

# Seniors Living – Airds

**Construction of a part two and part three storey seniors living development comprising thirty one (31) independent living units, thirty one (31) basement parking spaces including the provision of communal gardens, landscaping, site services, stormwater infrastructure, site remediation works and associated ancillary site works**

## Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.8 - Enable a range of housing choices to support different lifestyles
4 Outcome Four: A Successful City	4.3 - Responsibly manage growth and development, with respect for the environment, heritage and character of our city

## Applicant

This development application is lodged pursuant to Part 4 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) and is a Crown development application. The applicant is LAHC – Land and Housing Corporation. LAHC is a public authority for the purposes of the Environmental Planning and Assessment Act 1979.

## Referral Criteria

The consent authority for the subject development application is the Sydney Western City Planning Panel, as the development has a capital investment value of over \$5 million as outlined in Schedule 7 of the State Environmental Planning Policy (State and Regional Development) 2011.

## “Schedule 7 Regionally Significant Development

### 4 Crown development over \$5 million

Development carried out by or on behalf of the Crown (within the meaning of Division 4.6 of the Act) that has a capital investment value of more than \$5 million.”

## Executive Summary

Council is in receipt of a development application for the construction of a part two and part three storey seniors living development comprising thirty one (31) independent living units, 31 basement parking spaces including the provision of communal gardens, landscaping, site services, stormwater infrastructure, site remediation works and associated ancillary site works.

The subject site is zoned R2 Low Density Residential under the provisions of the Campbelltown Local Environmental Plan 2015 (CLEP 2015). Development for the purposes of “seniors housing” is prohibited. Development consent is sought under the provisions of the Seniors Housing SEPP and the SEPP prevails to the extent of any inconsistency with Campbelltown LEP 2015.

The maximum building height for the subject site is nominate as 8 m. The proposal has a maximum building height (as defined in the SEPP) of 9.6 m. The non-compliance with the height standard relates specifically to the two buildings fronting Campbellfield Avenue (being the 3 storey component). The applicant has submitted a Clause 4.6 variation request in support of the proposed height variation.

The application was notified to nearby and adjoining properties, in accordance with Council's Notification Policy between 12 November 2021 and 13 December 2021. No submissions were received by Council in regard to the proposed development.

The capital investment value of the proposal is \$12.8 m. Pursuant to Section 4.5(b) of the EP&A Act and Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011, the Sydney Western City Planning Panel is the consent authority for the proposal.

Furthermore, it is noted that the application has been submitted as “*development by the Crown*” pursuant to Part 4, Division 4.6 of the *Environmental Planning & Assessment Act 1979*. As a result the draft conditions of consent were forwarded to Land and Housing for consideration on Friday 18 February 2022, concurrence was received 22 February 2022.

The proposal has been designed to meet the growing needs for seniors housing in Airds/Bradbury by providing a well-designed, high-quality, high-amenity development that satisfies contemporary seniors housing residential standards, whilst reinforcing the extension of Campbellfield Avenue in order to achieve a landmark design signifying the importance of seniors housing to the Urban Renewal Project.

An assessment under Section 4.15 of the Environmental Planning and Assessment Act 1979 has been undertaken. It is recommended to the Panel that the application be approved, subject to the recommended conditions of consent detailed in attachment 1.

### **Officer's Recommendation**

Development Application 2635/2021/DA-SL for the construction of a part 2 and part 3 storey seniors living development comprising 31 independent living units, 31 basement parking spaces, including the provision of communal gardens, landscaping, site services, stormwater infrastructure, site remediation works and associated ancillary site works, be approved, subject to the recommended conditions of consent as provided in Attachment 1.

<b>DA Number</b>	2635/2021/DA-SL
<b>Reporting Officer</b>	Alexandra Long
<b>Proposed Development</b>	Construction of a part 2 and part 3 storey seniors living development comprising 31 independent living units, 31 basement parking spaces including the provision of communal gardens, landscaping, site services, stormwater infrastructure, site remediation works and associated ancillary site works.
<b>Property Description</b>	Lot 5047 in DP 1072685 (20 Karingal Place); Lot 3214 in proposed DP 1234063 (comprising part of Lots 5045 and 5046 in DP 1072685 at 22- 24 Karingal Place); Lot 3215 in proposed DP 1234063 (comprising part of Lots 5069 and 5070 in DP 1072685 at 47-49 Creigan Road); and Lot 5068 in DP 1072685 (55 Creigan Road).
<b>Applicant</b>	Land and Housing Corporation
<b>Owner</b>	NSW Land & Housing Corporation
<b>Date of Lodgement</b>	16 September 2021, commitments provided by email 5 <sup>th</sup>

	November 2021 and amended/updated documentation package provided 23 December 2021
<b>Cost of Works</b>	\$12.8 million
<b>Number of Submissions</b>	No submissions received
<b>List of all Relevant Section 4.15 matters of the Environmental Planning and Assessment Act, 1979</b>	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</li> <li>• State Environmental Housing Policy (Housing) 2021</li> <li>• State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>• State Environmental Planning Policy No 65 – Design Quality Residential Flat Buildings</li> <li>• EP&amp;A Act Regulations 2000</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>• Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment</li> <li>• State Environmental Planning Policy (Koala Habitat Protection) 2021</li> <li>• Campbelltown Local Environmental Plan 2015</li> <li>• Campbelltown (Sustainable City) Development Control Plan 2015</li> <li>• Campbelltown (Sustainable City) Development Control Plan 2015 – Volume 2: Site Specific DCPs: Part 9 – Urban Renewal Areas Airs Claymore</li> <li>• Campbelltown Local Strategic Planning Statement</li> </ul>
<b>Regional Panel Kick Off Briefing</b>	25 October 2021
<b>Regional Panel Briefing Meeting</b>	10 December 2021
<b>Design Excellence Panel Meeting</b>	29 October 2021
<b>Recommendation</b>	Approval, subject to conditions

## 1. Background

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

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

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

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

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

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

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

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

In summary, the Concept Plan comprises:

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

## **1.1. History/Background**

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### **Stage 1 - 1610/2012/DA-SW**

Subdivision creating 184 residential allotments and one open space lot including associated works was approved by Sydney West Joint Regional Planning Panel on 6 November 2013.

It is noted that construction of Stages 1 is complete with new titles registered and sold.

### **Stage 2 - 2978/2013/DA-SW**

Subdivision to create 132 allotments, two open space lots, one lot for existing seniors housing development and associated works was approved by the Joint Regional Planning Panel on 3<sup>rd</sup> April 2014.

It is noted that construction of Stage 2 is complete with new titles registered and sold.

### **Stage 3 - 2678/2016/DA-SW**

Development application for Stage 3 of Airds Bradbury Urban Renewal Project - including subdivision of land to create 54 residential lots, 3 super lots and construction of associated road works, landscaping and civil works was approved under Council delegation on 11 December 2017.

It is noted that construction of Stages 3 is complete with new titles registered and sold.

### **Kevin Wheatley Playing Fields Civil Works - 3742/2016/DA-CW**

A development application for the establishment of new playing fields including earthworks, retaining walls, fencing, lighting installation and landscaping at Kevin Wheatley VC Reserve

Conditions of consent imposed under development consent 2678/2016/DA-SW required the stormwater strategy to be resolved for the site prior to the issue of a Construction Certificate which result in further amendments to the playing fields application to accommodate the required design outcomes to manage stormwater across the precinct.

It is noted that earthworks have commenced.

### **Deane Park, Briar Road - 1644/2017/DA-S**

A development application for subdivision into seven residue allotments was approved by Council under delegated authority on 7 September 2017. This consent related to the existing lots which formed part of this application.

The paper subdivision has been completed.

### **Stage 4 - 497/2017/DA-SW**

A development application for the subdivision of land to create 159 Torrens titled residential lots, 1 lot containing an existing community facility, 7 residue lots, roads and associated civil and landscape works being Stage 4 of the Airds-Bradbury Urban Renewal Project was approved by the Sydney Western City Regional Planning Panel in September 2019.

The proposed subdivision works have commenced.

### **Stage 6 - 2138/2017/DA-SW**

A development application for subdivision into 144 residential allotments and associated civil works for Stage 6 of the Airds Bradbury Renewal Project was approved by the Sydney Western City Regional Planning Panel in February 2019.

Stage 6 subdivision works have commenced.

### **Campbellfield Avenue construction and subdivision - 3740/2016/DA-CW**

A development application for the construction of a road extension to Campbellfield Avenue between St Johns Road to Riverside Drive including earthworks, boundary adjustments for 16 residential lots, demolition of houses, landscaping and installation of associated services at Campbellfield Ave, Creigan Rd and St Johns Rd, Bradbury and Riverside Dr, Airds at Riverside Inn, 48 Riverside Dr, Deane Pk, Briar Rd, Airds, 3-9 & 15 Summers Pl, 11-13 & 22-24 Karingal Pl, 174 -178 St Johns Rd, 6-8 Docharty St, 7-9 Karingal Pl, 47-49 Creigan Rd, 1-9 Croft Bradbury.

The application was approved under delegated authority on 19 December 2019 and construction works have commenced.

## 1.2 Airds Bradbury Concept Plan

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The proposed seniors living development falls within the study area of the concept plan.

An excerpt of the concept plan showing the area affected by the proposed development is noted as follows:



The Concept Plan specifically envisaged the following proposed development:

“The Concept Plan will provide in the order of 2,095 dwellings upon completion of the project, comprising generally the following:

- Retention of 830 existing dwellings each on a separate Jot with some to be retained for social housing and some to be on-sold to the private market.
- Retention of 53 seniors housing units and the provision of an additional 52 units; and
- 1,160 new dwellings/lots for both social housing and private housing.

These figures are indicative and are subject to change as the development proceeds depending on detailed design considerations, market responses and community demand.”

The Project Report proposes seniors housing units on sites selected by NSW Land and Housing Corporation as suitable for this purpose (52 units in addition to the 53 recently completed units).

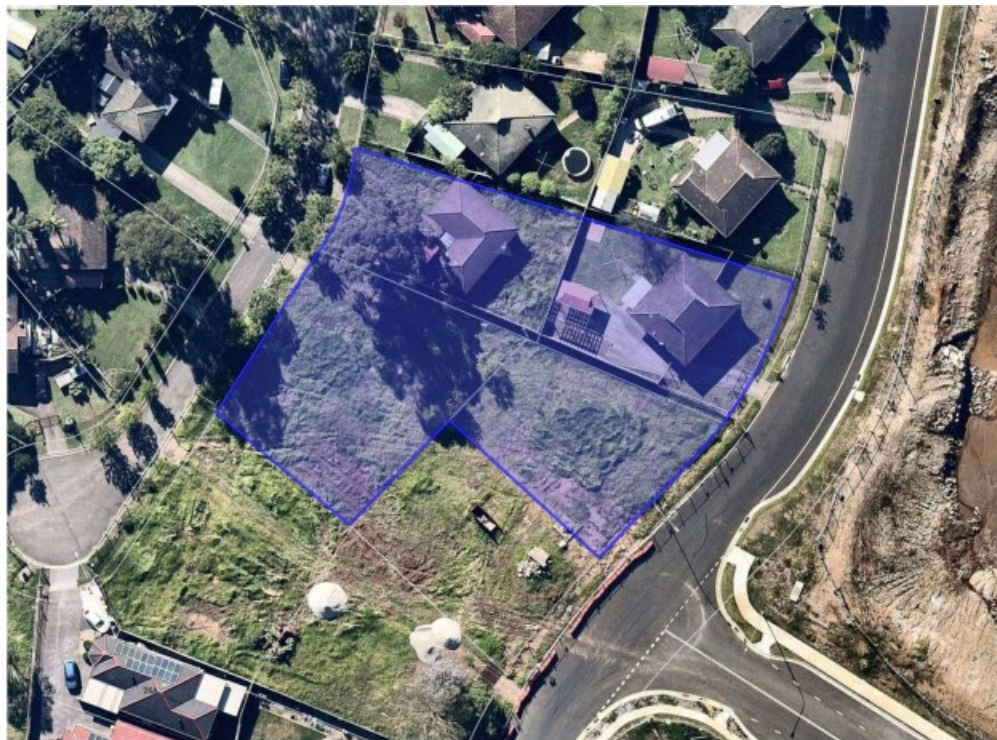
The site is one such selected site. Seniors living units were envisaged in the Concept Plan.



## 2. Site and Surrounds

The land that is subject of the proposed seniors living development forms part of the urban renewal area for Airds/Bradbury.

The subject site is an irregular rectangular shaped parcel of land and has a total area of 3,050.7 m<sup>2</sup>.



The site has a west facing frontage of 47.5 m to Karingal Place, a south facing frontage of 57.7m to Campbellfield Road, and an east facing frontage of 39.2 m to Creigan Road.

The site comprises 6 existing allotments legally described as shown below:



Lot	DP	Details
5047	1072685	20 Karingal Place
5045	1072685	22 Karingal Place (Lot 3214 in proposed DP 1234063)
5046	1072685	24 Karingal Place ( Lot 3214 in proposed DP 1234063)
5069	1072685	47 Creigan Road (Lot 3215 in proposed DP 1234063)
5070	1072685	49 Creigan Road (Lot 3215 in proposed DP 1234063)
5068	1072685	55 Creigan Road





The topography of the subject site falls approximately 3.45 m in a generally diagonal manner from the western corner (RL123.38) to the eastern corner (RL119.93). The site is situated on gently undulating terrain with ground surface within the site draining to the south at angles ranging from 3 to 6 degrees.



The site is located within an established residential neighbourhood of Airds/Bradbury on the western approach to the Airds Bradbury renewal area. Together with the Kevin Wheatley VC Reserve, the site has the characteristics as a gateway to the Urban Renewal Project. The extension of Campbellfield Avenue provides important vistas into Airds travelling from the west and to the town centre providing a point of entry and gateway and enhanced wayfinding.

The subject site is located approximately 350 m from the Airds Village Shopping Centre and approximately 3.2 km south east of Campbelltown City Centre.

### 3. Site Constraints Table

Site Constraints	Applicable to this site
Bushfire Prone Land	Not Applicable
Flood Affected	Applicable
Overland flow affected	Not Applicable
Mine Subsidence	Not Applicable
Noise Affected Property	Not Applicable



Aboriginal Sensitivity Zone	Not Applicable
Koala Habitat	Not Applicable
Jemena Gas Line	Not Applicable
Transgrid Electrical Easement	Not Applicable
Easements	Not Applicable
Tree Removal	Applicable
Biodiversity Impacts	Not Applicable
Heritage Item	Not Applicable

#### **4. Sydney Western City Planning Panel**

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##### **4.1 Kick Off Briefing**

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A Kick Off Briefing was held with the Panel Chair on 25 October 2021.

The key issues discussed during the meeting were noted as follows:

- Large scale, social housing to blend with private housing. Attempt to foster diverse and inclusive community.
- The development follows upon a successful recent seniors project in Claymore.
- The site is located on the edge of the area covered by the Airds Bradbury Urban Renewal Concept Plan. It is on the northwest of the major east/west road on the western side of the development towards Campbelltown.
- The site adjoins a new open space area allowing recreational uses and a town centre which is subject to change and renewal.
- The development respects and responds to the single storey cottages to the north, by limiting height to two storeys at that end, increasing to three storeys towards the Creigan Road collector road. Basement parking is proposed.
- A Clause 4.6 submission seeks variation of the 8 m height development standard under SEPP Seniors Housing.
- A second clause 4.6 request relates to public transport access under the Seniors SEPP, noting that the non-compliance (relating to the grade of the route of pedestrian access) will be temporary until the bus routes are updated to reflect the new Airds development.
- The building is ADG and SEPP 65 compliant. It includes extensive landscaped area with 31 parking spaces for 31 units.
- Preliminary review raised concerns re access to Creigan Road and basement level parking.

The key issues identified by the Panel for consideration included:

- Access consultant will report in relation to public transport access provisions under the Seniors SEPP.
- SEPP 55: there is minor contamination which will be addressed as part of the development.
- The main civil engineering issue relates to the volume of water carried by the adjacent Creigan Road, with a risk of flooding to the development and its basement carpark. That issue is the subject of ongoing discussions with the Council. Flood risk is of particular concern given that the development will cater to the aged and infirm.
- The Council expects that some redesign may be likely and has delayed exhibition for that reason. Once those aspects of the design are resolved, exhibition will commence.

(Attachment 3 – Kick Off Briefing)

## **4.2 Sydney Western City Planning Panel Briefing Meeting**

The Planning Panel Briefing Meeting was held Friday 10 December 2021.

Issues noted during the meeting were as follows:

“Overall the Panel were impressed with the sophistication of the architecture of the proposal, and would like to see the attention to architectural detailing in the DA scheme carried through to the built project.

The Panel notes the positive feedback from the Design Review Panel.

The Panel would hope to see an access consultant report in relation to public transport access provisions under the Seniors SEPP which might address the existing path of travel pending the anticipated new public transport links, noting the 4.6 request in that regard.

Careful attention is needed to the 4.6 variation request noting the importance of applying the development standard consistently. The Panel noted that there are a number of site-specific features of the property and a high level of design. The justification should focus on the objectives of the development standard that have been recognised in Court consideration of the instrument. The Panel noted that the applicable height limit included a dimensioned height and storey limit. Both would seem to require attention in the variation request.

The SEPP 55 and flooding issues will also need to be addressed.

If any issues arise from the public exhibition, the Panel should be informed.”

### **Comment**

The discussion and issues raised during both briefing sessions were noted and have been taken into consideration during the development and progress of the application.

(Attachment 4 – Record of Briefing)

## **5. Design Excellence Review Panel**

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The proposed application was presented to the October 2021, Design Panel for review.

The following general comment was provided:

“The Panel agreed that there has clearly been a great deal of thought put into the design response as provided. However, the Panel feel there are still a few opportunities that could significantly enhance the general health and well-being of the future residents and add to the overall design quality and community building potential of the proposed development.

The Panel agreed that the overall design was acceptable with minor changes.”

It is noted that the applicant has taken the Panel’s response on board and has developed some of the comments within the proposal. Further detail design work will incorporate further comments within the Construction Certificate documentation.

(Attachment 5 – Record of Minutes)

## **6. Overview of Proposal**

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This development application seeks approval for the construction of a part two and part three storey seniors living development comprising thirty one (31) independent living units, thirty one (31) basement parking spaces including the provision of communal gardens, landscaping, site services, stormwater infrastructure, site remediation works and associated ancillary site works.

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d as follows.

The proposal comprises the following elements:

### **Basement Level**

- 31 x car parking spaces (including 7 x accessible spaces);
- storage cages;
- fire pump room;
- electrical/comms room;
- fire hydrants;
- 2 x lift accesses; and
- fire stairs.

### **Ground Floor**

- 4 x 1 bedroom independent living units;
- 9 x 2 bedroom independent living units;
- private open space areas;
- landscaping;
- communal gardens;
- pedestrian pathways and access ramps between buildings;
- lift access to two southern most buildings;
- fire stairs;
- two x pedestrian access points;
- bicycle parking;
- bin storage area;
- mail boxes;
- fire hydrant boosters
- substation; and
- driveway access.

### **First Floor**

- 4 x 1 bedroom independent living units;
- 9 x 2 bedroom independent living units;
- private open space areas;
- lift access to two southern most buildings; and
- fire stairs.

### **Second Floor**

- 5 x two bedroom independent living units located within the two southern most buildings;
- private open space areas;
- lift access; and
- Fire stairs.

### **Roof**

- plant area; and
- lift overrun and roof access.

### Communal Amenities

The proposal includes a range of communal amenities located on the ground floor, and includes the following:

- Communal and living amenities: landscaped gardens, seating areas, pedestrian pathways, stairs, and ramp access, bicycle parking, car parking and storage areas.
- Services infrastructure: bin storage and waste areas, fire hydrant, water and gas meters, sprinkler boost system and a kiosk substation accessible from Creigan Road.

### Proposed Unit Mix

Unit Type	Number	Area
1 bedroom	8	56sqm
2 bedroom	23	77 – 83sqm

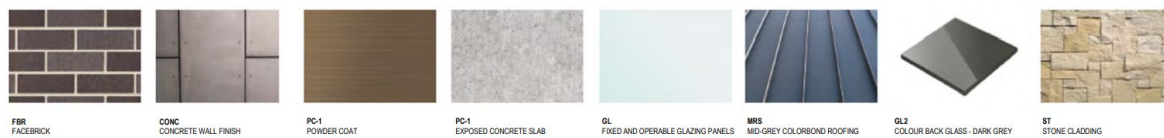
### Design Principles

Key design principles of the proposal as noted by the applicant include:

- the curved, articulated forms of the buildings separated by green spaces makes the buildings appear less bulky and more elegantly proportioned.
- the verticality of the upper floors is accentuated and with the inclusion of greenery to the south and communal open space, this serves to break down and articulate the apparent bulk of the southern building.
- the arrangement of the buildings allows views though the site and forms attractive spatial relationships with the surroundings.
- the buildings sits top a lush canopy, affording dramatic vistas and celebrates the site as a unique meeting point.
- the design grows from the site and the specific character responds directly to the qualities of the site and context and enables a better way of life in our urban environment, with shaded street level terraces and gardens, generous planting throughout, communal spaces and natural ventilation.
- generous, open, public lower levels of the building engage with the urban qualities and scale of the neighbourhood.
- familiar endemic Sydney vegetation adorns the building throughout, so the experience is both verdant original forests and familiar Sydney residential gardens.
- the solid masonry and trellises and screens reflect the familiar detailing of the surroundings interpret, in a contemporary language, their comfortable domestic qualities.

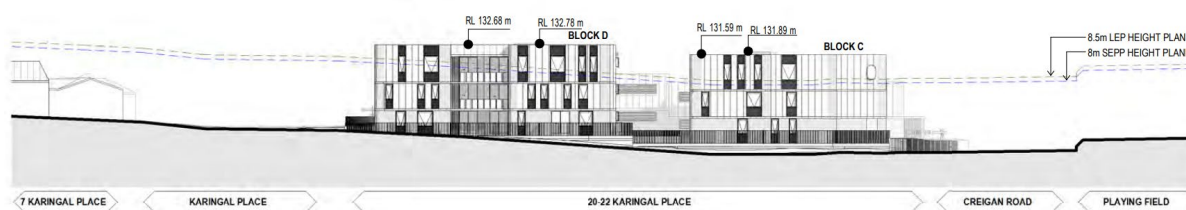
## Materials & Finishes

A detailed schedule of building materials, colours and finishes was prepared by Thomson Adsett.



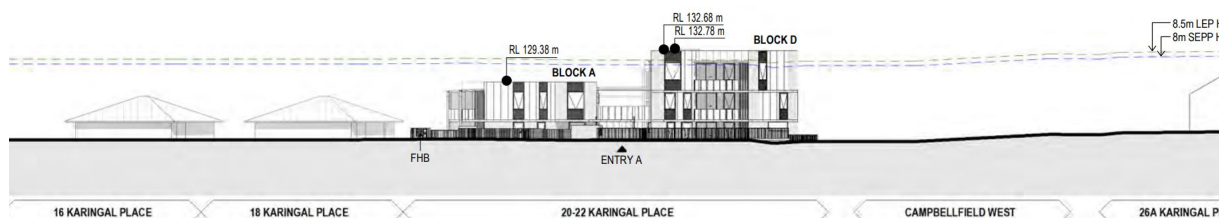
## Building Height

The proposal has a maximum building height (as defined in the SEPP) of 9.6 m which relates to the 2 x three storey buildings (Block C and Block D) within the southern part of the site. The height of the three storey buildings varies from 8.2 m to 9.6 m as the buildings have been designed to step with the site's topography.



2 STREETSCAPE ELEVATION - CAMPBELLFIELD WEST

The two northern buildings (Block A and Block B) are noted as being of 2 storeys in height.



3 STREETSCAPE ELEVATION - KARINGAL PLACE

## Contamination

The site has been used for residential housing since at least the 1980s. It is considered unlikely that the site of the proposed development would have been used for potentially contaminating uses prior to its residential use. A detailed site investigation report has been prepared by GeoEnviro Consultancy Pty Ltd. dated January 2021.

The report concluded that the site has some contamination issues associated with building rubbish and asbestos. Site remediation and validation will be required to make the site suitable for seniors housing.

The investigations concluded that subject to appropriate site remediation and validation works, the site is suitable for the proposed seniors housing development.

## Arborist

An Arboricultural Impact Assessment Report was prepared by Creative Planning Solutions dated 20 August 2021. The report provides an evaluation of the likely impact to existing trees (within the subject site, adjoining the site within 5 m of the boundaries and within Council street verge areas) as a result of the development.



A total of 11 trees were observed within and adjoining the subject site which have been surveyed as part of this assessment. 4 of the trees observed fell within the boundaries of the subject site, being Trees 1, 7, 8 & 11. The applicant has advised that 3 of these site trees (Trees 7, 8 & 11) are exempt from protection under Part 11- Vegetation and Wildlife Management of Campbelltown SCDCP 2015 due to species classification.

7 additional trees (Trees 2, 3, 4, 5, 6, 9 & 10) were observed within the Council road reserve of Karingal Place and Creigan Road.

It is recommended that 6 trees be removed (Trees 1, 7, 8, 9, 10 & 11) and 5 trees be retained and protected (Trees 2, 3, 4, 5 & 6). Specific recommendations are required to be adopted to ensure root sensitive construction techniques and methodology are employed which mitigate any potential negative impacts to retained trees.

### **Access, Circulation and Parking**

Vehicular access to the basement level car park is provided within the north-eastern corner of the site from Creigan Road. The basement car park provides a total of 31 car parking spaces (including 7 x accessible spaces).

Bicycle parking is proposed at the ground level pedestrian entrances along the Creigan Road and Karingal Place frontages.

Main pedestrian access to the development is provided from Creigan Road and Karingal Place.

Lifts are provided in the three storey buildings, providing lift access to all units and connections to the basement. Pedestrian access points are provided to all street frontages.

### **Heritage**

The site does not comprise any items of heritage significance and is not located close to a heritage item or within designated heritage conservation area.

### **BCA Compliance**

The proposed development has been designed to comply with the Building Code of Australia ("BCA"). A BCA Compliance Report prepared by Metro Building Consultancy, dated August 2021 was submitted in support of the application.

The report concludes that Performance	BCA Reference	BCA Assessment
	Classification	Class 2 (residential) Class 7a (car parking)
	Rise in Storeys	3
	No. of Levels Contained	4
	Minimum Type of Construction Required	Type A
	Effective Height	Less than 12 m
	Maximum Fire Compartment Size	Complies for Type A construction

Solutions can be developed to the Deemed to Satisfy provisions of the BCA to ensure the proposed development can achieve compliance with the relevant Performance Requirements of the BCA.

### **Accessibility**

An Accessibility Report was prepared by Vista Access Architects and submitted in support of the proposal. The report assessed the accessibility of the proposal and provides strategies to maximise reasonable provisions of access for people with disabilities.

The report concluded that the development is capable of compliance with the Access Code of Disability (Access to Premises-Building) Standards 2010 and the disability access relevant sections of the BCA including Schedule 3 of the Seniors Housing SEPP with the recommendations of the Access Report being complied with.

### **Stormwater Management**

Stormwater infrastructure is to be constructed as detailed in the Stormwater Management Report and associated stormwater plans prepared by Capital Engineering Consultants Pty Ltd.

Stormwater will be collected via a series of pits and pipes and conveyed to Council infrastructure in Creigan Road which has been recently upgraded to meet the needs of the Airds Urban Renewal Project.

A 10 kL below ground stormwater storage tank is to be provided on the site to capture a large portion of the site and roof area. The collected water shall be utilised for external re-use and/or irrigation as per the BASIX certificate.

### **Crime Prevention Through Environmental Design**

The development has been designed to incorporate the principles of Crime Prevention Through Environmental Design ("CPTED"). The CPTED principles include the following:-

#### **Surveillance**

- natural street surveillance is achieved within and around the buildings;
- CCTV monitoring to be installed to the ground floor units and car park entry points;
- driveway will be shared pedestrian and vehicular zones and natural street surveillance applies; and
- there are minimal unobserved areas across the site.

#### **Landscaping**

- the landscape design features grassed areas and small areas of feature shrub and native planting adjacent to the entrance to the facility as well as perimeter planting; and
- species are to be selected as appropriate based on height, coverage, bulk and shape.

#### **Lighting**

- site external lighting will comply with Australian Standards; and
- external lighting will be provided to building entries and the car parking entry.

#### **Territorial Reinforcement**

- entrances and exits to the ground floor of the four buildings are clearly discernible and directly accessible from the basement and/or footpaths;
- clear and legible way-finding signage will be provided;
- landscaping is used to clearly delineate the public and private domains.

#### **Access Control**

- access to the buildings and car parking area in the basement will be controlled.

The safety and security of residents has been considered in the architectural design of the development. Surveillance is provided throughout the site with the use of effective lighting, appropriate fencing, landscaping, clear identification of the entrances, and avoidance of dark spaces. The buildings will be appropriately lit.

Overall the proposal achieves a building form and design that delivers safety and security measures and will assist in reducing opportunities for crime in and around the site.

## **6. Planning Assessment**

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The development has been assessed in accordance with the heads of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, and having regard to those matters, the following issues have been identified for further consideration.

### **Campbelltown Local Strategic Planning Statement**

This document establishes a set of strategic directions to guide decision making and development outcomes. These directions are broad in nature and form a prelude to a new statutory town plan for the City.

The 'Campbelltown Local Strategic Planning Statement is a vision statement of broad town planning intent for the longer term future of the City of Campbelltown that contributes to the community objectives of:

- A vibrant, liveable city;
- A respected and protected natural environment;
- A thriving, attractive city; and
- A successful city.

The development application has been assessed with regard to the desired outcomes and objectives identified within the Local Strategic Planning Statement.

It is considered that the proposed development is generally consistent with the long term vision for the Airds/Bradbury locality and the Macarthur Region as a whole having regard to the character and impact on adjoining development including the Urban Renewal Project as a whole.

### **6.1 Section 4.15(1)(a)(i) The provisions of any environmental planning instrument**

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#### **6.1.1 Environmental Planning & Assessment Regulations 2000**

Clause 50(1A) of the Environmental Planning and Assessment Regulation 2000 requires:

“(1A) If a development application that relates to residential apartment development is made on or after the commencement of the [\*Environmental Planning and Assessment Amendment \(Residential Apartment Development\) Regulation 2015\*](#), the application must be accompanied by a statement by a qualified designer.

(1AB) The statement by the qualified designer must—

- (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.”

A Design Verification Statement has been prepared by Thomson Adsett and was provided in support of the application noting as follows:

“It is in our opinion that the proposed development complies with the nine design quality principles under Schedule 1 of SEPP 65 and the Apartment Design Guide (ADG).

Thomson Adsett has prepared the architectural drawings and is satisfied that the drawings meet the intent of the design quality principles as set out in Schedule 1 of State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development (“SEPP 65”).”

### **6.1.2 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment**

The proposal is within the Georges River Catchment and thus this policy applies. The general aims and objectives of this plan are as follows:

- a) to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment,
- b) to protect and enhance the environmental quality of the Catchment for the benefit of all users through the management and use of the resources in the Catchment in an ecologically sustainable manner,
- c) to ensure consistency with local environmental plans and also in the delivery of the principles of ecologically sustainable development in the assessment of development within the Catchment where there is potential to impact adversely on groundwater and on the water quality and river flows within the Georges River or its tributaries,
- d) to establish a consistent and coordinated approach to environmental planning and assessment for land along the Georges River and its tributaries and to promote integrated catchment management policies and programs in the planning and management of the Catchment,
- e) (Repealed)
- f) to provide a mechanism that assists in achieving the water quality objectives and river flow objectives agreed under the Water Reform Package.

The proposal does not conflict with any of the relevant provisions of the Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment, and is therefore considered acceptable in this regard.

### **6.1.3 State Environmental Planning Policy (Sydney Region Growth Centres) 2006**

In accordance with clause 5 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006, the policy applies to all land within the growth centres.

The subject site falls within the Greater Macarthur Growth Area.

#### **Clause 16 – Development applications in growth centres – matters for consideration until finalisation of precinct planning for land**

Clause 16(1) of the SEPP provides:

- (1) Until provisions have been specified in a Precinct Plan or in clause 7A with respect to the development of the land, consent is not to be granted to the carrying out of development on land within a growth centre unless the consent authority has taken into consideration the following—
  - (a) whether the proposed development will preclude the future urban and employment development land uses identified in the relevant growth centre structure plan,
  - (b) whether the extent of the investment in, and the operational and economic life of, the proposed development will result in the effective alienation of the land from those future land uses,

- (c) whether the proposed development will result in further fragmentation of land holdings,
- (d) whether the proposed development is incompatible with desired land uses in any draft environmental planning instrument that proposes to specify provisions in a Precinct Plan or in clause 7A,
- (e) whether the proposed development is consistent with the precinct planning strategies and principles set out in any publicly exhibited document that is relevant to the development,
- (f) whether the proposed development will hinder the orderly and co-ordinated provision of infrastructure that is planned for the growth centre,
- (g) in the case of transitional land—whether (in addition) the proposed development will protect areas of aboriginal heritage, ecological diversity or biological diversity as well as protecting the scenic amenity of the land.

The SEPP does not include a precinct plan for the Greater Macarthur Growth Area, and therefore the above criteria requires consideration. In this regard, the following is noted:

- The proposed development will not result in fragmentation of the land.

The proposed development is considered to be satisfactory with regard to clause 16 of the SEPP (Sydney Region Growth Centres).

#### **6.1.4 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004**

SEPP (Housing for Seniors or People with a Disability) 2004 (SEPP Seniors) applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if –

- (a) development for the purpose of any of the following is permitted on the land -
  - (i) dwelling-houses,
  - (ii) residential flat buildings,
  - (iii) hospitals,
  - (iv) development of a kind identified in respect of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries, or
- (b) the land is being used for the purposes of an existing registered club.

The subject site is zoned R2 Low Density Residential. Dwelling houses are a permitted land use within the R2 Low Density Residential zone.

Accordingly, Seniors SEPP applies to the subject site.

#### **Clause 2 Aims of Policy**

The Seniors SEPP aims to encourage the provision of housing (including residential care facilities) that will:

- (a) increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and
- (b) make efficient use of existing infrastructure and services, and



- (c) be of good design.

#### **Clause 4 Land to which Policy Applies**

Under Clause 4(6), the Seniors Housing SEPP does not apply if the land is identified as being environmentally sensitive.

Environmentally sensitive land is land identified in another environmental planning instrument by reference to certain descriptions such as coastal protection, conservation (but not land identified as heritage conservation area), critical habitat, environmental protection, open space, high flooding hazard, or natural hazard.

The subject site is not identified by any of the descriptions of environmentally sensitive land and is thus not considered as land being environmentally sensitive.

Consequently, the SEPP applies.

#### **Clause 4A Land to which Policy applies--heritage conservation areas in Greater Sydney Region**

Clause 4A states that the Seniors Housing SEPP does not apply to land in the Greater Sydney Region if an environmental planning instrument identifies the land as being within a heritage conservation area.

The site is not identified as being within a heritage conservation area.

#### **Clause 4B Land to which Policy applies--metropolitan rural areas in Greater Sydney Region**

Clause 4B states that the Seniors Housing SEPP does not apply to land identified on the metropolitan rural areas exclusion zone map as a metropolitan rural area exclusion zone.

### **CHAPTER 2 – KEY CONCEPTS**

#### **Clause 8 Seniors**

Clause 8 of SEPP Seniors defines 'seniors' as follows:

Seniors are any of the following:

- (a) people aged 55 or more years,
- (b) people who are resident at a facility at which residential care (within the meaning of the [Aged Care Act 1997](#) of the Commonwealth) is provided,
- (c) people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.

#### **Clause 9 People with a Disability**

Clause 9 defines 'people with a disability' as follows:

People with a disability are “people of any age who have, either permanently or for an extended period, one or more impairments, limitations or activity restrictions that substantially affect their capacity to participate in everyday life. ”

#### **Clause 10 Seniors Housing**

Clause 10 defines Seniors housing as:

“Residential accommodation that is, or is intended to be, used permanently for seniors or people with a disability consisting of--

- (a) a residential care facility, or
- (b) a hostel, or

- (c) a group of self-contained dwellings, or
- (d) a combination of these,

but does not include a hospital.”

### **Clause 13 Self-contained dwellings**

The proposed development is defined under this policy as a group of self-contained dwellings as follows:

- (1) General term: “self-contained dwelling”

In this Policy, a self-contained dwelling is defined as:

“is a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part of the building may be provided on a shared basis.”

- (2) Example: “in-fill self-care housing” In this Policy, in-fill self-care housing is seniors housing on land zoned primarily for urban purposes that consists of 2 or more self-contained dwellings where none of the following services are provided on site as part of the development: meals, cleaning services, personal care, nursing care.
- (3) Example: “serviced self-care housing” In this Policy, serviced self-care housing is seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care.

The proposed development comprises both self contained dwelling and in-fill self-care housing, being the provision of seniors housing where no services are provided for the dwellings, comprising of:

- 8 x 1 bedroom units;
- 23 x 2 bedroom units.

Chapter 3 of the Seniors Housing SEPP enables consent to be granted to the proposed senior’s housing development.

## **CHAPTER 3 - DEVELOPMENT FOR SENIORS HOUSING**

### **Part 1 General**

#### **Clause 14 Objective of Chapter**

Clause 14 states the objective of Chapter 3 as follows:-

“The objective of this Chapter is to create opportunities for the development of housing that is located and designed in a manner particularly suited to both those seniors who are independent, mobile and active as well as those who are frail, and other people with a disability regardless of their age.”

The proposal is consistent with this objective in that it provides housing located and designed in a manner particularly suited to seniors who are independent, mobile and active as well as those with a disability regardless of their age.

#### **Clause 15 What Chapter Does**

Clause 15 states that Chapter 3, Development for seniors housing allows the following development despite the provisions of any other environmental planning instrument if the development is carried out in accordance with this Policy—

- (a) development on land zoned primarily for urban purposes for the purpose of any form of seniors housing, and
- (b) development on land that adjoins land zoned primarily for urban purposes for the purpose of any form of seniors housing consisting of a hostel, a residential care facility or serviced self-care housing.

In accordance with clause 17(a) above, seniors housing is not a permitted land use under the provision of Campbelltown Local Environmental Plan 2015 (LEP 2015). Seniors housing is permitted on the subject site as the development is on land zoned primarily for urban purposes.

In this instance, Clause 17(b) is not applicable to this proposal.

#### **Clause 16 Development consent required**

In accordance with clause 16, seniors housing may be carried out only with the relevant consent authority unless another environmental planning instrument allowed the development without consent.

Seniors housing is prohibited under the provisions of CLEP 2015, and accordingly, consent is sought for the purposes of seniors housing under the provisions of SEPP (Seniors) 2004.

#### **Clause 18 Restriction on occupation of seniors housing allowed under this Chapter**

Clause 18(1) of SEPP Seniors requires seniors housing to be carried out for the accommodation of the following only:

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

Clause 18(2) A consent authority must not consent to a development application made pursuant to this Chapter unless a condition is imposed by the consent authority to the effect that only the kinds of people referred to in subclause (1) may occupy any accommodation to which the application relates.

Clause 18(3) Subclause (2) does not limit the kinds of conditions that may be imposed on a development consent, or allow conditions to be imposed on a development consent otherwise than in accordance with the Act.

A condition of development consent is recommended which requires a restriction as to user to be registered against the title of the development site in accordance with clause 18(1).

## Part 2 Site-related requirements

An assessment of the application against the applicable clauses within SEPP (Housing for Seniors or People with a Disability) 2004 is noted below:


<b>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</b>	
<b>Clause</b>	<b>Assessment Comment</b>
<b>Clause 26 Location and access to facilities</b>	
<p>(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access that complies with subclause (2) to:</p> <p>(a) shops, bank service providers and other retail and commercial services that residents may reasonably require, and</p> <p>(b) community services and recreation facilities, and</p> <p>(c) the practice of a general medical practitioner.</p>	<p>The site is located approximately 350 m walking distance to the Airds Village Shopping Centre which comprises a variety of retail shops, commercial and community services including Australia Post, newsagent, pharmacy, supermarket.</p> <p>Tharawal Medical Services located at 187 Riverside Drive, Airds.</p>
<p>(2) Access complies with this clause if:</p> <p>(a) the facilities and services referred to in subclause (1) are located at a distance of not more than 400 m from the site of the proposed development that is a distance accessible by means of a suitable access pathway and the overall average gradient for the pathway is no more than 1:14, although the following gradients along the pathway are also acceptable—</p> <p>(i) a gradient of no more than 1:12 for slopes for a maximum of 15 m at a time,</p> <p>(ii) a gradient of no more than 1:10 for a maximum length of 5 m at a time,</p> <p>(iii) a gradient of no more than 1:8 for distances of no more than 1.5 m at a time.</p>	<p>On completion of the Campbellfield Avenue extension, the gradient from the site to existing bus stops on St Johns Road will comply with the gradient requirements of clause 26 over its full length except for a small section that has a slope of 1:11.8 over a distance of 18 metres. This is marginally greater than the 15 metres allowed for grades up to 1:12.</p> <p>Clause 4.6 Variation request has been submitted.</p> <p>This submission is noted, however, once the redevelopment works are completed including the construction of Campbellfield West gradient levels will comply with the said requirements. A condition is to be imposed prior to occupation compliance with gradient levels to be verified.</p>
<p>(3) Access complies with this clause if:</p> <p>(b) in the case of a proposed development</p>	<p>The site is approximately 185m away from a bus stop on St Johns Road which is serviced by bus routes 884 and 885A and which runs approximately</p>


<p>on land in a local government area within the Greater Sydney (Greater Capital City Statistical Area)—there is a public transport service available to the residents who will occupy the proposed development:</p> <p>(i) that is located at a distance of not more than 400 m from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and</p> <p>(ii) that will take those residents to a place that is located at a distance of not more than 400 m from the facilities and services referred to in subclause (1), and</p> <p>(iii) that is available both to and from the proposed development at least once between 8 am and 12 pm per day and at least once between 12 pm and 6 pm each day from Monday to Friday (both days inclusive), and the gradient along the pathway from the site to the public transport services (and from the public transport services to the facilities and services referred to in subclause (1)) complies with subclause (3),</p>	<p>every 30 minutes during the day.</p> <p>Bus route 884 travels between Campbelltown and Airds, and bus route 885A travels between Campbelltown Train Station to Bradbury via Airds.</p>
<p>(4) For the purposes of subclause (2) (b) and (c), the overall average gradient along a pathway from the site of the proposed development to the public transport services (and from the transport services to the facilities and services referred to in subclause (1)) is to be no more than 1:14, although the following gradients along the pathway are also acceptable:</p> <p>(a) a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time,</p> <p>(b) a gradient of no more than 1:10 for a maximum length of 5 metres at a time,</p> <p>(c) a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time.</p>	<p>As noted above.</p>
<p>(5) For the purposes of subclause (2):</p> <p>(a) a <b>suitable access pathway</b> is a path of travel by means of a sealed footpath or other similar and safe means that is suitable for access by means of an electric wheelchair, motorised cart or</p>	<p>The proposed route along the footpath is considered to be consistent with the definition of a suitable access pathway.</p>



<p>the like, and</p> <p>(b) distances that are specified for the purposes of that sub clause are to be measured by reference to the length of any such pathway.</p>	
<p>(5) In this clause:</p> <p><b>bank service provider</b> means any bank, credit union or building society or any post office that provides banking services.</p>	Capable of compliance
<b>Clause 27 Bushfire Prone Land</b>	
<p>A consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land identified on a bush fire prone land map certified under section 10.3 of the Act as "Bush fire prone land—vegetation category 1", "Bush fire prone land—vegetation category 2", "Bush fire prone land—vegetation category 3" or "Bush fire prone land—vegetation buffer" unless the consent authority is satisfied that the development complies with the requirements of the document titled Planning for Bush Fire Protection, ISBN 978 0 646 99126 9, prepared by the NSW Rural Fire Service in co-operation with the Department of Planning, Industry and Environment, dated November 2019.</p>	<p>The subject site is not identified as bush fire prone land.</p>
<b>Clause 28 Water and sewer</b>	
<p>A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that the housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.</p>	<p>All the required water and sewer services have been/and or will be provided as a component of the Airds/Bradbury Urban Renewal Project.</p> <p>Referral response received from Sydney Water and Endeavour Energy.</p>
<b>Part 3 Design Requirements</b>	
<b>Division 1 General</b>	
<b>Clause 30 Site Analysis</b>	
<p>(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the applicant has taken into account a site analysis prepared by the applicant in accordance with this clause.</p> <p>(2) A site analysis must:</p> <p>(a) contain information about the site and its surrounds as described in subclauses (3) and (4), and</p> <p>(b) be accompanied by a written statement (supported by plans including drawings of sections and elevations and, in the</p>	<p>A site analysis plan and supporting documentation was provided in support of the application.</p>


<p>case of proposed development on land adjoining land zoned primarily for urban purposes, an aerial photograph of the site):</p> <p>(i) explaining how the design of the proposed development has regard to the site analysis, and</p> <p>(ii) explaining how the design of the proposed development has regard to the design principles set out in Division 2.</p>	
<b>Clause 31 Design of in-fill self-care housing</b>	
<p>In determining a development application made pursuant to this Chapter to carry out development for the purpose of in-fill self-care housing, a consent authority must take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration) the provisions of the Seniors Living Policy: Urban Design Guideline for Infill Development published by the Department of Infrastructure, Planning and Natural Resources in March 2004.</p>	<p>The development application proposes in-fill self-care housing.</p> <p>Assessment of the Seniors Living Design Guidelines is provided below.</p>
<b>Clause 32 Design of residential development</b>	
<p>A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2.</p>	
<b>Division 2 Design Principles</b>	
<b>Clause 33 Neighbourhood amenity and streetscape</b>	
<p>The proposed development should:</p> <p>(a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and</p>	<p>The impact of the bulk, scale, built form and character of the proposed development is considered to be compatible with the adjoining uses and the likely future character of land in the vicinity of the development.</p> <p>The proposed development will contribute to the quality and identity of the urban renewal area and locality as a whole.</p>
<p>The proposed development should:</p> <p>(b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and</p>	<p>N/A – not a heritage listed site or within the vicinity of a heritage item or conservation area.</p>
<p>The proposed development should:</p> <p>(c) maintain reasonable neighbourhood amenity and appropriate residential character by:</p> <p>(i) providing building setbacks to reduce bulk and overshadowing, and</p> <p>(ii) using building form and siting that relates to the site's land form, and</p> <p>(iii) adopting building heights at the street</p>	<p>(i) the vast majority of shadows cast by the proposed development would fall within the site and onto the street Campbellfield Avenue and Creigan Road). As such, the proposal will not result in any unacceptable overshadowing impacts.</p>

<p>frontage that are compatible in scale with adjacent development, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</p>	 <p>The proposed setback to the northern boundary will be sympathetic to the existing neighbouring dwellings to the north. The site occupies the full block between Karingal Place and Creigan Road and establishes a new building line for this block. The street setbacks are compatible with other dwellings in a streetscape of varying setbacks and dwelling orientations.</p> <p>(ii) A balance of cut and fill is proposed to address the access requirements of the Seniors SEPP and provide underground parking. The building height transitions to respond to the fall across the site.</p> <p>(iii) The proposal transitions in height to respond to future neighbouring residential development. The proposal presents three storeys to Campbellfield Avenue, and is two storeys to the adjoining free standing dwellings to the north.</p> <p>It is noted that the desired future character of the area (as envisaged within the Airds/Bradbury Urban Renewal Development Guidelines) is to include more intensive development located close to the proposed town centre, around parks and along bus routes.</p> <p>(iii) No buildings are proposed to be located upon the boundaries of the subject site.</p>
<p>The proposed development should:</p> <p>(d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and</p>	<p>The proposal has a varying setback of 4.4 m – 6.0 m to Creigan road and 4.5 m – 7.5 m to Campbellfield Avenue.</p> <p>Future dwellings within the vicinity of the subject site will be subject to a 3-4 m primary front setback control under the Airds/Bradbury Urban Renewal Development Control Guidelines. The proposed front setback is/will be sympathetic to the setbacks of future surrounding residential development, albeit that the development itself covers the whole block.</p>
<p>The proposed development should:</p> <p>(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</p>	<p>The surrounding area is undergoing substantial redevelopment works therefore, planting has not been established within the streetscape.</p> <p>Proposed landscaping will substantially enhance the appearance of the site and the streetscape by providing mass planting and feature trees</p>

	along the street frontages and within boundary setbacks as proposed in the submitted Landscape Plan.
<p>The proposed development should:</p> <p>(f) retain, wherever reasonable, major existing trees, and</p>	<p>A total of 11 trees were observed within and adjoining the subject site which have been surveyed as part of this assessment. 4 of the trees observed fell within the boundaries of the subject site, being Trees 1, 7, 8 &amp; 11. The applicant has advised that 3 of these site trees (Trees 7, 8 &amp; 11) are exempt from protection under Part 11-Vegetation and Wildlife Management of Campbelltown SCDCP 2015 due to species classification.</p> <p>7 additional trees (Trees 2, 3, 4, 5, 6, 9 &amp; 10) were observed within the council street verges of Karingal Place and Creigan Road.</p> <p>The assessment recommended that 6 trees be removed (Trees 1, 7, 8, 9, 10 &amp; 11) and five (5) trees be retained and protected (Trees 2, 3, 4, 5 &amp; 6).</p>
<p>The proposed development should:</p> <p>(g) be designed so that no building is constructed in a riparian zone.</p>	The proposed development will not impact a riparian zone.
<b>Clause 34 Visual and acoustic privacy</b>	
<p>The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:</p> <p>(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and</p> <p>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</p>	<p>(a) The design of the proposal has taken into consideration development on neighbouring sites. The proposal will not result in any significant visual or acoustic privacy issues to future neighbouring developments</p> <p>(b) The adjoining existing residential dwelling will be located adjacent to the proposed driveway access. LAHC have not advised the status of this existing dwelling.</p> 
<b>Clause 35 Solar access and design for climate</b>	
<p>(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and</p>	The majority of shadows cast by the proposed development will fall within the site and onto Campbellfield Avenue. It is considered that, the proposal will not result in any unacceptable overshadowing impacts.
<p>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and</p>	The proposed buildings have been designed such that the majority of dwellings receive at least the minimum solar access each day, as the development has been design as cross-through

lighting by locating the windows of living and dining areas in a northerly direction.	apartments allowing for natural cross-ventilation.
<b>Clause 36 Stormwater</b>	
<p>The proposed development should:</p> <p>(a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and</p>	<p>The proposal incorporates stormwater infrastructure (including water quality) as detailed in the Stormwater Management Report prepared by Capital Engineering Consultants. The report made the following recommendations:</p> <p>a. A pipe network system to collect minor storm runoff from surface areas which will minimise nuisance flooding;</p> <p>b. A 10kL below ground stormwater storage tank shall be provided on the site to capture a large portion of the site and roof area. The collected water shall be utilised for internal re-use and/or irrigation as per the final BASIX certificate;</p> <p>c. Installation of 12 x 460mm Cartridge Stormfilter units by OceanProtect (or approved equivalent) as a primary treatment measure in the treatment train;</p> <p>d. Installation of 1 x OceanGuard 200 Pit Insert by OceanProtect (or approved equivalent) in Pit P1 as a secondary treatment measure for area(s) unable to drain to the WSUD installation</p>
(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.	Not applicable.
<b>Clause 37 Crime prevention</b>	
<p>The proposed development should provide personal property security for residents and visitors and encourage crime prevention by:</p> <p>(a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and</p>	<p>Adequate surveillance has been incorporated within the design with effective lighting, landscaping and identification of the entrances, including avoidance of dark spaces.</p> <p>The building form and design delivers safety and security measures and will assist in reducing opportunities for crime in and around the site.</p>
(b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and	<p>The public domain is defined, with a continuous fence line around the full perimeter of the site reinforcing private territory.</p> <p>Private open space areas have been clearly defined with courtyard fencing to provide an appropriate level of safety and security for future residents.</p>
(c) providing dwellings designed to allow residents to see who approaches their	Opportunities for passive surveillance to Karingal Place, Campbellfield Avenue and Creigan Road



<p> dwellings without the need to open the front door.</p>	<p>with rear aspects also provided.</p> <p>All proposed dwellings look outwards providing passive surveillance to entry paths, front setbacks and footpaths. The proposed dwellings also look inward over the courtyards, providing safe and well lit spaces.</p>
<p><b>Clause 38 Accessibility</b></p>	
<p>The proposed development should:</p> <p>(a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and</p> <p>(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.</p>	<p>The proposal includes provision of safe pedestrian access from the site to public transport and local services.</p> <p>The applicant has committed to the construction of footpaths between the subject site and bus stops that would take passengers to Airds Town Centre and Campbelltown.</p> <p>The proposed development incorporates linear pedestrian paths into and within the site as well as safe on-site basement car parking.</p>
<p><b>Clause 39 Waste management</b></p>	
<p>The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.</p>	<p>Residential waste and recycled goods are to be stored in the garbage storage areas, which are to be located between Block A and Block B and is to be accessed via the central common courtyard.</p>  <p>The storage area has the capacity to store 26 x 240 L bins, which satisfied Council's requirements. It is proposed that the bins would be taken to the street for collection by tenants.</p> <p>A 'No Stopping' area is required to be provided adjacent to the development in Creigan Road and Karingal Place to assist with waste collection. The endorsement of the Local Traffic Committee is required.</p>

**Part 4 – Development Standards to be complied with**  
**Division 1 General**

**Clause 40 Development standards - minimum sizes and building height**

Pursuant to Clause 40 of the SEPP Seniors, a consent authority must not consent to a development application made pursuant to this Chapter unless the proposed development complies with the standards specified in the table below.

Clause	Proposed	Compliance
<b>Clause 40 Development Standards – Minimum sizes and heights</b>		
<b>Clause 40(2) Site Size</b>		
The size of the site must be at least 1,000 m <sup>2</sup>	The subject site has an area of 3,050.7 m <sup>2</sup> .	Complies however in accordance with Clause 40(5)(a) &(b) site size requirement does not apply to a development application made by a social housing provider.
<b>Clause 40 (3) Site frontage</b>		
The site frontage must be at least 20 m wide measured at the building line.	Greater than 20 m width.	Complies In accordance with Clause 40(5)(a) & (b) site frontage requirement does not apply to a development application made by a social housing provider.
<b>Clause 40 (4) Height in zones where residential flat buildings are not permitted</b> If the development is proposed in a <b>residential zone</b> where residential flat buildings are not permitted:		
(a) the height of all buildings in the proposed development must be 8 m or less, and  <b>Height is defined as:</b> <i>"height in relation to a building, means the distance measured vertically from any point on the ceiling of the topmost floor of the building to the ground level immediately below that point."</i>	The proposed maximum building height is approximately 9.6 m being the two southern buildings being of a 3 storey form.	<b>**Does Not Comply</b>  A Clause 4.6 request to vary the height standard has been provided to address the non compliance - 3 storey building element of the design.  It is noted that the two buildings adjacent to the northern boundary are of a two storey height.
(b) a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height, and  Note. The purpose of this paragraph is to avoid an abrupt change in the scale of development in the streetscape.	2 storeys proposed adjacent to northern boundary adjacent to existing single dwellings and 3 storeys proposed along Campbellfield Avenue.	Not Applicable Pursuant to Clause 40(5)(a) & (b) this clause does not apply to a development application made by a social housing provider.

(c) a building located in the rear 25 per cent area of the site must not exceed 1 storey in height.		Not Applicable Pursuant to Clause 40(5)(a) & (b) this clause does not apply to a development application made by a social housing provider.
<b>Clause 40(5) Development applications to which clause does not apply</b>		
Subclauses (2), (3) and (4)(c) do not apply to a development application made by any of the following:	(a) the Department of Housing,	As noted above.
	(b) a local government or community housing provider.	As noted above.

### **Division 3 Self-contained dwellings—standards concerning access and useability**

#### **Clause 41 Standards for self-contained dwellings**

A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of a hostel or self-contained dwelling unless the proposed development complies with the standards specified in Schedule 3 for such development.

<b>Schedule 3</b>		
<b>Clause 1</b>		
Application of standards in this Part	The standards set out in this Part apply to any seniors housing that consists of hostels or self-contained dwellings.	Applicable.
<b>Clause</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Clause 2 Siting standards</b>		
(1) Wheelchair access  If the whole of the site has a gradient of less than 1:10, 100% of the dwellings must have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road.	Access has been provided to all units by accessible path of travel from an adjoining public road and lifts.	Capable of Compliance to be verified at CC Stage. Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.
(2) If the whole of the site does not have a gradient of less than 1:10—  (a) the percentage of dwellings that must have wheelchair access must equal the proportion of the site that has a gradient of less than 1:10, or 50%, whichever is the greater, and  (b) the wheelchair access provided must be by a continuous accessible path of travel (within the	Access has been provided to all units by accessible path of travel from an adjoining public road and lifts.	Capable of Compliance to be verified at CC Stage. Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.

meaning of AS 1428.1) to an adjoining public road or an internal road or a driveway that is accessible to all residents.		
<p>(3) Common areas</p> <p>Access must be provided in accordance with AS 1428.1 so that a person using a wheelchair can use common areas and common facilities associated with the development.</p>	Access has been provided to all units by accessible path of travel from common areas and common facilities.	Capable of Compliance to be verified at CC Stage. Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.
<p><b>Clause 3 Security</b></p> <p>Pathway lighting--</p> <p>(a) must be designed and located so as to avoid glare for pedestrians and adjacent dwellings, and</p> <p>(b) must provide at least 20 lux at ground level.</p>	Capable of Compliance to be verified at CC stage of works	Capable of Compliance to be verified at CC Stage.
<p><b>Clause 4 Letterboxes</b></p> <p>Letterboxes--</p> <p>(a) must be situated on a hard standing area and have wheelchair access and circulation by a continuous accessible path of travel (within the meaning of AS 1428.1), and</p> <p>(b) must be lockable, and</p> <p>(c) must be located together in a central location adjacent to the street entry or, in the case of self-contained dwellings, must be located together in one or more central locations adjacent to the street entry.</p>	<p>A common use letterbox area has been provided on the accessible entry pathway to the main building on both street frontages.</p> <p>A hard paved area of 1540 x 2070mm is provided to access the lock side of the letter boxes.</p>	Complies
<p><b>Clause 5 Private car accommodation</b></p> <p>(a) If car parking (not being car parking for employees) is provided—car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890, and</p> <p>(b) 5% of the total number of car parking spaces (or at least one space if there are fewer than 20 spaces) must be</p>	<p>The development requires 1 car parking space per 5 units.</p> <p>A total of 31 parking spaces are provided with 6 accessible spaces in accordance with the minimum requirements.</p>	Complies

<p>designed to enable the width of the spaces to be increased to 3.8 m, and</p> <p>(c) any garage must have a power-operated door, or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date.</p>		
<p><b>Clause 6 Accessible entry</b></p> <p>Every entry (whether a front entry or not) to a dwelling, not being an entry for employees, must comply with clauses 4.3.1 and 4.3.2 of AS 4299.</p>	<p>Submitted Access report concludes that the proposal is capable of achieving the spatial requirements to provide access for people with a disability.</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
<p><b>Clause 7 Interior: general</b></p> <p>(1) Internal doorways must have a minimum clear opening that complies with AS 1428.1.</p> <p>(2) Internal corridors must have a minimum unobstructed width of 1,000 millimetres.</p> <p>(3) Circulation space at approaches to internal doorways must comply with AS 1428.1.</p>	<p>Submitted Access report concludes that the proposal is capable of achieving the spatial requirements to provide access for people with a disability.</p>	<p>Capable of Compliance to be verified at CC Stage.</p> <p>Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.</p>
<p><b>Clause 8 Bedroom</b></p> <p>At least one bedroom within each dwelling must have—</p> <p>(a) an area sufficient to accommodate a wardrobe and a bed sized as follows—</p> <p>(i) in the case of a dwelling in a hostel—a single-size bed,</p> <p>(ii) in the case of a self-contained dwelling—a queen-size bed, and</p> <p>(b) a clear area for the bed of at least—</p> <p>(i) 1,200 mm wide at the foot of the bed, and</p> <p>(ii) 1,000 mm wide beside the bed between it and the wall, wardrobe or any other obstruction, and</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p> <p>Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.</p>

<p>(c) 2 double general power outlets on the wall where the head of the bed is likely to be, and</p> <p>(d) at least one general power outlet on the wall opposite the wall where the head of the bed is likely to be, and</p> <p>(e) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and</p> <p>(f) wiring to allow a potential illumination level of at least 300 lux.</p>		
<p><b>Clause 9 Bathroom</b></p> <p>(1) At least one bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS 1428.1—</p> <p>(a) a slip-resistant floor surface,</p> <p>(b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS 1428.1,</p> <p>(c) a shower that complies with AS 1428.1, except that the following must be accommodated either immediately or in the future—</p> <p>(i) a grab rail,</p> <p>(ii) portable shower head,</p> <p>(iii) folding seat,</p> <p>(d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it,</p> <p>(e) a double general power outlet beside the mirror.</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p> <p>Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.</p>

(2) Subclause (1)(c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility.		
<b>Clause 10 Toilet</b> A dwelling must have at least one toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS 4299.	Capable of Compliance to be verified at CC Stage	Capable of Compliance to be verified at CC Stage.  Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.
<b>Clause 11 Surface finishes</b> Balconies and external paved areas must have slip-resistant surfaces. <b>Note :</b> Advise regarding finishes may be obtained from AS 1428.1 .	Capable of Compliance to be verified at CC Stage	Capable of Compliance to be verified at CC Stage. Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.
<b>Clause 12 Door Hardware</b> Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299.	Capable of Compliance to be verified at CC Stage	Capable of Compliance to be verified at CC Stage. Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.
<b>Clause 13 Ancillary items</b> Switches and power points must be provided in accordance with AS 4299.	Capable of Compliance to be verified at CC Stage	Capable of Compliance to be verified at CC Stage. Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.
<b>Part 2 Additional Standards for Self Contained Dwellings</b>		
<b>Clause 14 Application of standards in this part</b>		
The standards set out in this Part apply in addition to the standards set out in Part 1 to any seniors housing consisting of self-contained dwellings.		
<b>Clause 15 Living room and dining room</b> (1) A living room in a self-contained dwelling must have—  (a) a circulation space in accordance with clause 4.7.1 of AS 4299, and  (b) a telephone adjacent to a general power outlet.  (2) A living room and dining room must have wiring to allow a	Capable of Compliance to be verified at CC Stage	Capable of Compliance to be verified at CC Stage.  Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.



potential illumination level of at least 300 lux.		
<p><b>Clause 16 Kitchen</b></p> <p>A kitchen in a self-contained dwelling must have—</p> <p>(1) a circulation space in accordance with clause 4.5.2 of AS 4299, and</p> <p>(2) a circulation space at door approaches that complies with AS 1428.1, and</p> <p>(3) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS 4299—</p> <p>(a) benches that include at least one work surface at least 800 mm in length that comply with clause 4.5.5 (a),</p> <p>(b) a tap set (see clause 4.5.6),</p> <p>(c) cooktops (see clause 4.5.7), except that an isolating switch must be included,</p> <p>(d) an oven (see clause 4.5.8),</p> <p>(4) “D” pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards,</p> <p>(5) general power outlets—</p> <p>(a) at least one of which is a double general power outlet within 300 millimetres of the front of a work surface, and</p> <p>(b) (ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed.</p>	Capable of Compliance to be verified at CC Stage	<p>Capable of Compliance to be verified at CC Stage.</p> <p>Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.</p>

<p><b>Clause 17 Access to Kitchen, main bedroom, bathroom and toilet</b></p> <p>In a multi-storey self-contained dwelling, the kitchen, main bedroom, bathroom and toilet must be located on the entry level.</p>	Not Applicable	Not Applicable
<p><b>Clause 18 Lifts in Multi Storey buildings</b></p> <p>In a multi-storey building containing separate self-contained dwellings on different storeys, lift access must be provided to dwellings above the ground level of the building by way of a lift complying with clause E3.6 of the <i>Building Code of Australia</i>.</p>	Lift provided	Complies
<p><b>Clause 19 Laundry</b></p> <p>A self-contained dwelling must have a laundry that has—</p> <ul style="list-style-type: none"> <li>(1) a circulation space at door approaches that complies with AS 1428.1, and</li> <li>(2) provision for the installation of an automatic washing machine and a clothes dryer, and</li> <li>(3) a clear space in front of appliances of at least 1,300 mm, and</li> <li>(4) a slip-resistant floor surface, and</li> <li>(5) an accessible path of travel to any clothes line provided in relation to the dwelling.</li> </ul>	Capable of Compliance to be verified at CC Stage	<p>Capable of Compliance to be verified at CC Stage.</p> <p>Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.</p>
<p><b>Clause 20 Storage for linen</b></p> <p>A self-contained dwelling must be provided with a linen storage in accordance with clause 4.11.5 of AS 4299.</p>	Capable of Compliance to be verified at CC Stage	<p>Capable of Compliance to be verified at CC Stage.</p> <p>Note: Pursuant to Clause 41(2) this clause does not apply to a development application made by a social housing provider.</p>
<p><b>Clause 21 Garbage</b></p>	Outside garbage storage areas provided in	Complies

An outside garbage storage area must be provided in an accessible location.	accessible locations.	
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It is noted that a supporting Access Report, prepared by Vista Access Architects was submitted in support of the application. The report concluded:

“The proposal achieves the spatial requirements to provide access for people with a disability.”

## **Part 7 Development Standards that cannot be used as grounds to refuse consent**

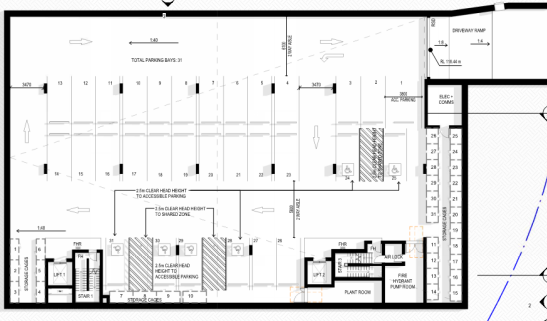
### **Division 4 – Self Contained Dwellings**

#### **Clause 50 Standards that cannot be used to refuse development consent for self-contained dwellings**

Pursuant to Clause 50 of the Seniors SEPP, the consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a self-contained on any of the following grounds—

<b>Clause</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Building height</b>		
If all proposed buildings are 8 m or less in height,	The proposed development has a maximum building height of 9.6 m (being a part 2 and 3 storey development)	Does Not Comply** Clause 4.6 Variation request submitted.
<b>Density and scale</b>		
If the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,	The proposed FSR is 0.74:1.	Does Not Comply**
<b>Landscaped area</b>		
If- (1) in the case of a development application made by a social housing provider – a minimum 35 m <sup>2</sup> of landscaped area per dwelling is provided, or	31 dwellings x 35 m <sup>2</sup> = 1085 m <sup>2</sup> .  A total of 1,360 m <sup>2</sup> of landscaped area is provided.	Complies
(2) in any other case – a minimum of 30% of the area of the site is to be landscaped.	Not Applicable	Not Applicable
<b>Deep soil zones</b>		
if, in relation to that part of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed, there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15%	The proposal provides 673 m <sup>2</sup> of deep soil area across the site.  This equates to 22% of the site.	Complies

of the area of the site (the <b>deep soil zone</b> ). Two-thirds of the deep soil zone should preferably be located at the rear of the site and each area forming part of the zone should have a minimum dimension of 3 m,		
<b>Solar access</b>		
if living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9 am and 3 pm in mid-winter,	A total of 24 units (75%) achieve solar access for a minimum of 2 hours.	Complies
<b>Private open space for in-fill self-care housing</b>		
If- (1) in the case of a single storey dwelling or a dwelling that is located, wholly or in part, on the ground floor of a multi-storey building, not less than 15 m <sup>2</sup> of private open space per dwelling is provided and, of this open space, one area is not less than 3 m <sup>2</sup> wide and 3 m <sup>2</sup> long and is accessible from a living area located on the ground floor, and	<b>Proposed Unit Ground Floor</b>	<b>Area</b>
	1	5.8 m <sup>2</sup>
	2	27.6 m <sup>2</sup>
	3	27.3 m <sup>2</sup>
	4	29 m <sup>2</sup>
	5	28 m <sup>2</sup>
	6	29.4 m <sup>2</sup>
	7	28.7 m <sup>2</sup>
	8	17.6 m <sup>2</sup>
	9	57.2 m <sup>2</sup>
	10	48.9 m <sup>2</sup>
	11	28.7 m <sup>2</sup>
	12	56 m <sup>2</sup>
	13	70.3 m <sup>2</sup>
(2) in the case of any other dwelling, there is a balcony with an area of not less than 10 m <sup>2</sup> (or 6 m <sup>2</sup> for a 1 bedroom dwelling), that is not less than 2 m in either length or depth and that is accessible from a living area,  Note - The open space needs to be accessible only by a continuous accessible path of travel (within the meaning of AS 1428.1) if the dwelling itself is an accessible one. See Division 4 of Part 4.	<b>Upper Floor Units</b>	<b>Area</b>
	1.1	12.9 m <sup>2</sup>
	1.2	13.1 m <sup>2</sup>
	1.3	11.9 m <sup>2</sup>
	1.4	10.8 m <sup>2</sup>
	1.5	11.8 m <sup>2</sup>
	1.6	13.7 m <sup>2</sup>
	1.7	12.7 m <sup>2</sup>
	1.8	13.1 m <sup>2</sup>
	1.9	13.6 m <sup>2</sup>
	1.10	11.8 m <sup>2</sup>
	1.11	11.6 m <sup>2</sup>
	1.12	13.5 m <sup>2</sup>
	1.13	12 m <sup>2</sup>
	2.1	13.6 m <sup>2</sup>
	2.2	11.2 m <sup>2</sup>
	2.3	14 m <sup>2</sup>
	2.4	13.6 m <sup>2</sup>
	2.5	12.7 m <sup>2</sup>
<b>Parking</b>		
If at least the following is	Not Applicable	Not Applicable

provided-		
(1) 0.5 car spaces for each bedroom where the development application is made by a person other than a social housing provider, or		
(2) 1 car space for each 5 dwellings where the development application is made by, or is made by a person jointly with, a social housing provider.	<p><math>31/5 = 6.2</math> parking spaces required.</p> <p>31 car parking spaces are provided (including 6 x accessible spaces)</p>  <p>The diagram is a detailed site plan for a development. It shows a rectangular plot with a building footprint on the right side. The building has multiple floors, with labels for 'PUMP ROOM', 'PUMP ROOM', and 'PUMP ROOM'. The plan includes numerous parking spaces, some of which are marked with numbers. A dashed line indicates a boundary or path. The text 'TOTAL PARKING SPACES: 31' is visible. The plan also shows various other features like 'DRIVEWAY', 'PARKING', and 'ACCESS'.</p>	Complies

**Note—**

The provisions of this clause do not impose any limitations on the grounds on which a consent authority may grant development consent.

## **6.1.5 State Environmental Planning Policy (Housing) 2021**

### **Schedule 7 Savings and transitional provisions**

#### **1. Definitions**

In this Schedule— commencement date means the day on which this Policy commenced.  
repealed instrument means an instrument repealed under Chapter 1, section 10.

#### **2. General savings provision**

The former provisions of a repealed instrument continue to apply to the following—

- (a) **a development application made, but not yet determined, on or before the commencement date,**
- (b) a concept development application made, but not yet determined, on or before the commencement date,
- (c) a staged development application made subsequent to a concept development application approval granted on or before the commencement date,
- (d) a development consent granted on or before the commencement date,
- (e) an environmental impact statement prepared in compliance with an environmental assessment requirement that is—
  - (i) issued by the Planning Secretary on or before the commencement date, and
  - (ii) in force when the statement is prepared.

#### **Comment**

It is noted that State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, is the prevailing Policy.

## **6.1.6 State Environmental Planning Policy No 65 – Design Quality Residential Flat**

SEPP 65 State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (“SEPP 65”) was gazetted on 17 July 2015.

The SEPP applies to residential flat buildings if the building is three or more storeys and contains at least four dwellings.

The following aims and objectives are noted:

- (1) This Policy aims to improve the design quality of residential apartment development in New South Wales.
- (2) This Policy recognises that the design quality of residential apartment development is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high quality design.
- (3) Improving the design quality of residential apartment development aims:
  - (a) to ensure that it contributes to the sustainable development of New South Wales:
    - (i) by providing sustainable housing in social and environmental terms.
    - (ii) by being a long-term asset to its neighbourhood.

(iii) by achieving the urban planning policies for its regional and local contexts.

- (b) to achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define.
- (c) to better satisfy the increasing demand, the changing social and demographic profile of the community, and the needs of the widest range of people from childhood to old age, including those with disabilities.
- (d) to maximise amenity, safety and security for the benefit of its occupants and the wider community.
- (e) to minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions.
- (f) to contribute to the provision of a variety of dwelling types to meet population growth, and
- (g) to support housing affordability.
- (g) to facilitate the timely and efficient assessment of applications for development to which this Policy applies.

(4) This Policy aims to provide:

- (a) consistency of policy and mechanisms across the State, and
- (b) a framework for local and regional planning to achieve identified outcomes for specific places.

The component of the proposed Senior's Living development that is 3 storeys in height is generally consistent with the above aims and objectives as identified.

**Clause 30 Standards that cannot be used as grounds to refuse development consent or modification of a development consent**

<p>(1) If an application for the modification of a development consent or a development application for the carrying out of development to which this Policy applies satisfies the following design criteria, the consent authority must not refuse the application because of those matters—</p> <p>(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,</p>	<p>The subject site is located within 400 m of a commercial/retail centre. The following minimum parking requirement is noted:</p> <p><b>Resident funded development.</b></p> <p>Self-contained units:</p> <ul style="list-style-type: none"> <li>▪ 2 spaces per 3 units (residents) plus.</li> <li>▪ 1 space per 5 units (visitors).</li> </ul> <p>Required: 15.5 +6.2 spaces Total: 21.7 spaces</p> <p>Provided 31 spaces</p> <table border="1" data-bbox="758 2139 1109 2177"> <tr> <td>Unit No.</td> <td></td> <td>Area</td> </tr> </table>	Unit No.		Area	<p>(a) Complies</p>
Unit No.		Area			



<div><div>Design criteria</div><div><div>1. For development in the following locations:</div><div><div><div>on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or</div><div>on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre</div></div><div>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</div><div>The car parking needs for a development must be provided off street</div></div></div></div>	<table><tr><td>G1</td><td>2 bed</td><td>79 m<sup>2</sup></td></tr><tr><td>G2</td><td>1 bed</td><td>56 m<sup>2</sup></td></tr><tr><td>G3</td><td>1 bed</td><td>56 m<sup>2</sup></td></tr><tr><td>G4</td><td>2 bed</td><td>79 m<sup>2</sup></td></tr><tr><td>G5</td><td>2 bed</td><td>78 m<sup>2</sup></td></tr><tr><td>G6</td><td>1 bed</td><td>56 m<sup>2</sup></td></tr><tr><td>G7</td><td>1 bed</td><td>56 m<sup>2</sup></td></tr><tr><td>G8</td><td>2 bed</td><td>82 m<sup>2</sup></td></tr><tr><td>G9</td><td>2 bed</td><td>78 m<sup>2</sup></td></tr><tr><td>G10</td><td>2 bed</td><td>79 m<sup>2</sup></td></tr><tr><td>G11</td><td>2 bed</td><td>77 m<sup>2</sup></td></tr><tr><td>G12</td><td>2 bed</td><td>81 m<sup>2</sup></td></tr><tr><td>G13</td><td>2 bed</td><td>83 m<sup>2</sup></td></tr><tr><td>1.1</td><td>2 bed</td><td>84 m<sup>2</sup></td></tr><tr><td>1.2</td><td>1 bed</td><td>56 m<sup>2</sup></td></tr><tr><td>1.3</td><td>1 bed</td><td>56 m<sup>2</sup></td></tr><tr><td>1.4</td><td>2 bed</td><td>79 m<sup>2</sup></td></tr><tr><td>1.5</td><td>2 bed</td><td>79 m<sup>2</sup></td></tr><tr><td>1.6</td><td>1 bed</td><td>56 m<sup>2</sup></td></tr><tr><td>1.7</td><td>1 bed</td><td>56 m<sup>2</sup></td></tr><tr><td>1.8</td><td>2 bed</td><td>81 m<sup>2</sup></td></tr><tr><td>1.9</td><td>2 bed</td><td>78 m<sup>2</sup></td></tr><tr><td>1.10</td><td>2 bed</td><td>79 m<sup>2</sup></td></tr><tr><td>1.11</td><td>2 bed</td><td>77 m<sup>2</sup></td></tr><tr><td>1.12</td><td>2 bed</td><td>81 m<sup>2</sup></td></tr><tr><td>1.13</td><td>2 bed</td><td>83 m<sup>2</sup></td></tr><tr><td>2.1</td><td>2 bed</td><td>78 m<sup>2</sup></td></tr><tr><td>2.2</td><td>2 bed</td><td>79 m<sup>2</sup></td></tr><tr><td>2.3</td><td>2 bed</td><td>77 m<sup>2</sup></td></tr><tr><td>2.4</td><td>2 bed</td><td>81 m<sup>2</sup></td></tr><tr><td>2.5</td><td>2 bed</td><td>83 m<sup>2</sup></td></tr></table>	G1	2 bed	79 m <sup>2</sup>	G2	1 bed	56 m <sup>2</sup>	G3	1 bed	56 m <sup>2</sup>	G4	2 bed	79 m <sup>2</sup>	G5	2 bed	78 m <sup>2</sup>	G6	1 bed	56 m <sup>2</sup>	G7	1 bed	56 m <sup>2</sup>	G8	2 bed	82 m <sup>2</sup>	G9	2 bed	78 m <sup>2</sup>	G10	2 bed	79 m <sup>2</sup>	G11	2 bed	77 m <sup>2</sup>	G12	2 bed	81 m <sup>2</sup>	G13	2 bed	83 m <sup>2</sup>	1.1	2 bed	84 m <sup>2</sup>	1.2	1 bed	56 m <sup>2</sup>	1.3	1 bed	56 m <sup>2</sup>	1.4	2 bed	79 m <sup>2</sup>	1.5	2 bed	79 m <sup>2</sup>	1.6	1 bed	56 m <sup>2</sup>	1.7	1 bed	56 m <sup>2</sup>	1.8	2 bed	81 m <sup>2</sup>	1.9	2 bed	78 m <sup>2</sup>	1.10	2 bed	79 m <sup>2</sup>	1.11	2 bed	77 m <sup>2</sup>	1.12	2 bed	81 m <sup>2</sup>	1.13	2 bed	83 m <sup>2</sup>	2.1	2 bed	78 m <sup>2</sup>	2.2	2 bed	79 m <sup>2</sup>	2.3	2 bed	77 m <sup>2</sup>	2.4	2 bed	81 m <sup>2</sup>	2.5	2 bed	83 m <sup>2</sup>	<div>(b) Complies</div>
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relevant design criteria;  (c) in determining a development application for consent to carry out a residential flat development, a consent authority is to take into consideration the Apartment Design Guide.	Design Guide and a supporting Design Verification Statement the Apartment Design Guide assessment.	
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### Schedule 1 – Design Quality Principles

Principle	Comment
<b>Principle 1: Context and neighbourhood character</b>	
Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions. Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.	The existing neighbourhood context can be described as predominantly of low to medium density residential. The proposed senior's housing development will be one of the first higher density developments in the area and therefore will represent a change in character from low density to that envisaged in the Airds/Bradbury Concept Plan. Although a change in character will be evident, the strategically located site, its location on a prominent future intersection and the proximity to the future sports fields and Airds Town Centre including future community centre lends itself to the proposed development.
<b>Principle 2 – Built form and scale</b>	
Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings. Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.	<p>The form of development is consistent with other senior's housing developments.</p> <p>A 'split building' typology is proposed which responds to the orientation, size and dimensions of the site. The building forms are placed in the same location as the existing dwellings that are to be demolished. This seeks to tie the development into the existing street pattern. The curved, articulated forms of the buildings separated by green spaces will make the buildings appear less bulky and more proportioned.</p> <p>The design of the buildings incorporates features that include varied setbacks and articulation to create an interesting design and mitigate the impact of bulk and scale. The buildings will align to the street and each façade is well articulated. The development steps with the topography and sufficient landscaping is proposed within setbacks and above the basement slab to achieve a building set within the landscape. This will assist in softening the impact of the perceived bulk and scale of the development to Campbellfield Avenue.</p>
<b>Principle 3 – Density</b>	
Good design achieves a high level of amenity for residents and each apartment, resulting in	The proposal seeks to maximise density to permit occupants to take advantage of the

a density appropriate to the site and its context. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.	convenient access to transport and adjacent facilities.
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#### **Principle 4 – Sustainability**

Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.	<p>The proposed development addresses the elements of sustainable design contained in the Apartment Design Guide with high levels of solar access and natural ventilation. The passive thermal design allows for natural ventilation, heating and cooling to reduce reliance on technology and operation costs. Construction will aim to minimise waste and maximise recycling opportunities.</p> <p>The deep soil area will allow for groundwater recharge and vegetation for cooling of communal open space areas. Low water demand species form part of the landscape. 80% of planted species are considered low water use.</p> <p>The BASIX report details measures to approve the energy efficiency of the building. Water efficient appliances &amp; fittings, a solar array and a rainwater tank are components of the development.</p> <p>To support sustainable transport solutions bicycle parking is proposed, exceeding minimum requirements.</p>
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#### **Principle 5 – Landscape**

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood. Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks. Good landscape design optimises usability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.	<p>A landscape plan has been prepared for the DA. The design creates passive and private recreation spaces, low maintenance and a quality communal open space areas.</p> <p>Deep soil planting is provided around the perimeter of the site to create shading and a pleasant communal open space environment.</p> <p>A tree-lined streetscape is proposed that will be complimented by the proposed planting within the setback. The landscape design has been undertaken by landscape architects Creative Planning Solutions and includes communal features, seating that will enhance communal open space areas and provide for an appropriate level of privacy and amenity.</p>
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#### **Principle 6 – Amenity**

Good design positively influences internal and external amenity for residents and	The design provides for a high level of privacy, cross-ventilation and access to sunlight
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<p>neighbours. Achieving good amenity contributes to positive living environments and resident well being. Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p>	<p>ensuring good amenity for the apartments.</p> <p>The design caters for useable communal open space areas to compliment the proposed external open spaces of each dwelling.</p> <p>In terms of amenity impacts upon adjoining properties, the proposal seeks to ensure that the level of privacy and overshadowing impacts are reasonable in the circumstances where the area is in transition from lower density to higher density.</p> <p>Individual apartment layouts are efficient with appropriate room sizes and dimensions.</p> <p>Privacy impacts are mitigated through appropriate setbacks, screens and building separation.</p>
<b>Principle 7 – Safety</b>	
<p>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety. A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p>The proposal provides a clear delineation of private and public domain areas together with a level of passive surveillance to communal areas from within the development to promote safety and security within the complex.</p>
<b>Principle 8 – Housing diversity and social interaction</b>	
<p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p>	<p>The proposal has a mix of one bedroom and two bedroom unit types to cater for members of the seniors community. The proposal provides for an appropriate mix of unit sizes each with internal and external amenity that increases housing stock and choice in this key highly accessible locality. All the units are designed to be accessible.</p> <p>Ground floor units allow for soft landscape along the building edge, and provide passive surveillance opportunities to the public domain.</p> <p>The site includes communal areas and seating spaces throughout the development. The communal open space is amalgamated between the buildings so that maximum opportunities for appropriate landscaping, passive and active uses, seating for all residents to enjoy.</p>
<b>Principle 9 – Aesthetics</b>	
<p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures. The visual appearance of a well designed apartment</p>	<p>The building design utilises a mix of textures and materials to complement the articulated facades and provide interest to a building that will be bigger than many others in the local vicinity.</p>


development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.

The development proposes a combination of face brick work and precast concrete finishes together with glass. The mixture of building materials, colours and curves creates a rhythmic vertical articulation to the building façade and breaks down surface elements into smaller sections.

Landscaping is used to enhance the aesthetic quality of the development. Planting forward of the proposed courtyard fences softens built form and will create a soft edge to the street.

The proposal has a contemporary architectural design with a combination of materials.

## 6.1.7 Seniors Living Policy – Urban Design Guidelines for Infill Development

1. Responding to Context	
<p><b>Analysis of neighbourhood Character</b></p> <p>New development should contribute to the overall character of the area, or in other words, have a good 'neighbourhood fit'.</p>	<p>The proposal has been designed to meet the need for seniors housing in Airds/Bradbury.</p> <p>The development seeks to provide a well-designed development that satisfies contemporary seniors housing residential standards, whilst reinforcing the extension of Campbellfield Avenue in order to achieve a landmark design signifying the importance of seniors housing to the Urban Renewal Project.</p> <p>Overall it is considered that the proposal is a positive contribution to the local area.</p>
2.Site Planning and Design	
<p><b>Design principles and better Practise</b></p> <p>Cater for a broad range of needs from potential residents by providing a mix of dwelling sizes and dwellings both with and without assigned car parking</p>	<p>Construction of a part two and part three storey seniors living development comprising thirty one (31) independent living units and thirty one (31) basement parking spaces including the provision of communal gardens, landscaping, site services.</p> <p>8 x 1 bedroom units and 23 x 2 bedroom units.</p>
<p>Locate the bulk of the development towards the front of the site to maximise the number of dwellings with frontage to a public street</p>	<p>The bulk of the development has been designed to front the Campbellfield Avenue and Creigan Road frontages.</p>
<ul style="list-style-type: none"> <li>• Maintain existing patterns and character of gardens and trees;</li> <li>• Improve amenity by increasing the proportion of the site that is landscaped area;</li> <li>• Provide deep soil zones</li> </ul>	<p>Complies</p> 
<p>Parking, Garaging and vehicular circulation</p>	<p>31 basement off street spaces are provided for the development</p>
3.Impacts on Streetscape	
<p><b>Built Form</b></p> <ul style="list-style-type: none"> <li>• break up the building massing and articulating building facades;</li> <li>• use variation in materials;</li> <li>• setting back upper levels;</li> <li>• reduce the apparent bulk and visual impact</li> </ul>	<p>The building design utilises a mix of textures and materials to compliment the articulated facades and provide interest to the redevelopment of the site.</p>
<p><b>Trees, landscaping and deep soil zones</b></p>	<p>Landscaping is proposed to enhance the aesthetic quality of the development.</p> <p>Planting forward of the proposed courtyard fences will soften the built form and will seek</p>

	to create a soft edge to the street frontage.
<b>Residential Amenity</b>	The proposal provides a clear delineation of private and public domain areas together with a level of passive surveillance to communal areas to promote safety and a positive residential environment for the residents.
<b>Parking, garaging and vehicular circulation</b> Where basement car parking is used minimise the impact of the entry by: <ul style="list-style-type: none"> <li>• locate it on one side of the site;</li> <li>• recess it from the main building facade</li> </ul> Locate or screen all parking to minimise visibility from the street.	One access point is provided from Creigan Road to the basement carpark.
<b>4. Impact on Neighbours</b>	
<b>Built Form</b> Protect neighbours' amenity	The design has taken into consideration the current and future use of adjoining sites as well as the Concept Plan for the redevelopment of Airds.
<b>5. Internal Site Amenity</b>	
<b>Built Form</b> Design dwellings to maximise solar access to living areas and private open spaces.	The individual dwellings/units have been designed to comply with the requirements of the Housing SEPP and Residential Design Quality guidelines.
<b>Residential Amenity</b> <ul style="list-style-type: none"> <li>• Provide distinct and separate pedestrian and vehicular circulation;</li> <li>• Ensure that adequate consideration is given to safety and security</li> <li>• Provide open space</li> <li>• Provide communal open space</li> </ul>	Complies The proposal provides a clear delineation of private and public domain areas together with a level of passive surveillance to communal areas from within the development to promote safety and security.



### **6.1.8 State Environmental Planning Policy No. 55 – Remediation of Land**

State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55) aims to:

- (1) The object of this Policy is to provide for a State-wide planning approach to the remediation of contaminated land.
- (2) In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:
  - (a) by specifying when consent is required, and when it is not required, for a remediation work.
  - (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular.
  - (c) by requiring that a remediation work meet certain standards and notification requirements.

A detailed site investigation report has been prepared by GeoEnviro Consultancy Pty Ltd. dated January 2021.

The report found that the site has some contamination issues associated with building rubbish and asbestos. Site remediation and validation will be required to make the site suitable for seniors housing.

The investigations concluded that subject to appropriate site remediation and validation works, the site is suitable for the proposed senior's housing development

Council assessment concluded that through the provision of appropriate site remediation and validation works the site is suitable for the proposed seniors development.

Appropriate conditions have been included to ensure the remediation of the site.

### **6.1.9 Environment Protection and Biodiversity Conservation Act 1999**

Development Applications under Part 4 of the EP&A Act in NSW are required to consider potential impacts on biodiversity in NSW under the Biodiversity Conservation Act 2016 (BC Act). There are two streams of assessment under the BC Act:

- The Biodiversity Offsets Scheme (BoS) where a development is assessed under a number of thresholds, and
- A Flora and Fauna Assessment and associated Tests of Significance.

If a development exceeds a BoS threshold, it must be assessed under the Biodiversity Assessment Method (BAM). This assessment would be undertaken by Council in consultation with the Department of Planning, Industry and Environment. Biodiversity offsets will be required if a BoS threshold is triggered. The BoS thresholds are as follows:

- The area of native vegetation proposed to be cleared as part of a DA exceeds the clearing threshold for the minimum lot size of the zoning.
- The proposed DA is carried out on land identified in the Biodiversity Values Map.
- The proposed DA is likely to have a 'significant impact' on threatened biodiversity as concluded within the Test of Significance and the Flora and Fauna Assessment.

The Ecology Action report prepared by Abel Ecology dated 24 August 2021, noted as follows:

"The koala is protected under Commonwealth legislation by the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act 1999) and is listed as Endangered/Vulnerable. The

provisions of the EPBC Act apply to this proposal. The outcome is not significant, however, and does not require referral to the Commonwealth.

There were no Critically Endangered or Endangered species or communities, or Vulnerable species recorded on the site. The provisions of the EPBC Act do not apply to this proposal."

Council supports the conclusions that a BDAR is not required as the biodiversity thresholds are not exceeded.

#### **6.1.10 Flora and Fauna**

An Ecology Action report was submitted in support of the application prepared by Abel Ecology and dated 24 August 2021.

The report concluded as follows:

"The site is in poor condition, with a low presence of native vegetation and high exotic weed presence. There is a single *Eucalyptus globoidea* and 2 native lemon trees present on site. The groundcover vegetation was dominated by exotic weeds.

After investigating the site for signs or evidence of Koalas, it became apparent that there were no Koalas on site, nor have any koalas been using the site. Traditional Koala survey practices were carried out, using a rake to scrape back the litter and debris on the floor to search for scats. Visual observations were also made to find any markings or scratching on the tree that would indicate Koala presence or tree usage. However, there were no scats, scratches, markings, or an observed Koala present on site.

A search of the adjacent bushland revealed several fauna and flora species not found on site. Some of the native fauna observed included rainbow lorikeets, scaly breasted lorikeets, sulphur crested cockatoos, little corellas, long-billed corellas, and the laughing kookaburra. Some native flora species observed within the bushland habitat include *Acacia parramattensis*, *Indigofera australis*, *Eucalyptus tereticornis*, and some fruit belonging to an unidentified she-oak species. The outskirts of this bushland patch were highly disturbed, with a significant exotic weed presence, including *Senecio madagascariensis*, a weed of national significance. A brief observational survey was conducted for koalas within this habitat, but no evidence of koalas was found.

Given the disturbed and cleared nature of the proposal site, it is unlikely that the proposal will significantly impact a local koala population or any local threatened species that may have used the area or the *Eucalyptus globoidea* as a foraging resource."

Council supports the conclusions that the proposed works is not likely to significantly impact any threatened species or endangered ecological communities.

#### **6.1.11 Koala Habitat Protection**

State Environmental Planning Policy (Koala Habitat Protection) 2021 requires Council to consider whether the development is likely to have low or no impact on koalas or koala habitat prior to consent being granted.

An Ecology Action report was submitted in support of the application prepared by Abel Ecology and dated 24 August 2021 which addressed Koala Habitat protection.

The report noted as follows:

"The site falls within the Koala Management Area No. 2 (Central Coast).

One tree was present on site and was surveyed, providing the following data:

Table 10. Koala quadrat survey results.

Species	Count	Percentage	Feed tree
White Stringybark <i>Eucalyptus globoidea</i>	1	100	SEPP 2021 Koala Use Tree

Koalas have been recorded within 5 km of the site.

However, Koalas, or evidence of Koalas, were not seen on site and it is unlikely that any Koalas use the site. The site is not considered core Koala habitat."

Council supports the conclusions that the site is not considered to constitute core koala habitat.

## 7. Airds Bradbury Concept Plan Guidelines

An assessment against the Concept Plan approval is addressed below.

Criteria	Requirement	Consistency
<b>Schedule 3</b>		
Part A – Terms of Approval	(1) Approval of Airds- Bradbury concept plan:	The proposed seniors living development is generally consistent with the masterplan, infrastructure delivery plan, Airds-Bradbury Development Control Guidelines and street layout.
	(2) The Proponent shall carry out the Concept Plan generally in accordance with approved documentation.	The proposed development is generally consistent with the ABURP approval.
	(3) Inconsistency between plans and documentation	The plans are generally consistent with the ABURP Approval.
	(4) Limits on approval	Further approval has been obtained for the construction of the ABURP.
Part B – Modifications to the concept plan	(1) Building Setbacks	Not applicable.
	(2) Fencing Strategy	Not applicable.
	(3) Traffic and transport	The proposal does not include access to Georges River Road.
	(4) Landscaping	A Landscape Plan has been submitted with the proposal.
	(5) Open Space	Not Applicable
	(6) Biodiversity Offset Package	Not Applicable with regard to this application.
Schedule 4 Further Environmental Assessment Required	(1) General Requirements	The proposal maintains consistency with the concept masterplan with regard to the provision of open space and road access.
	(2) Built Form and Urban Design	The proposal is consistent with the ABURP.
	(3) Traffic and transport	Not Applicable
	(4) Development contributions	A VPA was executed for the Airds-Bradbury Renewal Plan.
	(5) Bushfire hazard	The subject site has not been identified as bushfire prone land.
	(6) Biodiversity offset package	Not applicable to this application.
	(7) Bushland Management	Not applicable to this application.
	(8) Heritage	Not Applicable
	(9) Site filling and disposal	Cut and fill is considered to be appropriate for the proposed development.
	(10) Utilities	Infrastructure servicing is capable of being provided and is to be conditioned accordingly.

	(11) Contamination	A detailed site investigation report was submitted in support of the application prepared by GeoEnviro Consultancy Pty Ltd, dated May 2021. The report concluded that subject to appropriate site remediation and validation works, we would consider the site to be suitable for the proposed senior housing development.
	(12) Flooding	The applicant has submitted a statement of commitments which is to be conditioned accordingly.
	(13) Water Quality and Riparian Corridors	Stormwater infrastructure will be constructed as part of the development as detailed in the Stormwater Management Report and associated stormwater plans prepared by Capital Engineering Consultants Pty Ltd. Stormwater will be collected via a series of pits and pipes and conveyed to Council infrastructure in Creigan Road which has been recently upgraded to meet the needs of the Airds Urban Renewal Project.

## 5. Campbelltown Local Environmental Plan 2015

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Campbelltown Local Environment Plan 2015 establishes the area's development objectives and land zoning.

The site is zoned R2 Low Density Residential in accordance with the provisions of the LEP, consent must not be granted for any type of development within this zone unless it is consistent with one or more of the zone objectives, and the use is permissible within the zone.

The zone objectives for **R2 Low Density Residential** are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To enable development for purposes other than residential only if that development is compatible with the character of the living area and is of a domestic scale.
- To minimise overshadowing and ensure a desired level of solar access to all properties.
- To facilitate diverse and sustainable means of access and movement.

The proposal is generally consistent with the objectives of the R2 Low Density Residential area zone in that:-

- the independent living units meet community needs for seniors within a low density residential environment;
- the proposal provides independent living units in close proximity to a shopping centre and essential support services to meet the day to day needs of residents;
- the proposal provides a desired level of solar access to all independent living units; and
- the proposal provides an adequate level of access and movement within the complex.

The proposed seniors living development is considered to positively contribute to the future development of the local area. The proposed works are compatible with the approved concept plan for the Airds/Bradbury redevelopment.

Development permitted with consent in the R2 zone includes as follows:-

"Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home based child care; Home businesses; Home industries; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Schools; Semi-detached dwellings; Tank-based aquaculture"

Development prohibited in the R2 zone includes as follows:-

"Any development not specified in item 2 or 3"

Development for the purposes of "seniors housing" is prohibited on the subject site.

SEPP (Housing for Seniors or People with a Disability) 2004 (SEPP Seniors) prevails to the extent of any inconsistency with the Campbelltown LEP.

The proceeding table highlights compliance with the relevant development standards of Campbelltown Local Environment Plan 2015.

Clause	Requirement	Proposed	Compliance
2.6(1)– Subdivision consent requirements	Land to which this Plan applies may be subdivided, but only with development consent.	Not Applicable	Not Applicable
7.1 Earthworks		The proposal includes earthworks to facilitate the construction of a basement carpark and associated infrastructure works.	Capable of Compliance  The proposed earthworks are considered to satisfy the considerations of Clause 7.1 of the CLEP 2015.
7.2 Flood Planning	<p>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</p> <p>(a) is compatible with the flood hazard of the land,</p> <p>(b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties.</p> <p>(c) incorporates appropriate measures to manage risk to life from flood.</p> <p>(d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</p> <p>(e) is not likely to result in unsustainable social and economic costs to</p>	A statement of commitments was provided by the applicant and is to be conditioned accordingly.	Capable of Compliance

	the community as a consequence of flooding.		
7.10 – Essential Services	<p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:</p> <ul style="list-style-type: none"> <li>(a) the supply of water,</li> <li>(b) the supply of electricity,</li> <li>(c) the disposal and management of sewage,</li> <li>(d) stormwater drainage or on-site conservation,</li> <li>(e) suitable road and vehicular access,</li> <li>(f) telecommunication services,</li> <li>(g) the supply of natural gas.</li> </ul>	The applicant advised that part of the Concept Plan confirmed that all urban utility services are available or can be readily extended to meet the needs of the ABRP.	Capable of Compliance



## 8.1 Campbelltown (Sustainable City) Development Control Plan 2015

The purpose of Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP 2015) is to provide more detailed provisions to supplement the Campbelltown Local Environmental Plan 2015 (CLEP 2015).

Pursuant to Clause 4.15(1) (a) (iii) Council is required to consider the relevant provisions of the applicable development control plan of the Campbelltown Local Government Area (LGA), being SCDCP 2015.

The following details the assessment of the proposal in accordance with the relevant requirements of the Campbelltown (Sustainable City) Development Control Plan 2015.

### Part 2 - Requirements Applying to All Types of Development

The general provisions of Part 2 of the Plan apply to all types of development.  
Compliance with the relevant provisions of Part 2 of the Plan is discussed as follows:

Campbelltown (Sustainable City) Development Control Plan			
Control	Requirement	Proposed	Complies
<b>2.4 Sustainable Building Design</b>			
<b>2.4.1 Rain water tanks</b>	A rainwater tank shall be provided for all new buildings containing a roof area greater than 100 m <sup>2</sup>	A 10,000 L underground water tank is provided as a component of the application	Complies
<b>2.5 Landscaping</b>			
<b>2.5 d) ii) Landscape Concept Plan</b>	A landscape concept plan is required to be submitted with a development application for residential subdivision.	Landscape plan details have been submitted as a component of the proposed development works	Complies
<b>2.5 e) Design Requirements</b>	The Landscape Concept Plan shall illustrate mature height, spread of species, trees to be removed/retained and shall be prepared by a suitably qualified person.	All of the aforementioned information is demonstrated on the submitted landscape plan.	Complies
<b>2.5 f) Design Requirements</b>	Landscaping shall maximise the use of locally indigenous and other drought tolerant native plants and avoid the use of invasive species.	Capable of compliance – has been recommended as a condition of consent.	Capable of Compliance
<b>2.7 Erosion and Sediment Control</b>			

<b>2.7 a) Design Requirements</b>	An Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted with a development application proposing construction and/or activities involving the disturbance of the land surface.	ESCP submitted.  Recommended condition of consent for implementation prior to the commencement of any works.	Capable of Compliance
<b>2.8 Cut, Fill and Floor Levels</b>			
<b>2.8.1 a) Cut and Fill</b>	A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	Cut and Fill drawings were submitted as a component of the earthworks	Capable of Compliance

## 2.10 Stormwater Drainage

### 2.10.3 b) Stormwater Drainage

The stormwater concept plan shall include the following information as a minimum:

- (1) locations, layouts and sizes of stormwater pipes and pits;
- (2) minimum grades and capacity of stormwater pipes; and
- (3) existing and proposed easements, site contours and overland flow path/s.


The key strategies proposed for this development is noted as follows:

- (1) A pipe network system to collect minor storm runoff from surface areas which will minimise nuisance flooding;
- (2) A 10 kL below ground stormwater storage tank shall be provided on the site to capture a large portion of the site and roof area. The collected water shall be utilised for internal re-use and/or irrigation as per the final BASIX certificate;
- (3) Installation of 12 x 460 mm Cartridge Stormfilter units by OceanProtect (or approved equivalent) as a primary treatment measure in the treatment train;
- (4) Installation of 1 x OceanGuard 200 Pit Insert by OceanProtect (or approved equivalent) in Pit P1 as a secondary treatment measure for area(s) unable to drain to the WSUD installation.

2.15 Waste Management			
<b>2.15.1 a) Waste Management Plan</b>	A detailed 'Waste Management Plan' (WMP) shall accompany development applications for certain types of development/land uses.	A Construction and Operational Waste Management Plan was prepared by Creative Planning Solutions and submitted in support of the proposal.	Complies

## Part 19.2 General requirements for seniors housing and housing for people with a disability

Part 19.2.1 Requirements for a development application			
(a)	A photomontage of the proposed development shall accompany any development application for seniors housing that is for more than 20 dwellings	A photomontage was provided in support of the application.	Complies
(b)	A detailed landscape plan prepared by an appropriately qualified landscape architect shall accompany development applications for seniors housing.	A Landscape Plan was provided in support of the application	Complies
(c)	A detailed Waste Management Plan (WMP) prepared by an appropriately qualified waste management professional a waste audit is to be submitted as part of the waste management plan.	A Waste Management Plan was provided in support of the application	Complies
(d)	A detailed traffic and car parking assessment report that is suitably prepared by a qualified consultant report shall accompany the development application.	A Traffic and Car Parking Assessment Report was provided in support of the proposal	Complies
Part 19.3 Additional controls relating to waste management			

Part 19.3.2 Waste storage areas			
(a)	<p>Open waste storage areas must:</p> <ul style="list-style-type: none"> <li>i) Be appropriately covered and bunded to avoid stormwater entering the sewer;</li> <li>ii) Be paved with impervious material;</li> <li>iii) Be graded and drained to a waste water disposal system in accordance with Sydney Water's requirements;</li> <li>and</li> <li>iv) Provide a hose tap connected to a water supply to enable easy cleaning.</li> </ul>	<p>As indicated in the plans an enclosed waste storage area fronts Creigan Road capable of housing 13 x 240 L bins and an open waste storage area fronting Karingal Place capable of storing 13 x 240 L bins + bulky waste storage.</p> 	Capable of Compliance

## 8.2 Campbelltown (Sustainable City) Development Control Plan 2015 – Volume 2: Site Specific DCPs: Part 9 – Urban Renewal Areas Airs Claymore

The proposed development has been assessed having regard to the relevant numerical and design standards within Council's (Sustainable City) Development Control Plan 2015 (SCDCP 2015).

No specific controls are applicable with respect to the proposed works as nominated.

## 9.0 Section 4.15(1)(a)(ii) Any Proposed Instrument

At the time of lodgment of the development application, draft SEPP (Housing) 2021 was a proposed planning instrument. State Environmental Planning Policy (Housing) 2021 commenced on 26 November 2021. Schedule 7 of the Policy contains saving provisions to the effect that the provision of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 continue to apply to a development application made, but not yet determined, on or before the commencement date.

## 9.1 Section 4.15(1)(a)(iiia) Any Planning Agreement that has been entered into under Section 93F, or any draft planning agreement that a development has offered to enter into under Section 93F

The subject site is not situated within the Western Sydney Growth Area Special Infrastructure Contribution (SIC) area.

In terms of local contributions, the development is subject to the Airs, Bradbury Renewal Project Voluntary Planning agreement and associated Infrastructure Services Delivery Plan being undertaken by Land and Housing Corporation.

## 10. Section 4.15(1)(a)(iv) The provisions of the Regulations

The proposal does not contravene the Environmental Planning and Assessment Regulations.

## **11. Section 4.15 (1)(b) The Likely Impacts of the Development**

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Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 requires Council to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

The key matters for consideration when considering the development's potential impact on the natural and built environment is as follows:

- Building Height;
- Clause 4.6 variation Request – Building Height Non Compliance;
- Construction & Waste Management;
- Flooding;
- Floor Space Ratio;
- Social & Economic Impacts.

### **Building Height**

The proposed two and three storey development includes three separate articulated residential blocks. The non-compliance with the height standard of 8 m relates specifically to the two buildings fronting Campbellfield Avenue.

The proposal has a maximum building height (as defined in the SEPP) of 9.6 m which relates specifically to the 2 x 3 storey buildings located on the southern part of the site. The height of the 2 x 3 storey buildings vary from 8.2 m to 9.6 m and have been designed to step with the site topography.

Whilst the proposed development does not comply with the maximum building height standard, a non-compliance with this standard does not require the consent authority to refuse the application. It merely prevents the consent authority from refusing the application on the basis of height if the development complies with the standard.

The applicant has put forward the following reasoning in support of the height exceedance of the development:

- The Airds-Bradbury renewal area is currently undergoing a significant transition in built form from a low density public housing estate to a planned community containing a variety of housing types. The desired future character includes more intensive development located close to facilities that can support and sustain higher density development.
- The site is close to Airds Village Shopping Centre and other facilities such as a medical centre, community health centre, high school, fire station and food outlets forming an activity centre. Higher density development close to activity centres is beneficial.
- The development is setback from street frontages providing the opportunity for landscaping to soften the appearance of the building and reduce its bulk and scale when viewed from the public street.
- 3 storey seniors development provides economies of scale supporting lift access to units and allowing for high quality design in terms of solar access, natural ventilation, façade articulation and site landscaping.
- The 3 storey building elements have facades that are highly articulated, well designed and are provided with building parapets that screen roof elements. The articulated facades breaks in the building elements and landscaped have been designed to reduce perceived bulk and scale of the three storey elements with the form and configuration of these elements of the building sympathetic to the land form.
- The 3 storey elements of the development are provided with perimeter deep soil landscaping along the site boundaries, providing an appropriate built form transition and maintaining privacy to properties adjacent to the site.

- The extent to which the buildings exceed the maximum building height does not change the relationship of the development to adjoining land to any significant extent.
- There will be no significant adverse amenity impacts arising from the extent to which the buildings exceed the maximum building height development standard in relation to overlooking, overshadowing, obstruction of light or air, obstruction of views or any other such impacts on nearby
- The development is designed to be compatible with the likely built form on adjoining and adjacent LAHC sites.
- The development comprises a number of separate buildings and ranges in height from 2 to 3 storeys.
- Impacts on adjoining sites can be managed to acceptable levels.
- The development provides a social benefit in the form of accessible and affordable purpose built seniors housing.

### **Comment**

The above points of justification are noted. A Clause 4.6 Variation request was submitted in support of the request to vary the height standard in accordance with Clause 40 of the Seniors Housing SEPP.

### **Clause 4.6 Variation Request – Building Height Non Compliance**

A written request has been submitted to Council in accordance with Clause 4.6(3)(a) and (b) of the Campbelltown LEP 2015 seeking to justify the contravention of the development standard by demonstrating:

- That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case;
- That there are sufficient environmental planning grounds to justify contravening the standard;

### **Applicants Written Request – Clause 4.6(3)(a) and (b)**

The applicant seeks to justify the contravention of the height of buildings development standard on the following basis:

That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.

(1) The objectives of this clause are noted as follows:

- (a) to nominate a range of building heights that will provide a transition in built form and land use intensity across all zones,
- (b) to ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity to business centres and transport facilities,
- (c) to provide for built form that is compatible with the hierarchy and role of centres,
- (d) to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.

The applicant highlighted that the development is consistent with the objectives in that:

- The height of the development is appropriate given the site's location on a main entry street (Campbellfield Avenue & Creigan Road) to the Airds Bradbury renewal area, the proximity of the site to the park and the shopping centre and to existing and future bus services;
- The character of the existing streetscape is changing with the construction of the Campbellfield Avenue extension and the associated creation of new development lots along its alignment;
- The taller 3 storey buildings are located adjacent to the Campbellfield Avenue extension with buildings on the northern part of the site being 2 storeys providing a suitable transition to the cottages to the north;
- The development has no significant adverse visual impact, view loss, loss of privacy or loss of solar access to existing and future development and to key elements of the public domain;

The proposed development is considered to satisfy the nominated objectives.

**That there are sufficient environmental planning grounds to justify contravening the standard:**

The following environmental planning grounds have been considered in assessment of the development standard variation with respect to building height:

- the development will be visually attractive and sympathetic to the existing and emerging character of the area;
- the development will maintain the neighbourhood amenity and character of the local area;
- the development is part two and three storeys in height which designed to be compatible with the expected neighbouring development to the south and transitions in height to low density residential sites to the north and west;
- the development reflects the desired future character of the Airds Bradbury Urban Renewal Project;
- the bulk and scale of the building is considered appropriate;
- the site is of sufficient size to accommodate the proposed development;
- the proposed seniors living development will meet an important social need in providing independent living units in the local community close to essential services and shops.

Given there are no adverse environmental impacts, it is confirmed there are suitable planning grounds to justify contravention of the development standard.

**Consideration of Applicants Written Request - Clause 4.6(4)(a)(i) and (ii)**

Development consent must not be granted unless the consent authority is satisfied that:

- The applicant's written request has adequately addressed the matters required to be demonstrated by subclause 3 of Clause 4.6 being that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard; and
- The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out. Does the written request adequately address those issues at Clause 4.6(3)(a)



It is considered that the applicant has adequately addressed that compliance with the height of building standard to be unreasonable or unnecessary in the circumstances of the case. The applicant has demonstrated that the objectives of the development standard can be achieved notwithstanding non-compliance with the development standard.

### **Does the written request adequately address those issues at clause 4.6(3)(b)?**

The applicant has adequately addressed that there are sufficient environmental planning grounds to justify contravening the standard.

### **Is the development in the public interest?**

Pursuant to Clause 4.6 (4)(a)(ii), the proposed development is in the public interest because it is consistent with both the objectives of the height of buildings development standard and the objectives for development within the R2 Low Density Residential zone.

The development is consistent with the zone objectives in that:

- the proposed height of the development is appropriate to the condition of the site and its context.
- the independent living units meet community needs for seniors within a low density residential environment;
- it provides independent living units in close proximity to a shopping centre and essential support services to meet the day to day needs of residents;
- it provides excellent solar access to all independent living units and a desired level of solar access to adjoining properties; and
- it provides high level of access and movement within the complex.

The proposed three storey component that exceeds the height standard, is considered to be generally sympathetic to the corner and its interface with Campbellfield Avenue and Creigan Road. The development does not detract from the architectural integrity of the principal elevation of the contributory building and with particular note the impact of the adjacent retaining wall of the future Kevin Wheatley Playing Fields.

### **Conclusion**

For the reasons provided above, the requested variation to the height of buildings development standard is supported.

The applicant's written request has adequately addressed the matters required to be addressed by cl 4.6 of the Campbelltown Local Environmental Plan 2015 and the proposed development would be in the public interest because it is consistent with the objectives of the height of buildings development standard and the R1 General Residential zone.

### **Construction & Waste Management**

The construction phase of the development has the potential to generate short term environmental impacts through the generation of dust, noise and vibration.

During construction, careful management of site works will be undertaken to minimise the generation of dust, noise and vibration, which will ultimately mitigate any impact on the surrounding road network, neighbouring properties and the environment.

Conditions of consent have been recommended to manage the proposed works, including the installation of erosion and sediment control measures prior to works commencing on site, in addition to the provision of a detailed construction management plan prior to the issuing of a construction certificate.

## **Flooding**

Council's initial review of the application raised concerns with regard to the proposed driveway access from Creigan Road and the risk posed in light of the flooding concerns.

The applicant subsequently reviewed their position and the following statement of commitments were provided:

Further to recent discussions, LAHC has continued its investigations into the post-development conditions within the site, as well as Creigan Road and are of the opinion that the current driveway position is supportable. Currently, the existing boundary levels provide protection to the basement level up to the 1:100 year storm, consistent with Section 4.13.8 – Underground Carparks of the SCDGP2009 Vol. 2 which requires that basements are protected to the 1:100 year level (no additional freeboard is required).

Additionally, advice from our civil engineers is that the existing driveway location is the most logical location being on the lowest point of the site which minimises the overall length of the ramp and maximises the opportunity for flood mitigation (if required). Unfortunately Council's suggestion for relocating the driveway onto Karingal Road will result in additional design and cost complexities resulting from an increased length of ramp entering from the higher part of the site.

Whilst the proposal meets the DCP, we acknowledge council's remarks in relation to the proposed seniors living complex housing being an 'at risk' community, and that a higher standard over the 1:100 year flood levels may require consideration.

To this point LAHC is willing to commit to a condition requiring the preparation of a flood impact assessment to investigate whether additional mitigation measure(s) would be warranted, such as:

### **Bunds/crests**

- to provide additional freeboard and evacuation time to the basement carpark (such as a short crest or 'speed-bump' type bund similar to that shown on the high-side section);
  - **a flood warning system**
    - to the basement with audible lights/sirens etc. Such a system would provide adequate warning for occupants of potentially dangerous flooding situations and could prevent occupants from attempting to egress via vehicular movement.
    - Our engineers have advised that based on the NSWFD2005, the post-precinct upgrades classification of the flooding in the kerb and gutter is 'H1 – Generally Safe for vehicles, people and buildings' for the 5 year storm and 'H2 – unsafe for small vehicles' for the 100 year storm. As such, the 100 year event may result in unsafe conditions for small, light vehicles should occupants manage to egress onto Creigans Rd, however, the flooding behaviour does not meet the criterion for a H3 category which is unsafe for children/elderly or larger vehicles for the 100 year storm.
    - As one example, if a warning system is recommended by the Flood Impact Assessment, the project team could then explore opportunities to automatically lock off the basement roller door to prevent vehicular access into Creigan Road, should water levels in the gutter / road / boundary pit

exceed a predetermined depth. That is, before any depths or velocities in Creigan Road could become hazardous for vehicles. It is envisaged that this warning system / lock off would occur on very rare occasions given the above noted classifications for 5 and 100 year storms and so would not be disruptive to residents day to day enjoyment of the premises.

- **a flood risk management plan** - to work in conjunction with the warning system and educate residents what to do in the event the warning system is activated. Signage and lights/sirens could be provided to basement ingress points on the ground floor alerting occupants to avoid the basement level until flood depth in the street subsides to a safe level.
- **a flood gate** - for a case where council requests protection to the PMF event, or is otherwise recommended by the flood impact assessment as a more practicable option than any of the above noted measures.

We should also note that whilst vehicular access may not be possible on these rare occasions, there are points of egress which sit above this level, and that the dwellings themselves all sit above the PMF level.

On the basis of the above, LAHC believes that the current driveway location will be feasible, and the preparation of a flood impact assessment will lead to the detailed recommendations required for LAHC and council to ensure appropriate protection is afforded to this often less mobile community."

## Comment

It is acknowledged that the proposal complies with Council's current guidelines and the review undertaken to consider relocating the driveway out of Creigan Road. As such, the above comments are noted and it is agreed that conditions are to be incorporated within the Notice of Determination to address the potential future risk associated with flooding upon the subject development.

## Floor Space Ratio

The provisions of SEPP Seniors Housing identifies a FSR of 0.5:1 whilst under the provisions of Campbelltown LEP 2015, no maximum floor space ratio has been identified with respect the subject site and it's proposed use.

The proposed development has a total gross floor area of 2,267.53 m<sup>2</sup>. This equates to a resultant floor space ratio of 0.74:1 as calculated against the site area of 3,050.7 m<sup>2</sup>.

Whilst the proposed development does not comply with the maximum floor space ratio, a non-compliance with this standard does not require the consent authority to refuse the application. It merely prevents the consent authority from refusing the application on the basis of floor space ratio if the development complies with the standard.

The proposed floor space ratio will not compromise the ability of the proposed development to provide good internal amenity, a large internal communal courtyard, and the landscaping of the site as a whole. Furthermore it is considered that the proposal will not present unacceptable impacts on the amenity of future neighbour's or use of Campbellfield Avenue or Creigan Road.

The site is located within an accessible location to the Airds Retail Centre and future community hub that will provide good access to services and transport to support the proposed density.

The applicant has advised that the proposed scale of development is required to respond to growing social housing needs within the local area and NSW in general. The proposal provides dwelling types which respond to the desired portfolio of the NSW Land & Housing Corporation. The mix is comprised primarily of compact 2 bedroom apartments and 1 bedroom apartments to meet the living needs and household budgets of social housing tenants.

As such, it is considered that on merit the proposed floor space ratio is reasonable.

## **Social & Economic Impacts**

The proposal will not result in any significant adverse social or economic impacts, and will provide a number of benefits including:

- the replacement of ageing social housing with high quality apartments that responds to the needs of the existing community;
- the provision of independent living units which will meet community needs for seniors within an urban renewal environment;
- future residents will have a good level of amenity with ready access to public transport, local services; and
- many and varied employment opportunities will be created during marketing, construction, fit-out of the independent living units, and services ancillary and incidental to the use of the site for the purposes of seniors housing.

### **12. Section 4.15 (1)(c) The suitability of the development**

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Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979 requires Council to assess the suitability of the site for the proposed embellishment works.

The development will foster a sense of community belonging. Importantly, it will form an important community anchor for the Airds neighbourhood centre and contribute towards the vitality and viability of the local environment.

No constraints or hazards have been identified which would deem the site unsuitable for the proposed development.

### **13. Section 4.15(1)(d) Any Submissions**

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Section 4.15(1)(d) of the Environmental Planning and Assessment Act 1979 requires Council to consider submissions.

#### **Public Participation**

In accordance with Part 9 of Council's Community Participation Plan, the proposed development was notified to adjoining and nearby properties, including the provision of a notification letter, plans of the proposed development and a sign bearing a set of notification plans displayed on site for the duration of the assessment.

The application was notified to nearby and adjoining properties, in accordance with Council's Notification Policy between 12 November 2021 and 13 December 2021.

No submissions were received in response.

#### **Referrals**

The proposal was referred to the following external authorities:

##### **Sydney Water**

No objections raised subject to lodgement of Section 73 Compliance Certificate.

##### **Comment**

Noted. To be conditioned accordingly.

##### **Endeavour Energy**

No objections raised subject to conditions as identified.

##### **Comment**

Noted.

The proposal was referred internally to the following departments within Council:

#### **Environmental- Ecology**

##### **Ecology**

The Prescribed Ecological Actions Report (PEAR) includes a site survey, impact assessments in accordance with the Biodiversity Conservation Act 2016 (BC Act), Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) and SEPP 44 Koala Habitat Protection.

The site is located west of the Smiths Creek Reserve and the Koala Refuge Initiative Area as defined in the ISDP, therefore is not required to include specific Koala Tree plantings into the street tree species mix.

##### **Council comments;**

Council supports the conclusions

- the proposed works are not likely to significantly impact any threatened species or endangered ecological communities
- the site is not considered to be Koala Habitat
- a Biodiversity Development Assessment Report (BDAR) is not required.

## **Trees**

The AIA;

- A total of 11 trees were observed within and adjoining the subject site which have been surveyed
- 4 of those trees observed fell within the boundaries of the subject site, being Trees 1, 7, 8 & 11. It is noted that 3 of these site trees (Trees 7, 8 & 11) are exempt from protection under Part 11–Vegetation and Wildlife Management of Campbelltown SCDCP 2015 due to species classification.
- 7 additional trees (Trees 2, 3, 4, 5, 6, 9 & 10) were observed within the council street verges of Karingal Place and Creigan Road.
- Based on the plans supplied and should the proposed works proceed in their current form, it is recommended that six (6) trees be removed (Trees 1, 7, 8, 9, 10 & 11) and five (5) trees be retained and protected (Trees 2, 3, 4, 5 & 6).
- The removal of Tree 1 (*Eucalyptus microcorys*) is a high retention value tree has been compensated for with the supplementary planting of 49 trees as specified in the Landscape plan provided by CPS planning dated 02.08.2021.

### **Council Comments;**

- Tree removal and offsetting is acceptable
- AIA is complete
- Chapter 7 – Recommendations, Appendix 2, Appendix 4, Appendix 5, Appendix 6 to be incorporated into DA conditions

Council's Environmental Officer – Flora & Fauna raised no objections to the proposal subject to recommended conditions.

## **Environmental– Contamination & Acoustic**

### **Contamination**

The applicant submitted a Geotechnical report which provided information with regard to subsurface conditions and recommendations for the proposed development which concluded:

“Based on the results of the laboratory analysis, all soil samples analysed were found to have concentrations of contaminants of concern to be within the criteria for residential landuse.”

In addition a Detailed Site Investigation report also supported the application which concluded:

“subject to appropriate site remediation and validation works, we would consider the site to be suitable for the proposed senior housing development.”

It is recommended that Council's standard conditions be imposed in response to ensuring remediation of the site is undertaken to facilitate the senior's living development.

### **Acoustic Assessment**

An Acoustic Assessment report was submitted with the application. The report assessed existing noise emissions and assessed the noise emission criteria against CSDCP and EPA guidelines. Council's DCP states the following:

- A Noise Impact Assessment prepared by a suitably qualified acoustic consultant will be required in cases where the consent authority is not satisfied that a development will:

- Achieve a satisfactory level of acoustic amenity for occupants within the existing noise environment; and
- Produce noise only at levels that will not exceed the relevant noise criteria.

The applicant has met Council's requirements as identified within the DCP by providing an Acoustic Report prepared by a qualified consultant and concluding that the proposal can achieve a satisfactory level of amenity within the existing noise environment.

The acoustic assessment by Council's Officer has taken a worst case scenario approach noting criteria for a basketball court with no consideration of night time use.

The Creigan Road playing fields are proposed as 2 x synthetic soccer fields with a block retaining wall standing approximately 3 m in height to Creigan Road. The synthetic fields are designed with shockpad and elastic layers as denoted within the Design Finalisation and Construction Specifications prepared by Martin Sheppard, Smart Consultancy.

In light of the response received from Council's Specialist Officer further discussions were held with the applicant's acoustic consultant "Acoustic Logic" who advised as follows:

"It is noted that there are no EPA guidelines in relation to community sporting fields.

The proposed sporting fields are approximately 100m from the subject site. Based on a shouting vocal effort of around 100 dB(A), the noise level at the residences will be approximately 52 dB(A). However, noise is generally measured over a minimum 15 minute period. The averaged noise level will be lower by 5 – 10 dB(A). Even standard glazing for the residential development would reduce noise levels by at least 20dB(A). So average internal noise levels would be less than 22 – 27 dB(A) with windows closed. With windows opened the internal noise level would be around 32 – 37 dB(A). These are all low noise levels that would not interfere with normal daytime activities.

On this basis, it is concluded that windows achieving a minimum Rw of 22 will adequately address noise levels from the future sporting fields."

The advice confirms that standard residential aluminium framed residential glazing, is sufficient to comply with minimum noise criteria. As such, no specific conditions are required in relation to noise attenuation measures.

### **City Delivery – Infrastructure**

Council's City Delivery – Infrastructure Department raised no objections to the proposal recommending conditions be incorporated in line with the statement of commitments with respect to the flooding matters as previously identified.

### **Development Engineer**

Council's Development Engineer raised no objections subject to the inclusion of conditions as provided.

### **Environmental Health Officer**

Council's Health Officer reviewed the proposal and advised as follows:

"I have no EHO concerns regarding the development as it is residential and there are no proposed EH impacts. Conditions have been attached in regard to pollution control."

### **Comment**

Noted. Conditions to be incorporated within Notice of determination as provided.

### **Waste Officer**

No advice was provided in response to the referral.  
Council's standard conditions to be imposed.

### **Strategic Infrastructure/Contributions**

Council's Strategic Infrastructure/Contributions Officer raised no objections to the proposal.

#### **14. Section 4.15(1)(e) Public Interest**

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The proposed Senior's Living Development has addressed the requirements of the relevant planning instruments including the objectives of the zone. The proposed works have demonstrated that the site is suitable for the proposed development.

#### **15. Conclusion**

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The proposed Seniors Living Development is generally consistent with the applicable zone objectives, and will facilitate the future redevelopment of the local community.

The proposal is compliant with the relevant development standards and controls. The proposal is also generally consistent with the Infrastructure Delivery Plan executed as part of the VPA for the ABURP area.

Pursuant to Clause 4.33 of the EP&A Act 1979, draft conditions were sent to the Crown on the 18 February 2022 for review. The response to the conditions was received from the applicant on 22 February 2022. The Crown has agreed to the conditions in general. However, several conditions recommended by Council were not agreed to by the Crown. The majority of changes were agreed to on 22 February 2022. The conditions have been amended accordingly.

The proposal is considered to be consistent with the objectives and controls of the SEPP Seniors Housing & CLEP 2015, SCDCP 2015 and Airds Design Guidelines. Therefore, the proposal is recommended for approval.

#### **9.0 Recommendation**

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Having regard to the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, it is recommended that Development Application 2635/2021/DA-SL for a Seniors Housing development be approved, subject to conditions as attached.



**ATTACHMENT 1**  
**2635/2021/DA-SL**  
**Recommended Conditions of Consent**

**GENERAL CONDITIONS**

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

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

**1. Approved Development**

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

<b>Plan Detail</b>	<b>Revision</b>	<b>Prepared by</b>	<b>Date</b>
Cover Sheet LAHC Airs Stage 9 Seniors Housing Drawing No. A 0.00	A	Thomson Adsett	20 August 2021
Executive Summary LAHC Airs Stage 9 Seniors Housing Drawing No. A 0.01	A	Thomson Adsett	20 August 2021
Artists Impression CGIs Sheet 1 LAHC Airs Stage 9 Seniors Housing Drawing No. A 0.50	A	Thomson Adsett	20 August 2021
Artists Impression CGIs Sheet 2 LAHC Airs Stage 9 Seniors Housing Drawing No. A 0.51	A	Thomson Adsett	20 August 2021
Site Analysis LAHC Airs Stage 9 Seniors Housing Drawing No. A 0.90	A	Thomson Adsett	20 August 2021
Demolition Plan LAHC Airs Stage 9 Seniors Housing Drawing No. A 0.95	A	Thomson Adsett	20 August 2021
Site Plan LAHC Airs Stage 9 Seniors Housing Drawing No. A 1.01	A	Thomson Adsett	20 August 2021
Site Plan- Zoning LAHC Airs Stage 9 Seniors Housing Drawing No. A 1.02	A	Thomson Adsett	20 August 2021
Contour Plan LAHC Airs Stage 9 Seniors Housing Drawing No. A 1.10	A	Thomson Adsett	20 August 2021
Setbacks LAHC Airs Stage 9 Seniors Housing Drawing No. A 1.20	A	Thomson Adsett	20 August 2021
Basement Plan LAHC Airs Stage 9 Seniors Housing Drawing No. A 2.01	A	Thomson Adsett	20 August 2021
Ground Floor Plan LAHC Airs Stage 9 Seniors Housing Drawing No. A 2.02	C	Thomson Adsett	23 December 2021
Floor Plan Level 1 LAHC Airs Stage 9 Seniors Housing	C	Thomson Adsett	23 December 2021

Drawing No. A 2.03			
Floor Plan Level 2 LAHC Airs Stage 9 Seniors Housing Drawing No. A 2.04	C	Thomson Adsett	23 December 2021
Roof Plan LAHC Airs Stage 9 Seniors Housing Drawing No. A 2.05	C	Thomson Adsett	23 December 2021
Clearance Zones – Ground Floor Typical LAHC Airs Stage 9 Seniors Housing Drawing No. A 2.50	A	Thomson Adsett	20 August 2021
Elevations LAHC Airs Stage 9 Seniors Housing Drawing No. A 3.01	A	Thomson Adsett	20 August 2021
Elevations LAHC Airs Stage 9 Seniors Housing Drawing No. A 3.02	A	Thomson Adsett	20 August 2021
Elevations LAHC Airs Stage 9 Seniors Housing Drawing No. A 3.03	A	Thomson Adsett	20 August 2021
Elevations LAHC Airs Stage 9 Seniors Housing Drawing No. A 3.04	A	Thomson Adsett	20 August 2021
Streetscape Elevations LAHC Airs Stage 9 Seniors Housing Drawing No. A 3.05	A	Thomson Adsett	20 August 2021
Sections LAHC Airs Stage 9 Seniors Housing Drawing No. A 3.50	A	Thomson Adsett	20 August 2021
Sections LAHC Airs Stage 9 Seniors Housing Drawing No. A 3.51	A	Thomson Adsett	20 August 2021
Shadow Diagram – Winter solstice LAHC Airs Stage 9 Seniors Housing Drawing No. A 4.01	A	Thomson Adsett	20 August 2021
Shadow Diagram – Winter solstice LAHC Airs Stage 9 Seniors Housing Drawing No. A 4.02	A	Thomson Adsett	20 August 2021
View from Sun – Winter solstice LAHC Airs Stage 9 Seniors Housing Drawing No. A 4.20	A	Thomson Adsett	20 August 2021
View from Sun – Winter solstice LAHC Airs Stage 9 Seniors Housing Drawing No. A 4.21	A	Thomson Adsett	20 August 2021
View from Sun – Winter solstice LAHC Airs Stage 9 Seniors Housing Drawing No. A 4.22	A	Thomson Adsett	20 August 2021
View from Sun – Winter solstice LAHC Airs Stage 9 Seniors Housing Drawing No. A 4.23	A	Thomson Adsett	20 August 2021
Cross Ventilation Diagram LAHC Airs Stage 9 Seniors Housing Drawing No. A 4.51	A	Thomson Adsett	20 August 2021
Solar Access Diagram LAHC Airs Stage 9 Seniors Housing Drawing No. A 4.52	A	Thomson Adsett	20 August 2021
Yield and Area schedule LAHC Airs Stage 9 Seniors Housing Drawing No. A 8.01	A	Thomson Adsett	20 August 2021

Indicative Height Plane LAHC Airs Stage 9 Seniors Housing Drawing No. A 9.01	A	Thomson Adsett	20 August 2021
Landscape Concept Cover Sheet	D	Creative Planning solutions	22 December 2021
Landscape Concept Plan Sheet No. D921_LP_01	D	Creative Planning solutions	22 December 2021
Planting Plan Sheet No. D921_LP_02	D	Creative Planning solutions	22 December 2021
Plant Schedule & Imagery Sheet No. D921_LP_03	D	Creative Planning solutions	22 December 2021
Landscape Area Diagram Sheet No. D921_LP_04	D	Creative Planning solutions	22 December 2021
Details, Notes & Specifications Sheet No. D921_LP_05	D	Creative Planning solutions	22 December 2021
Sections & Details Sheet No. D921_LP_06	D	Creative Planning solutions	22 December 2021
LAHC Airs Stage 9 Project No.SW21016 Drawing No. SW001 Cover Sheet	C	Capital Engineering Consultants	29 November 2021
LAHC Airs Stage 9 Project No.SW21016 Drawing No. SW011 Stormwater Layout Plan – Basement Level Notes and Details (Sheet 2 of 2)	C	Capital Engineering Consultants	29 November 2021
LAHC Airs Stage 9 Project No.SW21016 Drawing No. SW021 Catchment Plan, WSUD and Rainwater Tank Plan and Section Details(Sheet 1 of 2)	C	Capital Engineering Consultants	29 November 2021
LAHC Airs Stage 9 Project No.SW21016 Drawing No. ER010 Erosion and Sediment Control Plan (Sheet 1 of 2)	C	Capital Engineering Consultants	29 November 2021
LAHC Airs Stage 9 Project No.SW21016 Drawing No. ER011 Erosion and Sediment Control Plan (Sheet 2 of 2)	C	Capital Engineering Consultants	29 November 2021

### Supporting Documentation

Geotechnical and Waste Classification Report GeoEnviro Consultancy Pty Ltd Reference: JG20223A	January 2021
Detailed Site Investigation Report GeoEnviro Consultancy Pty Ltd Reference: JG20223B-r1	26 May 2021
Water Quality Management Strategy Report	27 August 2021

Capital Engineering Consultants Project No. SW21016	
Traffic and Parking Assessment The Transport Planning Partnership TTPP Reference: 20431, Version 3	25 November 2021
Noise Impact Assessment Acoustic Logic Version 1	03 March 2021 & updated 06 December 2021
Building Code of Australia Report Reference: 20252R04 Metro Building Consultancy	26 August 2021
Access Report Reference: 20334 Vista Access Architects	
Construction & Operational Waste Management Plan Project No. D921 Revision A Creative Planning solutions	23 August 2021
SEPP 65 Assessment Thompson Adsett	27 August 2021
Written request prepared pursuant to Clause 4.6 of Campbelltown Local Environmental plan 2015 in relation to a Variation which is sought to the Development standards contained in Clause 40(4)(a) of SEPP (housing for seniors Or people with a disability) 2004 BBC Consulting Planners Job No. 20-152	December 2021
Written request prepared pursuant to Clause 4.6 of Campbelltown Local Environmental plan 2015 in relation to a Variation which is sought to the Development standards contained in Clause 40(4)(b) of SEPP (housing for seniors Or people with a disability) 2004 BBC Consulting Planners Job No. 20-152	December 2021
Prescribed Ecology Action Report (PEAR) Report No. AE21-REP-2324-Iss-2 Abel Ecology	24 August 2021
Aboricultural Impact Assessment Job No. D921, Revision A Creative Planning Solutions	20 August 2021
Statement of environmental effects Job No. 20-152 BBC Consulting Planners	August 2021 and updated September 2021

## 2. Occupants of Accommodation

Occupants of the development are required to satisfy the definition below:

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

In this condition:

*seniors* are any of the following—

- a. people aged 55 or more years,
- b. people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.

people with a disability are people of any age who have, either permanently or for an extended period, one or more impairments, limitations or activity restrictions that substantially affect their capacity to participate in everyday life.

(State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004)

### **3. Landscaping**

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works. The landscape design shall incorporate native, low water demand plants consistent with BASIX requirements.

### **4. Building Code of Australia**

All building work must be carried out in accordance with the provisions of the *Building Code of Australia* as required by Section 6.28(2) of the EP&A Act, 1979.

### **5. External Finishes**

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are to be reviewed and endorsed by Executive Manager Urban Release and Engagement (or equivalent).

### **6. Garbage Storage Enclosure**

The garbage storage area identified on the approved plans shall:

- a. Be provided with a concrete floor with concrete or cement rendered interior walls coved to the floor
- b. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- c. A hose cock shall be provided within the bin area and be provided with an adequate supply of water with hose attachment.
- d. Garbage rooms shall be vented to the external air by natural or artificial means.
- e. The level of the floor and entry to the waste storage area is flat to match the level of the adjoining surface.

### **7. Fencing**

A 1.8 metre high fence shall be erected on the site's rear (northern) boundaries behind the front building alignment, in accordance with the stamped approved plans, at the sole cost of the developer. 'Colorbond' style metal fences that face a public space are not permitted. Gates which provide secure access / egress for residents including those which discharge onto the council-owned drainage reserve at the appropriate point marked on the plans is also permitted.

### **8. Basement Storage**

Each dwelling is to be provided with access to basement storage with the ability to be secured/lockable.

### **9. Common Pedestrian Pathways**

Common pedestrian paths must be constructed with durable materials commensurate with the standard of the adjoining public domain with appropriate slip resistant materials, tactile surfaces and contrasting colours.

## **10. Wayfinding Map**

The applicant shall prepare and permanently affix a wayfinding map on the ground floor for use by visitors and emergency services personnel.

## **11. Switchboards and Air Conditioning Units**

Switchboards and air conditioning units shall not be attached to the front elevations of the building or side elevations in a way that they can be clearly seen from a public place.

## **12. Driveway and Underground Car Park Layout**

The gradients of driveways and manoeuvring areas shall be designed in accordance with Australian Standards AS 2890.1 (as amended).

The applicant shall ensure that the underground car park complies with the design requirements detailed in Section 4.13.8 of Council's *Engineering Design Guide for Development (as amended)*.

The finishes of the driveway surfaces are to be non-slip.

## **13. Lighting**

Illumination of the site, including the communal open space area, is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of *Australian Standard 4282 (as amended)* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

Lighting shall be designed to minimise all forms of light pollution and must not use bright 'blue-white' LED lighting outside in order to avoid harmful effects on insects which has flow on effects for microbats and birds.

## **14. Graffiti Removal**

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property as soon as reasonably practicable following becoming aware of its application.

## **15. Unreasonable Noise, Dust and Vibration**

The construction of the development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable levels of noise, dust or vibration which may cause interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of multiple recurrent noise related issues arising during construction, the person in charge of the premises shall, when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

## **16. Engineering Design Works**

The design of all engineering works shall be carried out in accordance with the requirements set out in Council's 'Engineering Design Guide for Development' (as amended) and the applicable development control plan.

## **17. Car Parking Spaces**

Thirty one (31) car parking spaces shall be designed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended).

## **18. Rubbish/Recycling Bin Storage**

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

## **19. On-going Waste Management**

On-going waste management is to be conducted in accordance with the Waste Management Plan (prepared by creative planning solutions, dated 25 November 2021).

The development is to include the following on-going waste measures:

- Occupants of the dwellings to be responsible for transporting their general waste and recycling to the waste storage areas;
- A dedicated caretaker to be responsible for transporting all bins required to be moved to and from the street frontage on collection day;
- The owner of the site is to engage a general maintenance contractor who is to be responsible for collecting and disposing of garden organics offsite.
- Waste storage areas to be cleaned and maintained on a regular basis by the dedicated caretaker to ensure no issues arise in relation to odours, vermin or unsightliness.

## **20. Shoring and Adequacy of Adjoining Property**

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

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

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

## **21. Rain Water Tank(s)**

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation and/or reuse purposes, in accordance with the approved plans.

## **22. Construction Certificate**

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

- a. the applicant shall appoint a Principal Certifier;
- b. the applicant shall obtain a construction certificate for the particular works; and
- c. when Council is not the Principal Certifier, the appointed Principal Certifier shall notify Council of their appointment no less than two days prior to the commencement of any works.

## **PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

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

### **23. Flood Impact Assessment**

Prior to the issue of a construction certificate, the applicant shall submit to Council a detailed Flood Impact Assessment for the site complying with the requirements as detailed in *Appendix C - Council's Engineering Design Guide for Development (as amended)*. The Flood Impact Assessment should address and make recommendations regarding suitability of the following:

- a. Methods to provide additional freeboard and reduce evacuation time from the basement car park;
- b. Appropriate flood warning system;
- c. Flood Risk Management Plan;
- d. Details of egress from basement in event of power failure.

### **24. Basement Operation**

Prior to the issue of an occupation certificate the applicant shall submit to the appointed Principal Certifier details of the electronic basement access control to ensure the safety of residents.

### **25. Schedule 3 SEPP Seniors**

Prior to the issuing of a construction certificate, a report prepared by an appropriately qualified professional is to be provided to ensure the construction certificate plans are compliance with Schedule 3 of State Environmental Planning Policy (Seniors of Housing for People with a Disability) 2004.

### **26. Utility Servicing Provisions**

Prior to issuing of a construction certificate the applicant shall obtain correspondence from Sydney Water, Endeavour Energy, Jemena and the relevant telecommunications authority stating that the relevant services can be made available to service the development.

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

### **27. Geotechnical Report**

Prior to issuing a construction certificate, a geotechnical report prepared by a NATA registered laboratory, shall be submitted stating that the land will not be subject to subsidence, slip, slope failure or erosion, where proposed excavation and/or filling exceeds 900mm in depth, or where the land is identified as having previously been filled.

### **28. Erosion and Sediment Management Plan**

Prior to issuing a construction certificate, a detailed erosion and sediment management plan shall be prepared and submitted to the appointed principal certifier.

### **29. Stormwater Management Plan**

Prior to issuing a construction certificate, a plan indicating all engineering details and calculations relevant to the seniors site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted to the appointed principal certifier for approval.



The design shall be generally in accordance with stormwater plan drawing number SW010, SW11, SW020, SW021, SW022 prepared by Capital Engineering Consultant dated 29.11.2021 Rev C.

All proposals shall comply with the requirements detailed in Council's *Engineering Design Guide for Development (as amended)*.

### **30. Dilapidation Report**

Prior to issuing of a construction certificate, the applicant shall provide to the appointed principal certifier a dilapidation report for the site and adjoining public paths, kerbs and roads.

### **31. Section 138 Roads Act 1993**

Prior to issuing a construction certificate, the applicant shall lodge a Section 138 application for any proposed civil works proposed on public land.

The application shall be accompanied with detailed engineering plans designed in accordance with the requirements detailed in *Austroads Guides and Council's Specifications for Construction of Subdivisional Road and Drainage Works (as amended)* and *Engineering Design for Development (as amended) guide*.

The applicant shall provide a reinforced concrete footpath crossing and layback at the entrance to the property, in accordance with Council's *Medium Density Vehicle Crossing Specification* and *Campbelltown City Council Engineering Design Guide for Development (as amended)*.

All vehicular crossings shall be perpendicular to the street kerb and gutter.

The application shall include payment for plan assessment and inspection fees.

All works shall be carried out in accordance with the Roads Act approval, the approved stamped plans and Council specifications.

Inspection of this works shall be undertaken by Council at the applicant's expense.

### **32. Access Compliance Report**

Prior to the issue of a construction certificate, the applicant shall ensure that the detailed design drawings demonstrate that the development site complies with the locational requirements of Clause 26 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

In this regard:

- a. The applicant shall ensure a safe pedestrian crossing facility across Creigan Road is provided. The location is to be determined in consultation with Council's Infrastructure Division and Development Engineer. This is to take the form of a roundabout crossing as proposed by DA 3740/2016/DA-CW or an alternative facility as agreed too with Council.

The roundabout or alternative crossing facility is to be in place prior to release of the occupation certificate otherwise the applicant shall provide a shuttle bus service to ensure compliance with the location requirements of Clause 26 until such time as a roundabout or alternative crossing facility is in place.

### **33. Telecommunications Infrastructure**

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the appointed principal certifier prior to the issue of a construction certificate, or any works commencing, whichever occurs first; and
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

### **34. Sydney Water**

Prior to the issue of a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met.

An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the appointed principal certifier prior to issue of a construction certificate.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au).

### **35. Vehicle turning movements**

Prior to the issue of a construction certificate, vehicle turning movements shall be assessed by an appropriately qualified person for the following locations:

- Basement car parking
- Ramps in and out of the basement car parking.

The speed environment used in the assessment must be consistent with the requirements as set out in the Austroads Guide to Road Design Part 4.

### **36. Dwelling Storage**

Prior to issuing a construction certificate, the applicant shall submit details to the certifier that each dwelling is provided with 8 cubic metres of storage with at least 50% located within each dwelling.

### **37. Statement by the Qualified Designer**

Prior to issuing a construction certificate, a statement is required to be provided to the certifier which has been prepared by the qualified designer verifying that the plans and specifications achieve or improve the design quality of the development for which consent was granted, having regard to the design quality principles.

### **38. Clearance to the Services**

The proposed vehicular crossing including wings shall be located clear of the existing services such as power poles, service pits etc., located on the road reserve to the distances recommended in the Council specifications.

A minimum of 1 metre clearance shall be provided to the vehicle crossing including wings from the nearest edge of lintel of the existing stormwater pit.

### **39. Basement Car Parking-**

Prior to the issue of a construction certificate, the applicant shall submit signage and line-marking plans for basement car parking in accordance with the relevant Australian standards. The signage and line-marking is to provide clear direction for vehicular movements through the basement.

### **40. Pollution Control**

Prior to the issue of a construction certificate, the applicant shall provide to the appointed Principal Certifier engineering details of a suitable gross pollutant trap(s) and/or water quality treatment in accordance with the relevant guidelines of the Department of Environment and Climate Change (DECC), Department of Water and Energy (DWE), and with the design requirements of the Campbelltown (Sustainable) City DCP - Volumes 1 and 3 (as amended) for the stormwater drainage system prior to discharge from the site.

### **41. Traffic Committee**

Prior to the issue of a construction certificate, the applicant shall submit plans and obtain approval from Council's Local Traffic Committee for any proposals for the construction of prescribed traffic control devices and traffic control facilities and all associated line marking and/or sign posting. In this regard, the establishment of a 'No Parking area' with Creigan and Karingal Road to allow for waste collection is required.

#### **42. Traffic Control Plans**

Prior to the issue of a construction certificate, the applicant shall provide to the appointed principal certifier (or other appropriately qualified professional) a Traffic Control Plan (TCP) prepared by a suitably qualified professional and in accordance with the State Roads Authority manual "Traffic Control at Work Sites" and Australian Standard AS 1742.3 (as amended). A copy of the approved TCP shall be kept on site for the duration of the works in accordance with Work Cover Authority requirements. A copy shall be submitted to Council for its records.

#### **PRIOR TO THE COMMENCEMENT OF ANY WORKS**

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

#### **43. Remediation of Land**

- a. A site auditor shall be appointed for the project. The site auditor must be a person accredited under the Contaminated Land Management Act, 1997. Council's Executive Manager Urban Release and Engagement (CEMURE) shall be notified of the appointment of the site auditor at least 2 business days prior to the commencement of any remediation works. This notification requirement is in addition to the requirements of SEPP 55.
- b. The site auditor appointed under this condition may issue reasonable directions in relation to works on the land and may require changes to the endorsed remediation action plan. The remediation of the land must be undertaken in accordance with any directions or requirements so given by the site auditor. This includes, without limitation, requiring other work on the site to cease to enable the remediation to be undertaken to the auditors satisfaction. Any failure to comply with such directions or requirements will constitute a breach of this consent condition and an offense against the Environmental Planning and Assessment Act, 1979. The power to issue directions or requirements under this condition is additional to any other powers of the auditor under this consent and the Contaminated Land Management Act, 1997.
- c. Any person having benefit of this consent may not replace a site auditor appointed under a condition of this consent without the approval of the CEMURE. The power for the CEMURE to approve the appointment of a new site auditor is a power created by this condition and is not a reference to a need for further development consent under the EP&A Act. The CEMURE may withhold approval under this condition unless they are satisfied that the previously appointed site auditor is unwilling or unable to continue servicing the project.
- d. The land is to be remediated to be suitable for "residential with minimal opportunity for soil access, including units". A site audit statement certifying compliance with this condition is to be provided to the certifier (and Council if Council is not the certifier) prior to the commencement of any building works.
- e. The remediation by onsite encapsulation or processing is not permitted. All contaminated material is to be disposed of at an offsite facility licensed to receive the waste.

#### **44. Cut and Fill Management plan**

Prior to the commencement of building works, a Cut and Fill Management Plan shall be prepared and submitted to Council.

#### **45. Protection of retained Trees**

- a. Tree to be retained include the following trees as identified in the Arboriculture Impact Assessment (AIA) Report by Abel Ecology (24/8/2021):
  - Trees 2, 3, 4, 5 and 6.
- b. All works within proximity to retained trees (on or off site) shall comply with ANS 4970 Protection of Trees on Development Sites, all protection measures as specified the Arboriculture Impact Assessment (AIA) Report by Abel Ecology (24/8/2021) and will include but not be limited to the following:
  - All compound/ stockpile, laydown, vehicle park up and amenities shall be located in cleared areas and beyond the dripline of retained trees
  - Heavy vehicles shall be kept well clear of trees, including their driplines and shrubs to avoid damage to their root systems.
  - Prior to the commencement of works temporary and permanent protective fencing must be erected around all trees identified for retention.
  - Prior to the commencement of any works, the area required for site access will be clearly demarcated to ensure there is no damage to native vegetation outside of the development impact zone.

#### **46. Tree Removal**

- a. Trees approved for removal include the following trees as identified in Arboriculture Impact Assessment (AIA) Report by Abel Ecology (24/8/2021):
  - Trees 1, 7, 8, 9, 10 and 11; and
  - all other trees identified within the report are to be retained.
- b. The tree removal must not be commenced until such time as all tree protection measures and sensitive construction measures are in place. Evidence of completed protection measures are to be submitted to Council's Executive Manager Urban Release and Engagement prior to any tree removal taking place.
- c. The removal of native tree species will be required to be offset through the planting of new trees on site in accordance with the 49 trees as specified in the Landscape plan provided by CPS planning dated 02.08.2021.

#### **47. Erosion and Sediment Control**

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

#### **48. Erection of Construction Sign**

Prior to the commencement of any works on the land, signs must be erected in prominent positions on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited

- c. Pollution warning sign promoting the protection of waterways (a digital copy is provided with this consent that can be printed, laminated and affixed to the site or a corflute sign is available for free pick up at Council's administration office)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

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

#### **49. Toilet on Construction Site**

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out. Each toilet must be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by the appointed principal certifier, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by the appointed principal certifier.
- d. Temporary waste tank emptied and serviced at regular intervals by a suitability qualified third party contractor.

#### **50. Trade Waste**

Prior to the commencement of any works on the land, unless otherwise agreed in writing by council as not required, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

#### **51. Vehicular Access during Construction**

Prior to the commencement of any works on the land, at minimum, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

#### **52. Construction Management Plan**

Prior to the commencement of any works on the land, a Construction Management Plan (CMP) is required to be prepared and approved by the appointed principal certifier. The CMP is required to detail the following appropriate mitigation measures to control construction impacts including;

- Dust mitigation measures;
- Noise control measures;
- Location of temporary vehicular entry points to the site;
- Perimeter fencing;
- Provisions for pedestrian traffic and any diversions that are proposed (if required);
- Work zone requirements, if proposed
- The number of type of vehicles to be used during the construction, proposed routes, turning paths and parking arrangements.

The recommendations of the CMP are required to be undertaken as part of the development. A copy of the CMP shall be kept on the site for the duration of the works, in accordance with *SafeWork NSW* requirements and copies shall also be forwarded to Campbelltown City Council for record keeping purposes.

### **53. Public Property**

Prior to the commencement of any works on the subject site, the applicant shall advise Council of any damage to property which is controlled by Council and adjoins the site, including kerbs, gutters, footpaths and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

### **54. Temporary Fencing**

An appropriate temporary fence preventing public access to the site shall be erected for the duration of construction works.

### **55. Crane and Plant Equipment**

Prior to the erection of a crane in association with the development, the applicant is to enter into an airspace license for the purpose of operating a crane, where such crane swings are proposed to traverse over land(s) which is not within the ownership of the applicant.-

The applicant is to provide notification to Council's Property Team, Safety Manager of Police Transport and Public Safety Command and any other affected land owner where their airspace is affected, in relation to the following:

- a. Preliminary drawings of the crane on site
- b. RL of the crane fully extended; and
- c. Radius details of the crane

Correspondence provided by each party must be taken into consideration with finalising details of the erection of a crane, including any necessary approvals.

Written approval must also be obtained from the Safety Manager of Police Transport and Public Safety Command, in relation to the following:

- d. The start date including the commencement of construction of the crane;
- e. The end date of the crane including the deconstruction of the crane;
- f. RL of the crane fully extended;
- g. Confirmation that the crane is lit and marked;
- h. Drawings of the crane on site.

The response from the Safety Manager must be provided to Council for record keeping purposes.

### **56. Structural Engineering Details**

Prior to the commencement of any works, the applicant shall submit all relevant structural engineering drawings and details prepared by a practising structural engineer to the appointed principal certifier.

## **DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION**

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

### **57. Construction Work Hours**

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

Monday to Friday	7.00 am to 6.00 pm
Saturday	8.00 am to 5.00 pm
Sunday and public holidays	No Work.

### **58. Erosion and Sediment Control**

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

**Note: On the spot penalties up to \$8,000 will be issued for any non-compliance with this requirement without any further notification or warning.**

## **59. Work Zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the use of the external area and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic/pedestrian control measures, including relevant fees, shall be borne by the applicant.

## **60. Excavation and Backfilling**

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

If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- Must preserve and protect the building from damage; and
- If necessary, must underpin and support the building in an approved manner, and
- Must at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

## **61. Fill Compaction Requirements**

Any filling carried out in accordance with this consent shall maintain a minimum standard compaction requirements.

## **62. Fill Contamination**

The only waste-derived fill material that may be received at the development site is:

- virgin excavated natural material (within the meaning of the Protection of the *Environment Operations Act 1997*); and
- any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any waste-derived material the subject of resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the appointed principal certifier.

### **63. Certification of Location of Building during Construction**

Prior to the positioning of wall panels/bricks or block work, the applicant shall submit to the appointed principal certifier a qualified practicing surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from the boundaries, and the dimensions of the building are consistent with the stamped approved plans.

### **64. Certification of Levels of Building during Construction**

Prior to the placement of any concrete of the basement and ground floor slabs, the applicant shall submit to the appointed principal certifier a qualified practicing surveyor's certificate showing that the formwork levels are in accordance with the approved plan.

### **65. Termite Control**

The building shall be protected from subterranean termites in accordance with Australian Standard 3660.1. Certification of the treatment shall be submitted to the appointed principal certifier prior to occupation.

### **66. Excess Material**

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Executive Manager Urban Release and Engagement (or equivalent).

### **67. Earth Works/Filling Works**

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

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

### **68. Public Safety**

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with AS 1742.3. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

### **69. Compliance with Council Specification**

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

- Council's specification for Construction of Subdivisional Road and Drainage Works (as amended)
- Campbelltown Engineering Design Guide for Development (as amended);
- Soils and Construction (2004) (Bluebook) and
- All relevant Australian Standards and State Government publications.



## **70. Footpath Kerb and Gutter**

The applicant shall construct a 2.0m wide footpath along the Creigan Road frontage connecting Campbellfield Road extension and Entry B (East entry to the building). In addition, the applicant is to re-construct all damaged bays of concrete path paving and kerb & gutter, adjacent to the site. Areas not concreted shall be re-graded, topsoiled and turfed.

All works shall be in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and *Engineering Design Guide for Development (as amended)*.

## **71. Redundant Laybacks**

All redundant layback/s shall be reinstated to conventional kerb and gutter to Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements of the Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended).

## **PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a subdivision certificate by either Campbelltown City Council or the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a subdivision certificate.

## **72. Restriction on the Use of Land**

Prior to the issue of a subdivision certificate, the applicant shall create appropriate restrictions on the use of land under Section 88B of the Conveyancing Act such as the following (where relevant):

- Common drainage lines
- Overland flow paths
- Basement flooding levels; and
- Restriction over 55's.

Restrictions/easements may also include the following:

- Floor Level Control
- No Alteration To Surface Levels
- Lots Filled
- Access Denied
- Uncontrolled Fill
- Drainage Floor Level Control Easements - (100yr flow, depressed)
- No Cut Or Fill - (Existing Geotech Report from N.A.T.A. reg. Laboratory)
- No Cut Or Fill - (Geotech Report Required)
- Lots with any other restrictions

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

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

## **PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of an occupation certificate by the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

### **73. Lot Consolidation**

Prior to the issue of an occupation certificate, the applicant shall provide evidence that folio identifier Lot 5047 in DP 1072685 (20 Karingal Place), Lot 3214 in proposed DP 1234063 (comprising part of Lots 5045 and 5046 in DP 1072685 at 22- 24 Karingal Place), Lot 3215 in proposed DP 1234063 (comprising part of Lots 5069 and 5070 in DP 1072685 at 47-49 Creigan Road), and Lot 5068 in DP 1072685 (55 Creigan Road) has been consolidated.

The registered plan of consolidation shall be submitted to Council prior to the issuing of the occupation certificate. Should the allotments be affected by easements, restrictions, or covenants, for which Council is the relevant authority to release, vary or modify, then the plan of consolidation shall be endorsed by Council prior to lodgement with NSW Land Registry Services.

### **74. Section 73 Certificate**

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

Application must be made through an authorised Water Servicing Coordinator.

For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the appointed principal certifier prior to the issue of an occupation certificate.

### **75. Structural Engineering Certificate**

Prior to issuing an occupation certificate, the applicant is to provide to the appointed principal certifier a certificate from a practising structural engineer certifying that the building has been erected in compliance with the approved structural drawings, the relevant Standards Association of Australia Codes and is structurally adequate.

### **76. Completion of External Works Onsite**

Prior to the issue of an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping and approved construction certificate drawings are to be completed to the satisfaction of the principal certifying authority.

### **77. Works as Executed Plans**

Prior to the issue of an occupation certificate, the applicant shall submit to Council a copy of a civil work as executed plan, certified by a qualified surveyor, which has been prepared in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and the *Engineering Design Guide for Development (as amended)*.

### **78. Restoration of Public Roads**

Prior to issuing an occupation certificate, the restoration of public road and associated works required as a result of the development shall be carried out by Council (or a third-party contractor approved by Council) and all costs shall be paid by the applicant. Council acknowledge that Land and Housing Corporation may submit Letters of Undertaking in this regard.

## **79. Public Utilities**

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

## **80. Service Authorities**

To ensure that an adequate level of services and infrastructure is provided to this development, prior to the appointed principal certifier issuing an occupation certificate the following is required:

- a. Energy supplier – Evidence demonstrating that satisfactory arrangements have been made for the provision of distribution of electricity from Endeavour Energy to service the proposed development
- b. Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development
- c. Gas supplier (if relevant) – Evidence demonstrating that satisfactory arrangements have been made with a gas supplier to service the proposed development; and
- d. Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

All construction work shall conform to the relevant authorities' specifications.

The final seal shall be deferred pending installation of all services. In this regard the applicant shall provide a temporary seal and lodge with Council as security, the amount to be determined by Council, to cover the cost of trench restoration by Council and the placement of the final asphaltic concrete seal. Council acknowledges that Land and Housing Corporation may submit Letters of Undertaking in relation to the final seal.

## **81. Compliance Certificate**

Prior to the issue of an occupation certificate, the applicant shall obtain a compliance certificate from Council approving all the works carried out in public area.

## **82. BASIX Certificate Requirements**

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

## **83. Access to Services and Facilities**

Prior to the issue of an occupation certificate, the applicant shall ensure that the detailed design drawings demonstration that the development site complies with the locational requirements of Clause 26 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

In this regard:

- a. The applicant shall ensure a safe pedestrian crossing facility across Creigan Road is provided. The location is to be determined in consultation with Council's Infrastructure Division and Development Engineer. This is to take the form of a roundabout crossing as proposed by DA 3740/2016/DA-CW or an alternative facility as agreed too with Council.

The roundabout or alternative crossing facility is to be in place prior to release of the occupation certificate otherwise the applicant shall provide a shuttle bus service to ensure compliance with the

location requirements of Clause 26 until such time as a roundabout or alternative crossing facility is in place.

#### **84. Schedule 3 SEPP Seniors**

Prior to the issue of an occupation certificate, a statement prepared by an appropriate qualified professional is to be provided to ensure the building, as completed, is compliant with Schedule 3 of State Environmental Planning Policy (Seniors or Housing for People with a Disability) 2004.

#### **85. Statement by a qualified designer**

The development shall not be occupied until a statement by a qualified designer verifying that the development achieves the quality of design detailed in the approved Crown building work certificate documentation.

#### **86. Lot/House Numbers**

Prior to Council or the appointed Principal Certifier issuing any occupation all lot/house numbers shall be stencilled onto the kerb at appropriate locations with black letters/numbers 75mm high on a white background using approved pavement marking grade paint.

For all new additional lots created, please contact Council's Land Information Unit on 4645 4465 to ensure the correct house number is stencilled.

#### **87. Retaining**

Prior to the appointed principal certifier issuing an occupation certificate, all excavated and filled areas shall be battered to a slope of not greater than 1:2 or similarly be retained in accordance with the approved plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provisions for exempt development. Construction of retaining walls outside the scope of the State Environmental Planning Policy and not shown on the approved plans require consultation and approval from Council.

#### **88. Trees/Landscape**

All trees and vegetation are to be planted within the property in accordance with the approved landscape plan;

Prior to the occupation of the buildings, the applicant must prepare a landscape maintenance program. The maintenance plan is required to cover a 12-month maintenance period to ensure that all approved landscape works become well-established by regular maintenance.

## **ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 4.17 of the Act.

### **Advice 1. Environmental Planning and Assessment Act 1979 Requirements**

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4608.
- b. Nominate a Principal Certifier and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

### **Advice 2. Tree Preservation Order**

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside three metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self supporting stems that are more than three metres or has a trunk diameter more than 150mm measured one metre above ground level, and excludes any tree declared under the *NSW Biosecurity Act 2015* or included within the NSW Governments Greater Sydney Strategic Management Plan 2017-2022.

### **Advice 3. Provision of Equitable Access**

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA) & the Premises Standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

### **Advice 4. Smoke Alarms**

All NSW residents are required to have at least one working smoke alarm installed on each level of their home. This includes owner occupier, rental properties, relocatable homes and any other residential building where people sleep.

The installation of smoke alarms is required to be carried out in accordance with AS 3786. The licensed electrical contractor is required to submit to the appointed Principal Certifier a certificate certifying compliance with AS 3000 and AS 3786.

#### **Advice 5. Retaining Walls**

A separate application for development consent shall be submitted and approved for any retaining walls that do not meet the exempt requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Consent must be received for the construction of any such retaining walls before work commences.

#### **Advice 6. Covenants**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued rely on their own enquiries as to whether or not the building breaches any such covenant.

#### **Advice 7. Inspections – Civil Works**

Where Council is nominated as the principal certifying authority for civil works, the following stages of construction shall be inspected by Council.

- a. EROSION AND SEDIMENT CONTROL –
  - i. Direction/confirmation of required measures.
  - ii. After installation and prior to commencement of earthworks.
  - iii. As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.
- c. VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.
- d. FINAL INSPECTION – All outstanding work.

#### **Advice 8. Inspection within Public Areas**

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

#### **Advice 9. Adjustment to Public Utilities**

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

#### **Advice 10. Salinity**

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within *Campbelltown (Sustainable City) DCP – Volumes 1 and 3 (as amended)*.

#### **Advice 11. Asbestos Warning**

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

the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)  
[www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)  
[www.adfa.org.au](http://www.adfa.org.au)  
[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

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

**Advice 12. Rain Water Tank**

It is recommended that water collected within any rainwater tank as part of the development be limited to non-potable uses. NSW Health recommends that the use of rainwater tanks for drinking purposes not occur where a reticulated potable water supply is available.

**Advice 13. Dial before you Dig**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

**Advice 14. Telecommunications Act 1997 (Commonwealth)**

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

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

**END OF CONDITIONS**

## Attachment 2

### Apartment Design Guide Assessment – Key Standards

Clause 30(2)(c) of SEPP 65 states that in determining a development application for consent to carry out a residential flat development, a consent authority is to take into consideration the Apartment Design Guide.

An assessment of the key design criteria with respect to the 3 storey component of the development being Block C and Block D is provided in the table below:

Development Controls		
Site Analysis		
<b>Objective 3A-1:</b> Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context		
Design Guidance:	Proposed	Compliance
Each element in the Site Analysis Checklist should be addressed (see Appendix 1)	Site analysis accompanied application documentation.	Complies
Orientation		
<b>Objective 3B-1:</b> Building types and layouts respond to the streetscape and site while optimising solar access within the development		
Design Guidance	Proposed	Compliance
Buildings along the street frontage define the street, by facing it and incorporating direct access from the street (see figure 3B.1)	The proposed development fronts Campbellfield Avenue to the south, Karingal Avenue to the west and Creigan Road to the east. Access to all units is provided through a centrally located site through link.	Complies
Where the street frontage is to the east or west, rear buildings should be orientated to the north	The development is orientated to the north to maximise solar exposure.	Complies
Where the street frontage is to the north or south, overshadowing to the south should be minimised and buildings behind the street frontage should be orientated to the east and west (see figure 3B.2)	The layout responds to the streetscape with minimal overshadowing anticipated.	Complies
<b>Objective 3B-2:</b> Overshadowing of neighbouring properties is minimised during mid-winter		
Design Guidance	Proposed	Compliance
Living areas, private open space and communal open space should receive solar access in accordance with sections 3D	Northerly orientated units have been maximised on site. Communal open space is has been centered on site and	Complies.



Communal and public open space and 4A Solar and daylight access	achieves acceptable levels of solar access. The proposal achieves the solar access to communal open space in accordance with requirements under the ADG.	
Solar access to living rooms, balconies and private open spaces of neighbours should be considered	Has been considered in the design of the proposal.	Complies
Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%		
If the proposal will significantly reduce the solar access of neighbours, building separation should be increased beyond minimums contained in section 3F Visual privacy		Not Applicable
Overshadowing should be minimised to the south or down hill by increased upper level setbacks		Not Applicable
It is optimal to orientate buildings at 90 degrees to the boundary with neighbouring properties to minimise overshadowing a car parking and privacy impacts, particularly where minimum setbacks are used and where buildings are higher than the adjoining development	The proposal is has been developed to provide the required side setbacks, ensuring maximum building separation from adjoining lots and minimising overshadowing and privacy impacts to neighbours.	Complies
A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings	There are no known solar collectors to nearby neighbours	Not Applicable
<b>Public Domain Interface</b> <b>Objective 3C-1:</b> Transition between private and public domain is achieved without compromising safety and security		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Terraces, balconies and courtyard apartments should have direct street entry, where appropriate	The public and private domain is clearly defined and casual surveillance is achieved. A transition from public to private space is also achieved at both building entrances.	Complies
Changes in level between private terraces, front gardens and dwelling entries above the street level provide surveillance and improve visual privacy for ground level dwellings (see figure 3C.1)	Private terraces at ground level are fenced but will be higher than the street level and will permit passive surveillance to the public domain, as will balconies associated with the residential units on levels 1 and 2.	Complies
Upper level balconies and windows should overlook the public domain	Upper level balconies and windows overlook the public domain	Complies
Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m	In the design fences have been avoided to the street boundaries. Ground level terraces are raised above the street level with terrace fences and landscaping addressing the street.	Complies

Length of solid walls should be limited along street frontages	The façade of the development has been articulated and solid walls have been broken up.	Complies
Opportunities should be provided for casual interaction between residents and the public domain. Design solutions may include seating at building entries, near letter boxes and in private courtyards adjacent to streets	Opportunities have been provided for casual social interaction throughout the development, including the inclusion of ground plain paving patterns, interactive planting forms, seating types and shade structures. Details of additional interaction and gathering opportunities will be reviewed and included within the Design Development stage of the proposal.	Complies
In developments with multiple buildings and/or entries, pedestrian entries and spaces associated with individual buildings/entries should be differentiated to improve legibility for residents, using a number of the following design solutions: <ul style="list-style-type: none"> <li>architectural detailing</li> <li>changes in materials</li> <li>plant species</li> <li>colours</li> </ul>	Separate, identifiable entrances are proposed with letter boxes, bin areas, landscaping and architectural features.	Complies
Opportunities for people to be concealed should be minimised	The development avoids dark, concealed areas and minimises opportunities for concealment, particularly in common areas.	Complies
<b>Objective 3C-2:</b> Amenity of the public domain is retained and enhanced		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Planting softens the edges of any raised terraces to the street, for example above sub-basement car parking	Deep soil planting areas are provided around the perimeter of the site. Deep soil is also provided in the central courtyard (outside basement footprint) to accommodate trees.	Complies
Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided	Letterboxes are proposed at both Entry A and Entry B.	Complies
The visual prominence of underground car park vents should be minimised and located at a low level where possible	The car park exhaust is located behind the lift within the core and exhaust on the roof level of building D	Complies
Substations, pump rooms, garbage storage areas and other service requirements should be located in basement car parks or out of view	The substation has been located at the east boundary of the site on Creigan road. Landscaping is proposed to minimise the impact of the substation.	Complies
Ramping for accessibility should be minimised by building entry location and	Has been factored into the design of the development.	Complies

setting ground floor levels in relation to footpath levels		
Durable, graffiti resistant and easily cleanable materials should be used	Details not provided with the development application.	Capable of Compliance. Recommended condition of development consent for the owner to be responsible for the removal of graffiti.
<b>Communal and Public Open Space</b> <b>Objective 3D-1:</b> An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping		
<b>Design Criteria</b>	<b>Proposed:</b>	<b>Compliance</b>
<p><b>1.</b> Communal open space has a minimum area equal to 25% of the site (see figure 3D.3)</p> <p><b>Definition:</b> outdoor space located within the site at ground level or on a structure that is within common ownership and for the recreational use of residents of the development. Communal open space may be accessible to residents only, or to the public.</p>	The communal open space has a total area of 1,360 m <sup>2</sup> . This equates to approximately 44.61% of the site area (3,050 m <sup>2</sup> ).	Complies
<p><b>2.</b> 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).</p>	A central communal open space is provided within the development. The ground level courtyard space receives direct sunlight to at least 50% of open space area from 10 am. until at least 3 pm.	Complies
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Communal open space should be consolidated into a well-designed, easily identified and usable area	The communal open space at ground level has incorporated usable areas. These areas are spacious and will receive optimal levels of solar access. A landscape plan is prepared as part of the DA.	Complies
Communal open space should have a minimum dimension of 3 m, and larger developments should consider greater dimensions	Minimum 3 m is achieved.	Complies
Communal open space should be co-located with deep soil areas	The central courtyard area comprises deep soil plantings with planters for shade planting.	Complies
Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies	Access to central courtyard from each lobby area is accessible	Complies

Where communal open space cannot be provided at ground level, it should be provided on a podium or roof	The communal open space is provided at ground level.	Not Applicable
<p>Where developments are unable to achieve the design criteria, such as on small lots, sites within business zones, or in a dense urban area, they should:</p> <ul style="list-style-type: none"> <li>• provide communal spaces elsewhere such as a landscaped roof top terrace or a common room</li> <li>• provide larger balconies or increased private open space for apartments</li> <li>• demonstrate good proximity to public open space and facilities and/or provide contributions to public open space</li> </ul>	The proposal has achieved the Design Criteria.	Not applicable
<b>Objective 3D-2:</b> Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
<p>Facilities are provided within communal open spaces and common spaces for a range of age groups (see also 4F Common circulation and spaces), incorporating some of the following elements:</p> <ul style="list-style-type: none"> <li>• seating for individuals or groups</li> <li>• barbecue areas</li> <li>• play equipment or play areas</li> <li>• swimming pools, gyms, tennis courts or common rooms</li> </ul>	<p>The proposed communal open space areas provide the following amenities:</p> <ul style="list-style-type: none"> <li>• seating for individuals or groups;</li> <li>• pergola covered space;</li> <li>• landscaping.</li> </ul> <p>The proposal is considered to be attractive and inviting for the residents.</p>	Complies
The location of facilities responds to microclimate and site conditions with access to sun in winter, shade in summer and shelter from strong winds and down drafts	The landscape plans communal open space that encourages use by residents incorporating a mix of soft edges and equipment that encourages socialisation and relaxation.	Complies
Visual impacts of services should be minimised, including location of ventilation duct outlets from basement car parks, electrical substations and detention tanks	The outlets are concealed, and subtly integrated where there is unavoidable protrusion (from basement car parks). Water meter, substation, etc. are concealed taking into account that service providers do require certain infrastructure to be located in an accessible location at the street frontage.	Complies
<b>Objective 3D-3:</b> Communal open space is designed to maximise safety		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
<p>Communal open space and the public domain should be readily visible from habitable rooms and private open space areas while maintaining visual privacy. Design solutions may include:</p> <ul style="list-style-type: none"> <li>• bay windows</li> </ul>	Common open space areas have been designed to be secure and dark blind corners avoided. Ground level spaces are afforded casual surveillance from within the complex.	Complies

<ul style="list-style-type: none"> <li>corner windows</li> <li>balconies</li> </ul>														
Communal open space should be well lit	<p>Communal open space maximises passive light (solar) and may be lit at night, while considering light spillage into residences facing it.</p> <p>Further details to be considered in design development.</p>	Recommended condition of consent.												
Where communal open space/facilities are provided for children and young people they are safe and contained	Facilities are specifically not proposed for children which is considered acceptable for a seniors living development.	Not Applicable												
<b>Objective 3D-4:</b> Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood														
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>												
<p>The public open space should be well connected with public streets along at least one edge</p> <p><b>Definition:</b> public land for the purpose of open space and vested in or under the control of a public authority</p>	Public open space does not form part of the proposed development.	Not Applicable												
<b>Deep Soil Zones</b>														
<b>Objective 3E-1:</b> 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														
<b>Design Criteria</b>	<b>Proposed</b>	<b>Compliance</b>												
<p>1. Deep soil zones are to meet the following minimum requirements:</p> <table border="1"> <thead> <tr> <th>Site area</th><th>Minimum dimensions</th><th>Deep soil zone (% of site area)</th></tr> </thead> <tbody> <tr> <td>Less than 650 m<sup>2</sup></td><td>-</td><td rowspan="4">7%</td></tr> <tr> <td>650-1,500 m<sup>2</sup></td><td>3 m</td></tr> <tr> <td>Greater than 1,500 m<sup>2</sup></td><td>6 m</td></tr> <tr> <td>Greater than 1,500 m<sup>2</sup> with significant existing tree cover</td><td>6 m</td></tr> </tbody> </table>	Site area	Minimum dimensions	Deep soil zone (% of site area)	Less than 650 m <sup>2</sup>	-	7%	650-1,500 m <sup>2</sup>	3 m	Greater than 1,500 m <sup>2</sup>	6 m	Greater than 1,500 m <sup>2</sup> with significant existing tree cover	6 m	<p>A continuous deep soil zone is provided within the setback areas.</p> <p>Stormwater and OSD is incorporated into the development below the waste and entry B area.</p> <p>The site is 3,050 m<sup>2</sup> in area. The proposal provides 22.78% (694 m<sup>2</sup>) of deep soil of varying depth and sizes noted as follows.</p> <p>The deep soil area within the front setback s is generally 6 m. The southern part of the front setback deep soil is interrupted by paving to allow for access to the ground level units. The deep soil in the other setbacks varies in depth from 2.0 m, 11 m and greater than 4 m in width on average. It is considered that given the amount of deep soil in total throughout the site being greater than 7% the minor</p>	Complies
Site area	Minimum dimensions	Deep soil zone (% of site area)												
Less than 650 m <sup>2</sup>	-	7%												
650-1,500 m <sup>2</sup>	3 m													
Greater than 1,500 m <sup>2</sup>	6 m													
Greater than 1,500 m <sup>2</sup> with significant existing tree cover	6 m													

	variations in dimension is considered to be acceptable. Furthermore, it is noted that the landscape plan demonstrates good quality planting in deep soil zones without excessive paving.							
Design Guidance	Proposed	Compliance						
On some sites it may be possible to provide larger deep soil zones, depending on the site area and context: <ul style="list-style-type: none"> <li>10% of the site as deep soil on sites with an area of 650 m<sup>2</sup> - 1,500 m<sup>2</sup></li> <li>15% of the site as deep soil on sites greater than 1,500 m<sup>2</sup></li> </ul>		Complies						
Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may include: <ul style="list-style-type: none"> <li>basement and sub basement car park design that is consolidated beneath building footprints</li> <li>use of increased front and side setbacks</li> <li>adequate clearance around trees to ensure long term health</li> <li>co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil</li> </ul>	<p>The proposed development provides deep soil around the perimeter of the site and will allow for the establishment of larger trees.</p> <p>Existing trees as denoted within the Arborist report are not proposed to be retained.</p>	Complies						
Achieving the design criteria may not be possible on some sites including where: <ul style="list-style-type: none"> <li>the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres)</li> <li>there is 100% site coverage or non-residential uses at ground floor level</li> </ul>	Non-residential uses proposed at ground level to achieve the definition of 'shop top housing'. There is 100% site coverage on the ground floor for non-residential uses.							
Where a proposal does not achieve deep soil requirements, acceptable stormwater management should be achieved and alternative forms of planting provided such as on structure.	Deep soil requirements are achieved.	Not Applicable						
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								
Design Criteria	Proposed	Compliance						
<p>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:</p> <table border="1"> <tr> <th>Building height</th><th>Habitable rooms and</th><th>Non-habitable</th></tr> <tr> <td></td><td></td><td></td></tr> </table>	Building height	Habitable rooms and	Non-habitable				Reasonable building separation distances are provided.	Complies
Building height	Habitable rooms and	Non-habitable						

	balconies	rooms
Up to 12m (4 storeys)	6m	3m
Up to 25m (5-8 storeys)	9m	4.5m
Over 25m (9+ storeys)	12m	6m

Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room.

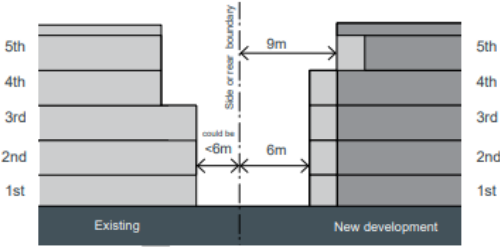


Figure 3F.3 New development adjacent to existing buildings should provide adequate separation distances to the boundary in accordance with the design criteria

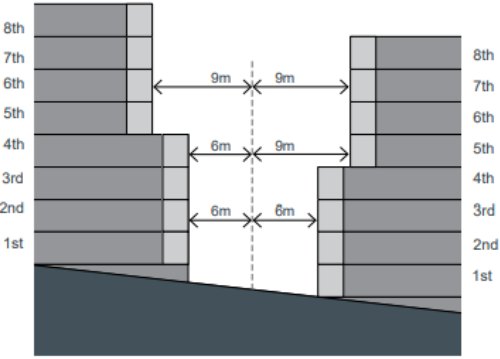


Figure 3F.4 Within the same site, minimum separation should be shared equitably between buildings. On sloping sites, appropriate separation distances ensure visual privacy for apartments on different levels

Design Guidance	Proposed	Compliance
Generally one step in the built form as the height increases due to building separations is desirable. Additional steps should be careful not to cause a 'ziggurat' appearance.	Not Applicable	Not Applicable
For residential buildings next to commercial buildings, separation distances should be measured as follows: <ul style="list-style-type: none"> <li>for retail, office spaces and commercial balconies use the habitable room distances</li> <li>for service and plant areas use the non-habitable room distances</li> </ul>	The proposed development is not adjacent to any commercial buildings.	Not Applicable

<p>New development should be located and oriented to minimise visual privacy between buildings on site and for neighbouring buildings. Design solutions include:</p> <ul style="list-style-type: none"> <li>• site layout and building orientation to minimize privacy impacts (see also section 3B Orientation)</li> <li>• on sloping sites, apartments on different levels have appropriate visual separation distances (see figure 3F.4)</li> </ul>	<p>The proposal has been developed to achieve separation to neighbours to the north, addressing the desired built form for the precinct. The proposal aims to achieve ADG building separation criteria with neighbouring properties.</p>	<p>Complies</p>
<p>Apartment buildings should have an increased separation distance of 3m (in addition to the requirements set out in design criteria 1) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale and increased landscaping (figure 3F.5)</p>	<p>Seniors Living Development</p>	<p>Not Applicable</p>
<p>Direct lines of sight should be avoided for windows and balconies across corners No separation is required between blank walls</p>	<p>Privacy screens and high-level windows are proposed when these instances occur</p>	<p>Complies</p>
<p><b>Objective 3F-2:</b> 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</p>		
<p><b>Design guidance</b></p>	<p><b>Proposed</b></p>	<p><b>Compliance</b></p>
<p>Communal open space, common areas and access paths should be separated from private open space and windows to apartments, particularly habitable room windows. Design solutions may include:</p> <ul style="list-style-type: none"> <li>• setbacks</li> <li>• solid or partially solid balustrades to balconies at lower levels</li> <li>• fencing and/or trees and vegetation to separate spaces</li> <li>• screening devices</li> <li>• bay windows or pop out windows to provide privacy in one direction and outlook in another</li> <li>• raising apartments/private open space above the public domain or communal open space</li> <li>• planter boxes incorporated into walls and balustrades to increase visual separation</li> <li>• pergolas or shading devices to limit overlooking of lower apartments or private open space</li> <li>• on constrained sites where it can be demonstrated that building layout opportunities are limited, fixed louvres or screen panels to windows and/or balconies</li> </ul>	<p>Common open spaces are located on the ground level and are separated from dwellings through high level windows, fencing, screening devices and planting.</p>	<p>Complies</p>



Bedrooms, living spaces and other habitable rooms should be separated from gallery access and other open circulation space by the apartment's service areas	Separation is provided and considered satisfactory.	Complies
Balconies and private terraces should be located in front of living rooms to increase internal privacy	Balconies are accessed directly from living areas.	Complies
Windows should be offset from the windows of adjacent buildings	Sufficient building separation is provided to reduce privacy impacts.	Complies
Recessed balconies and/or vertical fins should be used between adjacent balconies	Adjacent balconies (though limited) are appropriately treated with visual screening.	Complies
<b>Pedestrian Access and Entries</b>		
<b>Objective 3G-1:</b> Building entries and pedestrian access connects to and addresses the public domain		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Multiple entries (including communal building entries and individual ground floor entries) should be provided to activate the street edge	Units at ground level have separate entry from the street where practical	Complies
Entry locations relate to the street and subdivision pattern and the existing pedestrian network	The entry relates to Karingal Place and Creigan Road and is created with Entry A to the east and B to the west	Complies
Building entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries	The entry lobby to all 4 buildings is evident, highlighted by the break in the built form and links within level 1.	Complies
Where street frontage is limited and multiple buildings are located on the site, a primary street address should be provided with clear sight lines and pathways to secondary building entries	The proposal has two primary entries at the street frontage with clear sight lines to each other.	Complies
<b>Objective 3G-2:</b> Access, entries and pathways are accessible and easy to identify		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Building access areas including lift lobbies, stairwells and hallways should be clearly visible from the public domain and communal spaces	The proposed building access is considered satisfactory and is clearly visible from the public domain.	Complies
The design of ground floors and underground car parks minimise level changes along pathways and entries	Access to the basement is at lowest point on the site and grade change is minimal at ground level	Complies
Steps and ramps should be integrated into the overall building and landscape design	The proposed steps and ramps are considered to integrate into the overall building design.	Complies
For large developments 'way finding' maps should be provided to assist visitors and residents (see figure 4T.3)	The development is not considered large enough for the provision of a way finding map.	Not Applicable
For large developments electronic access and audio/video intercom should be provided to manage access	The proposal will provide electronic access for security at entry point A and B	Complies
<b>Objective 3G-3:</b> Large sites provide pedestrian links for access to streets and connection to destinations		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>

Pedestrian links through sites facilitate direct connections to open space, main streets, centres and public transport	The proposed site is not considered large enough to facilitate pedestrian links.	Not Applicable
Pedestrian links should be direct, have clear sight lines, be overlooked by habitable rooms or private open spaces of dwellings, be well lit and contain active uses, where appropriate	The proposed site is not considered large enough to facilitate pedestrian links.	Not Applicable
<p style="text-align: center;"><b>Vehicle Access</b></p> <p><b>Objective 3H-1:</b> Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes</p>		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
<p>Car park access should be integrated with the building's overall facade. Design solutions may include:</p> <ul style="list-style-type: none"> <li>the materials and colour palette to minimise visibility from the street</li> <li>security doors or gates at entries that minimise voids in the facade</li> <li>where doors are not provided, the visible interior reflects the facade design and the building services, pipes and ducts are concealed</li> </ul>	Underground car parking is provided and is accessed from Creigan Road. A roller/security door will be provided.	Complies
Car park entries should be located behind the building line	The car park entry is suitably integrated into the building design.	Complies
Vehicle entries should be located at the lowest point of the site minimising ramp lengths, excavation and impacts on the building form and layout	<p>The site slopes east to west, with the lowest point being the north east corner.</p> <p>Car park entry is considered satisfactory.</p>	Complies
Car park entry and access should be located on secondary streets or lanes where available	Car park entry is accessed from Creigan Road	Satisfactory
Vehicle standing areas that increase driveway width and encroach into setbacks should be avoided	Vehicle standing areas are not proposed.	Not Applicable
Access point locations should avoid headlight glare to habitable rooms Adequate separation distances should be provided between vehicle entries and street intersections	The residential units on ground level have generous landscape treatment and is separated from the vehicle access point.	Complies
The width and number of vehicle access points should be limited to the minimum	The development proposes one vehicle access point for residents.	Complies
Visual impact of long driveways should be minimised through changing alignments and screen planting	Long driveways do not form part of the proposal.	Not Applicable
The need for large vehicles to enter or turn around within the site should be avoided	Not Applicable	Not Applicable
Garbage collection, loading and servicing areas are screened	The servicing area is proposed to be screened.	Complies

Clear sight lines should be provided at pedestrian and vehicle crossings	Site lines considered satisfactory.	Complies
Traffic calming devices such as changes in paving material or textures should be used where appropriate	Traffic calming devices do not form part of the proposal.	Not Applicable
Pedestrian and vehicle access should be separated and distinguishable. Design solutions may include: <ul style="list-style-type: none"> <li>• changes in surface materials</li> <li>• level changes</li> <li>• the use of landscaping for separation</li> </ul>	Pedestrian and vehicle access is separated.	Complies
<b>Bicycle and Car Parking</b> <b>Objective 3J-1:</b> Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas		
<b>Design Criteria:</b>	<b>Proposed</b>	<b>Compliance:</b>
1. For development in the following locations: <ul style="list-style-type: none"> <li>• on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or</li> <li>• on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre</li> </ul> <p>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.</p> <p>The car parking needs for a development must be provided off street.</p>	31 basement spaces are proposed	<b>Complies</b>
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Where a car share scheme operates locally, provide car share parking spaces within the development. Car share spaces, when provided, should be on site	A car share scheme does not operate locally in the Campbelltown LGA.	Not Applicable
Where less car parking is provided in a development, council should not provide on street resident parking permits	Car parking permits are not proposed to be provided.	Complies
<b>Objective 3J-2:</b> Parking and facilities are provided for other modes of transport		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters	Motorcycle parking is not provided – not required as part of SCDP.	Not Applicable

Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas	The proposal provides for bicycle parking spaces. Bicycle parking is provided on the ground level entries A and B.	Complies
Conveniently located charging stations are provided for electric vehicles, where desirable	Charging stations are not proposed.	Not Applicable
<b>Objective 3J-3:</b> Car park design and access is safe and secure		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces	Supporting facilities, plant rooms and storage areas are located so that they are accessed via a corridor. Where storage is located behind a car parking space it is to be assigned to the unit which owns the car parking space.	Complies
Direct, clearly visible and well lit access should be provided into common circulation areas	The access areas are visible and corridors/lobby will be lit.	Complies
A clearly defined and visible lobby or waiting area should be provided to lifts and stairs	The proposed development incorporates a clearly defined entrance areas.	Complies
For larger car parks, safe pedestrian access should be clearly defined and circulation areas have good lighting, colour, line marking and/or bollards	Proposed car park is not considered large.	Not Applicable
<b>Objective 3J-4:</b> Visual and environmental impacts of underground car parking are minimised		
<b>Design Guidance:</b>		
Excavation should be minimised through efficient car park layouts and ramp design	The proposed level of excavation is required to achieve the required car parking.	Complies
Car parking layout should be well organised, using a logical, efficient structural grid and double loaded aisles	Car parking area provides double loaded aisles one-way movement, and is arranged in an efficient manner for logical circulation.	Complies
Protrusion of car parks should not exceed 1m above ground level. Design solutions may include stepping car park levels or using split levels on sloping sites	The proposed car park does not exceed 1m above ground level.	Complies
Natural ventilation should be provided to basement and sub-basement car parking areas	Details not provided with the development application.	Can comply. Recommended condition of development consent for ventilation to be provided to the basement levels.
Ventilation grills or screening devices for car parking openings should be integrated into the facade and landscape design	The car parking ingress/egress is appropriately screened.	Complies

<b>Objective 3J-5:</b> Visual and environmental impacts of on-grade car parking are minimised		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
On-grade car parking should be avoided	All parking is proposed underground.	Not Applicable
<b>Objective 3J-6:</b> Visual and environmental impacts of above ground enclosed car parking are minimised		
<b>Design Guidance</b>	<b>Proposed:</b>	<b>Compliance:</b>
Exposed parking should not be located along primary street frontages	All parking is proposed underground.	Not Applicable
<b>Solar and Daylight Access</b>		
<b>Objective 4A-1:</b> To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space		
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>
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	The proposed development meets the objective by maximising the number of units with a northly aspect on a site. Good daylighting is achieved to all rooms proposed and the design by virtue of glass lines, articulated facades, reduced unit depth and locating living areas close to the glass line.  The proposal meets this criterion at 80.6% (25/31). Detailed solar access diagrams are also provided as a component of the application.	Complies
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	Not Applicable. The site is located within the Sydney Metropolitan Area.	Not Applicable
3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter	A maximum of 9.6% or 3 units (of 31) do not receive sunlight, complying with the controls.	Complies
<b>Natural Ventilation</b>		
<b>Objective 4B-1:</b> All habitable rooms are naturally ventilated		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
The building's orientation maximises capture and use of prevailing breezes for natural ventilation in habitable rooms	Many of the apartments are dual aspect. Facades are stepped and operable glazing maximised.	Complies
Depths of habitable rooms support natural ventilation	Building and habitable room depths are appropriate for the development and maximises natural cross ventilation	Complies

	opportunities where possible.	
The area of unobstructed window openings should be equal to at least 5% of the floor area served	Each room has a window opening which is at least 5% of the room size. Operable glazing is maximised in the proposed open plan living room/kitchen/dining room spaces.	Complies
Light wells are not the primary air source for habitable rooms	Light wells are not proposed..	Not Applicable
Doors and openable windows maximise natural ventilation opportunities by using the following design solutions: <ul style="list-style-type: none"> <li>adjustable windows with large effective openable areas</li> <li>a variety of window types that provide safety and flexibility such as awnings and louvres</li> <li>windows which the occupants can reconfigure to funnel breezes into the apartment such as vertical louvres, casement windows and externally opening doors</li> </ul>	Doors and windows are designed to be large and operable, in particular to living rooms and bedrooms. All units have living rooms adjoining balcony/terrace areas, with bedrooms also having direct access to private open space. The proposal uses building indentations where possible.	Complies
<b>Objective 4B-3:</b> The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents		
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>
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	Cross ventilation diagrams were provided with the development application demonstrating that 20 units (65%) are naturally cross ventilated.	Complies
2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line	Cross-through apartments are limited to a depth of 18m	Complies
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths	The proposed development uses corner and cross through apartments to achieve cross ventilation. The apartment depth is considered satisfactory.	Complies
In cross-through apartments external window and door opening sizes/areas on one side of an apartment (inlet side) are approximately equal to the external window and door opening sizes/areas on the other side of the apartment (outlet side)(see figure 4B.4)	Propose operable windows are adjustable.	Complies
Apartments are designed to minimise the number of corners, doors and rooms that might obstruct airflow	The proposal provides efficient plan layout in each unit combining kitchen dining and living areas and avoids corners and doors where possible. Bathroom and laundry areas are carefully positioned in suitable	Complies

	locations within each unit, usually at the deeper parts of units to maximise amenity of habitable rooms.													
Apartment depths, combined with appropriate ceiling heights, maximise cross ventilation and airflow	Building and habitable room depths are appropriate for the development and maximise natural cross ventilation opportunities.	Complies												
<b>Ceiling Heights</b>														
<b>Objective 4C-1:</b> Ceiling height achieves sufficient natural ventilation and daylight access														
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>												
<div>1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are:<table><tr><th colspan="2">Minimum ceiling height for apartment and mixed use buildings</th></tr><tr><td>Habitable rooms</td><td>2.7m</td></tr><tr><td>Non-habitable</td><td>2.4m</td></tr><tr><td>For 2 storey apartments</td><td>2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area</td></tr><tr><td>Attic spaces</td><td>1.8m at edge of room with a 30m degree minimum ceiling slope</td></tr><tr><td>If located in mixed used areas</td><td>3.3m for ground and first floor to promote future flexibility of use</td></tr></table><div>These minimums do not preclude higher ceilings if desired.</div></div>	Minimum ceiling height for apartment and mixed use buildings		Habitable rooms	2.7m	Non-habitable	2.4m	For 2 storey apartments	2.7m for 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 30m degree minimum ceiling slope	If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use	<div>The proposed floor-to-floor levels are 3.1m which provides tolerance to ensure a 2.7 m floor to ceiling height is achieved.</div>	Complies
Minimum ceiling height for apartment and mixed use buildings														
Habitable rooms	2.7m													
Non-habitable	2.4m													
For 2 storey apartments	2.7m for 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 30m degree minimum ceiling slope													
If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use													
<b>Objective 4D-1:</b> The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity														
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>												
<div>1. Apartments are required to have the following minimum internal areas:<table><tr><th>Apartment type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35sqm</td></tr><tr><td>1 bedroom</td><td>50sqm</td></tr><tr><td>2 bedroom</td><td>70sqm</td></tr><tr><td>3 bedroom</td><td>90sqm</td></tr></table><div>The minimum internal areas include only one bathroom. Additional bathrooms increase</div></div>	Apartment type	Minimum internal area	Studio	35sqm	1 bedroom	50sqm	2 bedroom	70sqm	3 bedroom	90sqm	<div>All apartments meet the minimum internal areas corresponding to number of bedrooms (and any additional bathrooms).</div>	Complies		
Apartment type	Minimum internal area													
Studio	35sqm													
1 bedroom	50sqm													
2 bedroom	70sqm													
3 bedroom	90sqm													

the minimum internal area by 5sqm each.		
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	Large operable glass windows will be provided in each habitable room being min 10% of the floor area of the room.	Complies
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Kitchens should not be located as part of the main circulation space in larger apartments (such as hallway or entry space)	Kitchens in cross-through and corner units aim to avoid circulation areas and are integrated as part of open plan living and dining spaces.	Complies
A window should be visible from any point in a habitable room	The bedrooms incorporate large windows or operable doors to balconies	Complies
Where minimum areas or room dimensions are not met apartments need to demonstrate that they are well designed and demonstrate the usability and functionality of the space with realistically scaled furniture layouts and circulation areas. These circumstances would be assessed on their merits	Not Applicable, minimum room sizes and dimensions are met.	Not Applicable
<b>Objective 4D-2:</b> Environmental performance of the apartment is maximised		
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>
2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window	Open plan layout = maximum habitable depth is 8m.	Complies
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Greater than minimum ceiling heights can allow for proportional increases in room depth up to the permitted maximum depths	Ceiling height is 2.7m.	Complies
All living areas and bedrooms should be located on the external face of the building	Living areas and bedrooms are generally located on the external face of the building.	Complies
Where possible: <ul style="list-style-type: none"> <li>bathrooms and laundries should have an external openable window</li> <li>main living spaces should be oriented toward the primary outlook and aspect and away from noise sources</li> </ul>	The location and laundries and bathrooms are considered satisfactory.	Complies
<b>Objective 4D-3:</b> Apartment layouts are designed to accommodate a variety of household activities and needs		
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>
1. Master bedrooms have a minimum area of 10sqm and other bedrooms 9sqm (excluding wardrobe space)	All proposed master bedrooms are a minimum of 10sqm and other bedrooms are a minimum of 9sqm (excluding	Complies



	wardrobe space).										
2. Bedrooms have a minimum dimension of 3m (excluding wardrobe space)	All proposed bedrooms have a minimum dimension of 3m (excluding wardrobes).	Complies									
3. Living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"> <li>3.6m for studio and 1 bedroom apartments</li> <li>4m for 2 and 3 bedroom apartments</li> </ul>	All proposed living rooms achieve the minimum width	Complies									
4. The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts	Apartment width is considered satisfactory.  Deep narrow apartment are not proposed.	Complies									
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>									
Access to bedrooms, bathrooms and laundries is separated from living areas minimising direct openings between living and service areas	The proposal avoids direct access to bathrooms and laundries from living areas.	Complies									
All bedrooms allow a minimum length of 1.5m for robes	Minimum length of main robe in each apartment is a minimum of 1.5m.	Complies									
The main bedroom of an apartment or a studio apartment should be provided with a wardrobe of a minimum 1.8m long, 0.6m deep and 2.1m high	All main bedrooms have robe length greater than 1.8 m.	Complies									
Apartment layouts allow flexibility over time, design solutions may include: <ul style="list-style-type: none"> <li>dimensions that facilitate a variety of furniture arrangements and removal</li> <li>spaces for a range of activities and privacy levels between different spaces within the apartment</li> <li>dual master apartments</li> <li>dual key apartments</li> <li>room sizes and proportions or open plans (rectangular spaces (2:3) are more easily furnished than square spaces (1:1))</li> <li>efficient planning of circulation by stairs, corridors and through rooms to maximise the amount of usable floor space in rooms</li> </ul>	Apartment layouts are considered to allow for satisfactory flexibility.	Complies									
<b>Private Open Space and Balconies</b> <b>Objective 4E-1:</b> Apartments provide appropriately sized private open space and balconies to enhance residential amenity											
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>									
1. All apartments are required to have primary balconies as follows: <table border="1" data-bbox="225 1872 726 2033"> <thead> <tr> <th>Dwelling type</th><th>Minimum area</th><th>Minimum depth</th></tr> </thead> <tbody> <tr> <td>Studio apartments</td><td>4sqm</td><td>-</td></tr> <tr> <td>1 bedroom</td><td>8sqm</td><td>2m</td></tr> </tbody> </table>	Dwelling type	Minimum area	Minimum depth	Studio apartments	4sqm	-	1 bedroom	8sqm	2m	All units enjoy generous private open spaces in the form of either balconies or terraces.	Complies
Dwelling type	Minimum area	Minimum depth									
Studio apartments	4sqm	-									
1 bedroom	8sqm	2m									

apartments				
2 bedroom apartments	10sqm	2m		
3+ bedroom apartments	12sqm	2.4m		
The minimum balcony depth to be counted as contributing to the balcony area is 1m				
<b>Design Guidance:</b>			<b>Proposed:</b>	<b>Compliance:</b>
Increased communal open space should be provided where the number or size of balconies are reduced				Not Applicable
Storage areas on balconies is additional to the minimum balcony size			Storage is not proposed on any balcony.	Not Applicable
Balcony use may be limited in some proposals by: <ul style="list-style-type: none"> <li>consistently high wind speeds at 10 storeys and above</li> <li>close proximity to road, rail or other noise sources</li> <li>exposure to significant levels of aircraft noise</li> <li>heritage and adaptive reuse of existing buildings</li> </ul> In these situations, juliet balconies, operable walls, enclosed wintergardens or bay windows may be appropriate, and other amenity benefits for occupants should also be provided in the apartments or in the development or both. Natural ventilation also needs to be demonstrated			Not Applicable	Not Applicable
<b>Objective 4E-2:</b> Primary private open space and balconies are appropriately located to enhance liveability for residents				
<b>Design Guidance:</b>			<b>Proposed:</b>	<b>Compliance:</b>
Primary open space and balconies should be located adjacent to the living room, dining room or kitchen to extend the living space			Balconies are accessible from main living areas for each proposed dwelling.	Complies
Private open spaces and balconies predominantly face north, east or west			These orientations have been maximised	Complies
Primary open space and balconies should be orientated with the longer side facing outwards or be open to the sky to optimise daylight access into adjacent rooms			The private open spaces face outwards and optimise solar access where possible to capture natural light to the internal living spaces.	Complies
<b>Objective 4E-3:</b> Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building				
<b>Design Guidance:</b>			<b>Proposed:</b>	<b>Compliance:</b>
Solid, partially solid or transparent fences and balustrades are selected to respond to the location. They are designed to allow			Appropriate terrace fencing is used to allow views of the public domain and/or communal open space while offering a	Complies

views and passive surveillance of the street while maintaining visual privacy and allowing for a range of uses on the balcony. Solid and partially solid balustrades are preferred	measure of visual privacy to each unit. The balconies are proposed with solid balustrades, and incorporated screening is proposed. The private open spaces are generous in proportion, depth and width and shall not impact on privacy of the internal areas of the units	
Full width full height glass balustrades alone are generally not desirable	Not Applicable	Not Applicable
Projecting balconies should be integrated into the building design and the design of soffits considered	Balconies conform with the building footprint to maximise solar access and ventilation	Complies
Operable screens, shutters, hoods and pergolas are used to control sunlight and wind	Living room windows are recessed behind a balcony	Complies
Balustrades are set back from the building or balcony edge where overlooking or safety is an issue	The proposed development achieves setback criteria for visual privacy.	Complies
Downpipes and balcony drainage are integrated with the overall facade and building design	Downpipes location will be integrated as part of a feature, where possible.	Complies
Air-conditioning units should be located on roofs, in basements, or fully integrated into the building design	Not Applicable – no air conditioning proposed for any units.	Not Applicable
Where clothes drying, storage or air conditioning units are located on balconies, they should be screened and integrated in the building design	All clothes drying elements are screened.	Complies
Ceilings of apartments below terraces should be insulated to avoid heat loss		Not Applicable
Water and gas outlets should be provided for primary balconies and private open space		Not Applicable
<b>Objective 4E-4:</b> Private open space and balcony design maximises safety		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Changes in ground levels or landscaping are minimised	The site poses sloping topography. Despite this the proposal seeks to provide minimal ground level changes to frontage and landscaped areas.	Complies
Design and detailing of balconies avoids opportunities for climbing and falls	The proposed design of the balconies is not considered to increase opportunities for climbing.	Complies
<b>Objective 4F-1:</b> Common circulation spaces achieve good amenity and properly service the number of apartments		
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>

1. The maximum number of apartments off a circulation core on a single level is eight		Maximum 7 units accessed from a circulation core.	Complies										
<b>Storage</b>													
<b>Objective 4G-1:</b> Adequate, well designed storage is provided in each apartment													
<b>Design Criteria:</b>		<b>Proposed:</b>	<b>Compliance:</b>										
1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: <table><tr><td><b>Dwelling Type</b></td><td><b>Storage size volume</b></td></tr><tr><td>Studio apartments</td><td>4sqm</td></tr><tr><td>1 bedroom apartments</td><td>6sqm</td></tr><tr><td>2 bedroom apartments</td><td>8sqm</td></tr><tr><td>3+ bedroom apartments</td><td>10sqm</td></tr></table> At least 50% of the required storage is to be located within the apartment		<b>Dwelling Type</b>	<b>Storage size volume</b>	Studio apartments	4sqm	1 bedroom apartments	6sqm	2 bedroom apartments	8sqm	3+ bedroom apartments	10sqm	At least 50% of storage provided is in the apartment and remainder as ancillary storage in the basement.	Complies
<b>Dwelling Type</b>	<b>Storage size volume</b>												
Studio apartments	4sqm												
1 bedroom apartments	6sqm												
2 bedroom apartments	8sqm												
3+ bedroom apartments	10sqm												
<b>Design Guidance:</b>		<b>Proposed:</b>	<b>Compliance:</b>										
Storage is accessible from either circulation or living areas		These areas are accessible from circulation or living areas.	Complies										
Storage provided on balconies (in addition to the minimum balcony size) is integrated into the balcony design, weather proof and screened from view from the street		Storage is not provided on the balconies.	Not Applicable										
Left over space such as under stairs is used for storage		Not Applicable	Not Applicable										
<b>Objective 4G-2:</b> Additional storage is conveniently located, accessible and nominated for individual apartments													
<b>Design Guidance:</b>		<b>Proposed:</b>	<b>Compliance:</b>										
Storage not located in apartments is secure and clearly allocated to specific apartments		These are securely located in a designated area in the basement and allocated to each unit.	Complies										
Storage is provided for larger and less frequently accessed items		These are securely located in a designated area in the basement and allocated to each unit.	Complies										
Storage space in internal or basement car parks is provided at the rear or side of car spaces or in cages so that allocated car parking remains accessible		Storage in basement is generally located in areas with corridor access. Where storage is provided at the rear of car spaces it shall be allocated to the owner of the car space.	Complies										
If communal storage rooms are provided they should be accessible from common circulation areas of the building		Not Applicable	Not Applicable										

Storage not located in an apartment is integrated into the overall building design and is not visible from the public domain	Ancillary storage is located in the basement.	Complies
<b>Objective 4H-1:</b> Noise transfer is minimised through the siting of buildings and building layout		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses (see also section 2F Building separation and section 3F Visual privacy)	Adequate building separation provided.	Complies
Window and door openings are generally orientated away from noise sources	Window and doors are oriented away from noise sources where possible. Where access to common open space is proposed, a POS & landscape buffer provides separation.	Complies
Noisy areas within buildings including building entries and corridors should be located next to or above each other and quieter areas next to or above quieter areas	The internal living and bedroom areas are located away from the corridor and service areas to maximise acoustic privacy to sensitive parts within each unit	Complies
The number of party walls (walls shared with other apartments) are limited and are appropriately insulated	Party walls are limited.	Complies
Noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open spaces and circulation areas should be located at least 3m away from bedrooms	These are mostly provided underground or on the roof. All the other adjoining terraces have appropriate screening to insulate against visual and noise intrusion.	Complies
<b>Objective 4H-2:</b> Noise impacts are mitigated within apartments through layout and acoustic treatments		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Internal apartment layout separates noisy spaces from quiet spaces, using a number of the following design solutions: <ul style="list-style-type: none"> <li>rooms with similar noise requirements are grouped together</li> <li>doors separate different use zones</li> <li>wardrobes in bedrooms are co-located to act as sound buffers</li> </ul>	The apartments layouts appropriate group together quiet spaces.	Complies
<b>Noise and Pollution</b>		
<b>Objective 4J-1:</b> In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
To minimise impacts the following design solutions may be used: <ul style="list-style-type: none"> <li>physical separation between buildings and the noise or pollution source</li> <li>residential uses are located perpendicular to the noise source and where possible buffered by other uses</li> <li>non-residential buildings are sited to be</li> </ul>	Appropriate glazing as per technical recommendations contained within the BCA and acoustic report will be adopted to minimise acoustic and pollution impacts.	Complies

<p>parallel with the noise source to provide a continuous building that shields residential uses and communal open spaces</p> <ul style="list-style-type: none"> <li>• non-residential uses are located at lower levels vertically separating the residential component from the noise or pollution source. Setbacks to the underside of residential floor levels should increase relative to traffic volumes and other noise sources</li> <li>• buildings should respond to both solar access and noise. Where solar access is away from the noise source, non-habitable rooms can provide a buffer</li> <li>• where solar access is in the same direction as the noise source, dual aspect apartments with shallow building depths are preferable (see figure 4J.4)</li> <li>• landscape design reduces the perception of noise and acts as a filter for air pollution generated by traffic and industry</li> </ul>		
<p align="center"><b>Apartment Mix</b></p> <p><b>Objective 4K-1:</b> A range of apartment types and sizes is provided to cater for different household types now and into the future</p>		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
A variety of apartment types is provided.	The proposal provides a range of 1 and 2 bedroom units which are considered appropriate for the area/demography	Complies
<p>The apartment mix is appropriate, taking into consideration:</p> <ul style="list-style-type: none"> <li>• the distance to public transport, employment and education centres</li> <li>• the current market demands and projected future demographic trends</li> <li>• the demand for social and affordable housing</li> <li>• different cultural and socioeconomic groups</li> </ul>	This has been taken into the design consideration and is considered appropriate for the locality.	Complies
Flexible apartment configurations are provided to support diverse household types and stages of life including single person households, families, multi-generational families and group households	Apartment and configurations are varied, generous and flexible to support diverse demographic types and living arrangements.	Complies
<p><b>Objective 4K-2:</b> The apartment mix is distributed to suitable locations within the building</p>		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Different apartment types are located to achieve successful facade composition and to optimise solar access (see figure 4K.3)	Façade composition is considered satisfactory.	Complies
Larger apartment types are located on the ground or roof level where there is potential	Not Applicable	Not Applicable

for more open space and on corners where more building frontage is available		
<b>Ground Floor Apartments</b>		
<b>Objective 4L-1:</b> Street frontage activity is maximised where ground floor apartments are located		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Direct street access should be provided to ground floor apartments	Pedestrian access is provided from Campbellfield West, Creigan Road and Karingal Place on the ground level	Complies
<b>Objective 4L-2:</b> Design of ground floor apartments delivers amenity and safety for residents		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Privacy and safety should be provided without obstructing casual surveillance. Design solutions may include: <ul style="list-style-type: none"> <li>elevation of private gardens and terraces above the street level by 1-1.5m (see figure 4L.4)</li> <li>landscaping and private courtyards</li> <li>window sill heights that minimise sight lines into apartments</li> <li>integrating balustrades, safety bars or screens with the exterior design</li> </ul>	Privacy and safety have been considered in an appropriate way as a part of the integrated design.	Complies
<b>Facades</b>		
<b>Objective 4M-1:</b> Building facades provide visual interest along the street while respecting the character of the local area		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Design solutions for front building facades may include: <ul style="list-style-type: none"> <li>a composition of varied building elements</li> <li>a defined base, middle and top of buildings</li> <li>revealing and concealing certain elements</li> <li>changes in texture, material, detail and colour to modify the prominence of elements</li> </ul>	The building façade comprises a series of vertical and horizontal elements to break down bulk and scale, and a series of materiality and colours to complement and enhance the existing streetscape.	Complies
Building services should be integrated within the overall facade	Services are provided in the basement and a substation is located on the ground level with screening and landscape to minimise the visual intrusion.  Building services are integrated into the building design and are not considered obtrusive or not in keeping with the design of the building.	Complies
Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale. Design solutions may include:	The design aims to avoid blank facades with well composed and positioned elements to break down bulk and scale, provide visual interest and enhance the	Complies

<ul style="list-style-type: none"> <li>• well composed horizontal and vertical elements</li> <li>• variation in floor heights to enhance the human scale</li> <li>• elements that are proportional and arranged in patterns</li> <li>• public artwork or treatments to exterior blank walls</li> <li>• grouping of floors or elements such as balconies and windows on taller buildings</li> </ul>	<p>visual quality to Campbellfield West.</p> <p>The building façade is architecturally designed and is considered appropriate.</p>	
Building facades relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights	The area is undergoing renewal and redevelopment, with the new playing fields, road extension and residential development, the adjoining developments are likely to change.	Not Applicable
Shadow is created on the facade throughout the day with building articulation, balconies and deeper window reveals	Noted.	Satisfactory
<b>Objective 4M-2:</b> Building functions are expressed by the facade		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Building entries should be clearly defined	The proposed development incorporates clearly defined entrance areas. Pedestrian and vehicular access are clearly separated.	Complies
Important corners are given visual prominence through a change in articulation, materials or colour, roof expression or changes in height	The proposal enhances the corners of the site through external articulation and height.	Complies
The apartment layout should be expressed externally through facade features such as party walls and floor slabs	The building articulation reflects the internal layout and floor levels are clearly identifiable	Complies
<b>Roof Design</b>		
<b>Objective 4N-1:</b> Roof treatments are integrated into the building design and positively respond to the street		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
<p>Roof design relates to the street. Design solutions may include:</p> <ul style="list-style-type: none"> <li>• special roof features and strong corners</li> <li>• use of skillion or very low pitch hipped roofs</li> <li>• breaking down the massing of the roof by using smaller elements to avoid bulk</li> <li>• using materials or a pitched form complementary to adjacent buildings</li> </ul>	The roof features strong corner elements and is designed to diminish the appearance of bulk and scale.	Complies
<p>Roof treatments should be integrated with the building design. Design solutions may include:</p> <ul style="list-style-type: none"> <li>• roof design proportionate to the overall building size, scale and form</li> <li>• roof materials compliment the building</li> </ul>	Roof materials compliment the building design.	Complies



<ul style="list-style-type: none"> <li>• service elements are integrated</li> </ul>		
<b>Objective 4N-2:</b> Opportunities to use roof space for residential accommodation and open space are maximised		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Habitable roof space should be provided with good levels of amenity. Design solutions may include: <ul style="list-style-type: none"> <li>• penthouse apartments</li> <li>• dormer or clerestory windows</li> <li>• openable skylights</li> </ul>	Not Applicable	Not Applicable
Open space is provided on roof tops subject to acceptable visual and acoustic privacy, comfort levels, safety and security considerations	Not Applicable	Not Applicable
<b>Objective 4N-3:</b> Roof design incorporates sustainability features		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Roof design maximises solar access to apartments during winter and provides shade during summer. Design solutions may include: <ul style="list-style-type: none"> <li>• the roof lifts to the north</li> <li>• eaves and overhangs shade walls and windows from summer sun</li> </ul>	The roof design is considered to maximise solar access to the development.	Complies
Skylights and ventilation systems should be integrated into the roof design	Building systems are integrated into the roof and will not largely be visible from the street.	Complies
<b>Landscape Design</b>		
<b>Objective 4O-1:</b> Landscape design is viable and sustainable		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Landscape design should be environmentally sustainable and can enhance environmental performance by incorporating: <ul style="list-style-type: none"> <li>• diverse and appropriate planting</li> <li>• bio-filtration gardens</li> <li>• appropriately planted shading trees</li> <li>• areas for residents to plant vegetables and herbs</li> <li>• composting</li> <li>• green roofs or walls</li> </ul>	The landscape design is appropriate for the climate, the setting, the suggested demographics and usage needs. It incorporates several elements including tiered landscaping, planting within the centre of the site, and shading trees areas that are suitable for the locality and in accordance with Council policies. The plant species list is responsive to the area and minimises ongoing care and appropriate for soil area/depth.	Complies
Ongoing maintenance plans should be prepared.	This is provided as a component of the landscape plan that accompanies the DA.	Complies
Tree and shrub selection considers size at maturity and the potential for roots to compete (see Table 4)	Plant species list and details submitted as a component of the application and is in accordance with Council's policy.	Complies

Objective 4O-2: Landscape design contributes to the streetscape and amenity																										
Design Guidance:	Proposed:	Compliance:																								
Landscape design responds to the existing site conditions including: <ul style="list-style-type: none"><li>changes of levels</li><li>views</li><li>significant landscape features including trees and rock outcrops</li></ul>	Existing site comprises minimal vegetation. The proposed landscape design has considered the site conditions, maintaining the slope of the land within the landscaped areas and is responsive to the proposed development.	Complies																								
Significant landscape features should be protected by: <ul style="list-style-type: none"><li>tree protection zones (see figure 40.5)</li><li>appropriate signage and fencing during construction</li></ul>	Five (5) trees have been recommended for retention. <table><caption>Table 4 – Trees recommended for retention &amp; protection</caption><thead><tr><th>Tree No.</th><th>Genus &amp; Species</th><th>Retention Value</th><th>Works within the Tree Protection Zone (TPZ)</th></tr></thead><tbody><tr><td>2</td><td>Cupaniopsis anacardioides Tuckeroo</td><td>Medium</td><td>No works proposed within the TPZ</td></tr><tr><td>3</td><td>Cupaniopsis anacardioides Tuckeroo</td><td>Medium</td><td>No works proposed within the TPZ</td></tr><tr><td>4</td><td>Cupaniopsis anacardioides Tuckeroo</td><td>Medium</td><td>No works proposed within the TPZ</td></tr><tr><td>5</td><td>Cupaniopsis anacardioides Tuckeroo</td><td>Medium</td><td>No works proposed within the TPZ</td></tr><tr><td>6</td><td>Cupaniopsis anacardioides Tuckeroo</td><td>Medium</td><td>No works proposed within the TPZ</td></tr></tbody></table> Standard tree protection measures will be included in the Construction Management Plan.	Tree No.	Genus & Species	Retention Value	Works within the Tree Protection Zone (TPZ)	2	Cupaniopsis anacardioides Tuckeroo	Medium	No works proposed within the TPZ	3	Cupaniopsis anacardioides Tuckeroo	Medium	No works proposed within the TPZ	4	Cupaniopsis anacardioides Tuckeroo	Medium	No works proposed within the TPZ	5	Cupaniopsis anacardioides Tuckeroo	Medium	No works proposed within the TPZ	6	Cupaniopsis anacardioides Tuckeroo	Medium	No works proposed within the TPZ	Complies
Tree No.	Genus & Species	Retention Value	Works within the Tree Protection Zone (TPZ)																							
2	Cupaniopsis anacardioides Tuckeroo	Medium	No works proposed within the TPZ																							
3	Cupaniopsis anacardioides Tuckeroo	Medium	No works proposed within the TPZ																							
4	Cupaniopsis anacardioides Tuckeroo	Medium	No works proposed within the TPZ																							
5	Cupaniopsis anacardioides Tuckeroo	Medium	No works proposed within the TPZ																							
6	Cupaniopsis anacardioides Tuckeroo	Medium	No works proposed within the TPZ																							
Plants selected should be endemic to the region and reflect the local ecology	New trees, shrubs, planters, and vegetation will be provided as identified in the Landscape Plan.	Complies																								
Planting on Structures																										
Objective 4P-1: Appropriate soil profiles are provided																										
Design Guidance:	Proposed:	Compliance:																								
Structures are reinforced for additional saturated soil weight	Recommended condition of consent for the applicant to provide a landscape management plan which includes information relating to the soil composition and weight to be provided prior to the issue of a construction certificate	Recommended condition of consent.																								
Soil volume is appropriate for plant growth, considerations include: <ul style="list-style-type: none"><li>modifying depths and widths according to the planting mix and irrigation frequency</li><li>free draining and long soil life span</li><li>tree anchorage</li></ul>	Recommended condition of consent for information to be provided within the landscape maintenance plan prior to the issue of a construction certificate.	Recommended condition of consent.																								
Minimum soil standards for plant sizes should be provided in accordance with Table 5.	Recommended condition of consent for information to be provided within the landscape maintenance plan prior to the issue of a construction certificate.	Recommended condition of consent.																								
Objective 4P-2: Plant growth is optimised with appropriate selection and maintenance																										
Design Guidance:	Proposed:	Compliance:																								

Plants are suited to site conditions, considerations include: <ul style="list-style-type: none"> <li>• drought and wind tolerance</li> <li>• seasonal changes in solar access</li> <li>• modified substrate depths for a diverse range of plants</li> <li>• plant longevity</li> </ul>	Plant species details have been identified as a component of the Landscape submission and is in accordance with Council's policy.	Complies
A landscape maintenance plan is prepared	Recommended condition of consent for a landscape maintenance plan to be prepared prior to the issue of a construction certificate.	Recommended condition of consent.
Irrigation and drainage systems respond to: <ul style="list-style-type: none"> <li>• changing site conditions</li> <li>• soil profile and the planting regime</li> <li>• whether rainwater, stormwater or recycled grey water is used</li> </ul>	Recommended condition of consent for information to be provided within the landscape maintenance plan prior to the issue of a construction certificate.	Recommended condition of consent.
<b>Objective 4P-3:</b> Planting on structures contributes to the quality and amenity of communal and public open spaces		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Building design incorporates opportunities for planting on structures. Design solutions may include: <ul style="list-style-type: none"> <li>• green walls with specialised lighting for indoor green walls</li> <li>• wall design that incorporates planting</li> <li>• green roofs, particularly where roofs are visible from the public domain</li> <li>• planter boxes</li> </ul>	The proposal incorporates planting to soften the driveway, and retaining walls within the development with generous areas of planting. On structure planting is conjoined with deep soil planting. The spaces will be suitable for all, household types and maximises casual surveillance/minimises safety hazards.	Complies
<b>Universal Design</b>		
<b>Objective 4Q-1:</b> Universal design features are included in apartment design to promote flexible housing for all community members		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Developments achieve a benchmark of 20% of the total apartments incorporating the Livable Housing Guideline's silver level universal design features	The proposal is suitable for Seniors Living, therefore the minimum requirement is achieved.	Not a design criteria,
<b>Objective 4Q-2:</b> A variety of apartments with adaptable designs are provided		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Adaptable housing should be provided in accordance with the relevant council policy	Part 5.5.3 (b) of Council's (Sustainable City) DCP requires 10% of apartments to be accessible (minimum 3 apartments)  A minimum of 3 adaptable apartments is proposed.  It is noted that all units have been designed to comply with Australian	Capable of Compliance

	Standards and DDA	
<b>Objective 4Q-3:</b> Apartment layouts are flexible and accommodate a range of lifestyle needs		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
<p>Apartment design incorporates flexible design solutions which may include:</p> <ul style="list-style-type: none"> <li>• rooms with multiple functions</li> <li>• dual master bedroom apartments with separate bathrooms</li> <li>• larger apartments with various living space options</li> <li>• open plan 'loft' style apartments with only a fixed kitchen, laundry and bathroom</li> </ul>	Suitable apartment layouts are provided.	Not Applicable
<b>Objective 4R-2:</b> Adapted buildings provide residential amenity while not precluding future adaptive reuse		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
<p>Design features should be incorporated sensitively into adapted buildings to make up for any physical limitations, to ensure residential amenity is achieved. Design solutions may include:</p> <ul style="list-style-type: none"> <li>• generously sized voids in deeper buildings</li> <li>• alternative apartment types when orientation is poor</li> <li>• using additions to expand the existing building envelope</li> </ul>	The proposed development is not an adapted building.	Not Applicable
<p>Some proposals that adapt existing buildings may not be able to achieve all of the design criteria in this Apartment Design Guide. Where developments are unable to achieve the design criteria, alternatives could be considered in the following areas:</p> <ul style="list-style-type: none"> <li>• where there are existing higher ceilings, depths of habitable rooms could increase subject to demonstrating access to natural ventilation, cross ventilation (when applicable) and solar and daylight access (see also sections 4A Solar and daylight access and 4B Natural ventilation)</li> <li>• alternatives to providing deep soil where less than the minimum requirement is currently available on the site</li> <li>• building and visual separation – subject to demonstrating alternative design approaches to achieving privacy</li> <li>• common circulation</li> <li>• car parking</li> <li>• alternative approaches to private open space and balconies</li> </ul>	The proposed development is not utilising an existing building.	Not Applicable

<b>Mixed Use</b>		
<b>Objective 4S-1:</b> Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Mixed use development should be concentrated around public transport and centres	Not Applicable	Not Applicable
Mixed use developments positively contribute to the public domain. Design solutions may include: <ul style="list-style-type: none"> <li>• development addresses the street</li> <li>• active frontages are provided</li> <li>• diverse activities and uses</li> <li>• avoiding blank walls at the ground level</li> <li>• live/work apartments on the ground floor level, rather than commercial</li> </ul>	Not Applicable	Not Applicable
<b>Objective 4S-2:</b> Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Residential circulation areas should be clearly defined. Design solutions may include: <ul style="list-style-type: none"> <li>• residential entries are separated from commercial entries and directly accessible from the street</li> <li>• commercial service areas are separated from residential components</li> <li>• residential car parking and communal facilities are separated or secured</li> <li>• security at entries and safe pedestrian routes are provided</li> <li>• concealment opportunities are avoided</li> </ul>	Residential and car parking areas are separated and secured. The development incorporates CPTED principles and avoids opportunities for crime/concealment and maximises passive surveillance of the public domain as well as communal spaces.	Complies
Landscaped communal open space should be provided at podium or roof levels	The proposal provides communal open space on Ground level.	Complies
<b>Awnings and Signage</b>		
<b>Objective 4T-1:</b> Awnings are well located and complement and integrate with the building design		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Awnings should be located along streets with high pedestrian activity and active frontages	Awnings not proposed.	Not Applicable
A number of the following design solutions are used: <ul style="list-style-type: none"> <li>• continuous awnings are maintained and provided in areas with an existing pattern</li> <li>• height, depth, material and form complements the existing street character</li> <li>• protection from the sun and rain is provided</li> </ul>	Not Applicable	Not Applicable

<ul style="list-style-type: none"> <li>awnings are wrapped around the secondary frontages of corner sites</li> <li>awnings are retractable in areas without an established pattern</li> </ul>		
Awnings should be located over building entries for building address and public domain amenity	Entry visible through building design and placement of entry awning at centre of elevation for weather protection	Complies
Awnings relate to residential windows, balconies, street tree planting, power poles and street infrastructure	Not Applicable.	Not Applicable
Gutters and down pipes should be integrated and concealed	Gutters and downpipes will be integrated as part of a feature, where possible.	Complies
Lighting under awnings should be provided for pedestrian safety	Lighting will be provided under awning, and this is to be addressed at CC stage.	Capable of Compliance
<b>Objective 4T-2:</b> Signage responds to the context and desired streetscape character		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Signage should be integrated into the building design and respond to the scale, proportion and detailing of the development	Signage is not proposed.	Not Applicable
Legible and discrete way finding should be provided for larger developments	Signage is not proposed.	Not Applicable
Signage is limited to being on and below awnings and a single facade sign on the primary street frontage	Signage is not proposed.	Not Applicable
<b>Energy and Efficiency</b>		
<b>Objective 4U-1:</b> Development incorporates passive environmental design		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access)	Adequate natural light is provided to habitable rooms.	Complies
Well located, screened outdoor areas should be provided for clothes drying	Recommended condition of consent for balconies to not be used as clothes drying areas.	Complies
<b>Waste Management</b>		
<b>Objective 4W-1:</b> Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Adequately sized storage areas for rubbish bins should be located discreetly away from the front of the development or in the basement car park	Sufficient storage areas are allocated for waste storage.	Complies
Waste and recycling storage areas should be well ventilated	The waste areas are well ventilated.	Complies
Circulation design allows bins to be easily manoeuvred between storage and collection points	The waste storage area is located at ground near the east and west entry with the bin holding area behind	Complies

	landscape features.	
Temporary storage should be provided for large bulk items such as mattresses	An area for bulk waste has been provided at the east entry.	Complies
A waste management plan should be prepared	A Waste Management Plan (WMP) was provided with the development application.	Complies
<b>Objective 4W-2:</b> Domestic waste is minimised by providing safe and convenient source separation and recycling		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
All dwellings should have a waste and recycling cupboard or temporary storage area of sufficient size to hold two days worth of waste and recycling	All dwelling are capable of storing domestic waste temporarily.	Complies
Communal waste and recycling rooms are in convenient and accessible locations related to each vertical core	These are easily accessible from the lift.	Complies
For mixed use developments, residential waste and recycling storage areas and access should be separate and secure from other uses	Not Applicable	Not Applicable
Alternative waste disposal methods such as composting should be provided	Composting area could be provided in common open space (ground floor) as a condition of consent.	Recommended condition of consent.
<b>Building Maintenance</b>		
<b>Objective 4X-1:</b> Building design detail provides protection from weathering		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
A number of the following design solutions are used: <ul style="list-style-type: none"> <li>• roof overhangs to protect walls</li> <li>• hoods over windows and doors to protect openings</li> <li>• detailing horizontal edges with drip lines to avoid staining of surfaces</li> <li>• methods to eliminate or reduce planter box leaching</li> <li>• appropriate design and material selection for hostile locations</li> </ul>	Apartment windows are protected by the location of the balconies, hoods provided, horizontal edges proposed	Complies





**Attachment 3**  
**Sydney Western City Planning Panel Kick Off Briefing**



**RSDA Kick-Off Briefing Agenda**  
**Sydney Western City Planning Panel**

<b>PANEL REFERENCE, DA NUMBER &amp; ADDRESS</b>	PPSSWC-191 – Campbelltown - 2635/2021/DA-SL - 20 - 22 Karingal Place and 49-55 Creigan Road, Bradbury
<b>APPLICANT / OWNER</b>	Cameron Yeates on behalf of NSW Land and Housing Corporation
<b>APPLICATION TYPE</b>	CIV > \$5M - Crown Development
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	Clause 4, Schedule 7, State Environmental Planning Policy (State and Regional Development) 2011
<b>KEY SEPP/LEP</b>	State Environmental Planning Policy No 55 – Remediation of Land State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment State Environmental Planning Policy (Koala Habitat Protection) 2021 State Environmental Planning Policy (Building Sustainability Index: BASIX 2004) State Environmental Planning Policy No. 65 – Design Quality Residential Apartment State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 Campbelltown Local Environmental Plan 2015
<b>CIV</b>	\$12,671,417.00 (excluding GST)
<b>MEETING DATE</b>	25 October 2021

**ATTENDEES**

<b>APPLICANT</b>	Cameron Yeates, Senior Development Manager, LAHC Peter Brackenreg, Executive Director, LAHC Daniel Covarrubias Craig Smith, Executive, LAHC Robert Pufflett Dan Bridle, BBC Planners
<b>PANEL CHAIR</b>	Justin Doyle
<b>COUNCIL OFFICER</b>	Alex Long Belinda Borg Fletcher Raynor

<b>CASE MANAGER</b>	Alexandra Hafner and George Dojas
<b>RSDA TEAM</b>	Angela Kenna and Mellissa Felipe

## ISSUES DISCUSSED

- Introductions
- Applicant summary:
  - Large scale, social housing to blend with private housing. Attempt to foster diverse and inclusive community.
  - Ageing waitlist and aging portfolio.
  - The development follows upon a successful recent seniors project in Claymore.
  - The site is located on the edge of the area covered by the Airds Bradbury Urban Renewal Concept Plan. It is on the northwest of the major east/west road on the western side of the development towards Campbelltown.
  - The site adjoins a new open space area allowing recreational uses and a town centre which is subject to change and renewal.
  - The site comprises two existing lots.
  - Site falls west/east and is occupied by two existing detached cottages.
  - The development respects and responds to the single storey cottages to the north, by limiting height to two storeys at that end, increasing to three storeys towards the Creigan Road collector road. Basement parking is proposed.
  - A Clause 4.6 submission seeks variation of the 9.6m height development standard under Campbelltown LEP.
  - A second clause 4.6 request relates to public transport access under the Seniors SEPP, noting that the non-compliance (relating to the grade of the route of pedestrian access) will be temporary until the bus routes are updated to reflect the new Airds development.
  - The building is ADG and SEPP 65 compliant. It includes extensive landscaped area with 31 parking spaces for 31 units.
- Council summary:
  - Proposal will be considered at Design Review Committee meeting on 29 October 2021.
  - Preliminary review raised concerns re access to Creigan Road and basement level parking
  - An applicant meeting was held on Wednesday 27 October to highlight Council's concerns regarding the driveway access point for the development to Creigan Road. Council has raised major concerns with the current design noting flooding of basement, Creigan Road being a major overland flow path, no provision of flood management measures in the current design and that the development involves an 'at risk community'. The meeting highlighted further investigation was required.
- Public exhibition is yet to occur.
- Council is yet to undertake a complete assessment of the application; the application is yet to be considered by the Sydney Western City Planning Panel and therefore future comment will not be limited to the detail contained within this Record.

## KEY ISSUES IDENTIFIED FOR CONSIDERATION

- Access consultant will report in relation to public transport access provisions under the Seniors SEPP.

- SEPP 55: there is minor contamination which will be addressed as part of the development.
- The main civil engineering issue relates to the volume of water carried by the adjacent Creigan Road, with a risk of flooding to the development and its basement carpark. That issue is the subject of ongoing discussions with the Council. Flood risk is of particular concern given that the development will cater to the aged and infirm.
- The Council expects that some redesign may be likely and has delayed exhibition for that reason. Once those aspects of the design are resolved, exhibition will commence.

## **DESIGN REVIEW COMMITTEE REFERRAL**

The DA is yet to be considered by the Design Review Committee because of potential for redesign.

The Panel Chair (while acknowledging the generally high quality of the presentation and materials of the building) identified the presentation of the building to the South consideration as an issue for comment by the Design Review Committee.

## **REFERRALS**

### Internal

Council's civil engineer is considering flooding

### External

- Sydney Water (response outstanding)
- Endeavor Energy (response outstanding)

No particular delays are expected.

## **KEY ISSUES IN RELATION TO PUBLIC EXHIBITION**

Exhibition dates anticipated to be 14/11/21 - 17/12 /21 (subject to resolution of the flooding issue and the potential for redesign)

There are two privately owned dwelling houses to the east which are most likely to be affected by the proposal.

**DA LODGED:** 16 SEPTEMBER 2021

**RFI REQUEST ISSUED:** 23 AUGUST 2021 (ANSWERED 11 OCTOBER 2021)

**TENTATIVE PANEL BRIEFING DATE:** NOVEMBER 2021

**ESTIMATED COMPLETED ASSESSMENT REPORT DATE:** 25 FEBRUARY 2022

**ANTICIPATED DETERMINATION DATE:** MARCH 2022

Note: The above dates may be required to be pushed out with notification commencing in December to be pushed to end of January 2022 to cover the forthcoming Christmas and New Year period. The assessment then is likely to be completed in March 2022 and determination likely to be April 2022.

The above is dependent upon the revised plan package.

## Attachment 4 Sydney Western City Planning Panel Record of Briefing



Planning  
Panels

### RECORD OF BRIEFING SYDNEY WESTERN CITY PLANNING PANEL

#### BRIEFING DETAILS

BRIEFING DATE / TIME	Friday, 10 December 2021, 11:00am and 12:00pm
LOCATION	Teleconference

#### BRIEFING MATTER(S)

PPSSWC-191 – Campbelltown City Council – 2635/2021/DA-SL – 22 & 20 Karingal Place and 49 & 55 Creigan Road, Bradbury 62560 – Construction of a part two and part three storey seniors living development comprising 31 independent living units and 31 parking spaces including provision of communal gardens, landscaping site services, stormwater infrastructure and ancillary site works.

#### PANEL MEMBERS

IN ATTENDANCE	Justin Doyle (Chair), Nicole Gurrans and Sue Francis
APOLOGIES	Darcy Lound, George Griess and Ben Gilholme
DECLARATIONS OF INTEREST	Louise Camenzuli: Conflicted in LAHC development applications

#### OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Belinda Borg and Alex Long
APPLICANT REPRESENTATIVES	Cameron Yates, Daniel Covarrubias, BBC Planner, Robert Puflett, Fouad Habbouche and Emmanuel Igbokwe
OTHER	Melissa Felipe – Panel Secretariat

#### KEY ISSUES DISCUSSED

Overall the Panel were impressed with the sophistication of the architecture of the proposal, and would like to see the attention to architectural detailing in the DA scheme carried through to the built project.

The Panel notes the positive feedback from the Design Review Panel.

The Panel would hope to see an access consultant report in relation to public transport access provisions under the Seniors SEPP which might address the existing path of travel pending the anticipated new public transport links, noting the 4.6 request in that regard.

Careful attention is needed to the 4.6 variation request noting the importance of applying the development standard consistently. The Panel noted that there are a number of site-specific features of the property and a high level of design. The justification should focus on the objectives of the development standard that have been recognised in Court consideration of the instrument.

The Panel noted that the applicable height limit included a dimensioned height and storey limit. Both would seem to require attention in the variation request.

#### Planning Panels Secretariat

4PSQ 12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022, Parramatta NSW 2124 | T 02 8217 2060 |  
[www.planningportal.nsw.gov.au/planningpanels](http://www.planningportal.nsw.gov.au/planningpanels)

**Attachment 5**  
**Design Excellence Panel Meeting Minutes**



**CAMPBELLTOWN CITY COUNCIL**

**Minutes Summary**

**Campbelltown Design Excellence Panel Meeting held at 9:30am on  
Friday 29 October 2021**

<b>Panel Members</b>	<b>Michael Stott</b>	<b>Chair</b>
	<b>Lynne Hancock</b>	<b>Member</b>
	<b>Matthew Taylor</b>	<b>Member</b>

<b>Council staff</b>	<b>Rana Haddad</b>	<b>Coordinator CBD</b>
	<b>Belinda Borg</b>	<b>Coordinator Urban Release</b>
	<b>Alex Long</b>	<b>Senior Development Planner</b>

1. **Acknowledgement of Land**  
An Acknowledgement of Land was presented by the Chairperson Michael Stott
2. **Declaration of Interest**
3. **Agenda Items**

**Item 4.1 – Airs Seniors Housing Submission**

<b>General Comments from the Panel</b>	
<b>1.</b>	The Panel agreed that there has clearly been a great deal of thought put into the design response as provided. However, the Panel feel there are still a few opportunities that could significantly enhance the general health and well-being of the future residents and add to the overall design quality and community building potential of the proposed development.





CAMPBELLTOWN

Specific Issues/comments identified by the Panel in relation to:	
<ul style="list-style-type: none"> <li>- <b>Architectural Design</b> <ul style="list-style-type: none"> <li>a. <b>Functionality</b></li> <li>b. <b>Aesthetic</b></li> <li>c. <b>Material</b></li> <li>d. <b>Facades</b></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- The introduction of a pergola structure over a portion of the common open space is strongly recommended.</li> <li>- The introduction of shared amenities (communal bbq, exercise equipment, etc.) in the common open space is recommended.</li> </ul>
<ul style="list-style-type: none"> <li>- <b>Urban Design</b> <ul style="list-style-type: none"> <li>a. <b>Human Scale</b></li> <li>b. <b>Integration with The Surrounding Environment</b></li> <li>c. <b>Overall Aesthetic</b></li> <li>d. <b>Fit</b></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- Boundary separation to the north need to adequately address potential privacy concerns and overlooking from direct neighbours".</li> <li>- The Panel highly encourages further efforts to maximise neighbour interaction by removing the inner wall surrounding the individual unit gardens. Removing the inner wall separating each unit's private open space and the property boundary wall and increasing soft landscaping is strongly recommended.</li> </ul>
<ul style="list-style-type: none"> <li>- <b>Landscaping</b></li> </ul>	<ul style="list-style-type: none"> <li>- Recommend exploring reducing the planting around the lift lobbies to create small informal incidental community gathering areas.</li> <li>- Increasing the soil depths to the planters should be considered; the depth of soil to the planter boxes will allow the plants to better thrive and require less watering.</li> <li>- Low maintenance gardens and beds are preferred.</li> <li>- Recommend creating further opportunities for informal interactions and spontaneous gatherings to create a sense of place and community.</li> </ul>
<ul style="list-style-type: none"> <li>- <b>Heritage ( If Relevant)</b></li> </ul>	N/A
<ul style="list-style-type: none"> <li>- <b>Streetscape</b></li> </ul>	<ul style="list-style-type: none"> <li>- Further exploration of DDA compliant access gates for the southern units to activate the street edge should be explored.</li> <li>- Recommend the introduction of seat walls or informal seating on the outside edge of the property.</li> <li>- Street wall and development heights are suitable for the future character of the community, adjacent properties and road edge.</li> <li>- The Panel feels that there is an opportunity to consider including large canopy trees along the verge.</li> </ul>
<ul style="list-style-type: none"> <li>- <b>Solar Access</b></li> </ul>	N/A
<ul style="list-style-type: none"> <li>- <b>Privacy</b></li> </ul>	N/A
<ul style="list-style-type: none"> <li>- <b>Lighting/Natural/Artificial</b></li> </ul>	N/A
<ul style="list-style-type: none"> <li>- <b>Ventilation</b></li> </ul>	N/A
<ul style="list-style-type: none"> <li>- <b>Wind</b></li> </ul>	N/A
<ul style="list-style-type: none"> <li>- <b>Sustainable Design</b></li> </ul>	None indicated

Specific Actions Required	
1. Architectural Design	As indicated above
2. Urban Design	As indicated above
3. Landscaping	As indicated above
4. Heritage ( if relevant)	N/A
5. Streetscape	As indicated above
6. Solar Access	N/A
7. Privacy	As indicated above
8. Lighting/natural/artificial	N/A
9. Ventilation	N/A
10. Wind	N/A
11. Sustainable Design	None indicated

Is the overall Design:

- Acceptable with minor changes

**Attachment 6  
Sydney Water**



1 December 2021

Our Ref: 161578, 188265

**Alexandra Long**  
Campbelltown City Council  
PO Box 57, Campbelltown NSW 2560  
cnr@campbelltown.nsw.gov.au

**RE: Development Application 2635/2021/DA-SL at 22 Karingal Place, Bradbury**

Thank you for notifying Sydney Water of DA 2635/2021/DA-SL at 22 Karingal Place, Bradbury, which proposes a two- to three-storey seniors living development comprising 31 independent living units and 31 parking spaces as a part of the Airds Bradbury renewal area. Sydney Water has reviewed the application based on the information supplied and provides the following comments to assist in planning the servicing needs of the proposed development.

**Water Servicing**

- Potable water servicing should be available via a 100mm uPVC watermain (laid in 2001) on Karingal Place or a 150mm CICL watermain (laid in 1974) on Creighan Road.
- Adjustments or amplifications to the potable water network may be required complying with the Water Services Association of Australia (WSAA) code – Sydney Water edition.

**Wastewater Servicing**

- Wastewater servicing should be available via a 150mm VC wastewater main (laid in 1974) within the property boundary.
- Adjustments or amplifications to the wastewater network may be required complying with the Water Services Association of Australia (WSAA) code – Sydney Water edition.

This advice is not formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application. More information about the Section 73 application process is available on our web page in the [Land Development Manual](#).

Further advice and requirements for this proposal can be found in Attachments 1 & 2. If you require any further information, please contact Thomas Mudgway of the Growth Planning team at [urbangrowth@sydneywater.com.au](mailto:urbangrowth@sydneywater.com.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read "K. Leitch", with a stylized flourish extending from the end.

**Kristine Leitch**  
Commercial Growth Manager  
City Growth and Development, Business Development Group  
Sydney Water, 1 Smith Street, Parramatta NSW 2150



**Attachment 7**  
**Endeavour Energy**

Endeavour Energy		
Completed by:	Easement Management Region:	Decision
Cornelis Duba	Central	Approve (with conditions)
Reason(s) for Conditions / Objection (If applicable)		
<ul style="list-style-type: none"> <li>An extension or augmentation of the existing local electricity network will be required to facilitate the proposed development.</li> <li>Statement of Environmental Effects, Section 2.7 'Infrastructure and Site Services' indicates a 315 kilovolt-ampere (kVa) substation will be provided as part of the development which as shown in the below extract of the Architectural Plans is located to the north eastern Creigan Road frontage.</li> <li>Generally it is the Level 3 Accredited Service Provider's (ASP) responsibility (engaged by the developer) to make sure that the substation location and design complies with Endeavour Energy's standards the suitability of access, safety clearances, fire ratings, flooding etc. As a condition of the Development Application consent Council should request the submission of documentary evidence from Endeavour Energy confirming that satisfactory arrangements have been made for the connection of electricity and the design requirements for the substation, prior to the release of the Construction Certificate / commencement of works.</li> <li>Endeavour Energy is urging applicants /customers to engage with an Electrical Consultant / ASP prior to finalising plans to in order to assess and incorporate any required electricity infrastructure. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.</li> </ul>		

Yours faithfully  
 Cornelis Duba  
 Development Application Specialist  
 Sustainability & Environment  
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