

PLANNING ASSESSMENT REPORT

DA Number	2020/2022/DA-CW
Reporting Officer	Donna Clarke - Landmark Planning Pty Ltd
Proposed Development	Proposed five storey commuter car park and associated landscaping and civil works
Property Description	Lot 245 DP 1222763, Farrow Road, Campbelltown
Applicant	Mr Brett Sperling
Owner	Campbelltown City Council
Date of Date Lodgement	10 June 2022
Cost of Works	\$18,133,817
Number of Submissions	Nil
List of all Relevant Section 4.15 matters of the Environmental Planning and Assessment Act, 1979	<ul style="list-style-type: none"> • State Environmental Planning Policy (Planning Systems) 2021 • Roads Act 1993 • State Environmental Planning (Transport and Infrastructure) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Precincts - Western Parkland City) 2021 • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • Campbelltown Local Environmental Plan 2015 • Campbelltown (Sustainable City) Development Control Plan 2015 • Campbelltown 2032
Recommendations	Approval

1. Executive Summary/ Purpose

Council is in receipt of a development application for the construction of a five storey commuter car park and associated landscaping works at Lot 245 DP 1222763, Farrow Road, Campbelltown.

The subject site is zoned SP2 Infrastructure under Campbelltown Local Environmental Plan 2015, and the accompanying Land Zoning Map indicates "Car Park".

The SP2 Infrastructure allows as a permissible use *"The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose"*. The proposed carpark is permitted on the site as it is consistent with the objectives of the SP2 Infrastructure zone.

The application has been publicly exhibited and notified to adjoining and nearby properties between 16 June 2022 and 8 July 2022. No submissions were received in response.

As part of the assessment of the development, Transport for NSW and Transport for NSW (Sydney Trains) were consulted and raised no objection.

The site is owned by Campbelltown City Council and due to the capital investment value of the proposal being over \$5 million, the proposal is referred to the Western Sydney City Planning Panel for determination.

An assessment under Section 4.15 of the Environmental Planning and Assessment Act 1979 has been undertaken and the application is recommended for approval, subject to the recommended conditions.

2. Site and Surrounds

The site is identified as Lot 245 DP 1222763, Farrow Road, Campbelltown. The site is a corner allotment located on the north-eastern and north-western side of Farrow Road.

The site has an area of 17,110m² and is flat in nature. The property is owned by Campbelltown City Council.

The site is currently utilised as an on-grade commuter carpark, with no structures other than fencing and lighting.

The site is immediately adjacent to the railway lines to the south-east and Campbelltown Station; additional on-grade car parking and industrial buildings to the south-west; a drainage channel (Bow Bowling Creek) and industrial uses to the north-west; and vacant industrial land to the north-east. A roundabout is in existence on the corner of the site.

The property is not listed as an item of Environmental Heritage, and is not located within a heritage conservation area.

The Deposited Plan indicates the presence of an 'Easement to Drain Water' in the north-western corner of the lot.

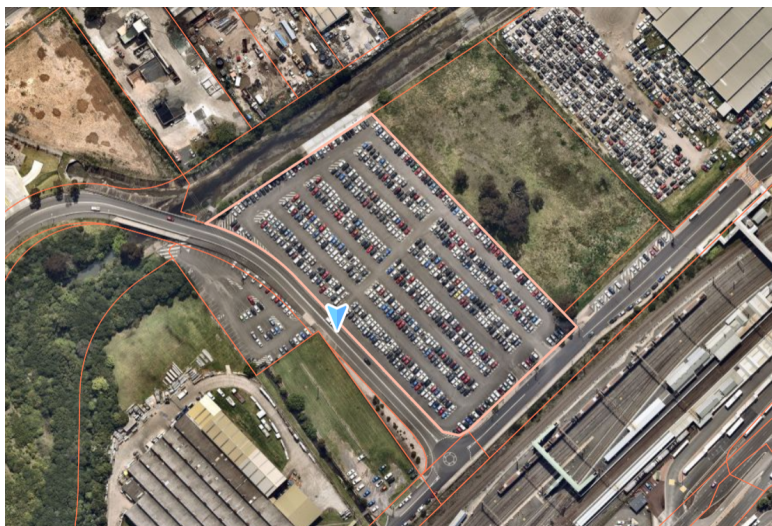


Figure 1: Locality map.

Relevant History

The site is currently utilised as an on-grade commuter carpark and owned by Campbelltown City Council. The site is identified as operational land.

Application History

Below is a brief summary of the application chronology:

- Lodged 10 June 2022.
- Notification and Exhibition between 16 June 2022 and 8 July 2022, with no submissions received.
- Design Excellence Panel meeting held on 15 September 2022.
- Response received from Transport for NSW (Sydney Trains) received on 1 July 2022.
- Response received from Transport for NSW received on 7 July 2022.
- Inception Briefing to Sydney Western City Planning Panel held on 11 July 2022, who encouraged building design incorporating EV charging and noted consistency with character of the locality would be important.
- Request for Information Letter sent to the applicant on 20 October 2022. The key items related to:
 - Changes required to DRAINS model for the stormwater runoff.
 - Swept paths for the largest vehicle accessing the site and confirming whether Council garbage vehicles will be required to access the site.
 - Swept path for internal vehicular circulation.
- Response from Applicant received 31 October 2022 to Council's request for information letter and amended the plans to add light poles to upper level and increase parapet.

Referrals

Referrals were undertaken to the following internal departments of Council and external bodies.

- Building Surveyor
- Development Engineer
- City Works Section (Street Landscaping)
- Property Section
- Transport for NSW
- Transport for NSW (Sydney Trains)

3. Site Constraints Table

Site Constraints	Applicable to this site
Bushfire Prone Land	N
Flood Affected	Y
Overland flow affected	N
Mine Subsidence	N
Noise Affected Property	N
Aboriginal Sensitivity Zone	N
Koala Habitat	N
Jemena Gas Line	N

Transgrid Electrical Easement	N
Easements	Y
Tree Removal	Y
Biodiversity Impacts	N
Heritage Item	N

4. Proposal

The proposed health facility includes the construction of a five storey commuter car park and associated landscaping works. The proposal includes the following:

- 5 storey multi-level structure comprising 508 car spaces and 427 at grade, with a total of 935 spaces;
- A courtyard style design with a central landscaped area to the multi-storey commuter car park structure;
- An entry lobby with lift access to all floors on the corner of Farrow Road;
- New main driveway of New Farrow Road;
- Remove one existing driveway to Farrow Road;
- Perimeter landscaping works;
- Removal existing retaining walls to the corner of Farrow Road;
- Accessible footway around the perimeter of the site; and
- Removal of four (4) trees (Trees 1, 2, 3 and 4).

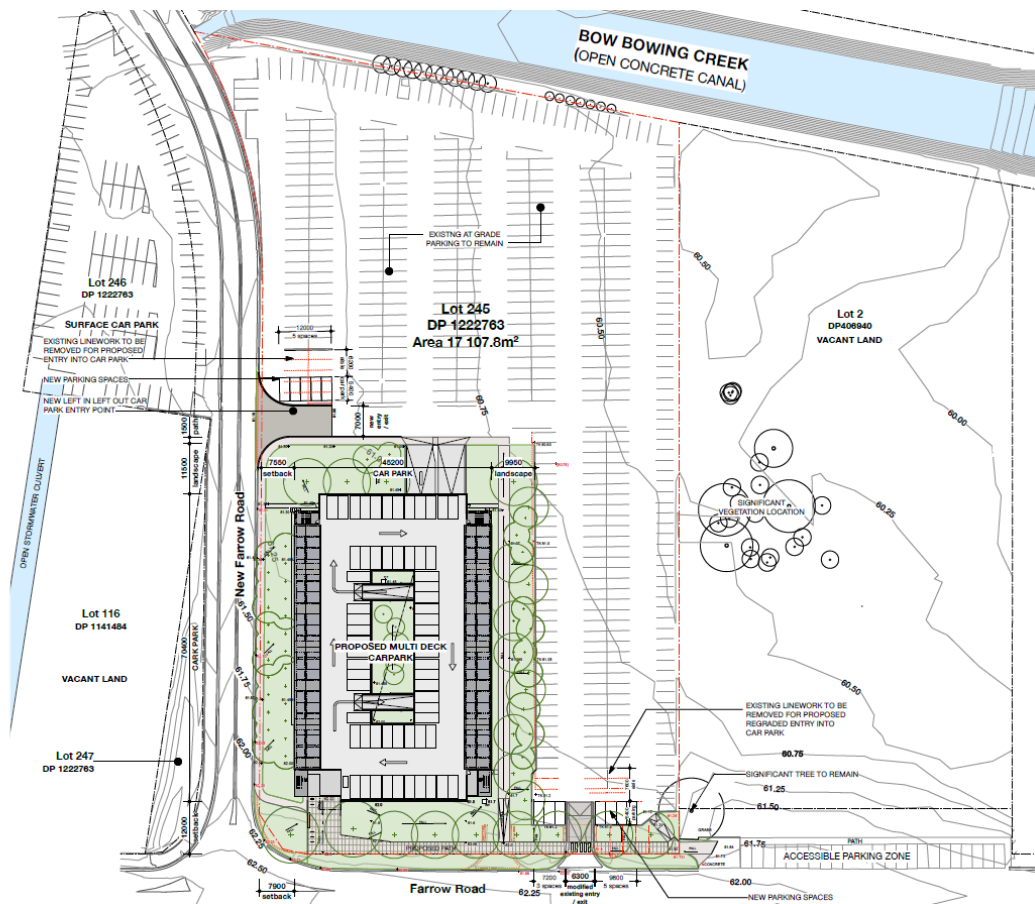


Figure 2: Site Plan of the proposed development.



Figure 3: Photomontage

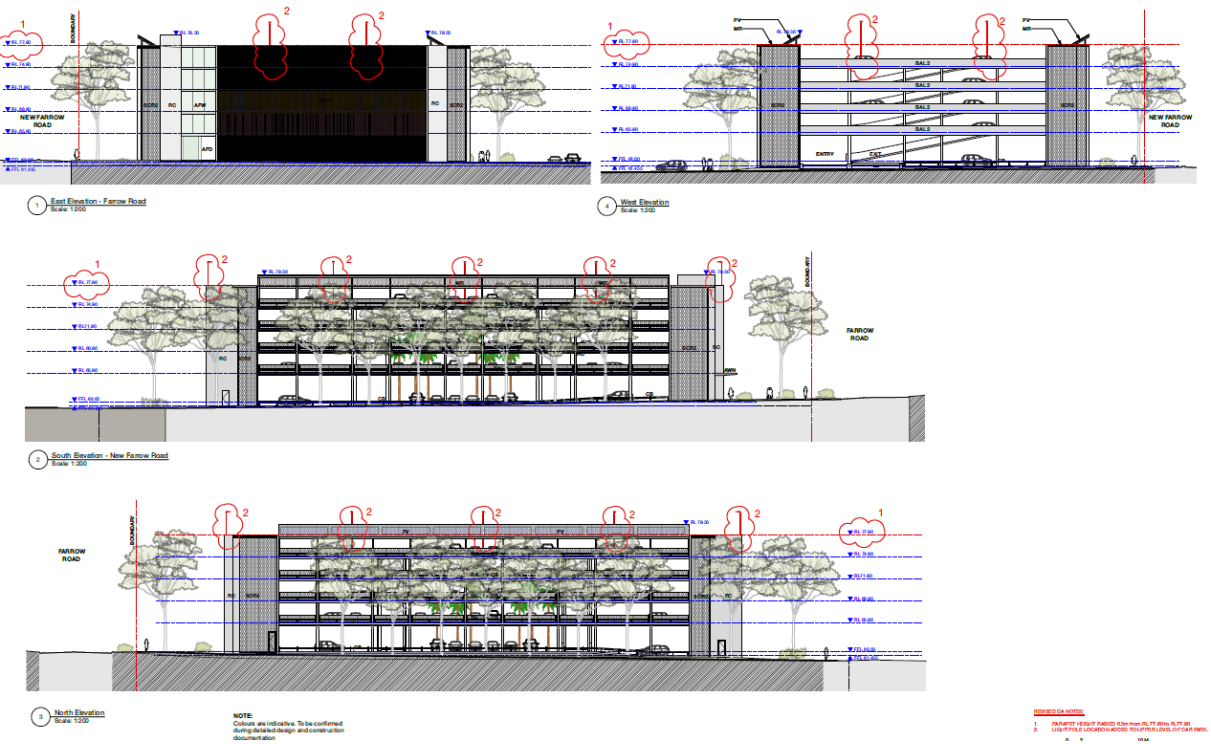


Figure 4: Elevations

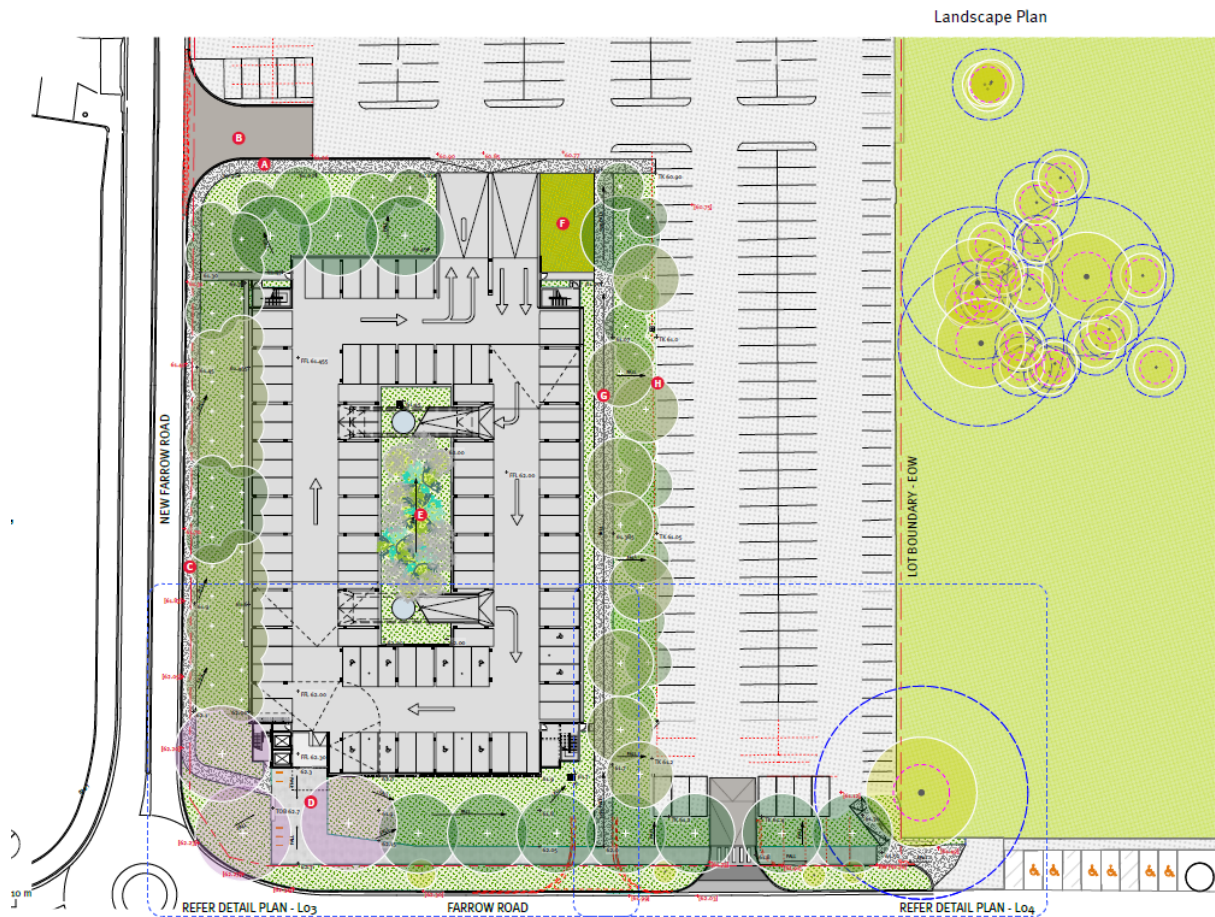


Figure 5: Landscape Plan

Vision

Campbelltown 2032

Campbelltown 2032 is the Community Strategic Plan for the City of Campbelltown. The Strategic Plan addresses 4 key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years:

The purpose of the CSP is to identify the community's main priorities and aspirations for the future and to plan an approach to achieve these goals. The CSP has been structured to address four key outcomes that Council and other stakeholders will work to achieve. These outcomes are:

- Outcome 1: Community and Belonging
- Outcome 2: Places for People
- Outcome 3: Enriched natural Environment
- Outcome 4: Economic Prosperity
- Outcome 5: Strong Leadership

Outcome 2 is the most relevant and the proposed development would assist in achieving this outcome.

The proposed development provides for achieving this outcome through providing a larger commuter carpark which encourages public transport usage.

5. Planning Assessment

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.

5.1 Section 4.15(1)(a)(i) The provisions of any environmental planning instrument

Roads Act 1993

Section 138 of the Roads Act 1993 requires consent to carry out a work in, on or over a public road. The proposal would utilise Farrow Road. This road feed directly into the nearby Blaxland Road, which is a classified road.

The application was referred to Transport for NSW and for review and raised no objection to the proposal and provided no comments.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Rail Corridor Excavation

Clause 2.98 of State Environmental Planning Policy (Transport and Infrastructure) 2021 relates to excavation near a railway corridor and states:

2.98 Development adjacent to rail corridors

- (1) This section applies to development on land that is in or adjacent to a rail corridor, if the development—
- (a) is likely to have an adverse effect on rail safety, or
 - (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or
 - (c) involves the use of a crane in air space above any rail corridor, or
 - (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.

Note—

Section 2.48 also contains provisions relating to development that is within 5 metres of an exposed overhead electricity power line.

- (2) Before determining a development application for development to which this section applies, the consent authority must—

- (a) within 7 days after the application is made, give written notice of the application to the rail authority for the rail corridor, and
- (b) take into consideration—
 - (i) any response to the notice that is received within 21 days after the notice is given, and
 - (ii) any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.

- (3) Despite subsection (2), the consent authority is not required to comply with subsection (2)(a) and (b)(i) if the development application is for development on land that is in or adjacent to a rail corridor vested in or owned by ARTC or the subject of an ARTC arrangement.

- (4) Land is adjacent to a rail corridor for the purpose of this section even if it is separated from the rail corridor by a road or road related area within the meaning of the Road Transport Act 2013.

The application was originally referred to Transport for NSW (Sydney Trains) under Clause 2.98, for works near the rail corridor.

Transport for NSW (Sydney Trains) have issued concurrence and advised:

"TfNSW (Sydney Trains) advises that the proposed development has been assessed in accordance with the relevant Transport for NSW Assets Standard Authority standards and Sydney Trains requirements. To ensure that the proposed development is undertaken in a safe manner it is requested Council impose the conditions provided in Attachment A".

Development on Classified Road

Clause 100 of State Environmental Planning Policy (Transport and Infrastructure) 2021 relates to development on a classified road. The proposal does not have direct frontage to a classified road. Farrow Road feeds directly into the nearby Blaxland Road, which is a classified road.

Traffic Generating Development

Clause 2.122 of State Environmental Planning Policy (Transport and Infrastructure) 2021 relates to road noise and vibration and states:

2.122 Traffic-generating development

- (1) This section applies to development specified in Column 1 of the Table to Schedule 3 that involves—
 - (a) new premises of the relevant size or capacity, or
 - (b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.
- (2) In this section, relevant size or capacity means—
 - (a) in relation to development on a site that has direct vehicular or pedestrian access to any road (except as provided by paragraph (b))—the size or capacity specified opposite that development in Column 2 of the Table to Schedule 3, or
 - (b) in relation to development on a site that has direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access (measured along the alignment of the connecting road) is within 90m of the connection—the size or capacity specified opposite that development in Column 3 of the Table to Schedule 3.
- (3) A public authority, or a person acting on behalf of a public authority, must not carry out development to which this section applies that this Chapter provides may be carried out without consent unless the authority or person has—
 - (a) given written notice of the intention to carry out the development to TfNSW in relation to the development, and
 - (b) taken into consideration any response to the notice that is received from TfNSW within 21 days after the notice is given.
- (4) Before determining a development application for development to which this section applies, the consent authority must—
 - (a) give written notice of the application to TfNSW within 7 days after the application is made, and
 - (b) take into consideration—
 - (i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and
 - (ii) the accessibility of the site concerned, including—
 - (A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and
 - (B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and
 - (iii) any potential traffic safety, road congestion or parking implications of the development.
- (5) The consent authority must give TfNSW a copy of the determination of the application within 7 days after the determination is made.

Having regard to Schedule 3, the proposal triggers the requirements for referral under Schedule 3 of the SEPP due to the development being a car park containing greater than 200 car parking spaces with access to any road. The application was referred to Transport for NSW, who have

reviewed the submitted information and raised no objection to the proposal and provided no comments.

Accordingly, State Environmental Planning Policy (Transport and Infrastructure) 2021 is satisfied.

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 aims to provide a statewide planning approach to the remediation of contaminated land. In particular the policy aims to promote the remediation of contaminated land in order to reduce the risk of harm to human health or any other aspect of the environment.

State Environmental Planning Policy (Resilience and Hazards) 2021 requires the consent authority to consider whether the subject land of any development application is contaminated.

State Environmental Planning Policy(Resilience and Hazards) 2021

Requirement	Action	Response
Clause 4.6(1) 1. Is the development for a change of use to a sensitive land use or for residential subdivision? Sensitive land use include residential, educational, recreational, child care purposes or hospital.	a. Check if the DA proposes a new childcare centre, residential accommodation or residential subdivision.	Not applicable.
	b. If the DA is for a dwelling (including dual occupancies and secondary dwellings) on lots subdivided as part of a residential subdivision consent issued after 28/8/1998 then you should answer no to this question.	Not applicable.
Clause 4.6(1) 2. Is Council aware of any previous investigation or orders about contamination on the land?	a. Is there any property information for any evidence of contamination information?	A search of Council's records for evidence of potentially contaminating activities was undertaken. No evidence was found of contaminating land activities having occurred on the land.
	b. Check for contamination information and planning certificates linked to the property.	A search of planning certificates linked to the property was undertaken. No evidence was found of contaminating land activities having occurred on the land.
Clause 4.6(1) 3. Do existing records held by Council show that a contaminating land activity has occurred on the land?	a. Check the approval for any potentially contaminating uses have been approved on the site.	A search of previous contaminated land uses approved on the site was undertaken. No evidence was found of approved contaminated land activities having occurred on the land.
Clause 4.6(1) 4. Has the land previously been zoned for potentially contaminating uses?	a. Check if the land is currently zoned, or was zoned under the previous LEP, Rural, Industrial or Special Purposes for a contaminating use.	The current and previous planning controls do not allow for potentially contaminating uses.

State Environmental Planning Policy(Resilience and Hazards) 2021

Requirement	Action	Response
	NB: if the proposal is industrial then you should answer no to this question.	
Clause 7(1) 5. Is the land currently being used for a potentially contaminating use or is there any evidence of a potentially contaminating use on site?	a. Conduct site inspection to check for any obvious signs on the site or adjoining land of an industrial use, underground storage tanks, land filling, agriculture, chemical storage, dumping or unregulated building demolition (especially fibro material).	No evidence of potentially contaminated signs were present on site when the site was inspected.

In accordance with clause 4.6(2) of the SEPP Resilience and Hazards, a Detailed Site Investigation for Contamination report prepared by Douglas Partners Pty Ltd of the land was provided, including soil and vapour sampling and it was concluded that no further investigations or remediation works are warranted, and the site is considered suitable for the proposed multi deck carpark development.

Accordingly, State Environmental Planning Policy (Resilience and Hazards) 2021 is satisfied.

State Environmental Planning Policy (Precincts - Western Parkland City) 2021

Growth Centres

The aims of Chapter 3 of this plan are to co-ordinate the release of land for residential, employment and other urban development uses across the North-West Growth Centre, the South-West Growth Centre, the Wilton Growth Area and the Greater Macarthur Growth Area.

The Site is located within the boundaries of the Greater Macarthur Growth Area, and is therefore subject to the provisions of SEPP WPC. Clauses 3.21 and 3.22 of SEPP WPC are relevant to the application and are discussed below.

SEPP WPC does not include a precinct plan for the Greater Macarthur Growth Area, and therefore Clause 3.21 of SEPP WPC is to be considered. In this regard, the Campbelltown Precinct Plan released under the Glenfield to Macarthur Urban Renewal Corridor Strategy (which is not a Precinct Plan for the purposes of the SEPP WPC but is rather a structure plan) indicates that the Site would be used for "*High Density Residential (7 storeys and over)*". This implies that a future residential zoning would apply.

The current use of the site is for the purposes of a commuter carpark. The proposal maintains this use and provides additional parking to accommodate the demand from commuters and to encourage greater public transport use.

Campbelltown Precinct Plan identifies a high demand for commuter carparking and as the proposed development is for a multi-storey carpark on only a portion of the site, there would be opportunity in the future for redevelopment of the remainder of the site, or additional levels above the carpark, should the site be rezoned for residential purposes. The proposed development would be consistent with the relevant precinct planning strategy.

Wind Turbine Buffer

The subject site is also identified as being located within the Wind Turbine Buffer Zone Map, within 30kms of the airport. Clause 4.20 of the SEPP prohibits works including wind turbines; however this form of works are not proposed by this application. Clause 4.20 of the SEPP relates to development that would penetrate the prescribed air space for the airport and be a 'controlled

activity'. The proposed development neither penetrates the prescribed air space, nor is it a controlled activity, therefore not triggering any additional considerations under this clause.

Accordingly, State Environmental Planning Policy (Precincts - Western Parkland City) 2021 is satisfied.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The site on which the development is proposed 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) 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 State Environmental Planning Policy (Biodiversity and Conservation) 2021, and is therefore considered acceptable in this regard.

State Environmental Planning Policy (Biodiversity and Conservation) 2021 works together with the Biodiversity Conservation Act 2016 and the Local Land Services Amendment Act 2016 to create a framework for the regulation of clearing of native vegetation in New South Wales. The site contains land mapped on the Biodiversity Values (BV) Map; however this area is along the north-western boundary, away from the proposed works. An Arborist Report was also provided, which indicates that four trees (Trees 1, 2, 3 and 4) are unable to be retained as they will be significantly impacted by the proposed works. Tree 5 on the adjoining land is to be protected by tree protection fencing and all other remaining trees, other than weeds, will remain.

Accordingly, State Environmental Planning Policy (Biodiversity and Conservation) 2021 is satisfied.

Campbelltown Local Environmental Plan 2015

The site is zoned **SP2 Infrastructure** under the Campbelltown Local Environmental Plan 2015. In accordance with the provisions of the CLEP 2015, 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 provisions for **SP2 Infrastructure** are:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To encourage activities involving research and development.
- To optimise value-adding development opportunities, particularly those associated with research.
- To provide for the retention and creation of view corridors.
- To preserve bushland, wildlife corridors and natural habitat.
- To maintain the visual amenity of prominent ridgelines.

The SP2 Infrastructure allows as a permissible use “The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose”. The proposed carpark is permitted on the site as it is consistent with the objectives of the B4 Mixed Use zone by providing infrastructure whilst protecting the visual amenity from prominent ridgelines.

An assessment against the relevant clauses of the Campbelltown Local Environmental Plan 2015 is provided below:

Provision	Comment	Compliance
4.3 Height of Buildings	The site does not have a height restriction under the LEP. The surrounding land has a height restriction of 19m. The proposed building has a height of 17.8m, which is below the height limit on adjoining lands.	Yes
4.4 Floor space ratio	The site and surrounding area are not subject to floor space ratio controls.	Yes
5.21 Flood Planning	The Proposal has been designed to not have any adverse impacts on flood hazards and as such is considered to be satisfactory. In this regard, conditions have been recommended regarding finished floor levels for the lower level of the car park.	Yes
5.10 Heritage	The property is not listed as an item of Environmental Heritage, and is not located within a heritage conservation area.	Yes
7.1 Earthworks	<p>The proposed development includes the removal of four trees and minimal earthworks to facilitate the proposed development. The proposed development is not envisaged to include filling works given the presence of the existing sealed at grade carpark.</p> <p>The objectives of this clause are to ensure that required earthworks will not have a detrimental impact on environmental functions and processes. It is considered that the proposed works would not adversely impact on environmental functions and processes, subject to standard conditions of consent being applied in regard to sediment control.</p>	Yes

7.2 Flood Planning	<p>This clause aims to reduce the flood risk to life and property, allow development on land that is compatible with the land's flood hazard and avoid significant adverse impacts on flood behaviour and the environment. The proposed development has been designed to not have any adverse impacts on flood hazards that would impact upon life or property and as such is considered to be satisfactory.</p> <p>The application as accompanied by a flood report given the flood affectation due to proximity to the drainage channel adjacent. An external Flood Engineer has reviewed the Flood Report and considers the proposal to be satisfactory with respect to flooding. In this regard, conditions have been recommended regarding finished floor levels for the lower level of the car park.</p>	Yes
7.4 Salinity	<p>Pursuant to Clause 7.4 of CLEP 2015, development consent must not be granted unless the consent authority is satisfied that :</p> <p>a. the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>b. if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>c. if that impact cannot be minimised—the development will be managed to mitigate that impact.</p> <p>The proposed development has been designed to minimise the disturbance of the existing ground levels, where possible.</p>	Yes
7.10 Essential Services	<p>This clause ensures that development consent is not granted to development unless the consent authority is satisfied that essential services such as the supply of water, the supply of electricity, the disposal and management of sewage, stormwater drainage or on-site conservation, suitable road and vehicular access and telecommunication services are available. All required essential services are available to the site and can be extended to the proposed development.</p>	Yes
7.13 Design Excellence	<p>Pursuant to Clause 7.13 of CLEP 2015, development consent must not be</p>	Yes

	<p>granted unless the consent authority has had regard to the following matters within the clause regarding a high standard of architectural design.</p> <p>The application was reviewed by the Design Excellence Panel after lodgement and was deemed acceptable with no changes. The Panel were supportive of the different façade treatments & forest strategy especially to enhance Bow Bowling Creek. The Panel made the following comments:</p> <ul style="list-style-type: none">• Architectural Design - Considered appropriate for this location and context. A good example of this building typology.• Urban Design - Well integrated into the surrounding environment, with a good aesthetic and related human scale.• Landscaping - The landscape provides an appropriate response to urban greening and the proposed future character of the area. The combination of canopy trees to the street frontages, clear sightlines for CPTED reasons and the internal planting will mature over time.• Streetscape - well considered.• Solar Access - well considered.• Lighting/natural/artificial - well considered.• Ventilation - well considered.• Wind - well considered.• Sustainable Design - well considered with allowance for future adaption. <p>The external façade is of a contemporary design that is appropriate with the streetscape and public domain and appropriate for the form of land use. The proposed building is located on a corner and provides an attractive appearance from the road and adjoining public places including the train station.</p> <p>The proposed development does not impact any significant view corridors.</p> <p>The proposed development is consistent and proposed uses and is permissible</p>	
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	<p>within the zone. There are no heritage items within the proximity of the site.</p> <p>The design of the building is consistent with the future expectation of the area and zoning. The building design and presentation is what is expected from the area, close to the centre of Campbelltown.</p> <p>The proposed development has given due consideration the environmental impacts and the principles of ecologically sustainable development.</p> <p>The proposed development would not adversely impact on the existing pedestrian networks surrounding the site. The proposed development provides car parking that is sufficient to the development requirements.</p> <p>The proposed development and associated landscaping would assist to provide an appropriate streetscape setting and associated public domain of the land.</p> <p>The proposed development addresses the public domain to create visual interest through architectural features, changes in building materials and landscaping.</p> <p>The proposed landscaping enhances the streetscape and integrates well to compliment the built form.</p>	
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5.2 Section 4.15(1)(a)(iii) The provisions of any development control plan

Campbelltown Sustainable City Development Control Plan 2015

Part 2 of the SCDCP 2015 aims to reduce the resultant environmental impacts of all development proposed within the Campbelltown Local Government Area.

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
Part 2 Requirements Applying to all Types of Development			
2.3 Views and Vistas	a)Development shall appropriately respond to Campbelltown's important views and vistas to and from public places.	No important views or vistas will be impacted upon by this proposal.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
		As part of the site visit, the visibility of the site from nearby industrial properties and the station was considered and given the presence of existing vegetation, separation by busy roads, proposed landscaping and the distance, the proposed building is unlikely to be highly visible.	
	b) District views and existing significant view corridors as viewed to and from public places shall be protected	As above.	Yes
2.4.1 Rain Water Tanks	a) In addition to satisfying BASIX, residential development is encouraged to provide a rain water tank for new buildings	N/A	N/A
2.4.2 Natural Ventilation	a) The design of new buildings shall be encouraged to maximise opportunities for cross flow ventilation, where practical, thus minimising the need for air conditioning.	N/A	N/A
2.4.3 BASIX	A BASIX certificate is to be submitted with residential development in accordance with the SEPP (Building Sustainability Index) 2004.	N/A	N/A
2.5 Landscaping – Design Requirements	a) Landscape design shall enhance the visual character of the development and complement the design/use of spaces within and adjacent to the site.	The landscape plan submitted seeks to enhance the landscape character of the site and assists in softening built form, with particular attention paid to the structure and around the building.	Yes
	b) Landscape design shall retain and enhance the existing native flora and fauna characteristics of a site wherever possible.	The proposal includes the removal of four trees where unavoidable and retains other established trees. Replacement planting will be provided to the site as part of the landscape scheme.	Yes
	c) Landscape design shall add value to the quality and character of the streetscape.	The applicant has submitted a landscape plan prepared by a landscape architect, the plan includes substantial	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
		landscaping to all frontages with a variety of trees, shrubs and ground covers.	
	d) A Landscape Concept Plan is required to be submitted with a development application.	A landscape plan was provided.	Yes
	e) 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.	The landscape plan details the mature height and species. The plan was prepared by Site Image, who are landscape architects.	Yes
	f) Landscaping shall maximise the use of locally indigenous and other drought tolerant native plants and avoid the use of invasive species.	The plant species selected is consistent with the Native Gardening Guide for Campbelltown Local Government Area, which includes locally indigenous and drought tolerant plant species.	Yes
2.7 Erosion and Sediment Control - Design Requirements	a) An Erosion and Sediment Control Plan shall be prepared and submitted with a development application proposing construction and/or activities involving the disturbance of the land surface.	The applicant has submitted an erosion and sediment control plan in support of the proposed development. The submitted plan satisfies the requirements of the SCDCP and the plan will be endorsed as a consent document, as well as conditions of consent.	Yes
2.8 Cut, Fill and Floor Levels	a) A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	A Cut and Fill Management Plan is not necessary.	Yes
	b) For any dwellings within residential zones, the maximum level of cut shall not exceed 1.0 metres below the ground level (existing) and the maximum level of fill shall not exceed 1.0 metre above ground level (existing), when measured at any corner of the building platform.	N/A	N/A
	d) Development incorporating any cut or fill shall comply with the following requirements:	The applicant has provided a cut and fill plan.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	i) minimum cross fall of 1% to any adjoining waterway; and ii) batters to be no steeper than i2H:1V ('H' stands for the term 'horizontal distance' and 'V' stands for the term 'Vertical distance'; iii) batters to be no steeper than 6H:1V for public areas.		
	e) All fill shall be 'Virgin Excavated Natural Material' (VENM).	The proposed development does not include importation of fill to the site.	N/A
	f) No fill shall be deposited in the vicinity of native vegetation.	Conditions have been recommended with respect to the four trees being retained to ensure any construction, including fill, does not damage the trees, including Tree 5 on the adjoining site.	Yes
2.10.2 Stormwater – Design requirements	a) All stormwater systems shall be sized to accommodate the 100-year ARI event (refer to Section 4 of Council's Engineering Design Guide for Development available from Council's website at www.campbelltown.nsw.gov.au).	The stormwater management plan was designed in accordance with the Engineering Design Guide. The application was referred to Council's Development Engineer, who review the proposal and recommended relevant conditions of consent.	Yes
2.10.3 Stormwater Drainage – Design requirements	a) A stormwater Drainage Concept Plan shall be prepared by a suitably qualified person, and submitted with all development applications, involving construction (except for internal alterations/fitouts), demonstrating to Council how the stormwater will be collected and discharged from the site.	The plan was prepared by a suitably qualified engineer.	Yes
	b) The stormwater concept plan shall include the following information as a minimum: i) locations, layouts and sizes of stormwater pipes and pits; ii) minimum grades and capacity of stormwater pipes; and	The stormwater management plan includes the required information.	Yes

		Campbelltown (Sustainable City) Development Control Plan 2015	
Part	Requirement	Proposed	Compliance
	iii) existing and proposed easements, site contours and overland flow path/s.		
2.12 Retaining Walls – Design requirements	a) Any retaining wall that is not complying or exempt development as specified in the E&CDC shall be designed by a suitably qualified person.	Retaining wall structures are not proposed and if required will form part of a separate application. Existing retaining walls are being removed within the frontage of the site to accommodate pathways.	N/A
2.13 Security – Design requirements	a) Development shall be designed to maximise, where possible, casual surveillance opportunities to the street and surrounding public places.	<p>The applicant has addressed crime prevention in the Statement of Environmental Effects submitted to Council, including surveillance, access control, territorial reinforcement and activity management.</p> <p>The proposed development includes landscaping, lighting, CCTV and security devices to prevent crime on the property.</p> <p>A pedestrian network is proposed to ensure easy access to the entry of the building from the road and the car parking area is required to be well lit at night during operating hours. The building is regular in its shape with controlled points of entry to the building. Further, access will be monitored by the future owners are likely to have a regular maintenance plan in place for the building and landscaping.</p>	Yes
2.15.1 Waste Management Plan – Design requirements	a) A detailed 'Waste Management Plan' (WMP) shall accompany development applications for certain types of development/land uses, as detailed in Table 2.15.1 and for any other development that in the opinion of Council a WMP is required.	The applicant has submitted a waste management plan which addresses operational waste management. All waste will be collected by a private contractor. The location of waste and recycling is indicated on the plans, within the ground floor layout.	Yes

The proposal is generally consistent with Part 2 of the SCDCP2015 and as such should be positively considered in this regard.

Part 6 – Commercial Development

Given the absence of specific provisions with SCDCP2015 relating to carparks, consideration has been given to Part 6 – Commercial Development and the following comments made:

- Section 6.4.2 of SCDCP 2015 requires *“Above ground multi- level car parking structures shall be designed so as to integrate with the surrounding built form, incorporate design methods and architectural form that compliments and adds value to the character of the local area”*. The design of the development has been located on the site in such a way, so as to reduce the overall visual bulk of the building and includes appropriate elements for a corner site. The proposed building design includes horizontal and vertical changes in the materials and colours at several intervals along the building to give the perception of articulation along the façade and is screened by landscaping. A detailed Landscape Plan has been submitted.
- The main entry to the carpark is visible and is easily identifiable and directly accessible from the drop off area, car park or footpath network on the street.
- The plans do not indicate that any roof mounted equipment will be visible.
- No outside storage or display is proposed.
- The development is setback from the street frontages.
- All parking will be provided in accordance with the Australian Standards. On-site manoeuvring has been designed to ensure that all vehicles can enter and exit the site in a forward direction at all times. A Traffic Impact Assessment supported the application. The report was reviewed by Council’s Engineer. Appropriate conditions have been recommended. It is appropriate that the Traffic Impact Assessment address the required car parking and a merit assessment be undertaken.
- Section 6.4.2 of SCDCP 2015 requires *“Carparks must be developed with the infrastructure required for electric vehicle charging”*. The application does not specifically indicate such infrastructure; however a condition of consent is recommended in this regard.
- Section 6.4.2.6 of SCDCP 2015 requires design of car parking to take into consideration the principles of Crime Prevention Through Environmental Design. The application included Security Plans which includes CCTV throughout the carpark.
- An access report prepared by BCA Access was submitted with the application to demonstrate the proposal is capable of achieving compliance with the Building Code of Australia and the Disability Discrimination Act 1992.

Part 11 – Vegetation and Wildlife Management

The proposed development has four trees (Trees 1, 2, 3 and 4) which are proposed to be removed.

An Arborist Report prepared by Earthscape Horticultural Services accompanied the application and states:

“The proposed development will also necessitate the removal of one (1) tree of low retention value, being T4 (Water Gum). This tree is not considered significant or worthy of special measures to ensure its preservation. The removal of this tree to accommodate the proposed development is therefore considered warranted in this instance. It should be noted that this tree is located within the adjoining road reserve (Farrow Road).

A further two (2) trees, not adversely affected by the proposed development, have also been recommended for removal. These include Tree No.s T26 (Honey Locust) and T27 (Chinese Hackberry), both being Environmental Weed Species (refer to Section 5.2.3) and in poor health and condition.

The proposed development will also necessitate the removal of three (3) trees of moderate retention value. These include Tree No.s T1, T2 & T3 (Water Gum). It should be noted that all of these trees are

located within the adjoining road reserve (Farrow Road). These trees are not considered significant, but are in good health and condition and make a fair contribution to the amenity of the site and streetscape. In order to compensate for loss of amenity resulting from the removal of these trees to accommodate the proposed development, consideration should be given to replacement planting with new trees elsewhere within the road reserve in accordance with Section 11.

The existing car park and adjacent pedestrian pavements within the TPZ of T5 (Forest Red Gum) will largely be maintained intact at existing grades, with a portion of the existing car park pavement and curved section of retaining wall to the south of the tree to be demolished and returned to soft landscape, resulting in a reduction in the present encroachment. This work will not result in any adverse impact on this tree, provided that all such demolition works within the TPZ are carried out in accordance with Section 10.8.

A new pedestrian pathway/ramp and associated batter are proposed to be installed within the footprint of the existing car park to the south of T5 (Forest Red Gum). This will necessitate some excavation and placement of engineered fill for the pavement sub-grade within the TPZ. However, as these works are located within the footprint of the existing pavement (to be demolished), the proposed works will not result in any actual incursion to the root zone and therefore this work will not result in any adverse impact on this tree. As a precautionary measure, any required excavation for the new pavement sub-grade within the TPZ should be carried out in accordance with Section 10.9.

New power and communications (comms) cables are proposed to be installed within the TPZ of T5 (Forest Red Gum), extending from the existing outdoor Electrical Distribution Board (EDB) located approximately 4 metres to the south-west of the tree, to the proposed new multi-level car park building. This will necessitate some open trenching to a depth of approximately 500mm within the TPZ, wholly within the footprint of the existing asphalt car park. This work will not result in any adverse impact on the subject tree, provided that all open trenching for the power and comms conduits within the TPZ are undertaken using non-destructive excavation methods in accordance with Section 10.9

A temporary sediment fence is proposed to be installed within the TPZ of T5 (Forest Red Gum) as part of the Sediment and Erosion Control Plan. The present section detail (refer Northrop Dwg. C1100[02]) indicates the lower section of the geotextile to be embedded in the ground by trenching and backfilling. Trenching within the TPZ at the proximity proposed may result in severance of woody roots of this tree, leading to an adverse impact. In order to avoid any adverse impact on T5, the lower section of the geotextile should be placed on top of the existing ground surface and covered with fill not exceeding 300mm deep (or similar alternative method to avoid trenching within the TPZ) to hold the geotextile in place.

No other trees will be adversely affected by the proposed development. "

Compliance with the recommendations of the Arborist Report have been included as recommended conditions of consent.

5.3 Section 4.15(1)(a)(iia) The provisions of any Planning Agreement

The proposed development is not subject to the provisions of a planning agreement pursuant to Section 7.4 of the Environmental Planning and Assessment Act 1979.

5.4 Section 4.15(1)(a)(iv) The provisions of the Regulations

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

5.5 Section 4.15 (1)(b) The Likely Impacts of the Development

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 likely impact of the development has been considered extensively in the assessment of the proposed development against the relevant controls. The proposal is suitable having regard to its context, impact upon the natural and built environment and surrounding land uses. The proposal is likely to have a positive social and economic impact and is suitably located in proximity to a main road, as well as the train station and CBD.

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

- The site has been reviewed in terms of contamination and deemed suitable for the proposed use.
- The acoustic impacts of the proposed development have been considered. There is currently no restriction on the hours of operation of the carpark and operates 24 hours a day, which is expected given its location adjacent to the train station. This application does not propose to alter the hours of operation. Given the location of the site adjacent to the train lines, station and industrial land, and distance to residential dwellings, adverse noise impacts from the proposal are not envisaged.
- The design of the development allows for a high level of casual surveillance and assists with activating a disused site. The four principles of Crime Prevention Through Environmental Design being surveillance, access control, territorial reinforcement and space management have been incorporated into the design of the building and surrounding, including the car parking to ensure a safe site for all users at all times of day and night.
- An extensive review with respect to stormwater, drainage and flooding, as well as traffic and vehicular access has been undertaken by Council's Engineers .
- The location of the carparking structure on the site and surrounded on two sides by roads and a drainage channel on the third, ensures no loss of views, sunlight, privacy or amenity impacts.
- Lighting is proposed to the carpark, which is warranted from a safety perspective. Given the distances from residential dwellings, no adverse impacts are expected from the proposed lighting.
- Essential services including water, electricity and telecommunication services are available to the site.
- There are no heritage values on the site or surrounding.
- The design and siting of the buildings is considered responsive to the site attributes and the development is responsive to the desired character of area in accordance with the zone objectives. The Panel at its briefing noted consistency with character of the locality would be important. The proposed development and associated landscaping would assist to provide an appropriate streetscape setting and associated public domain of the land. There is no clear character of the area given the CBD location, zoning for industrial, vacant land and the current use of the site as a commuter carpark. The Planning Principles do not require sameness for character, but rather for the development to be harmonious. The proposed multi-storey carpark provides a hard structure in a landscaped setting to enhance the visual appearance from the street. This is not too dissimilar to the recently constructed Bunnings store nearby and sets the desired character for the surrounding industrial land.
- The external appearance of the building is consistent with that expected from a multi-level carpark, with a landscaping scheme proposed to soften the built form and provide

an aesthetically pleasing development. Overall, the development has been well thought out and is a good planning outcome and contributes positively to the surrounding area.

- The proposed development has incorporated a wide variety of façade treatments and materials which are consistent with what one would expect from a similar type of development and the external façade is of a contemporary design that is appropriate with the streetscape and public domain.
- No threatened ecological communities or threatened flora and fauna species have been recorded and no native Plant Community Types or threatened ecological communities will be impacted by the proposed works. No suitable habitat was available for any threatened flora species or any threatened fauna species was found. The assessment concluded that the biodiversity offset scheme is not triggered by the proposed development.
- Appropriate waste management measures are proposed.
- Green energy measures have been incorporated into the proposed building, including EV charging (via recommended condition of consent) and planting on the central area of the building.
- The construction phase of the development has the potential to generate short term environmental impacts through the generation of dust, noise and vibration. 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.

5.6 Section 4.15(1)(c) The suitability of the development

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 development.

The design and siting of the buildings is considered responsive to the site attributes and the development is responsive to the desired character of area in accordance with the zone objectives.

It is considered the proposed development is of a scale and design that it is suitable for the site. The proposal responds well to site conditions in terms of its size, shape, topography and relationship to the surrounding area.

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

5.7 Section 4.15(1)(d) Any Submissions

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

The application has been publicly exhibited and notified to adjoining and nearby properties between 16 June 2022 and 8 July 2022. No submissions were received in response.

5.8 Section 4.15(1)(e) Public Interest

The proposed development has addressed the requirements of the relevant planning instruments and development controls including the objectives of the zone. The proposed development has demonstrated that the site is suitable for the proposed development.

Referrals

Building Surveyor

The proposed development was referred to Council's Building Surveyor, who reviewed the proposed development and imposed conditions of consent.

Development Engineer

The proposed development was referred to Council's Development Engineer, who reviewed the proposed development and imposed conditions of consent.

City Works Section (Street Landscaping)

The proposed development was referred to Council's City Works (Street Landscaping) section, who reviewed the proposed development and imposed conditions of consent.

Property Section

The proposed development was referred to Council's Property section, who reviewed the proposed development and imposed conditions of consent.

Transport for NSW

The application with referred to Transport for NSW for review and raised no objection to the proposal and provided no comments.

Transport for NSW (Sydney Trains)

The application with referred to Transport for NSW (Sydney Trains), and a response was received which indicated concurrence and imposed conditions of consent.

In address the above, Council is satisfied that the proposal is in the interest of the public.

6.0 Developer Contributions

Section 7.11 development contributions are applicable to the proposed development as specified by Campbelltown Local Infrastructure Plan 2018. Accordingly, a condition of consent has been recommended.

7.0 Conclusion

The subject development application 2020/2022/DA-CW proposing the removal of four trees and construction of a five storey commuter car park and associated civil and landscaping works at Lot 245 DP 1222763, Farrow Road, Campbelltown has been assessed under the heads of Section 4.15 of the Environmental Planning and Assessment Act 1979.

The proposed development is consistent with the general intent of Campbelltown 2025 – *Looking Forward* which outlines the long term vision for the Campbelltown and Macarthur Region. The proposed use is a permissible use being a carpark is consistent with the objectives of the SP2 Infrastructure zone.

No submissions were received during the notification period.

In assessing the Development Application against the development standards and objectives, with appropriate conditions the proposal satisfied the requirements under Section 4.15 of the Environmental Planning and Assessment Act 1979, and the relevant matters discussed within this

report, it is considered appropriate that the development be approved, subject to the recommended conditions of consent in Attachment 1.

8.0 Recommendation

- 1.** That 2020/2022/DA-CW proposing the removal of four trees and construction of a five storey commuter car park and associated civil and landscaping works at Lot 245 DP 1222763, Farrow Road, Campbelltown be approved subject to the attached conditions as detailed in Attachment 1.