



22 December 2021

DHB\20-043

General Manager  
Campbelltown Council  
Cnr Queen and Broughton Streets  
Campbelltown NSW 2560

**Attention: Ms Emma Page**

Dear Ms Page,

**Re 308/2021/DA-SL – Seniors Housing Julius Road, Rosemeadow**

We refer to Council's request for additional information dated 6 October 2021. We refer also to the record of briefing of the Sydney Western City Planning Panel held on 12 November 2021

Please find enclosed the applicant's response to the matters raised in request for additional information and the record of briefing the comprising:

1. A table of responses to the matters raised stating how the revised information addressed the matters raised appended to this letter;
2. An amended set of drawings;
3. An amended Stormwater Management Plan and drawings;
4. An amended Traffic and Parking Assessment and swept paths;
5. An amended Waste Management Plan;
6. An amended Statement of Environmental Effects;
7. Amended clause 4.6 requests.

Should any clarification of the above be required, please do not hesitate to contact this office.

Yours faithfully

**BBC Consulting Planners**

A handwritten signature in blue ink, appearing to be 'D. al.', is written below the company name.

## Matters raised by Council in RFI 6 October 2021

Item No	Council Comment	Response
	<u>Design Excellence Panel</u>	
1.	1. The development application was reported to the Design Excellence Panel. The meeting minutes have been issued. Overall, the design was considered acceptable with changes. The specific outcomes identified by the Panel to be addressed as part of the revised submission include the following:	
	<ul style="list-style-type: none"> <li>Consider removal of 3rd floor apartments on the southern portion of the proposal and provide suitable soil mass for a substantial canopy tree in that location, by shifting the basement ramp a little further from the boundary line.</li> </ul>	The project architects have extensively reviewed solar access to the future townhouses to the south (see item 26) and have demonstrated that the top floor as currently designed will not detrimentally impact solar access to each of those lots such that they would not comply, therefore the removal of third floor apartments at this southern portion of the proposal is not required for this purpose.
	<ul style="list-style-type: none"> <li>Possible break of the Building D and E to provide further articulation of the built form and access to reserve.</li> </ul>	A break between Building D and E would not assist to access the reserve as the best access point is at the south easternmost corner where the proposed stair/ramp is currently shown as this is in close proximity to the shopping centre (see A-1000 Site Analysis). A benefit of the continuous building form is that it provides a barrier to Copperfield Drive protecting the courtyard from truck and car noise. The continuous building form is suitably articulated as it steps in plan along this boundary (see Ground Floor Plan A-2100) and is broken in length by splayed balcony walls (see Photomontage 02 A-7002). Any perceived built form impact of the scale of the building to Copperfield Drive will be ameliorated by the proposed street tree planting along Copperfield Drive, the additional 15m+ setback provided by the drainage easement, as well as the predominantly 6m+ deep soil setback within the site, both of which will also be planted with canopy trees that

Item No	Council Comment	Response
		will soften the appearance of the building (see Street Section A-5200).
	<ul style="list-style-type: none"> <li>Inclusion of an extended accessible ramp internally with resting points, the inclusion of deciduous trees and further tree planting adjacent to the driveway to the southern boundary.</li> </ul>	Additional seating has been included along the accessible ramps providing increased opportunities for socialising.
	<ul style="list-style-type: none"> <li>Relocation and/or redesign of bin enclosure to provide a more considered outcome to the front entry. The proposed bin store wall will impact apartment amenity and compromise the use and enjoyment of the ground floor apartments while creating a negative element to the front door of the development.</li> </ul>	New bin storage area provided adjacent to communal open area in courtyard serves Building D. Refer to responses to items 4 to 10 below for further information on the waste management design / operation.
	<ul style="list-style-type: none"> <li>Ensure that there are no direct views into bedrooms.</li> </ul>	Refer Ground Floor Plan – Landscape plan amended to reinforce the fact that landscaping will protect privacy of residence near entry points.
	<u>Waste</u>	
	Garden organics	
2.	The management of garden organics has not been addressed. Provide details regarding which of the below options are to be carried out:	LAHC engages a general maintenance contractor who will be responsible for collecting and disposing of garden organics offsite and therefore does not require 'green bins' for garden organics. Food waste from tenants is disposed of in general waste.
	<ul style="list-style-type: none"> <li>Require the landscape maintenance contractor to be responsible for removing and responsibly disposing (recycling) all garden organics generated from the development by a properly executed service agreement; or</li> </ul>	
	<ul style="list-style-type: none"> <li>Provide a nominated number of 240L GO bins and adjust the size of bin bays accordingly to accommodate the additional bins.</li> </ul>	

Item No	Council Comment	Response
	Travel distance	
3.	3. Part 5.4.8.4(b) of SCDGP provides a maximum travel distance of 40 metres from a dwelling to the disposal point (excluding distance travelled in a lift). The distance that most residents are required to travel to reach the bins bays exceeds the maximum travel distance, exacerbated by the excessive internal ramping. Provide a revised design which demonstrates compliance with Part 5.4.8.4(b) of SCDGP.	<p>New bin storage area provided adjacent to communal open area in courtyard serves Building D. Whilst all buildings are within 40m of waste storage areas, some units are not within the required distance from front door to be under 40m. Some apartments in buildings E and F will not strictly comply.</p> <p>It is considered that non-compliance is justified in the circumstances for the following reasons:</p> <ul style="list-style-type: none"> <li>• It is desirable to avoid having bins located in the central courtyard area and retain this area and a landscaped setting for resident use;</li> <li>• Bin storage areas are in the most practical location;</li> <li>• The constraint of single road address is key driver of non-compliance;</li> <li>• Bin enclosures are easy to use, appropriately sized and conveniently located;</li> <li>• Bin enclosures and bins will be maintained by a caretaker.</li> </ul>
	Bin bays – location	
4.	The proposed location of the 3 bin bays fronting Road No. 2 is within close proximity to units 4, 5 and 8 and the units directly above, and has potential for odour and general amenity impacts, particularly during warm/hot weather periods.	<p>See drawing A-7005 Illustrating effective landscape buffers, separations.</p> <p>Note that generally LAHC does not experience issues with undesirable odours on other buildings. LAHC mitigates against the risk of smells by requiring the general contractor to clean the bins and their enclosure after each time they're emptied.</p>
5.	The revised design will be required to address the design and location of the bin bays bearing in mind their potential for undesirable odour impacts on nearby units as well as travel	<p>See drawing A-7005 Illustrating effective landscape buffers, separations.</p> <p>Note that generally LAHC does not experience issues with undesirable odours on other buildings. LAHC mitigates against</p>

Item No	Council Comment	Response
	distances and the design matters raised by the Design Excellent Panel.	the risk of smells by requiring the general contractor to clean the bins and their enclosure after each time they're emptied.
	Bin bays – size	
6.	The size of the bin bays will also require consideration as there is no allowance for a 10sqm area available for temporary storage of bulky waste materials as required by Part 5.4.8.3(h) of SCDGP nor for any additional GO bins if required (see point 2 above).	Bulk waste storage is provided in basement. Bulk waste storage in the basement is sheltered, secure, aesthetically superior and can be managed by caretaker.
	Waste collection	
7.	The site is designed for kerbside collection by virtue of Road No. 2 being identified in the Traffic and Parking Assessment as an internal road (see 2.3.4 and 4.2). From an operational perspective the collection vehicles could access bins from LHS of the roadway and carry out a Walk-Out-Walk-Back* (WOWB) bin collection service to the 3 bin bays.	Noted.
8.	However, as the location of the waste storage area is required to be moved for reasons provided by the Design Excellent Panel and for compliance with the maximum travel distances, the WOWB would not be available. Further, the WMP is required to be revised to detail who is responsible for the presentation of bins to the street.	Refer to previous responses in relation to the amended bin storage locations. The WOWB service should be available from the enclosures fronting the new Road No. 2. Where any bins are located within the site (aside from enclosures integrated into the front entry on Road No. 2), LAHC's general contractor will be responsible for taking the bins to the bin bays near Road No.2 for council to then collect, empty and return. The contractor will then return these bins back to the bin bay(s) within the site the following day.
	<u>Deferred commencement - contamination</u>	
9.	The subject land is to be created as a lot for residential purposes under the Part 5 approval issued by NSW Land and Housing. The Part 5 approval requires remediation of the land before the	<ul style="list-style-type: none"> <li>LAHC support the introduction of a suitably worded condition to the effect that the subject land must be remediated suitable for the proposed use prior to</li> </ul>

Item No	Council Comment	Response
	lot is created and NSW Land and Housing have accepted responsibility for ensuring that the land is suitable in this regard. A deferred commencement condition would ensure that the subdivision is to be completed prior to the commencement of the consent. The consent will only ever operate on a lot that has been created for a residential purpose and that has been accepted by NSW Land and Housing under Part 5 of the Act as having been remediated to be suitable for the subject use. The deferred commencement consent will also ensure that a suitable access pathway is provided to the relevant bus stop.	<p>construction works commencement as evidenced by the provision of a site validation report prepared by a suitably qualified hygienist, or alternative form of evidence acceptable to council.</p> <ul style="list-style-type: none"> <li>LAHC does not support a remediation condition which is tied to issue of a Subdivision Certificate or registration of the new plan of subdivision for reason that linking to site validation is more appropriate.</li> <li>LAHC supports a suitably worded condition preventing occupation of the development until the pram ramp improvement works identified in the Access Report prepared by Vista Access Architects Pty Ltd dated 20 March 2021 (Issue C) are completed. Arrangements for such works are to be made with Council.</li> </ul>
10.	Provide comment regarding Council's view of the requirement for a deferred commencement consent.	As above. These matters can be dealt with as operational conditions as they are not matters that need to be satisfied prior to the consent operating.
	<u><i>Driveway and stormwater conflict</i></u>	
11.	The driveway is required to be relocated or moved away from the subject pit, indicated below, outside of the vehicular swept paths. A minimum of 1m clearance is to be provided from the edge of the lintel to the edge of the wing of the driveway.	Distance requirement noted. LAHC intends to relocate the lintel such that it is 1m from the edge of the driveway.
12.	A revised landscaping plan is required and the planting species along the east boundary (within the drainage easement) are to be selected in accordance with Appendix H of Council's Engineering Design for Development.	<p>Landscaping within the drainage easement are excluded from this application will be undertaken as part of a separate project and has previously been reviewed and endorsed by council.</p> <p>The proposed landscaping includes screen planting to retaining wall. Street trees on Copperfield Drive and deep soil</p>

Item No	Council Comment	Response
		planting along the eastern boundary of the site provide a high level of screening to the development.
	<u>Driveway, car parking and manoeuvring</u>	
13.	The underground car parking is required to comply with clause 4.13.8 of the engineering design for development. Clause 4.13.8 states that any ramp going to an underground carpark is to be covered to avoid excess rainwater going into the basement. This clause also talks about pump out system required for the basement parking which is required to be shown on the stormwater diagrams.	A grated drain is provided at the base of the ramp as shown in the amended civil drawings appended to the amended Stormwater Management Plan.
14.	Swept paths are required to demonstrate vehicles passing each other on both ramps without clashing. One vehicle to be B99 and the other to be B85.	An amended Traffic and Parking Assessment and swept paths are provided. Please refer to attached swept path plan (page 2 & 3). It is acknowledged that the paths of a B99 and B85 vehicle will encroach if passing each other on the ramp at the same time. Accordingly, a calculation of the peak hour traffic generation was undertaken by our traffic engineer to understand the likely number of movements within the basement and establish whether the basement ramps would need to be designed to accommodate two vehicles traversing or one as per AS2890.1. It was determined that the number of peak hour two way movements in our basement (18) fell under the AS2890.1 threshold (30), permitting ramps to be designed for a single vehicle to traverse it at a time. Notwithstanding, to further minimize the risk of a collision on the entry ramp, a convex mirror is proposed to be installed to facilitate greater vision of oncoming traffic. Further details of this assessment and design logic can be found in section 5.3 and 5.4 of the TIA. AS 2890.1 states at 2.5.2 (c) that Intersections between circulation roadways and ramps, and with parking aisles shall be designed so that both the approach roadways and the intersection area are wide enough to accommodate turning

Item No	Council Comment	Response
		vehicles and there is adequate intersection sight distance. However, it does not say simultaneously - indeed it talks about where intersection areas are designed for one car at a time, and also areas where it is necessary for two vehicles to pass one another. As the only guidance on one way / two-way traffic flows in car parks is based upon guidance figure of 30vph (and 18 vehicles is significantly less than 30) TTPP think it is reasonable that it only needs to be one way.
15.	Swept paths to be demonstrated for the end spots in accordance with the AS 2890.1 and 2 (as amended).	An amended Traffic and Parking Assessment and swept paths are provided. Swept path assessment has been undertaken for three additional end spots and the little S shape on the upper level of the car park. The S shape cannot accommodate two-way flow as shown in the attached but, if it is less than 30vph, the standard says one way is acceptable. Given sight distance is sufficient for motorists to see approaching vehicles, they could wait until the S bend area is clear.
16.	Lengths of car spots to be shown and comply with the AS 2890.1 and 2 (as amended).	An amended Traffic and Parking Assessment and swept paths provided outlining compliance with the required standards. TTPP confirm that aisle widths and parking spaces are adequate. The swept path assessment is provided by the Vehicle Tracking software.
17.	Car parking fails to comply with the AS 2890.1 and 2 (as amended).	AS2890.1 Clause 2.4.2 (c) requires a 1m blind aisle extension at the end of a parking aisle. As such, the width from the end of the parking aisle is required to be 3.4m (i.e. 2.4m wide functional parking bay plus 1m blind aisle extension). The design is compliant to this clause to improve accessibility for the last space.  AS2890.1 Clause 2.4.2 (c) also requires the last parking space widened by 300mm if bounded by a wall or a fence. This 300mm widening is to allow for a door opening outside a car space design envelope as per Figure 5.2 in AS2890.1. The car spaces at the ends are not bounded by a wall nor a fence, but



Item No	Council Comment	Response
		only columns located outside the design envelopes. Therefore, the design is compliant to this clause.
	<u>Drainage reserve pedestrian access</u>	
18.	Any stairs/ramping/bridge type structure, as identified in the below images, within the drainage reserve, is not acceptable. All pedestrian infrastructure is to be within the subject site and not within the drainage reserve. The Part 5 approved pedestrian footpath within the drainage reserve is to remain.	LAHC received subsequent correspondence from Council on 1 November 2021 superseding this position, refer item 18b below.
	<p>Please incorporate and respond to the following comments in relation to the bridge design as part of the response to Council's RFI letter:</p> <ul style="list-style-type: none"> <li>• Provide a realistic, to-scale drawing</li> <li>• Materials to have a 100 year design life - concrete, robust, steel construction</li> <li>• Handrails to be continuous</li> <li>• No mound on landing – grade to be continuous so that the site drains properly</li> <li>• Free draining underneath bridge construction</li> <li>• Maintenance free under bridge i.e. concrete or filled in</li> </ul>	The applicant invites a condition of development consent to the effect that the bridge will be designed of concrete and/or steel construction, handrails to be continuous, no mound on landing – grade to be continuous so that the site drains properly, free draining underneath bridge construction and maintenance free under bridge i.e. concrete or filled.
	<u>Arboricultural matters</u>	
19.	It is Council's understanding that the subdivision, demolition, tree removal and other associated works have been approved under Part 5 Approval. The proposed landscape plan includes a category of "trees to be retained". It is not clear if these trees are trees that are to be planted as part of adjacent works or are trees that are being retained on the site. Please provide clarification.	The proposed 'trees to be retained' within the landscape plans refer to new street trees being provided into the newly created Road No.2 verge. It is shown on the plans that one (1) of these new trees (circa 75-100L) will need to be removed to accommodate the proposed driveway location. Further coordination will occur on site during subdivision works to position trees such that they do not clash with the final driveway location.

Item No	Council Comment	Response
		As per the Part 5 Activity Determination and the CC plans, no existing trees will remain on the future seniors site, being Lot 194. Copies of this evidence has been provided to council.
20.	Further, condition 41 requires protection of trees in accordance with the submitted arborist report. If all on site trees are to be removed, there may be adjacent trees that require protection that would need to be included in this current application. Please provide the arborist report that is referred to in Condition 41.	The requested arborist report, Part 5 Activity Determination and construction drawings have all been provided to Council. Per the above response, no trees will remain on the subject site (proposed lot 194). LAHC can provide protection to the newly introduced 'trees to be retained' along Road No.2 during construction of the seniors living complex. Council have alternatively expressed that a letter of undertaking may be preferable to provide these trees following completion of seniors living complex rather than during the subdivision works. LAHC does not oppose this in principle however would need to review whether it could issue a subdivision certificate for its Part 5 subdivision project on this basis.
	<u>Access Report and BCA Report</u>	
21.	The plans are to be amended to incorporate the recommendations contained within the Access Report and the BCA report. In particular is the necessity to redesign the fire isolated stairway to also comply with AS1428.	Access and BCA reports checked - 'can comply' items are not considered core design issues - propose to coordinate at CC stage such that the CC would be consistent with the DA.
	<u>Cut and fill</u>	
22.	Provide a plan showing the amount of cut and fill proposed on the site. Ensure that the plan details that the 'existing' surface levels have been approved under the Part 5 approval.	Contours and levels now shown on ground floor plan - site levels are largely consistent with subdivision design levels.
	<u>Clause 4.6 Variation</u>	
23.	One written clause 4.6 request has been provided for two variation requests. Please provide two separate written variation requests.	Amended clause 4.6 requests provided. These also address matters raised by planning panel.

Item No	Council Comment	Response
24.	Ensure the clause 4.6 requests include reference to the matters identified below in relation to overshadowing impacts.	Addressed in amended clause 4.6 requests.
	<u>Overshadowing impacts</u>	
25.	Any non-compliance with height will need to be strongly justified and the impacts upon neighbouring developments will be critical to the assessment, noting the future townhouse development backyards in that direction.	Refer A-8100 for shadow study proving ability to comply.
26.	The application states that extensive solar access testing has been undertaken to ensure that every future townhouse to the south can achieve adequate direct sunlight to living areas and private open spaces between 9am and 3pm at mid-winter. Provide these shadow diagrams (not view from the sun diagrams) which include 1800mm side fencing, and demonstrate compliance with Part 3.4.4 of SCDCP 2015. The plans are to nominate the required 20sqm of fixed solar access that is required to be achieved.	This has been discussed in meeting with council and is reflected in Drawings A-8100 Rev B which confirms compliance with Part 3.4.4 of SCDCP 2015.
27.	Please ensure that the setbacks of the hypothetical dwellings achieve compliance with SCDCP 2015.	This has been discussed in meeting with council and is reflected in Drawings A-8100. Rear setbacks for the town homes comply with SCDCP provisions for attached dwellings.
	<u>Overshadowing impacts – landscaping</u>	
28.	<p>The arborist is to provide comment regarding the suitability of the species selection for the proposed landscaping along the southern boundary of the development, particularly in relation to the solar access provision.</p> <p>Within the area of the drainage easement along the southern property boundary, ensure the species are selected in accordance with Appendix H of Council's Engineering Design for Development.</p>	The 375mm diameter pipe is to be located 1.9-2.5m underground and is concrete encased, there will be no interference or damage caused by any tree roots of the species proposed. Typically 90% of roots are found within the first 1m of the soil profile – it is highly unlikely any roots would be found at the depths of the proposed pipe. Whilst Appendix H of Council's Engineering Guidelines (attached) states that large tree species must not be planted within drainage easements, the species shown on the Landscape Drawings are generally

Item No	Council Comment	Response
		<p>considered to be small trees. Tree species along the southern boundary have small tree canopies and do not impact on solar access provision.</p> <p>The current proposed planting species within the drainage easement are not in accordance with Appendix H, however the drainage reserve is not part of this DA submission. Please refer to amended landscape drawing.</p>
	<u>Solar access</u>	
29.	Provide a table which stipulates which apartments receive solar access to both the living and private open space areas between 9am and 3pm in accordance with clause 50(e).	As discussed in meeting with council - refer A-8200 and A-8201 which shows compliance.
30.	The current view from the sun diagrams are not clear. For example, unit 44 is nominated on the plans are receiving 2+ hours of sunlight to both the living and private open space areas between 9am and 3pm, however, the view from the sun diagrams do not demonstrate this. The view from the sun diagrams for dwelling 44 is provided in the table	As discussed in meeting with council - refer A-8200 and A-8201
31.	Solar access elevation diagrams may assist in providing clarity as to which dwellings receive solar access to both the living and private open space area.	As discussed in meeting with council - refer A-8200 and A-8201
	<u>Balcony sizes</u>	
32.	The Statement of Environmental Effects provides that the proposed floor plan layouts include generous balconies and private open spaces which comply with these and the ADG guidelines minimum size and proportions. Numerous dwellings do not comply with the minimum width dimension or the minimum size requirements.	<p>Areas indicated on floor plans.</p> <p>In confirming extent of non-compliances with balconies:</p> <p>1) Three ground floor balconies (Units 10, 13 and 16) fail to meet the required area of 15sqm. In these cases, balconies are elevated above the site level due to cross fall of site, have no privacy implications and are well buffered by deep landscape planting. The areas could be extended to comply, but at the expense of beneficial deep soil landscape area.</p>

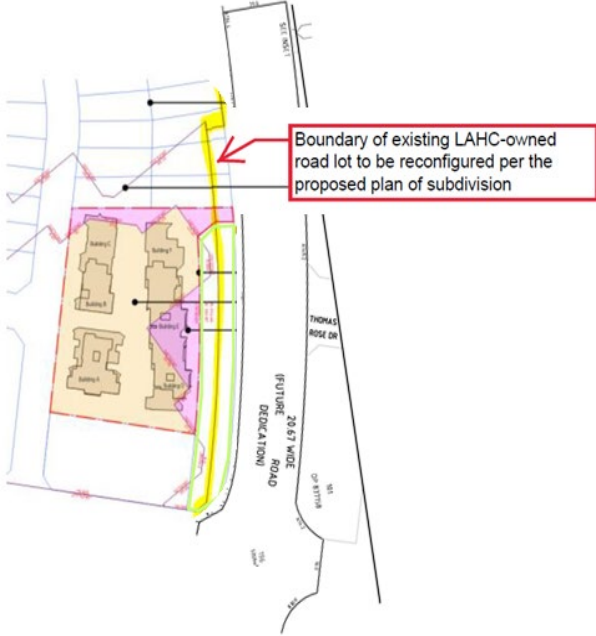
Item No	Council Comment	Response
		<p>2) 11 ground floor balconies (Units 1, 4, 5, 6, 7, 8, 11, 12, 14, 15, 17) have greater than the required area, but do not comply with the 15sqm of space with 3m minimum dimension clause. In these cases, layouts are functional, furnishable and well buffered by landscape planting. The area of the terraces could be extended to comply, but at the expense of beneficial landscape plantings in common areas, and hence, certainly maintained.</p> <p>On balance it is our opinion that the ground floor terraces are optimal as designed because they allow for practical use of the outdoor space and allow for maximised common planting areas, which are in turn beneficial in providing a buffer between common walkways and private open space.</p>
33.	Provide revised balconies that comply with the requirements of SEPP Seniors in terms of size and minimum areas. It would be beneficial if the compliant sqm of the balconies were provided on the plans.	See response above in relation to Point 32.
	<u>Clause 26 SEPP Seniors</u>	
34.	In order to satisfy clause 26 of SEPP Seniors, the following information is required to be provided:	
	<ul style="list-style-type: none"> <li>Provide a clear map showing the location and bus stop IDs on Copperfield Drive for the transport services to and from the required services.</li> </ul>	Appendix A of the Access Report by Vista Access Architects (Appendix 10 to the SEE) contains a pathway to bus stop assessment. This clearly shows the location of the bus stops as surveyed.
	<ul style="list-style-type: none"> <li>Provide a map showing the bus stop location(s) of where the bus service would take the residents to the required facilities.</li> </ul>	The route timetables and route maps of the bus services (Routes 888 and 887) are available at TransportNSW.info and show stops at Campbelltown Station, Campbelltown Mall, other locations in Campbelltown, Macarthur Square, Campbelltown Hospital, Rosemeadow Market Place and elsewhere. This

Item No	Council Comment	Response
		provides access to the facilities that residents may reasonably require.
	<ul style="list-style-type: none"> <li>Provide details of which bus service would take the residents to a place that is located at a distance of not more than 400 metres from the following facilities:</li> </ul>	See above.
	(a) shops, bank service providers and other retail and commercial services that residents may reasonably require, and	
	(b) community services and recreation facilities, and	
	(c) the practice of a general medical practitioner.	
	<ul style="list-style-type: none"> <li>Provide details of the pathway gradients from the public transport service to the facilities and services referred in subclause (1) complies with the gradients specified in subclause(3).</li> </ul>	Refer to Appendix 10 of the SEE.
35.	It is noted that Page 42 of the Statement of Environmental Effects states that strict compliance with the development standard is unreasonable and unnecessary. Please clarify how the access standard is not satisfied. Please note that a 4.6 variation has not been provided with the accessible standards in the SEPP Seniors.	SEE has been amended and reflects that compliance with the requirements of clause 26 of the Seniors SEPP can be achieved subject to a condition of development consent requiring some minor rectification works to a kerb ramp on Copperfield Drive.
	<u>Clause 29 SEPP Seniors</u>	
36.	Provide a revised Statement of Environmental Effects which addresses clause 29 of SEPP Seniors. Ensure a response is provided to clause 25(5)(b)(i)(iii) and (v).	Addressed in amended SEE.
	<u>Clause 31 Design of In-fill self-care housing</u>	

Item No	Council Comment	Response
37.	Provide an assessment of the development against the provisions of the Seniors Living Policy: Urban Design Guide for Infill Development.	Addressed in amended SEE.
	<u>Clause 38 SEPP Seniors –Accessibility</u>	
38.	38. In accordance with clause 38(a) of SEPP Seniors, the proposed development should have obvious and safe pedestrian links from the site that provides access to public transport services or local facilities. Information is required in order to demonstrate whether the residents are able to safely walk across roads to the relevant bus stops and through the Rosemeadow Market Place car park and submit the findings for review.	This has been adequately addressed in the development application. Refer to Appendix 10 of the SEE. Access to the bus stops is compliant subject to a minor pram ramp upgrade.
	<u>Privacy</u>	
39.	Privacy concerns are raised in relation to the location of the balcony for Unit 26. There appears to be potential for direct overlooking into the adjoining residential allotment POS areas.	The balcony for Unit 26 is setback 6m from the boundary and is at the second storey only. The setback is deep soil and is proposed to be planted with canopy trees (Tuckeroo) with a specified pot size of 75L and reaching a mature height of 6-9m. This relationship is sufficient to provide both suitable distance and screening to afford the private open space of a future neighbouring house adequate privacy.
40.	Privacy concerns are also raised in relation to Units with balconies facing the future town house development being Units 02, 03, 17, 20, 19, 36, 35, 34.	Units 2 and 3 are at ground level with terraces oriented to the north. They are 10.5 metres from the boundary and boundary planting is proposed in a deep soil zone. No privacy issue. Units 17 is at ground level with the terrace oriented to the north. It is 10.5 metres from the southern boundary and boundary planting is proposed in a deep soil zone. No privacy issue. Units 19 and 20 (level 1) have their primary outdoor space oriented away from the future townhouses with smaller balconies off the bedrooms on the southern façade. The

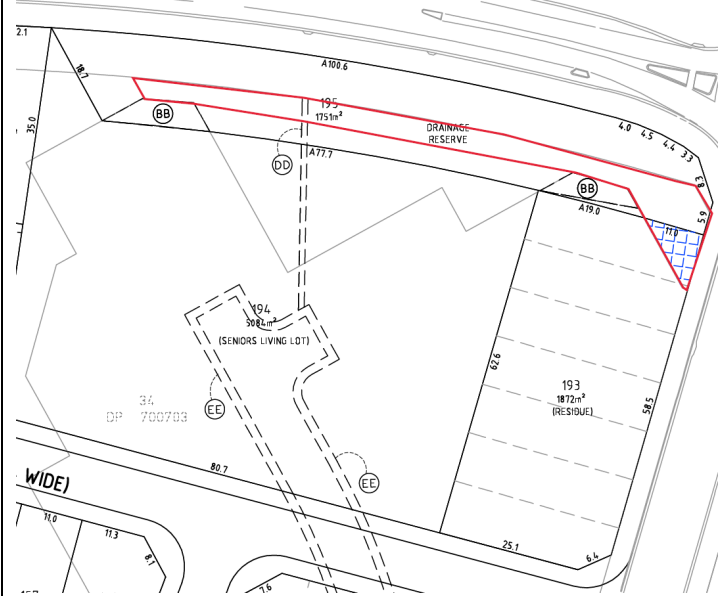
Item No	Council Comment	Response
		<p>balconies are 9.3 metres from the southern boundary and boundary planting is proposed in a deep soil zone. Balconies are partially screened. The combined effect of setback and screen planting result in an acceptable privacy impact..</p> <p>Unit 34 balcony (level 1) is setback 6.8 metres from southern boundary and boundary planting is proposed in a deep soil zone. The combined effect of setback and screen planting result in an acceptable privacy impact.</p> <p>Units 35 and 35 (level 2) have their primary outdoor space oriented away from the future townhouses with smaller balconies off the bedrooms on the southern façade. The balconies are 9.3 metres from the southern boundary and boundary planting is proposed in a deep soil zone. Balconies are partially screened. The combined effect of setback and screen planting result in an acceptable privacy impact.</p>
	<u>Property boundary</u>	
41.	The following plan has been provided to demonstrate an understanding of the current allotments overlaid on the approved subdivision layout. Please provide an explanation as to why the current property boundary (show in yellow highlight below) is different to the approved plan of subdivision.	<p>LAHC is in ownership of part of Copperfield Drive and Julius Road identified as Part Volume 3714 Folio 16 (Shown as DP 1166578).</p> <p>These sections of roadway are proposed for dedication to council on completion of the subdivision works.</p> <p>LAHC's Activity Determination will reconfigure the Copperfield Drive road lot by shifting the western boundary east and creating the drainage reserve lot 195. Doing so will enable the handover of the drainage reserve and existing road to council on separate titles.</p> <p>There is a small section of land in the north-eastern corner of the site which sits within what is currently the lot containing</p>



Item No	Council Comment	Response
		<p>LAHC's section of Copperfield Drive and following registration will become lot 194 for the seniors living complex. Refer to Appendix 1 of the SEE.</p>
	<p><u>Drainage reserve</u></p>	
42.	<p>It is understood that the drainage reserve is to be dedicated to Council. Detail all approved landscaping works within the drainage reserve on the plans. Clearly mark that the works form part of the Part 5 approval.</p>	<p>Landscaping within the drainage easement are excluded from this application will be undertaken as part of a separate project. The proposed landscaping includes screen planting to retaining wall. Street trees on Copperfield Drive and deep soil planting along the eastern boundary of the site provide a high level of screening to the development.</p> <p>Updated landscape plans delineate between LAHC Part 5 Subdivision works and the works proposed as part of this application.</p>

Item No	Council Comment	Response
43.	Detail the access control measures regarding the pedestrian access to the site, particularly the pedestrian access path leading from Copperfield Drive through the drainage reserve and access in general through the drainage reserve into the development site.	<p>Private access will be provided into the site via secure points of entry / exit at both the new Road No. 2 entryway, as well as at the pedestrian access point into the drainage reserve within lot 194 (proposed at the top of the retaining wall rather than at the landing of the stair/ramp within the reserve).</p> <p>In line with Council's request on 31 March 2021, no general public access will be available from the drainage reserve through the seniors lot. An automatic roller door will provide secure vehicular access to the basement for residents.</p>
	<u>Endeavour Energy</u>	
44.	44. In accordance with Clause 7.10 of Campbelltown Local Environmental Plan 2015, the application was referred to Endeavour Energy. The response details that the easement through the property is not considered to be redundant or obsolete until it is released under Endeavour Energy's Policy 9.2.3 'Property Tenure for Network Assets'. This response does not appear to be consistent with the Part 5 approval. Advise whether Endeavour Energy has agreed to the removal of the existing easement.	<p>In March 2021, Endeavour Energy approved the removal of existing assets within the broader subdivision land, which includes the subject seniors site.</p> <p>Refer to ARP4471 – Asset Relocation Application: LOT 90,33 - 34, DP 1166578,700703, Copperfield Drive, ROSEMEADOW and accompanying Drawing Number: 519942A for further details (included in this response to RFI).</p> <p>Refer to page 1 of Drawing Number 519942A which confirms the status of assets within the existing roads. Further, Note 12.1 confirms that extinguishment of easements will occur under a separate process.</p> <p>LAHC intends to undertake this process with Endeavour Energy prior registration of the plan of subdivision and would be open to a suitably drafted condition requiring the release of Endeavour Energy easements burdening the site, prior to physical works commencement.</p>
	<u>Part 5 Approval Documents</u>	

Item No	Council Comment	Response
45.	Ensure all relevant Part 5 Approval documents (and modification application documents) are submitted as part of the application to assist with the assessment history of the site.	Part 5 Activity Determination and associated documents have been provided to council.
	<u>Statement of Environmental Effects</u>	
46.	46. The Statement of Environmental Effects is to be revised to include an assessment of the draft SEPP (Housing) 2021 policy and include any changes required as part of the matters raised in this letter.	Addressed in amended SEE. However the new SEPP was recently gazetted meaning that the previous SEPP applies to the development and the draft is no longer a matter for consideration.
	<u>Plan amendments/additional plans</u>	
47.	The following plan amendments/additional plans are to be provided to assist with the assessment of the application:	Refer to amended set of drawings.
	i. Provide a revised east elevation of buildings D/E/F as viewed from Copperfield Drive through the drainage reserve (Drawing No. A-3203; Revision G) which excludes the trees and which includes the height of the retaining wall.	Dimensions included on A-3203
	ii. Provide an elevation plan of the view of the development from the private open space area of the future town house development site.	See south elevation.
	iii. Detail the height of the approved retaining wall height on the plans.	Contours now shown, indicating relative heights.
	iv. Provide a plan showing the SP2 zoning on the Part 5 approved subdivision plan.	Figures accompanying the SEE indicate the site in relation to zoning. The site is within the R2 zone. The SP2 zone is shown outlined in red on the following diagram:

Item No	Council Comment	Response
		
	v. Provide plans demonstrating the areas included in the landscaped area and deep soil areas.	A drawing showing landscaped area and deep soil area is provided in the amended landscape drawings. Approximately 1,616 sqm of landscaped area is provided overall. Deep soil landscaped area totals 1,236 sqm or 25% of the site area.
	vi. Private open space areas included in the calculations which have a minimum dimension of 3m.	See response to point 32 above.
	vii. Plan showing the areas included in the gross floor area calculation.	See Drawing A-8011.
	viii. Include a plan showing the location and area of the communal open space areas.	A drawing showing communal open space area is provided in the amended landscape drawings

Item No	Council Comment	Response
	ix. Detail any protrusions of the basement level about ground level. Detail the maximum height about ground level of the basement (if relevant).	See Drawing A-8250.
	x. Ground floor plan indicates the TOW, however please also indicate the BOW or the finished surface level.	Levels shown on ground floor plan.
	xi. Ensure the finished surface level is provided on the plans within the open space areas and the terrace areas/private open space areas on the ground floor plan.	Refer to amended drawings
	xii. Ensure the natural ground line is provided on the section and elevation plans.	Refer to amended drawings
	xiii. Provide the compliant balcony area on the plans (sqm).	See response to Point 32 above.
	xiv. Provide a revised basement plan that allocated the storage to a unit. A minimum of 8qm is required to be provided (50% to be located in the individual units).	Cages compliant - spaces 16, 17, 28 and 29 utilise cages located in circulation zone between nearest accessible spaces, space 27 utilises cage at southern end of car park adjacent to tank. All other spaces are directly adjacent to storage cages.

## Matters raised by Sydney Western City Planning Panel

Item No	Panel Comment	Response
1.	<p>The Panel is sympathetic to the suggestion of the Design Review Panel that a break be introduced into the single building marked on the plans as Buildings D, E and F. There may be some impact on yield but the advantage of reducing the building mass and improving the relationship between the development and the green space provided by the drainage reserve would seem important. That change would go a long way to offsetting the impacts of the height non-compliance.</p>	<p>The applicant responds as follows to this comment:</p> <ul style="list-style-type: none"> <li>The Design Excellence Panel comments (22 April 2021) in relation to this issue are limited to <i>'There is the potential to link through the east building to the existing drainage reserve and realise possible public recreation activity in this location'</i> (p2) and <i>'Possible break of the Building D and E to provide further articulation of the built form and access to reserve.'</i> (p4) (emphasis added). Both are phrased as suggestions and not directions.</li> <li>With regard to access to the reserve, the Design Excellence panel also noted <i>'The panel supported the pedestrian connection provided from the north-west corner of the site through the edge of the drainage reserve towards the local centre, both to help enliven the development's relationship with the street in this location and for the convenience of residents. This was seen as a positive in terms of integration with the neighbourhood and for amenity in general.'</i> (p3)</li> <li>With regard to articulation, the Design Excellence Panel also noted <i>'Deliberate modulation of built form provides varied architectural treatment'</i> (p1), <i>'...Building mass broken up well with vertical cores / building breaks'</i> (p2), <i>'the overall scale and modulation of the built form provides a positive contribution to the existing and future character of the area'</i> (p2), and <i>'The articulation of the building is appreciated, especially the devolving massing of the built form'</i> (p2).</li> <li>The Council's Request for Additional Information (6 October 2021) repeats the Design Excellence Panel comments suggestion a <i>'possible break to Building D and E to provide</i></li> </ul>

		<p><i>further articulation and access to the reserve' (p1)(emphasis added) repeating the DEX. There does not appear to be any additional direction from Council regarding building length.</i></p> <ul style="list-style-type: none"> <li>• We believe a break in the building will not improve access to the drainage reserve. The most direct/aligned connection from the communal space to the drainage reserve is already provided at the southern end of the site, providing convenient access to both Rosemeadow Marketplace and the bus stop on Copperfield Drive.</li> <li>• We also note the presence of the circa 2 metre retaining wall between the site and drainage reserve, and understand that an additional (second) connection to the drainage reserve is not desirable by Council, who will be the end owners of this newly created lot.</li> <li>• A connection between Building D and E would create a path that would need to travel past the living room balconies of the Units 15 and 16 and reduce the deep soil available for trees in this location [A-2100].</li> <li>• The site is set back significantly (15.4m) from Copperfield Drive across the drainage reserve [A-1000]. Street trees to Copperfield Drive, landscaping of the drainage reserve and deep soil tree planting within the eastern site setback will provide ample softening and screening of the building from the public domain. This can be compared to the visual impact of the continuous row of two-storey houses that can be built on neighbouring sites to the north much closer to the street without significant intervening landscaping [A-5200] or the on-grade car parking and commercial buildings across Copperfield Drive.</li> <li>• A break in the building between Building D and E will not improve solar access, natural cross ventilation or privacy amenities.</li> <li>• The continuity of the building is beneficial to buffer vehicular noise from Copperfield Drive, where a break would allow</li> </ul>
--	--	--

		<p>acoustic impact to the communal courtyard which is conceived as a quiet green space for residents</p> <ul style="list-style-type: none"> <li>• The building is stepped along its length in plan and is strongly articulated in elevation and at the skyline. Even if it were not screened by landscaping, it would not read as a monotonous wall [A-7002]</li> <li>• The length of the building is not appreciable from the primary address of Road No 2 which does contain a break to relate to the streetscape provide a primary address between the buildings.</li> <li>• The building length is totally appropriate in its context, is serviced by three lift cores and is well modulated.</li> </ul>
2.	The Panel also notes the Design Review Panel's concern over the height non-compliance of Buildings A and B given their relationship with the proposed adjoining townhouse development.	Building A has been carefully designed having regard to the overshadowing impacts on the adjoining undeveloped site to the south identified for a future townhouse development. The building is setback some 10.5 metres from the southern boundary with a deep soil landscaped area provided along the boundary. This provides a suitable transition from the two storey townhouse development to the three storey seniors housing development.
3.	The clause 4.6 requests do not appear to presently sufficiently explore the required matters for consideration in that regard, particularly having regard to the objectives of the standard.	Refer to amended clause 4.6 requests.
4.	A plan showing how the landscaping deep soil requirements in the SEPP have been met would assist.	Additional landscape drawing provided. Deep soil requirements of the SEPP are met.
5.	Where the minimum open space area deemed compliance control under the SEPP are not achieved, the proposed areas for the open space should be demonstrated to be sufficient and acceptable on merit having regard to the usual considerations of solar access, amenity and usability.	This is discussed above in relation to point 32.
6.	The Panel notes that the garbage arrangements will involve a caretaker. It therefore suggests that basement location for the garbage storage would not present the usual difficulties	Waste management arrangements are discussed in the response to points 2 to 8 above and in the amended waste management plan submitted to Council. Amended plans have been prepared to



	<p>of transporting waste to the street, and should be considered. That might allow compaction of waste thereby reducing storage requirements and lessening the burden on the waste system with environmental benefits.</p>	<p>provide one (1) additional waste storage area at the southern end of the central courtyard area to reduce travel distances for residents to transport waste. The additional waste storage area has been conveniently located for easy and practical access whilst mitigating any visual or amenity impacts to the central courtyard and adjoining units.</p> <p>The areas provided are sufficient to house the appropriate number of bins as outlined in Section 5.0 of this WMP with appropriate clear door widths for bin manoeuvrability. Waste storage areas and bins shall be cleaned and maintained on a regular basis by the caretaker to ensure no issues arise in relation to odours, vermin or unsightliness (Note: LAHC requires the general contractor to clean the bins and their enclosure after each time they're emptied).</p>
7.	<p>The Panel supports the positive comments of the Design Review Panel as to the architectural scheme overall particularly in its articulation, materiality and approach to the site.</p>	<p>Noted.</p>
8.	<p>Hopefully a late January date should be achievable for a determination.</p>	<p>Noted.</p>