressed in **Table 2**.

Table 2

Camden City Council Growth Centre Precincts DCP Compliance Table

CAMDEN CITY COUNCIL GROWTH CENTRE PRECINCTS DEVELOPMENT CONTROL PLAN 2016			
1CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
PART 2 – PRECINCT PLANNING OUTCOMES			
2.3 – Site Analysis			
2.3.1 – Flooding	The subdivision layout is to ensure that the ability to develop land, including adjoining properties, is not adversely impacted, with regard to the 1% Annual Exceedance Probability (AEP) flood extent shown on the Flood Prone Land figure in the relevant Precinct's Schedule and Council's Floodplain Risk Management Policy.	See Overland Flow Flood & Water Quality Assessment at **Attachment 8.**	**YES**
	Filling and/or other development within the 1% Annual Exceedance Probability (AEP) flood extent shown on the Flood Prone Land figure in the relevant Precinct's Schedule may be permitted where site specific flood investigations demonstrate compliance with Council's Floodplain Risk Management Policy and Council's Engineering Specification.	See Overland Flow Flood & Water Quality Assessment at **Attachment 8.**	**YES**

CAMDEN CITY COUNCIL GROWTH CENTRE PRECINCTS DEVELOPMENT CONTROL PLAN 2016			
1CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
	Pedestrian and vehicle access to basement car parking is to be located above the 1% AEP level plus 500mm freeboard.	See Overland Flow Flood & Water Quality Assessment at **Attachment 8.**	**YES**
	The design of the road network is to ensure that evacuation routes from the proposed development and any existing development and adjoining properties are maintained, or suitable alterative evacuation routes are provided for in accordance with Council's Floodplain Risk Management Policy and the Precinct Water Cycle Management Strategy (available from Council).	See Overland Flow Flood & Water Quality Assessment at **Attachment 8.**	**YES**
2.3.2 – Water Cycle Management	Able to comply.	Able to comply.	**YES**
2.3.3 – Salinity and Soil Management	Development applications, that include earthworks, on land with a low, or moderate to high risk of salinity (identified in the Areas of potential salinity risk map), are to be accompanied by information detailing how the design and construction of the proposed subdivision intends to address salinity issues. All works are to comply with the Western Sydney Salinity Code of Practice 2004 (WSROC) and Appendix B.	See Geotechnical and Salinity Assessment Report at **Attachment 6**.	**YES**
	Salinity and sodicity management related to Appendix B is to complement WSUD strategies, improving or at least maintaining the current condition, without detriment to the waterway environment.	See Geotechnical and Salinity Assessment Report at **Attachment 6**.	**YES**
	All development must incorporate soil conservation measures to minimise soil erosion and siltation during construction and following completion of development. Soil and Water Management Plans, prepared in accordance with Managing Urban Stormwater - Soils and Construction (Landcom 3rd Edition March 2004 ('The Blue Book')) are to be submitted with each relevant subdivision Development Application.	See Geotechnical and Salinity Assessment Report at **Attachment 6**.	**YES**
	Salinity shall be considered during the planning, design and carrying out of earthworks, rehabilitation works and during the siting, design and construction of all development including infrastructure: • To protect development and other works from salinity damage; and • To minimise the potential impacts that development and other works may have on salinity.	See Geotechnical and Salinity Assessment Report at **Attachment 6**.	**YES**
2.3.4 – Aboriginal and European Heritage	Development applications must identify any areas of Aboriginal heritage value that are within or adjoining the area of the proposed development, including any areas within the development site that are to be retained and protected (and identify the management protocols for these).	See Due Diligence Aboriginal Archaeological Assessment at **Attachment 7**.	**YES**
	Developments or other activities that will impact on Aboriginal heritage may require consent from the Office of Environment and Heritage (OEH) under the National Parks and Wildlife Act 1974 and consultation with the relevant Aboriginal communities.	See Due Diligence Aboriginal Archaeological Assessment at **Attachment 7**.	**YES**
	Any development application that is within or adjacent to land that contains a known Aboriginal cultural heritage site, as indicated on the Aboriginal cultural heritage sites figure, in the relevant Precinct Schedule, must consider and comply with the requirements of the National Parks and Wildlife Act, 1974.	See Due Diligence Aboriginal Archaeological Assessment at **Attachment 7**.	**YES**
	Where the necessary consents under the National Parks and Wildlife Act, 1974 have been obtained, the development application must demonstrate that the development will be undertaken in accordance with any requirements of that consent.	N/A.	**N/A**
	Applications for subdivision and building on the properties identified on the European cultural heritage sites figure, in the relevant Precinct's Schedule, are to be accompanied by: • A Heritage Management Document that details the heritage significance of the heritage item, the impacts of the proposed development on the heritage item and any management or mitigation measures that are proposed.	N/A.	**N/A**

CAMDEN CITY COUNCIL GROWTH CENTRE PRECINCTS DEVELOPMENT CONTROL PLAN 2016			
1CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
	• A report from a suitably qualified heritage consultant detailing the results of archaeological investigations undertaken to confirm the presence of archaeological material relating to the heritage site (where heritage studies completed to date indicate the potential presence of as yet unidentified archaeological material). Where archaeological material is identified, the proposal is to address the requirements of the Heritage Act 1977.		
	Features which contribute to the heritage significance of the item or conservation area are to be conserved.	See Due Diligence Aboriginal Archaeological Assessment at **Attachment 7**.	**YES**
	Features which contribute to an understanding of the history of the item, or key periods of its development, are to be conserved.	See Due Diligence Aboriginal Archaeological Assessment at **Attachment 7**.	**YES**
	Significant landscape elements and/or views associated with the item are to be conserved.	See Due Diligence Aboriginal Archaeological Assessment at **Attachment 7**.	**YES**
	Significant historical property boundaries, if identified as part of the significance of the item, are to be conserved.	See Due Diligence Aboriginal Archaeological Assessment at **Attachment 7**.	**YES**
	Significant uses, if identified as part of the significance of the item, are to be conserved or a similar/compatible use identified for the heritage item where possible.	See Due Diligence Aboriginal Archaeological Assessment at **Attachment 7**.	**YES**
	Unsympathetic elements are to be removed from the item or conservation area, where this will contribute to the heritage significance of the item or conservation area.	See Due Diligence Aboriginal Archaeological Assessment at **Attachment 7**.	**YES**
	New work in the vicinity of built heritage items should be readily identifiable as such, and be sympathetic to the form, scale, massing, setback and overall character of the item, and should not detract from its appreciation.	See Due Diligence Aboriginal Archaeological Assessment at **Attachment 7**.	**YES**
	Alterations and additions are to be located away from significant and/or primary elevations, and behind and below the main ridge line of built heritage items.	See Due Diligence Aboriginal Archaeological Assessment at **Attachment 7**.	**YES**
	Existing fabric, use, associations and meanings are to be adequately recorded before any changes are made.	See Due Diligence Aboriginal Archaeological Assessment at **Attachment 7**.	**YES**
2.3.5 – Native Vegetation and Ecology		See Flora and Fauna Assessment at **Attachment 12** and Vegetation Management Plan at **Attachment 13.**	**YES**
2.3.6 – Bushfire Hazard Management	Reference is to be made to Planning for Bushfire Protection 2006 in subdivision planning and design and development is to be consistent with Planning for Bushfire Protection 2006.	See Bushfire Protection Assessment at **Attachment 11**.	**YES**
	Subject to detailed design at development application stage, the indicative location and widths of Asset Protection Zones (APZs) are to be provided generally in accordance with the Bushfire risk and Asset Protection Zone Requirements figure in the relevant Precinct Schedule. APZs and construction standards are to be accurately mapped and detailed for each affected lot on plans submitted with the development application.	See Bushfire Protection Assessment at **Attachment 11**.	**YES**
	APZs: • are to be located wholly within the Precinct; • may incorporate roads and flood prone land, • are preferred to be located wholly outside of a riparian zone. APZs may only be permitted within a riparian zone where compliant with the NSW Office of Water requirements, • may be used for open space and recreation subject to appropriate fuel management, • are to be maintained in accordance with the guidelines in Planning for Bushfire	See Bushfire Protection Assessment at **Attachment 11**.	**YES**

CAMDEN CITY COUNCIL GROWTH CENTRE PRECINCTS DEVELOPMENT CONTROL PLAN 2016			
1CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
	Protection 2006, • may incorporate private residential land, but only within the building setback (no dwellings are to be located within the APZ), • are not to increase the maintenance burden on public lands, and • are to be generally bounded by or incorporate a public road or perimeter fire trail that is linked to the public road system at regular intervals in accordance with Planning for Bushfire Protection 2006.		
	Establishment and maintenance of the APZ must not require clearing of native vegetation within any Native Vegetation Protection Areas or Existing Native Vegetation Areas shown on the Native Vegetation Protection Map.	See Bushfire Protection Assessment at **Attachment 11**.	**YES**
	Vegetation outside Riparian Protection Areas, Native Vegetation Protection Areas and Existing Native Vegetation Areas is to be designed and managed as a 'fuel reduced area' where it forms part of an APZ.	See Bushfire Protection Assessment at **Attachment 11**.	**YES**
	Where an allotment fronts and partially incorporates an APZ it shall have an appropriate depth to accommodate a dwelling with private open space and the minimum required APZ. The APZ will be identified through a Section 88B instrument.	See Bushfire Protection Assessment at **Attachment 11**.	**YES**
	Temporary APZs, identified through a Section 88B instrument, will be required where development is proposed on allotments next to undeveloped land that presents a bushfire hazard. Once the adjacent stage of development is undertaken, the temporary APZ will no longer be required and shall cease.	See Bushfire Protection Assessment at **Attachment 11**.	**YES**
	Reticulated water is to meet the standards contained within Planning for Bushfire Protection 2006. Water supply is to be via a ring main system, engineered to the requirements of Australian Standard 2419.1-1994 Fire Hydrant Installations.	See Bushfire Protection Assessment at **Attachment 11**.	**YES**
	Buildings adjacent to APZs are to be constructed in accordance with the requirements of Appendix 3 of Planning for Bushfire Protection 2006 and Australian Standard 3959-1999 - Construction of Building in Bushfire Prone Areas.	See Bushfire Protection Assessment at **Attachment 11**.	**YES**
2.3.7 – Site Contamination	All subdivision Development Applications, and applications proposing a change of use to a more sensitive land use (eg. Residential, education, public recreation facility etc), shall be accompanied by a Stage 1 Preliminary Site Investigation prepared in accordance with the NSW EPA Contaminated Sites Guidelines, State Environmental Planning Policy 55 – Remediation of Land and the Contaminated Land Management Act, 1995 and relevant Council Policies.	See Preliminary Site Investigation at **Attachment 5**.	**YES**
	Where the Stage 1 Investigation identifies potential or actual site contamination a Stage 2 Detailed Site Investigation must be prepared in accordance with the NSW EPA Contaminated Sites Guidelines, State Environmental Planning Policy 55 – Remediation of Land and the Contaminated Land Management Act, 1995 and relevant Council Policies. A Remediation Action Plan (RAP) will be required to be submitted and approved by Council prior to development consent being granted for areas identified as contaminated land in the Stage 2 Site Investigation.	See Preliminary Site Investigation at **Attachment 5**.	**YES**
	DAs for development in "high risk" areas of potential contamination risk-ranking figure shall be accompanied by a Stage 2 Detailed Environmental Site Investigation prepared in accordance with the NSW EPA Contaminated Sites Guidelines, State Environmental Planning Policy 55 – Remediation of Land and the Contaminated Land Management Act, 1995 and Council's Policy – Management of Contaminated Lands. If remediation is required, a Remediation Action Plan (RAP) is to be prepared and submitted as part of the DA that seeks consent for remediation. Council may require a Site Audit Statement (SAS) (issued by an NSW Accredited Site Auditor) during any stage of the investigation or remediation process.	See Preliminary Site Investigation at **Attachment 5**.	**YES**
	All investigation, reporting and identified remediation works must be in accordance with the NSW EPA's (now Office of Environment and Heritage) Guidelines for Consultants Reporting on Contaminated Sites and SEPP 55 – Contaminated Land	See Preliminary Site Investigation at **Attachment 5**.	**YES**

CAMDEN CITY COUNCIL GROWTH CENTRE PRECINCTS DEVELOPMENT CONTROL PLAN 2016			
1CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
	and relevant Council Policies.		
	Prior to granting development consent, the Consent Authority must be satisfied that the site is suitable, or can be made suitable, for the proposed use. Remediation works identified in any RAP will require development consent prior to the works commencing.	See Preliminary Site Investigation at **Attachment 5**.	**YES**
	Council may require a Site Audit Statement (SAS) (issued by an NSW Accredited Site Auditor) to be provided at any stage of the contamination investigation, remediation or validation stages.	See Preliminary Site Investigation at **Attachment 5**.	**YES**
2.3.8 – Development on and Adjacent to Electricity and Gas Easements	Subdivision of land that is affected by easements and land adjacent to easements, as shown on the Location of Easements figure in the relevant Precinct Schedule, is to be consistent with the controls in this part of the DCP, and any specific controls in the Precinct Schedule.	N/A.	**N/A**
	Where development is proposed on land containing or adjacent to easements, applicants are to consult with the organisation responsible for management of the easement as part of the process of preparing subdivision or other development plans. Any written requirements of the infrastructure organisation are to be submitted with the Development Application, and the Development Application documentation is to demonstrate how the requirements have been addressed in the design.	N/A.	**N/A**
	Road crossings of the easement are to be minimised, to be generally in the locations shown on the relevant Precinct Indicative Layout Plan, and are to be designed in accordance with any requirements issued by the organisation responsible for management of the infrastructure.	N/A.	**N/A**
	Earthworks (excavation or filling) and landscaping within easements are subject to conditions and requirements of the infrastructure organisation.	N/A.	**N/A**
	Subdivision of easements is to be minimised.	N/A.	**N/A**
	Requirements of the infrastructure organisation in relation to access to easements for inspections and maintenance are to be addressed in the design of the development. Access to the easement from public land (eg. roads, open space or drainage land) is preferable.	N/A.	**N/A**
2.3.9 – Noise	Figure 2-1 provides guidance to applicants on measures to mitigate the impacts of rail and traffic noise within the Precinct.	See Acoustic DA Assessment at **Attachment 9**.	**YES**
	Development Applications must be accompanied by an acoustic report where the development is in a location, shown on the Potential noise attenuation measures figure in the relevant Precinct Schedule, such as: • adjacent to a railway line, arterial road, sub-arterial road, transit boulevard or other road with traffic volumes predicted to exceed (or currently exceeding) 6,000 vehicles per day; • potentially impacted upon by a nearby industrial / employment area; or • potentially impacting upon sensitive receivers such as residences within the precinct and outside the precinct.	See Acoustic DA Assessment at **Attachment 9**.	**YES**
	The acoustic report shall demonstrate that the noise criteria in Development Near Rail Corridors and Busy Roads- Interim Guideline (Department of Planning 2008), and Council's Environmental Noise Policy have been considered.	See Acoustic DA Assessment at **Attachment 9**.	**YES**
	Subdivision design on land adjacent to significant noise sources is to consider and implement measures to attenuate noise within dwellings and in external areas that are classified as Principle Private Open Space (refer to clause 4.2.7)	See Acoustic DA Assessment at **Attachment 9**.	**YES**

CAMDEN CITY COUNCIL GROWTH CENTRE PRECINCTS DEVELOPMENT CONTROL PLAN 2016			
1CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
	Physical noise barriers (ie. Noise walls or solid fencing) are not generally supported, and measures to attenuate noise through subdivision layout, such as service roads, setbacks, building orientation, and building design and materials selection should be implemented to achieve appropriate internal noise standards.	Noted.	
2.3.10 – Odour Assessment and Control	Odour management is subject to the Protection of the Environment Operations Act 1997. Currently the only methods of controlling odour impacts are applying buffers around odour generating activities and industry best management practices.	See Odour Impact Assessment at **Attachment 10**.	**YES**
	Prior to the commencement of this DCP the Growth Centre precincts were mostly zoned for rural purposes. The Precincts, and nearby rural areas, contain a number of existing rural uses that have the potential to generate odour and other associated impacts that may affect the amenity of nearby urban areas. While these activities may cease operation at some point in the future (such as when the land is rezoned and developed for urban purposes) the timing of cessation of odour generating land uses is not known nor able to be controlled by Council or the Department of Planning & Environment. Developers and buyers of property within the Growth Centre precincts should be aware that their property may be subject to odour impacts from these uses for an indeterminate period of time.	See Odour Impact Assessment at **Attachment 10**.	**YES**
	Where land is deemed by Council to be affected by an odour source Council will consider whether the type of development in this area is appropriate and will also consider the need for the applicant to provide additional supporting information with the development application. An odour assessment prepared by an appropriate qualified person in accordance with the EPA Draft Policy "Assessment and Management of Odour from Stationary Sources in NSW" and Technical Notes may be required to be submitted.	See Odour Impact Assessment at **Attachment 10**.	**YES**
2.3.11 – Air Quality	For industrial / employment developments, the emission of all air impurities is to be strictly controlled in accordance with the Protection of the Environment Operations (Clean Air) Regulation 2002 and must not exceed the prescribed standard concentration and emission rates. Where no standard is prescribed by the regulation, the activity or operation of any plant must be carried out by such practicable means as may be necessary to prevent or minimise air pollution. A report prepared by a suitably qualified air quality expert may be requested by Council to be prepared prior to development consent being granted. Such a report is to detail the likely air emissions and impacts, methods for control and maintenance of equipment, to ensure compliance with the Protection of the Environment Operations Act, 1997 and associated Regulations. Refer to Department of Planning and Environment (then Department of Planning) Development Near Rail Corridors and Busy Roads – Interim Guideline.	N/A.	**N/A**
	Implement effective site controls during and after demolition and construction to ensure that development does not contribute to increased air pollution.	Able to comply.	**YES**
2.4 – Demolition			
	All demolition work must comply with the Australian Standard AS2601 - 1991, The Demolition of Structures.	Able to comply.	**YES**
	Security fencing such as hoardings must be provided around the perimeter of the demolition site prior to work commencing to prevent access by unauthorised persons at all times during the demolition period. Approval of the fencing by Council must be received prior to erection.	Able to comply.	**YES**
	All lead contaminated materials identified in the building must be handled and disposed of in accordance with the NSW Environment Protection Authority's requirements.	Able to comply.	**YES**
	Dust controls must be implemented on site prior to and during demolition.	Able to comply.	**YES**

CAMDEN CITY COUNCIL GROWTH CENTRE PRECINCTS DEVELOPMENT CONTROL PLAN 2016			
1CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
	Hazardous materials audits shall be conducted on any buildings at the site that may require demolition.	Able to comply. A Hazardous Materials Survey will be provided under separate cover as per the recommendations of the Detailed Site Investigation at **Attachment 5**.	**YES**
	Asbestos, if identified in the building, must be removed and disposed of in accordance with the requirements of Work Cover.	Able to comply.	**YES**
	Demolition activities on site must be limited to the following hours: • Monday to Friday 7:00am to 5:00pm • Saturday 8:00am to 5:00pm • No work on Sunday and Public Holidays	Able to comply.	**YES**
	Sound pressure levels emanating from the site must comply with the Interim Guideline for Construction Noise (Office of Environment and Heritage).	Able to comply.	**YES**
	A Waste Management Plan (WMP) is to be submitted with the Development Application.	See Operational Waste Management Plan & Work Method Statement at **Attachment 16**.	**YES**
	The WMP must include volume or area estimates and information about reuse, recycling and disposal options for all types of waste produced on-site, including excavation materials.	See Operational Waste Management Plan & Work Method Statement at **Attachment 16**.	**YES**
	The WMP together with proof of lawful disposal for all waste that is disposed of, or otherwise recycled from the site must be retained on site.	See Operational Waste Management Plan & Work Method Statement at **Attachment 16**.	**YES**
	A Dilapidation Report may be required to be submitted with a Development Application for any demolition within the zone of influence of any other building.	Able to comply.	**N/A**
2.5 – Crime Prevention Through Environmental Design			
	Buildings should be designed to overlook streets, lanes and other public or communal areas to provide casual surveillance. In the case of corner lots habitable windows are also be oriented to overlook both streets.	See 4.4.7 of this Statement.	**YES**
	The design of all development is to enhance public surveillance of public streets and open space/conservation areas.	See 4.4.7 of this Statement.	**YES**
	For residential development, the use of roller shutters other than garages is not permitted on doors and windows facing the street. Any security railings must be designed to complement the architecture of the building.	See 4.4.7 of this Statement.	**YES**
	Developments are to avoid creating areas for concealment and blank walls facing the street.	See 4.4.7 of this Statement.	**YES**
	Pedestrian and communal areas are to have sufficient lighting to ensure a high level of safety. These areas must be designed to minimise opportunities for concealment.	See 4.4.7 of this Statement.	**YES**
	All developments are to incorporate the principles of Crime Prevention Through Environmental Design (CPTED). Development Applications for subdivision, public open space, community facilities, commercial developments, mixed-use developments, and schools may require a formal crime risk (CPTED) assessment as part of the EP&A Act 1979, development assessment and Camden Council's Designing Safer Communities – Safer by Design Guidelines (October 2002).	See 4.4.7 of this Statement.	**YES**
2.6 – Earthworks			
	Subdivision and building work is to be designed to respond to the natural topography of the site wherever possible, minimising the extent of cut and fill both during subdivision and when buildings are constructed.	Complies. See Architectural Plans at **Attachment 2**.	**YES**

CAMDEN CITY COUNCIL GROWTH CENTRE PRECINCTS DEVELOPMENT CONTROL PLAN 2016			
1CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
	The applicant is to demonstrate how the finished land levels will be integrated with nearby land and facilitate appropriate drainage.	Complies. See Architectural Plans at **Attachment 2**.	**YES**
	Where terraced retaining walls are proposed the minimum horizontal distance between each step is one metre.	N/A.	**N/A**
	A variation to the retaining wall heights can be considered with supporting justification.	N/A.	**N/A**
	Council will consider permitting greater cut for basements.	Noted.	**YES**
	All retaining walls proposed are to be identified in the development application. Those affecting adjoining properties i.e. adjacent to property boundaries, are to be available for inspection prior to the internal linings of the house being installed. All other approved retaining walls are to be in place prior to the issue of an occupation certificate.	N/A.	**N/A**
	Where cut or fill is proposed on the boundary of a lot, retaining walls are to be constructed with side fence posts integrated with the retaining wall (relevant construction details are required with retaining wall approval).	N/A.	**N/A**
	Where retaining walls are located at property boundaries, a section 88B instrument is to create an easement for support, maintenance and repair on the subject lot and adjoining land.	N/A.	**N/A**
	All retaining walls that are proposed as part of a subdivision or building work shall be designed by a practicing Structural Engineer and be of masonry construction.	N/A.	**N/A**
	Retaining walls that front a public place are to be finished with anti-graffiti coating.	N/A.	**N/A**
	Retaining walls are to be designed and constructed to allow for installation of boundary fencing without impact on the structural soundness of the retaining wall and its footings.	N/A.	**N/A**
	A Validation Report is required to be submitted to Council prior to the placement of imported fill on site. All fill shall comply with the NSW Office of Water – "Site Investigation for Urban Salinity" and the OEH Contaminated Sites Guidelines – "Guidelines for the NSW Site Auditor Scheme (2nd edition) – Soil Investigation Levels for Urban Development Sites in NSW".	N/A.	**N/A**
	Earth moved from areas containing noxious weed material must be disposed of at an approved waste management facility, and transported in compliance with the Noxious Weeds Act 1993.	N/A.	**N/A**
	Development on land having a natural gradient of 1:6.7 (15%) or greater shall be accompanied by a geotechnical study, including guidelines for structural and engineering works on the land.	N/A.	**N/A**
	For sites with existing water storage facilities (dams) the DA must include a dam removal plan which addresses each of the following controls to Council's satisfaction and must also include details of: • A water quality and soil test which details any contaminants in both the water and soil at the base of the dam (all testing shall be undertaken by a qualified consultant and National Association of Testing Authorities accredited laboratory). • A salinity hazard test undertaken in accordance with the Office of Water salinity site assessment guidelines.	N/A.	**N/A**
	Sites identified as contaminated must follow the Office of Environment and Heritage contaminated water or soil removal guidelines in the National Environment Protection (Assessment of Site Contamination) Measure 1999. Contaminated water	See Detailed Site Investigation at **Attachment 5**.	**YES**

CAMDEN CITY COUNCIL GROWTH CENTRE PRECINCTS DEVELOPMENT CONTROL PLAN 2016			
1CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
	should be disposed of at a liquid waste facility.		
	Water identified as not contaminated may be re-used on site or on other properties. Should there be no possible reuse option for the water; a controlled release into the creek may be possible.	N/A.	**N/A**
	Any controlled release of water into the receiving waters (creek) must ensure against any erosion impact.	Able to comply.	**YES**
	It is recommended that any water release is undertaken during high flow events as creek water quality is reduced at this time.	Able to comply.	**YES**
PART 4 – DEVELOPMENT IN RESIDENTIAL AREAS			
4.1 – Site Responsive Design			
4.1.2 – Cut and Fill	DAs are to illustrate where it is necessary to cut and/or fill land and provide justification for the proposed changes to the land levels.	Complies. See Architectural Plans at **Attachment 2**.	**YES**
	The maximum amount of cut shall not exceed 1m. The maximum amount of fill shall not exceed 1m.	Complies. See Architectural Plans at **Attachment 2**.	**YES**
	Fill within 2.0m of a property boundary shall be fully contained by the use of deepened (drop) edge beam construction with no fill permitted outside of this building footprint.	See Architectural Plans at **Attachment 2**.	**YES**
	The use of a deepened edge beam shall not exceed 1m above natural ground level.	Able to comply.	**YES**
	Where excavation or filling is required alongside a driveway, it shall be retained by a retaining wall.	Complies.	**YES**
	Council will consider permitting greater cut for basement garages and split level designed development on steeply sloping sites.	Complies.	**YES**
	All retaining walls proposed are to be identified in the development application and shall be a minimum 0.3m from property boundaries. Excavations affecting adjoining properties are to be retained or shored immediately. All other approved retaining walls are to be in place prior to the issue of an occupation certificate.	Able to comply.	**YES**
	The maximum height of voids within individual allotments is 3m, as illustrated in Figure 4-1.	N/A.	**N/A**
4.1.3 – Sustainable Building Design	The majority of plant species are to be selected from the preferred species listed at Appendix C and indigenous species are preferred.	See Landscape DA Report at **Attachment 15**.	**YES**
	The provisions of BASIX will apply with regards to water requirements and usage.	See BASIX Report at **Attachment 22**.	**YES**
	The design of dwellings is to maximise cross flow ventilation.	Complies with the cross ventilation requirements of the ADG.	**YES**
	The orientation of dwellings, location of living rooms and the positioning and size of windows and other openings is to take advantage of solar orientation to maximise natural light penetration to indoor areas and to minimise the need for mechanical heating and cooling.	Complies.	**YES**
	Outdoor clothes lines and drying areas are required for all dwellings and can be incorporated into communal areas for multi-dwelling development and residential flat building developments.	Able to comply.	**YES**
	Design and construction of dwellings is to make use of locally sourced materials where possible.	See Schedule of Materials and Finishes in the Architectural Plans at **Attachment 2**.	**YES**

CAMDEN CITY COUNCIL GROWTH CENTRE PRECINCTS DEVELOPMENT CONTROL PLAN 2016			
1CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
	Residential building design is to use, where possible, recycled and renewable materials.	See Schedule of Materials and Finishes in the Architectural Plans at **Attachment 2**.	**YES**
	Roof and paving materials and colours are to minimise the retention of heat from the sun.	See Schedule of Materials and Finishes in the Architectural Plans at **Attachment 2**.	**YES**
	The design of dwellings that are required to attenuate noise shall use, where possible, alternatives to air- conditioning, such as acoustic wall ventilators, ceiling fans, or bulkhead-mounted ducted fans to achieve appropriate ventilation.	Complies.	
4.1.4 – Salinity, Sodicity and Aggressivity	All development must comply with the Salinity Management Plan developed at the subdivision phase or at Appendix B. The actions/works from the Salinity Management Plan must be certified upon completion of the development.	See Geotechnical and Salinity Assessment Report at **Attachment 6**.	**YES**
	Salinity shall be considered during the siting, design and construction of dwellings including: drainage, vegetation type and location, foundation selection and cut and fill activities, to ensure the protection of the dwelling from salinity damage and to minimise the impacts that the development may have on the salinity process.	See Geotechnical and Salinity Assessment Report at **Attachment 6**.	**YES**
4.3 – Additional Controls for Certain Dwelling Types			
4.3.5 – Controls for Residential Flat Buildings, Manor Homes and Shop Top Housing	In density areas of 20dw/Ha and 25dw/Ha, manor homes may only be located on corner lots.	See Subdivision Plan at **Attachment 4**.	**YES**
	Residential flat buildings are to: • be located on sites with a minimum street frontage of 30m, and • have direct frontage to an area of the public domain (including streets and public parks), and • not adversely impact upon the existing or future amenity of any adjoining land upon which residential development is permitted with respect to overshadowing impact, privacy impact or visual impact.	 Complies. Complies. Complies.	 **YES** **YES** **YES**
	All residential flat buildings are to be consistent with: • the guidelines and principles outlined in SEPP No. 65 – Residential Flat Development; and • the primary controls set out in Table 4-10, which take precedence over the above where there is any inconsistency.	See **Table 1.**	**YES**
	In all residential flat building developments containing 10 dwellings or more, a minimum of 10% of all apartments are to be designed to be capable of adaptation for access by people with all levels of mobility. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299- 1995), which includes 'pre-adaptation' design details to ensure visitability is achieved.	Complies. 11% (28 units) of units are proposed as adaptable dwellings.	**YES**
	Where possible, adaptable dwellings are to be located on the ground floor. Dwellings located above the ground level of a building may only be provided as adaptable dwellings where lift access is available within the building. The lift access must provide access from the basement to allow access for people with disabilities.	Complies. Adaptable dwellings above ground level are accessed via lift.	**YES**
	The development application must be accompanied by certification from an accredited Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard (AS 4299-1995).	Complies. See Statement of Compliance at **Attachment 19**.	**YES**
	Car parking and garages allocated to adaptable dwellings must comply with the requirements of Australian Standards for disabled parking spaces.	Complies. See Statement of Compliance at **Attachment 19**.	**YES**
	A landscape plan is to be submitted with every application for residential flat buildings.	Complies. See Landscape DA Report at **Attachment 15**.	**YES**

CAMDEN CITY COUNCIL GROWTH CENTRE PRECINCTS DEVELOPMENT CONTROL PLAN 2016			
1CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
Element	**R3, R4 Zones (Residential Flat Buildings)**		
Site coverage (maximum)	50%	Complies. 40.56% (3,867.85m^2) proposed.	**YES**
Landscaped area (minimum)	30% of site area	Stage 1 (involving temporary road construction) proposes a landscaped area of 25.9% (2,470.49m^2). Stage 2 (access to new local road) proposes a landscaped area of 31.95% (3,047m^2). The proposed variation is reasonable given the sites access to the public recreation area upon the site that is to dedicated to Council.	**YES**
Communal open space	15% of site area	Complies. 57.06% (5,441.52m^2) proposed.	**YES**
Principal private open space (PPOS)	Min. 10m^2 per dwelling with min. dimension of 2.5m	N/A. See ADG Compliance at **Table 1.**	**N/A**
Front setback (minimum)	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.	See Note 1.	**NO**
Corner lots secondary street setback (minimum)	6m	See Note 1.	**NO**
Side setback (minimum)	Buildings up to 3 storeys: 3m Buildings above 3 storeys: 6m	N/A.	**N/A**
Rear setback (minimum)	6m	N/A.	**N/A**
Zero lot line (minimum)	Not permitted.	Complies.	**YES**
Habitable room/balcony separation distance (minimum) for buildings 3 storeys and above	12m	N/A. See ADG Compliance at **Table 1.**	**N/A**
Car parking spaces	1 space per dwelling, plus 0.5 spaces per 3 or more bedroom dwelling.	Complies. See Assessment of Traffic and Parking Implications at **Attachment 14**.	**YES**
	May be in a 'stack parking' configuration.	Complies. See Assessment of Traffic and Parking Implications at **Attachment 14**.	**YES**
	Car parking spaces to be located below ground or behind building line.	Complies.	**YES**
	1 visitor car parking space per 5 apartments.	Complies. 51 visitor spaces provided.	**YES**
	Bicycle parking spaces: 1 per 3 dwellings.	Complies. 90 bicycle spaces are provided.	**YES**
Garage dominance	A maximum of two garage doors per 20m of lot frontage facing any one street frontage.	N/A.	**N/A**
Garages and car parking dimensions (min)	Covered: 3m x 5.5m Uncovered: 2.5m x 5.2m Aisles widths must comply with AS 2890.1	N/A.	**N/A**

Table 3

Schedule 2 Leppington Major Centre Compliance Table

SCHEDULE 2 LEPPINGTON MAJOR CENTRE			
CONTROL	**REQUIREMENTS**	**PROPOSED**	**COMPLIANCE**
PART 5 – BUILDING CONTROLS			
5.1 – Building Envelopes and Setbacks			
5.1.1 – Building Orientation	Buildings are to be orientated towards and provide active frontages at street level, to Rickard Road, the Main Streets and preferably to Town Centre Streets, as shown on Figure 5-15-1.	N/A.	**N/A**
	Active ground floor uses that include outdoor seating and/or openable shopfronts are best orientated towards the north or east, however these uses are encouraged facing Rickard Road, the Main Street and Town Centre Streets regardless of their orientation.	N/A.	**N/A**
	The main pedestrian entries to buildings, including ground floor retail and commercial premises that face the street, are to be from the streets listed in the controls above with active frontages.	N/A.	**N/A**
	Buildings are to be orientated towards major access roads in the Leppington Major Centre, including Eastwood Road, Dickson Road, Ingleburn Road, Bringelly Road, Byron Road, Edmondson Avenue, Camden Valley Way and Cowpasture Road. Blank walls are not to face these roads, and glazing is to occupy at least 50% of the building façade width facing these roads.	Complies.	**YES**
	Service and utility bays, loading docks and car park entries are to be orientated towards Service lanes, or where this is not possible, to streets that are not specified as requiring at Active Frontage in Figure 5-15-1. Where vehicle entry is provided from a Town Centre Street, car parks, service bays and loading docks are to be screened from view from the street.	Complies.	**YES**
	Large format retail such as supermarkets and parking areas are to be sleeved or hidden by retail and commercial uses, or designed with a high proportion of glazing where the building fronts directly onto the Main Street or Town Centre Streets. Buildings are to be orientated to provide attractive, active building frontages and passive surveillance to public open space, land zoned for drainage purposes, plazas, squares and pedestrian through-site links.	N/A.	**N/A**
5.1.2 – Setbacks	Building setbacks are to be in accordance with Figure 5-2.	N/A – refer to section 5.1.2(5) below.	**N/A**
	Where Figure 5-25-2 identifies a zero setback, buildings are to be built to the property boundary (i.e. a zero setback), for at least the ground floor and first floor.	N/A.	**N/A**
	Projections beyond the zero setbacks lines may include awnings, verandas, balconies, roof overhangs and blade walls above street level.	N/A.	**N/A**
	On land where a front setback other than a zero setback applies, façade articulation elements may extend into the front setback to a maximum of 1.5 metres and for a maximum of 50% of the length of the building facade.	N/A.	**N/A**
	Setbacks for residential buildings (apart from residential buildings that contain retail or commercial uses at the ground floor), are to be in accordance with the residential setback controls in Part 4 of the main body of this DCP.	Part 4 setback controls apply – see Note 1.	**NO**
5.1.3 – Building Height and	Maximum building heights are to be in accordance with Figure 5-35-3.	See Note 2.	**NO**

SCHEDULE 2 LEPPINGTON MAJOR CENTRE			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
Envelope Controls	***Note: The Growth Centres SEPP specifies maximum building heights. The controls in this DCP are intended to provide more detailed guidance on appropriate building heights to achieve urban design, amenity and environmental sustainability outcomes for the Leppington Major Centre.***		
	The Rickard Road Transit Boulevard, Leppington Station, and prominent street corners should be reinforced in a visual context through concentrating building height and built form, as illustrated at Figure 5-35-3.	N/A.	**N/A**
	Taller buildings may also be concentrated along other major roads and adjacent to public open space, plazas and squares to emphasise and assist in way-finding to these public spaces, providing solar access requirements can still be achieved.	Noted.	**YES**
	Above the first floor, building setbacks and separation distances are to be provided in accordance with the controls in Part 5 in the main body of this DCP. ***Note: it may be necessary to vary building setbacks and separation distances on upper floors from the numeric controls in Part 5 of the DCP, to ensure that privacy, amenity and solar access are provided in accordance with the relevant DCP controls. 5. 6.***	N/A.	**N/A**
	Buildings are to be designed to ensure a human scale is maintained at street level.	Complies.	**YES**
	Minimum floor to finished ceiling heights are as follows: • Ground floor of all buildings (regardless of use): 3.6m • First floor for retail and/or commercial use: 3.3m • All other retail and/or commercial floors: 3.3m • All other residential floors: 2.7m	ADG prevails. See ADG Compliance at **Table 1**.	**YES**
5.2 – Façade Design			
	Articulation zones should be provided to compliment the building mass and emphasise key design elements such as entrance points and respond to environmental conditions including solar access, noise, privacy and views.	Complies.	**YES**
	External security shutters are not permitted.	Complies.	**YES**
	On corner sites, shop fronts are to wrap around the corner.	N/A.	**YES**
	Entries to residential or commercial lobbies, facing Rickard Road, Main Town Centre Streets or Internal Access Streets, are to be a maximum of 50% of the building frontage width or 10 metres, whichever is the lesser.	Complies.	**YES**
	Architectural expression should be diverse across building groups/blocks and facades should be articulated to create visual interest.	Complies.	**YES**
	There should be a contemporary architectural style based on simple primary building forms and a fine grained assemblage of elements (which may incorporate the diversity of character of streetscapes in historic towns such as Camden).	Complies.	**YES**
	Façade design should create a series of vertical elements along a building length reflecting a traditional main street façade.	Complies.	**YES**
	Building facades are to be designed to accentuate key architectural features and clearly delineate points of interest such as building entries, vertical and horizontal elements.	Complies.	**YES**
	Building facades are to incorporate a variety of finishes and materials which provide visual relief to the built form and which complement the materials and colours adopted for the public domain (refer to Part 4 of this Schedule).	Complies.	**YES**

SCHEDULE 2 LEPPINGTON MAJOR CENTRE			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
	Sleeve buildings are to be used to minimise the visual impact of large boxes, service areas and to define streets.	Complies.	**YES**
	Roof forms and structures such as clock towers/spires are encouraged for key sites and roofs should be designed to break up the overall mass of a roof on a large building.	Complies.	**YES**
	Roof elements should be used to screen mechanical plant.	Complies.	**YES**
5.3 – Landscaping			
	A landscape plan is to be submitted for all development within the Leppington Major Centre where landscaped areas are required or proposed at ground level.	Complies. See Landscape DA Report at **Attachment 15**.	**YES**
	Where buildings require a setback of more than zero from the street, the setback area is to be landscaped and is to consist of predominantly soft ground with deep soil (ie. solid paving, concrete, or other impervious materials are to be minimised).	Complies. See Landscape DA Report at **Attachment 15**.	**YES**
	Landscaping within development sites is to complement the landscape character of adjoining streets and other public spaces (refer to the controls in Part 0 of this Schedule).	Complies. See Landscape DA Report at **Attachment 15**.	**YES**
	The proportion of the site that is unpaved is to be maximised to enable maximum water infiltration. Planting is to include deep rooted tree species to assist in maintaining an appropriate water table.	Complies.	**YES**
	Rainwater storage and re-use is required for all landscaping irrigation, with mains water only to be used as a backup. The capacity of on site water storage is to consider the likely water consumption required to maintain landscaped areas within the site.	See Stormwater Concept Plan & Civil Works Plan at **Attachment 17**.	**YES**
	Landscaping of development sites adjacent to Scalabrini Creek and Bonds Creek is to integrate with the natural characteristics of the existing vegetation or vegetation to be re-established along these creek corridors. Native (locally indigenous) plant species are to be the dominant landscape species in these locations.	See Landscape DA Report at **Attachment 15**.	**YES**
	Landscape plans submitted for development on bushfire-prone land (refer to the Bushfire Risk and Asset Protection Zone Requirements figure in Schedule 1) must be prepared in accordance with the NSW Rural Fire Service Planning for Bushfire Protection Guidelines.	See Landscape DA Report at **Attachment 15**.	**YES**
	Landscaping design and tree species selection is to consider solar access (in winter) and the provision of shade (in summer) to buildings, the public domain and outdoor areas within the development (including private or communal open space areas).	See Landscape DA Report at **Attachment 15**.	**YES**
5.4 – Water Sensitive Urban Design			
	The Water Sensitive Urban Design controls in Clause 6.5 of the main body of the DCP also apply to development in the Business zones (B3, B4, B5 and B7) in Leppington Major Centre.	See Stormwater Concept Plan & Civil Works Plan at **Attachment 17**.	**YES**
	A Leppington Major Centre Water Sensitive Urban Design Strategy (WSUD Strategy) has been prepared by the Department of Planning and Infrastructure and is available from Council. Development applications must demonstrate compliance with the WSUD Strategy and the controls in this DCP (which take precedence over the Strategy) to Council's satisfaction.	See Stormwater Concept Plan & Civil Works Plan at **Attachment 17**.	**YES**
	Trunk stormwater detention basins and channels as shown on the Indicative Layout Plan have been designed to detain stormwater volume up to the 100 year ARI storm event from streets, residential zoned land and public spaces within the Leppington	See Stormwater Concept Plan & Civil Works Plan at **Attachment 17**.	**YES**

SCHEDULE 2 LEPPINGTON MAJOR CENTRE			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
	Town Centre. Detention of additional stormwater runoff as a result of other development is to be managed within the development site (on site detention) to ensure there is no increase in runoff in events up to the 100 year ARI event.		
	Where development adjoins or incorporates streets that follow drainage paths (low points), WSUD measures should be incorporated into the design of the street. Measures such as bioswales and tree pits are to be located in the road verge (as opposed to in a central median).	See Stormwater Concept Plan & Civil Works Plan at **Attachment 17**.	**YES**
	For individual Development Applications, a Water Cycle Management Strategy should be prepared by a suitably qualified consultant to demonstrate how the proposed development manages run off quantity and quality, reduces potable water use, minimises effluent production and integrates landscape irrigation with recycled water.	See Stormwater Concept Plan & Civil Works Plan at **Attachment 17**.	**YES**
	Measures to treat stormwater quality, to achieve the targets specified in clause 2.3.3 of the main body of this DCP, are to be incorporated into each development. The design and location of water quality treatment devices is to be consistent with the WSUD Strategy, and integrated with elements of the development such as car parks, landscaped areas, private open space, communal outdoor areas and setback zones.	See Stormwater Concept Plan & Civil Works Plan at **Attachment 17**.	**YES**
5.5 – Parking, Loading and Access			
	On street parking to be provided throughout the centre in accordance with the cross sections in Part 4 of this Schedule to contribute to street life and surveillance.	See Assessment of Traffic and Parking Implications at **Attachment 14**.	**YES**
	Rates of provision for car parking are to be determined with reference to the car parking rates specified in Part 4 of this DCP for residential development, Part 5 for commercial and retail development and Part 6 for industrial development. Rates may be modified (subject to agreement by Council), or Council may restrict the provision of parking to a maximum number of spaces because: • Access to public transport means that dependence on private cars is reduced within the Leppington Major Centre, or • Traffic congestion is likely to occur because parking provision generates traffic volumes in excess of planned road capacity, or • The required rate of car parking would result in detrimental impacts on the character and amenity of the centre, or • On street parking is available in proximity to the proposed development, reducing demand for internal car parking, or • Provision is made for other modes of transport eg. Walking and cycling that would reduce the demand for car parking, or • Efficiencies in car parking use are achieved by locating the proposed development adjacent to another development or land use that has spare car parking capacity (in general or at certain times of the day) or where parking provision can be shared between the developments, or • Shared use of car parking by commuters and the development is proposed, or • A detailed assessment of required provision of car parking demonstrates that parking will be appropriately provided at a rate which differs from the standards. • Rooftop parking is discouraged to preserve the future amenity for residential flat buildings located in the centre. • Below ground car parking is encouraged for higher density residential and mixed-use development and for major retail and commercial development. • The majority of car parking is to be provided under or behind buildings, and on street to limit visual impact and maintain pedestrian amenity. • Where multi-level parking is proposed above ground, the car park is to be screened from view from Rickard Road, Main Town Centre Streets and Internal Access Streets by buildings that present an active façade to the street. • Parking, loading and service areas are to be accessed predominantly from Secondary Town Centre Streets. • At grade car parking is permitted where the main access is from a Secondary	See Assessment of Traffic and Parking Implications at **Attachment 14**.	**YES**

SCHEDULE 2 LEPPINGTON MAJOR CENTRE			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
	Town Centre Street and where site landscaping and buildings provide appropriate visual screening from public places. • Car parks are not to be visible from public parks, squares or plazas. • Where below ground parking is along a street edge and cross ventilation is desirable, any exposed section of car park wall is to be appropriately modelled and scaled. • Natural ventilation of basement and sub-basement parking areas is encouraged to be provided wherever possible. • Service vehicle access points should be consolidated where possible to limit the potential for conflict points. • Bicycle racks/storage areas are to be provided in all developments in accordance with the requirements of Part 5 of the main body of this DCP. Bicycle racks/storage areas should be provided for both residents/employees and site visitors. • Within the B5 Business Development zone, between Bringelly Road and Fifth Avenue, car parks are to be located internally (i.e. behind buildings that provide frontages to Bringelly Road, Fifth Avenue and Edmondson Avenue). • Within the B5 Business Development zone, where car parking, loading or service areas are located adjacent to land zoned for public recreation, landscaping is to be used to screen the car park from view from the public recreation land. • Loading and service areas are not to be located adjacent to or across a road from land zoned for residential or public recreation purposes.		
5.6 – Development and Use of Flood Prone Land			
	Development within the 100 year ARI flood extent, as shown on the Floodprone Land figure in Schedule 1, is only to occur where the controls relating to flood prone land in Part 2 of the main body of this DCP are met.	See Overland Flow Flood & Water Quality Assessment at **Attachment 8**.	**YES**
	Use of flood prone land for activities that are ancillary to development on adjoining (non flood prone) land are encouraged, subject to compliance with Council's Floodplain Risk Management Policy and the Precinct Water Cycle Management Strategy (available from Council), and may include: • Communal areas or private open space associated with residential or mixed use development or development in the Business Park. • Landscaping.	See Overland Flow Flood & Water Quality Assessment at **Attachment 8**.	**YES**
5.7 – Heritage			
	Developments in the vicinity of Leppington School Heritage Item must be sympathetic to the scale, massing and character of the significant weatherboard buildings and their garden setting. Buildings shall not exceed two storeys in height within 10 metres of the curtilage of the Leppington School site. Developments shall incorporate landscape treatments to ensure an appropriate transition of building scale between the heritage item and adjacent development.	N/A.	**N/A**
	Developments that coincide with the former Eastwood Road historic road alignment shall conserve elements of the original road alignment within the landscape, either by means of a natural landscape corridor or other forms of interpretation such as explanatory signage.	N/A.	**N/A**

SCHEDULE 2 LEPPINGTON MAJOR CENTRE			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIANCE
5.8 – Staging of Development			
	Development in the early stages of growth in the centre should be designed, oriented and located to comply with the relevant controls in this schedule, or to not preclude future development from complying with the controls and Planning Principles.	Complies.	**YES**
	To the extent that it is practical, early development in the centre is to consider the layout, orientation and scale of future stages of development that may occur and whether the proposed development will enable future stages of development to occur.	Complies.	**YES**
	In support of Control 2, Council may require the applicant to submit concept plans showing how the proposed development would integrate with potential future stages of development on the land or on adjoining land, in a manner that is consistent with the controls in this Schedule.	Complies.	**YES**
	Temporary access arrangements may be agreed to by Council in situations where the road network is not sufficiently developed to enable compliance with the parking, loading and access requirements of clause 5.4. Where temporary access arrangements are proposed, applicants are to demonstrate how the development will enable transition to permanent access arrangements that comply with clause 5.4 when the road network is sufficiently completed.	Complies.	**YES**
	To enable the efficient development of land in the early stages of the centre, Council may consider amendments to the locations of roads as shown on the Indicative Layout Plan, where necessary to maximise the development potential of land or to ensure that appropriate access is provided.	Noted.	**YES**
	Despite Control 5, the locations of the Main Street, Bus Interchange Street and Town Centre Streets are generally fixed and applicants will be required to construct these roads at, or as close as possible to, the locations shown on the Indicative Layout Plan.	Noted.	**YES**
	Council will generally require the full width of roads to be constructed as part of any development proposal that requires the construction of a new road, except for the road verge and footpath on the side opposite the development, where applicants can demonstrate to Council that that verge and footpath is not required to service the proposed development. Where the new road straddles a property boundary, Council may accept amendment to the location of the road to ensure the full road carriageway width (and full width of verges/footpaths where required) can be constructed within the development site.	Complies. See Stormwater Concept Plan & Civil Works Plan at **Attachment 17**.	**YES**
	Construction of half road widths will only be permitted where the applicant can demonstrate to Council that the half road will have sufficient capacity and be safe for the predicted traffic volumes. Half roads will not be permitted where they form the primary means of vehicular access to parking areas for retail premises or commercial premises.	N/A.	**N/A**
	Figure 5-55-4 illustrates the potential staging of development in Leppington Major Centre, based on factors including likely water, sewer and electricity servicing, development of the road network and demand for different types of development in the town centre. The staging of development is not required to occur as shown on Figure 5-55-4, but is to consider the other requirements of this clause to contribute to the orderly and efficient development of the centre.	Complies.	**YES**

Note 1 – Setbacks

Table 4-10 of the DCP requires a front setback of:

> *6 metres*
> *Balconies and other articulation may encroach into the setback to a maximum of 4.5 metres from the boundary for the first 3 storeys, and for a maximum of 50% of the facade length.*

The objectives of the built form controls for residential flat buildings, manor homes and shop top housing are to establish a high quality residential environment where all dwellings have a good level of amenity and to encourage a variety of housing forms within residential areas. There are no specific objectives that relate to the setbacks prescribed by Table 4-10 for building setbacks, however, Part 2 of the ADG relates various objectives in establishing development controls, which include objectives in relation to the establishment of appropriate street setbacks at Objective 2G:

- establish the desired spatial proportions of the street and define the street edge
- provide space that can contribute to the landscape character of the street where desired
- create a threshold by providing a clear transition between the public and private realms
- assist in achieving visual privacy to apartments from the street
- create good quality entries to lobbies, foyers or individual dwellings
- promote passive surveillance and outlook to the street

The proposed development seeks a minor variation to the prescribed control, proposing setbacks ranging between 4.5 – 6 metres across the site's various frontages. The building will be setback a minimum of 4.5 metres to each frontage.

Figure 5-2 of Schedule 2 of the DCP prescribes a building setback of 4.5 metres for the site and applies to residential buildings that contain retail or commercial uses at the ground floor, with façade articulation elements extending into the front setback by 1.5 metres (i.e. 3 metres). This control is also applicable to multi dwelling housing developments which are otherwise permitted in the R3 Zone. The proposed setback is therefore consistent with development anticipated in the locality. In combination with proposed street trees, Tuckeroos which grow to a mature height of 8 metres, Illawarra Flame and Chinese Elm feature trees are proposed within the front setbacks bio swales, lawn elements and hedge planting. These trees have a mature tree height of 12 and 13 metres respectively, assisting to soften the appearance of the building's bulk when viewed from the public domain.

The development maintains adequate visual privacy between the apartments and the street and promotes passive surveillance from living room windows and private open space.

Note 2 – Building Height in Storeys

The proposal is consistent with the 21 metre building height control prescribed by Clause 4.3 of SEPP SRGC.

Section 3.43 of the EPAA states:

> *(5) A provision of a development control plan (whenever made) has no effect to the extent that:*
> *(a) it is the same or substantially the same as a provision of an environmental planning instrument applying to the same land, or*
> *(b) it is inconsistent or incompatible with a provision of any such instrument.*

A control which seeks to restrict development upon the site to 2 – 5 storeys is clearly inconsistent with the provisions of SEPP SRGC, and is therefore of no effect.

4.4 Impacts of the Development – Section 4.15(1)(b)

The impacts of the proposal are considered acceptable in the circumstances of the case. Environmental, economic and social impacts, along with compliance with quantitative controls have been addressed throughout this report. Specific impacts of the development are addressed in the subsections below.

4.4.1 Heritage and Archaeology

There are no direct heritage or archaeology affectations for the site. The applicant will action the recommendations identified in the Due Diligence Aboriginal Archaeological Assessment at **Attachment 7**. The assessment concludes:

> *The background archaeological research, site inspection, and assessment of the study area indicate that:*
>
> - *No Aboriginal sites, objects or isolated finds have been identified on the property, and no areas of PAD exist on the land.*
> - *There are no expectations that the property would have attracted intensive or repeated use by people in the past that would have created substantial archaeological deposits.*
> - *The site is extensively disturbed.*

4.4.2 Waste Management and Collection

There are 8 garbage chutes proposed, which discharge into a dedicated waste room adjacent each building core. 2 x 240L recycling bins will be situated in the waste compartment on each residential level for collection of recyclable items. The caretaker/cleaner's duty is responsible for monitoring the capacity of recycling bins and decanting full bins into the 1100L MGBs located on Basement Level 2 using the bin lifter provided. Green waste bins will also be located in this room. Full garbage and recycling bins will be transferred to the collection area on the ground level to await servicing. Specifications for waste recovery vehicle clearance heights and turning templates are found in the Architectural Plans at **Attachment 2** and Assessment of Traffic and Parking Implications at **Attachment 14**. Reference should be made to the Operational Waste Management Plan & Work Method Statement at **Attachment 16**.

4.4.3 Environmentally Sustainable Development

The proposal incorporates a number environmentally sustainable design initiatives. The proposal embraces environmentally sustainable development via the following:

- Ability to *naturally ventilate 60% of apartments through environmentally responsive design;*
- *Embrace solar passive design strategies and achieving requisite sunlight to 75.2% of apartments;*
- *Performance glazing to the façade where required;*
- *Use of plants that are suitable to sheltered and shaded conditions of the outdoor courtyards as appropriate; and*
- *Bicycle storage and* parking facilities to encourage transport oriented development.

Furthermore, the BASIX Report at **Attachment 22** demonstrates compliance with current statutory standards for environmentally sustainable development.

4.4.4 Flora and Fauna Impacts

A Flora and Fauna Assessment at **Attachment 12** has been prepared in support of this application, which assesses the potential impacts of the proposed development on the status of native flora and fauna and their habitats. The Assessment makes the following recommendations:

> ***Prior to Construction***
>
> - *Where possible, retain native canopy trees on the subject site. For instance, it is possible for some of the Forest Red Gums to be retained and incorporated into the proposed communal landscaped areas of the subject site.*

- *Trees or shrubs that are proposed to be cleared from the subject site, or buildings that will be demolished, should be checked beforehand for the presence of active nests of birds (that is, those nests containing fertile eggs or nestlings) and mammals (such as microchiropteran bats and possums). These plants should not be removed or pruned, or buildings should not be demolished, until animals that are breeding in them have completed their breeding cycle.*
- *Trees or shrubs that are proposed to be cleared or pruned, or buildings that will be demolished, should be checked for animals before and after felling, pruning or demolition. Injured animals should be taken to a local vet or the local wildlife rescue service should be notified.*

Construction Period

- *Silt fences, sediment ponds and hay bales should be appropriately placed around construction areas to prevent runoff of sediment and nutrient-enriched waters into nearby creeks and bushland areas. The effectiveness of these traps should be closely monitored during construction, ensuring that treated site run-off meets EPA guidelines.*
- *Trees and other vegetation that are to be removed from the subject site for the proposed development should be conducted with minimal disturbance to the soil.*
- *Construction wastes should be managed appropriately to prevent accidental discharge of chemicals or other pollutants into waterways and vegetation downs- slope of the subject site. Demolition and construction materials should not be stored in garden areas of the subject site once construction has been completed so that the risk of weed outbreaks is minimised.*

Post-Construction Period

- *An appropriate and ongoing Weed Management Plan should be implemented in the retained remnant woodland and new landscaped areas on the subject site.*
- *New landscaped areas should contain characteristic Alluvial Woodland and Shale Plains Woodland (Cumberland Plain Woodland) species, representative of all vegetation layers (trees, shrubs and groundcover species).*

A Vegetation Management Plan at **Attachment 13** has been prepared to ensure sustainability of native vegetation and fauna habitats on the site and adjoining areas.

4.4.5 Bushfire Impacts

A Bushfire Protection Assessment at **Attachment 11** has been prepared in support of this application. The aim of the report is to review the proposal to determine compliance with the intent of *Planning for Bushfire Protection 2006*. The Assessment concludes:

> *This report has been prepared for a Development Application seeking consent for the construction of a 250 – 300 unit residential flat complex on Lot 14 and Lot 15 in DP 1127208, No. 183 - 185 Bringelly Road, Leppington.*
>
> *The development site and adjoining lands is recorded on the Camden Bushfire Prone Land contain Category 2 Bushfire Prone Vegetation.*
>
> *However, the site inspection confirmed that the mapped Category 2 Bushfire Prone Vegetation is in fact a remnant tree canopy with a managed [slashed/grazed] grassy understorey. This vegetation is therefore not deemed to be bushfire prone and does not present a hazard to the proposed buildings.*
>
> *However, the establishment of the riparian corridor to Bonds Creek and the park and Environmental Conservation Zone located to the southwest of the development site maintains a bushfire hazard to the site.*
>
> *The development therefore requires the provision of an Asset Protection Zone to this vegetation, pursuant to Panning for Bushfire Protection 2006, and the application of bushfire construction standards pursuant to A.S. 3959 – 2009 – 'Construction of Buildings in Bushfire Prone Areas' to the building/s.*
>
> *I confirm that the proposed development complies with the deemed-to-satisfy provisions of Planning for Bushfire Protection 2006.*

4.4.6 Acoustic Impacts

An Acoustic DA Assessment at **Attachment 9** has been prepared to assess the potential for noise impacts associated with the site. The Report concludes:

> *An acoustic assessment of the proposed development has been carried out in accordance with the requirements of Camden Council's Environmental Noise Policy, Department of Planning and the EPA.*
>
> *An environmental noise survey of the site has been conducted and the noise limiting criteria for mechanical plant/equipment noise emission has been determined based on the EPA NGLG. The limits are presented in Table 8.*
>
> *A traffic noise impact assessment of the development is detailed in Section 2.5 . Also, as part of the assessment, we have also estimated the projection for traffic noise for the year 2031 based on the traffic assessment report as detailed in Section 2.6 . Construction for glazing, external walls and the roof/ceiling systems have been provided to achieve the internal noise criteria and are detailed in Section 3.1 and Section 3.2 based on the impact of current and future road noise.*
>
> *Providing the recommendations in this report are implemented, the noise from the proposed development is predicted to comply with acoustic requirements of the Camden Council, Department of Planning, EPA, BCA Part F5 and relevant Australian standards.*

4.4.7 Crime Prevention Through Environmental Design

The CPTED principles applied in the proposed development as follows.

> *Surveillance*: The development of the site and the creation of 254 new dwellings will improve 24-hour surveillance to Bringelly Road, future local roads, and the local area generally. Communal open space at grade will increase interaction between residents and the street, which in turn further increases casual surveillance of the site and its surrounds.
>
> *Access Control*: Access points between the development and the public domain (including vehicular access and egress points) will be appropriately secured to permit access only to desired users, being residents and their guests. Windows and other access points at ground level will be lockable to further restrict unwelcome access.
>
> *Territorial Reinforcement*: The differentiation between the public and private domains is unambiguous. In addition to access control, which clearly delineates public and private spaces, additional visual cues will be used to distinguish between public and private spaces. Where necessary (for example at vehicular entry), appropriate signage may be incorporated to inform resident and the members of the public of territorial boundaries.
>
> *Space Management*: Some of the most common criminal activities include malicious damage to property, assault, theft, break and enter to dwellings and commercial premises, and theft from a motor vehicle. These forms of incidents would be sensitive to the introduction of security hardware.

4.4.8 Economic & Social Impacts

The proposed development will have a positive economic impact in providing employment through the construction phase.

The proposed development will also have a positive social impact in increasing the stock of high density housing in the Greater Sydney Area and in contributing to the viability of the South West Growth Centre. The Market Analysis at **Attachment 21** concludes:

Due to the high demand and under supply of homes in the Southwest, investors from all over Sydney are anxiously awaiting for the opportunity to purchase properties in the Leppington precinct. There is stronger and higher rental demand for apartments than houses since apartments are located near transportation, cafés and shops. In addition, there is a real supply shortage of affordable apartments near city centres throughout Sydney.

The future opportunities is promising for Leppington, if the area gives families the choice to live in a modern precinct, vibrant, populated, affordable and full of amenities. This will be a choice many Australians would want to make but can't afford it until now.

Having an extensive client network; researching insights and trends in this residential market for the Southwest Sydney. I am confident that the availability of affordable high-density mixed apartment development will set Leppington as one of the key locations for home buyers and investors.

4.4.9 Access and Traffic Impacts

An Assessment of Traffic and Parking Implications at **Attachment 14** has been prepared as part of this application. In the course of preparing the assessment, the site and its environs were inspected, plans of the development examined, and all relevant traffic and parking data collected and analysed. The Assessment concludes that:

The proposed residential development at 183 -185 Bringelly Road, Leppington will provide for 254 apartments in a convenient Town Centre location. Assessment of the proposal has concluded that:

- *the proposed parking provision will be adequate and appropriate being entirely compliant with the DCP criteria*
- *the proposed vehicle access including its temporary arrangements, internal circulation and servicing arrangements will be suitable*
- *the projected traffic outcome will be entirely consistent with the precinct's planning objectives and the assessments which underlie that planning*
- *there will be no unsatisfactory traffic or traffic related environmental implications*

4.4.10 Accessibility

A Statement of Compliance at **Attachment 19** has been prepared as part of this application. The Statement states that:

On the basis of the above assessment, I am satisfied that the proposal can achieve compliance with the access provisions of the BCA, SEPP 65 and the essential requirements of AS4299 – Adaptable Housing.

4.4.11 Odour Impacts

An Odour Implication Assessment at **Attachment 10** has been prepared as part of this application. Impacts of the piggery at No. 171 Bringelly Road were of particular concern. The Assessment concludes:

The purpose of this assessment was to determine if there is an odour risk at the proposed site due to the operation of the piggery at 171, Bringelly Road, Leppington and broiler sheds at 250 Bringelly Road Leppington and 260 Bringelly Road Leppington. This odour impact assessment predicted Odour Units (OU) from the piggery and broiler sheds to the development site, in accordance with the Technical framework: assessment and management of odour from stationary sources in NSW (2006), published by NSW DECC.

The latest version of regulatory air dispersion model AERMOD has been used for this exercise. The model was run with meteorological information exclusively developed for the site in question. The modelling work has been limited by the piggery configuration. Due to this limitation, the whole piggery has been considered as one area source with odour flux 0.05 OU/s/m2. This is a very conservative assumption and worst case scenario.

The results obtained from worst case scenario modelling using AERMOD dispersion modelling indicated that impacts to the proposed site are expected to be within the criteria set out by Camden Council.

4.4.12 Demolition & Construction Management

Prior to the commencement of demolition and/or excavation work on site, the following details will be submitted to and be approved by the Principal Certifying Authority:

i. Plans and elevations showing distances of the subject building from the site boundaries, the location of adjoining and common/party walls, and the proposed method of facade retention.
ii. A Demolition Work Method Statement prepared by a licensed demolisher who is registered with the Work Cover Authority. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)
iii. An Excavation Work Method Statement prepared by an appropriately qualified person.
iv. A Waste Management Plan for the demolition and or excavation of the proposed development.

These statements will, where applicable, be in compliance with *AS2601-1991 Demolition of Structures*, the *Construction Safety Act 1912* and *Demolitions Regulations*; the *Occupational Health and Safety Act 2000 and Regulation; applicable Council Policies for Waste Minimisation*, the *Waste Avoidance and Resource Recovery Act 2001*, and all other relevant acts and regulations, and will include provisions for:

i. A Waste Management Plan for the removal of refuse from the site in accordance with the *Waste Avoidance and Resource Recovery Act 2001*.
ii. The name and address of the company/contractor undertaking demolition/excavation works.
iii. The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.
iv. The name and address of the transport contractor.
v. The type and quantity of material to be removed from site.
vi. Location and method of waste disposal and recycling.
vii. Proposed truck routes, in accordance with this development consent.
viii. Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding roadways from such deposits. (Note: With regard to demolition of buildings, dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).
ix. Measures to control noise emissions from the site.
x. Measures to suppress odours.
xi. Enclosing and making the site safe.
xii. A certified copy of the Public Liability Insurance indemnifying Council for $10,000,000 against public prosecution for the duration of the demolition works.
xiii. Induction training for on-site personnel.
xiv. Written confirmation that an appropriately qualified Occupational Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to Work Cover Authority.
xv. An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the Work Cover Authority.
xvi. Disconnection of utilities.
xvii. Fire Fighting. (Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).
xviii. Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).
xix. Waterproofing of any exposed surfaces of adjoining buildings.

xx. Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the *Protection of the Environmental Operations Act 1997*).

xxi. Working hours, in accordance with this development consent.

xxii. Any Work Cover Authority requirements.

Demolition and/or construction works include temporary fencing, hoarding and warning notices required to conduct the works and protect the general public. All construction and building work will be adequately managed so as to minimise disruption to the local community and the environment. Noise generated by construction activities will comply with the Council's standard construction times and conditions.

4.5 Suitability of the Site – Section 4.15(1)(c)

The site is not affected by any known natural or technological constraint that would prevent development in accordance with the zone objectives.

Table 4

Does the proposal fit the locality?

Consideration	Outcome
Are the constraints posed by adjacent developments prohibitive?	No
Would development lead to unmanageable transport demands?	No
Are there adequate transport facilities in the area?	Yes
Will the locality contain adequate recreational opportunities and public spaces for new occupants?	Yes
Are utilities and services available to the site and adequate for the development?	Yes
Is the air quality and microclimate appropriate for the development?	Yes
Are there hazardous landuses or activities nearby?	No
Are ambient noise levels suitable for the development?	Yes
How critical is the site to the water cycle in the catchment?	N/A

Table 5

Are the site attributes conducive to development?

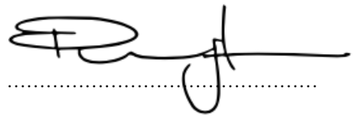
Consideration	Outcome
Is the site subject to natural hazards including floodplain, tidal inundation, subsidence, slip, mass movement, and bushfires?	Yes
Is the proposal compatible with conserving the heritage significance of the site?	Yes
Are the soil characteristics on the site appropriate for development?	Yes
Is development compatible with protecting any critical habitats or threatened species, populations, ecological communities and habitats on the site?	Yes
Is the site prime agricultural land and will development prejudice future agricultural production?	No
Will development prejudice the future use of the site for mineral and extractive resources?	N/A

4.6 Public Interest – Section 4.15(1)(e)

Redevelopment of the site is consistent with the aims of the South West Growth Centre, and represents the public interest through the provision of high density housing to meet the needs of a diverse community and place downward pressure of housing prices overall.

5 CONCLUSION

Having taken into account the relevant heads of consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, the proposal is considered an appropriate development of the site, sensitively considering context, whilst promoting design excellence and urban consolidation as a suitable precedent for future development of greenfield sites in the locality.



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