

**BRIEFING REPORT FOR SYDNEY WESTERN CITY PLANNING PANEL – 7 November 2022**

<b>Panel Reference</b>	PPSSWC - 263
<b>DA Number</b>	3142/2022/DA-SL
<b>LGA</b>	Campbelltown
<b>Proposed Development</b>	Construction of a part 2 and part 3 storey seniors living development comprising 31 independent living units and 21 off street parking spaces including the provision of 8 disabled spaces and including communal gardens, landscaping, site services, stormwater infrastructure and associated ancillary site works.
<b>Street Address</b>	Lot 73 in 255809, Lot 1 in DP 12522939 and Lots 205 & 206 in DP 1043192; Riverside Drive, AIRDS  To be known as Lot 4112 in DP1240452
<b>Applicant</b>	NSW Land and Housing Corporation
<b>Date of DA Lodgment</b>	06 September 2022
<b>Pre DA Meeting</b>	22 February 2022
<b>Design Excellence Panel Meeting</b>	21 April 2022
<b>Kick Off Briefing</b>	26 September 2022
<b>Number of Submissions</b>	Exhibition and notification commenced 09/09/2022 and concluded 10/10/2022.  No submissions received
<b>Regional Development Criteria</b>	Development that has a capital investment value of more than \$5 million (\$17.6 million)
<b>Assessing Officer</b>	Alexandra Long - Senior Development Officer Airds/Bradbury, Claymore

## **1. Introduction**

Council is in receipt of a development application for the construction of a part 2 and part 3 storey seniors living development comprising 31 independent living units and 21 off street parking spaces including the provision of 8 disabled spaces and including communal gardens, landscaping, site services, stormwater infrastructure 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 Housing SEPP 2021 and the SEPP prevails to the extent of any inconsistency with CLEP 2015.

The Airds Bradbury Urban Renewal Project (ABURP) comprises the long term urban rejuvenation of the Airds Bradbury public housing estate in the Campbelltown Local Government Area (LGA) by NSW Land and Housing Corporation in accordance. The ABURP is the subject of a Concept Plan approval issued by the Minister for Planning (the Minister) pursuant to Part 3A (transitional arrangements) of the Environmental Planning and Assessment Act 1979. Director General Requirements (DGRS) were issued for the project on 10 December 2010 and Campbelltown City Council was delegated the authority to undertake the environmental assessment of the Concept Plan. The environmental assessment was undertaken between June 2011 and December 2011; culminating in a Council resolution to support the project at the Council meeting of 13 December 2011 and further updated on 3 July 2012.

A Concept Plan approval was subsequently issued by the Minister on 24 August 2012, followed by a Section 75R (3A) Order on 24 May 2013 which amended the zoning of the project land to be consistent with the approved Concept Approval. The Concept Approval was amended on 22 October 2013 in relation to development contributions, to reference the letter of offer to Council to provide greater certainty regarding the nature of contributions and timing of the delivery of the contributions. The modification also sought to amend the timing for execution of the contributions agreement to Stage 3 of the development. At the time of the Concept Plan approval, the Airds Bradbury estate comprised approximately 1,542 dwellings, built during the 1970s and early 1980s. Of these, 94% are in public ownership, with only 91 dwellings privately owned. The ABURP 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.

In accordance with Schedule 7 of the State Environmental Planning Policy (State and Regional Development) 2011, the application shall be determined by the Sydney Western City Planning Panel as the development application has a capital investment value of more than \$5 million (\$16.7 million).

## **2. Design Excellence Panel**

The application was presented to the Design Excellence Panel on 21 April 2022. The following general comments were provided:

- The Panel agreed that there has clearly been a great deal of thought put into the design response as provided. However, the Panel feels 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 multiple pedestrian entries are noted as a positive outcome.
- That the architectural expression to the streetscape should follow more the conceptual sketches presented with playful voids in the walls giving eyes to the street and not appear too defensive.
- There has been good consideration of the site planning with central open space facilitating a sense of place for community congregation, identity and a safe place.

(Meeting Minutes at Attachment 2)

### 3. Kick Off Briefing

The application was presented at a Kick Off Briefing held 26 September 2022.

The issues identified for consideration were noted as follows:

- Public exhibition is yet to conclude.
- Council is yet to undertake its full application assessment, so this record is not a final list of the issues that Council staff will need to consider in order to draft their recommendation.
- 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.

(Meeting Minutes at Attachment 3)

### 4. Site and Locality

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

The subject site is an irregular shaped parcel of land and has a total area of 3,503m<sup>2</sup> being located within the newly constructed Stage 4 component of the Airds redevelopment.



Figure 1 – Subject site

The site will have a south facing frontage of 34.8m to Road No.402, a west facing frontage of 31.6m to Riverside Drive, and an east facing frontage of 33.6m to Road No.403.

Stage 4 subdivision works was approved under application DA 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. It is noted that the proposed subdivision works have commenced.

## Sydney Western City Planning Panel – Briefing Note

The subject site is located approximately 50 metres from the Airds Village Shopping Centre and approximately 3.5km south east of Campbelltown City Centre.

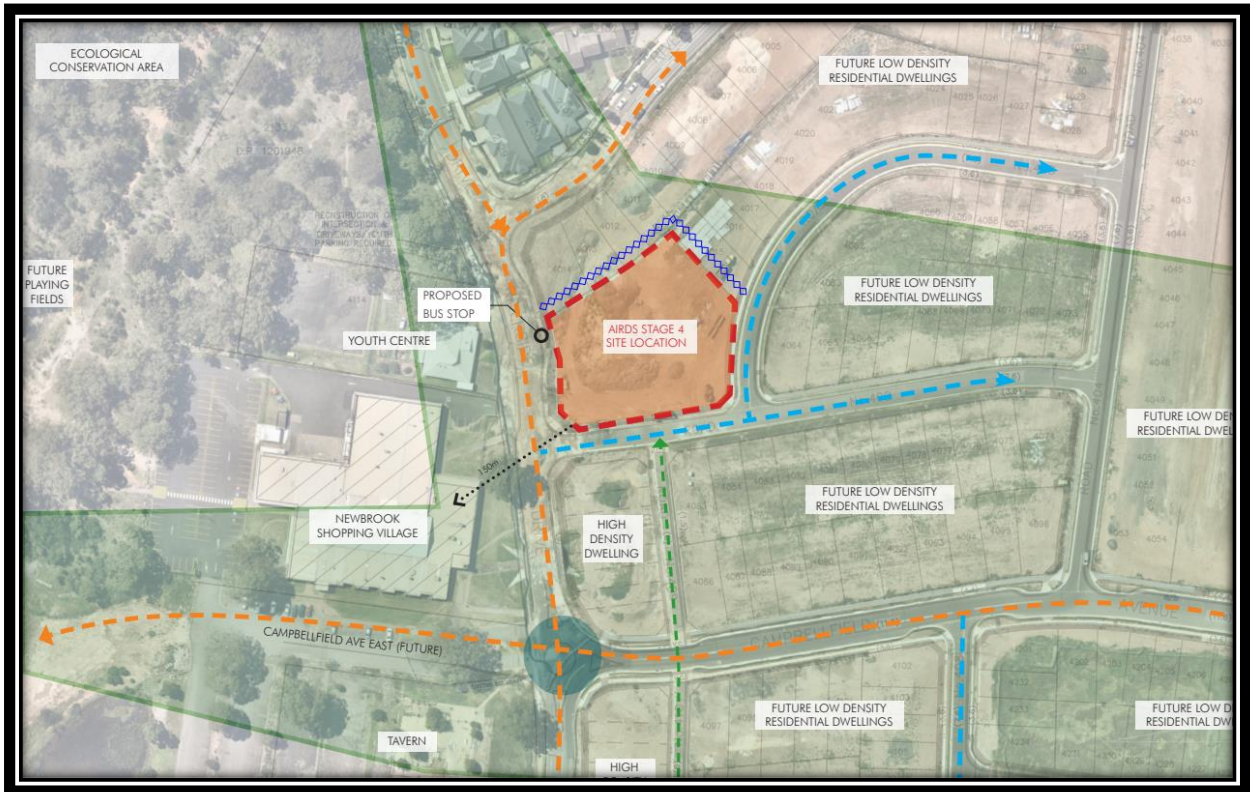


Figure 2 – Site Context

The site comprises of one allotment to be legally described as:

Lot	DP	Details
4112	1240452	Site Area 3,503sqm



Figure 3 – Lot 4112

It is noted that prior to the Stage 4 subdivision application, the site was a component of the following allotments Lot 73 in DP255809, Lot 13 in DP1252939 and Lots 205 and 206 in DP1043192.



The site falls from RL135m at the south east to RL132m at the north west by approximately 3 metres, representing a gradient of approximately 4 per cent. The topography of the site has influenced the design of the development and planning for access. Stormwater will drain to adjoining streets.

The subject site is surrounded by future residential development and the local neighbourhood retail and community facilities.

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

## 5. Airds Bradbury Concept Plan

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

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



Figure 4 - Excerpt from Concept Plan

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.

The site is one such selected site. It is noted that seniors housing was envisaged in the Concept Plan.

## 6. The Proposal

This development application seeks approval for the construction of a part 2 and part 3 storey seniors living development comprising 31 independent living units and 21 off street parking spaces including the provision of 8 disabled spaces and including communal gardens, landscaping, site services, stormwater infrastructure and associated ancillary site works. .



Figure 5 - Artists Impression



Figure 6 - Site Layout

The proposal in more detail comprises the following elements:

### **Basement Level**

- 21 x car parking spaces (including 8 x accessible spaces);
- storage cages;
- fire pump room;
- electrical/comms room;
- fire hydrants;
- Bulky waste room;
- 3 x lift accesses; and
- fire stairs.

### **Ground Floor**

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

### **First Floor**

- 11 x 2 bedroom independent living units;
- private open space areas;
- lift access; and
- fire stairs.

### **Second Floor**

- 9 x 2 bedroom independent living units located within the two southern most buildings;
- private open space areas;
- lift access; and
- Fire stairs.

### **Roof**

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

## Communal Amenities

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

- Communal and living amenities: landscaped gardens, seating areas, pedestrian pathways, stairs, and ramp access.
- Services infrastructure: bin storage and waste areas, fire hydrant, water and gas meters, sprinkler boost system.

## Proposed Unit Mix

Unit Type	Number	Area
2 bedroom	31	77 – 83 m <sup>2</sup>

## 7. Zoning

The site is zoned R2 Low Density Residential under the provisions of Campbelltown Local Environmental Plan 2015.

The objectives of the R2 zone are as follows:

- 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.

It is noted that Seniors housing is prohibited in the R2 zone.

Permissibility for the proposed seniors housing development is sought pursuant to clause 15 of State Environmental Planning Policy (Housing) 2021.

Seniors housing is defined as following:

Seniors housing is 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.

The proposed seniors living housing is consistent with a group of self-contained dwellings.



**8.0 SEPP (Housing) 2021, Division 3 Development Standards****Clause 84 Development Standards General**

	Proposed	Compliance
(1) This section applies to development for the purposes of seniors housing involving the erection of a building.	Construction of a part 2 and part 3 storey seniors living development comprising 31 independent living units and 21 basement parking spaces	Applicable
(2) Development consent must not be granted for development to which this section applies unless—  (a) the site area of the development is at least 1,000m <sup>2</sup> , and	Site Area – 3,503m <sup>2</sup>	Complies  NB: Does not apply as application made by LAHC
(b) the frontage of the site area of the development is at least 20m measured at the building line, and	South facing frontage of 55.6m West facing frontage of 34.3m to Riverside Drive, East facing frontage of 36.4m plus 33.6m (interface to new road)  	Complies  NB: Does not apply as application made by LAHC
(c) for development on land in a residential zone where residential flat buildings are not permitted—the development will not result in a building—  (i) the development will not result in a building with a height of more than 9.5m, excluding servicing equipment on the roof of the building, and	Building Height – exceeds 9.5m, max. height 10.5m proposed.	**Does Not Comply  **Clause 4.6 Variation request accompanies application
(ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m—the servicing equipment complies with subsection (3), and	Not Applicable	Not Applicable
(iii) if the development results in a building with more than 2 storeys—the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.	3 storeys proposed, Setback plane exceeded	**Does Not Comply **Clause 4.6 Variation request accompanies application

(3) The servicing equipment must—  (a) be fully integrated into the design of the roof or contained and suitably screened from view from public places, and	Noted.	Not Applicable
(b) be limited to an area of no more than 20% of the surface area of the roof, and	Noted.	Not Applicable
(c) not result in the building having a height of more than 11.5m.	Noted. The proposal does not exceed 11.5m	Not Applicable,
(4) Subsection (2)(a) and (b) do not apply to development the subject of a development application made by the following—  (a) the Aboriginal Housing Office or the Land and Housing Corporation, (b) another social housing provider.	Noted.	As noted above.

#### **Clause 88 Restrictions on occupation of seniors housing**

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- (1) Development permitted under this Part may be carried out for the accommodation of only the following:
  - (a) seniors or people who have a disability,
  - (b) people who live in the same household with seniors or people who have a disability,
  - (c) staff employed to assist in the administration and provision of services to housing provided under this Part.
- (2) Development consent must not be granted under this Part unless the consent authority is satisfied that only the kinds of people referred to in subsection (1) will occupy accommodation to which the development relates.

#### **Comment**

Noted. Restriction to be imposed.

#### **Clause 90 Subdivision**

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- (1) Development consent may be granted for the subdivision of land on which development has been carried out under this Part.
- (2) Development consent must not be granted for the subdivision of a building resulting from development carried out under this Part on land in Zone R2 Low Density Residential or Zone B3 Commercial Core.

#### **Comment**

No subdivision proposed.

**Clause 93 Location and access to facilities and services—dependent living units**

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- (1) Development consent must not be granted for development for the purposes of an independent living unit unless the consent authority has considered whether residents will have adequate access to facilities and services:
  - (a) by a transport service that complies with subsection (2), or
  - (b) on-site.
- (2) The transport service must:
  - (a) take the residents to a place that has adequate access to facilities and services, and
  - (b) for development on land within the Greater Sydney region:
    - (i) not be an on-demand booking service for the transport of passengers for a fare, and
    - (ii) be available both to and from the site at least once between 8am and 12pm each day and at least once between 12pm and 6pm each day, and
  - (c) for development on land that is not within the Greater Sydney region—be available both to and from the site during daylight hours at least once each weekday.
- (3) For the purposes of subsections (1) and (2), access is adequate if:
  - (a) the facilities and services are, or the transport service is, located at a distance of not more than 400m from the site, and
  - (b) the distance is accessible by means of a suitable access pathway, and
  - (c) the gradient along the pathway complies with subsection (4)(c).
- (4) In subsection (3):
  - (a) a suitable access pathway 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 the like, and
  - (b) the distance is to be measured by reference to the length of the pathway, and
  - (c) the overall average gradient must be not more than 1:14 and the gradients along the pathway must be not more than:
    - (i) 1:12 for a maximum length of 15m at a time, or
    - (ii) 1:10 for a maximum length of 5m at a time, or
    - (iii) 1:8 for a maximum length of 1.5m at a time.
- (5) In this section—

**facilities and services** means—

  - (a) shops and other retail and commercial services that residents may reasonably require, and
  - (b) community services and recreation facilities, and
  - (c) the practice of a general medical practitioner.

**Comment**

It is noted that Airs Shopping Centre is located approximately 50m south west of the site, across Riverside Drive including provision of local community facilities (open space/services etc).



Figure 7- Access

In addition, the applicant has identified a future bus stop within proximity of the site on Riverside Drive. To enable access to Campbelltown CBD and Macarthur Square.

#### Clause 95 Water and Sewer

- (1) A consent authority must not consent to development under this Part unless the consent authority is satisfied the seniors housing will:
  - (a) be connected to a reticulated water system, and
  - (b) have adequate facilities for the removal or disposal of sewage.
- (2) If the water and sewerage services will be provided by a person other than the consent authority, the consent authority:
  - (a) must consider the suitability of the site in relation to the availability of reticulated water and sewerage infrastructure, or
  - (b) if reticulated services are not available—must satisfy the relevant authority that the provision of water and sewerage infrastructure, including environmental and operational considerations, is satisfactory for the development.

#### Comment

The proposed development will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.

#### Division 5 Design requirements

##### Clause 97 Design of in-fill self-care housing

In determining a development application for development for the purposes of in-fill self-care housing, a consent authority must consider the *Seniors Living Policy: Urban Design Guideline for Infill Development*, March 2004, published on the Department's website.

#### Comment

The proposed development has been assessed in regards to *Seniors Living Policy: Urban Design Guideline for Infill Development*, March 2004



### Clause 98 Design of seniors housing

A consent authority must not consent to development for the purposes of seniors housing unless the consent authority is satisfied that the design of the seniors housing demonstrates adequate consideration has been given to the principles set out in Division 6.

#### Comment

The proposed development has taken into consideration the Design Principles as noted within Division 6 (refer below)

### Division 6 – Design Principles

Under the provisions of Division 6 the following Design Principles are applicable:

	Proposed	Compliance
<b>Clause 99 Neighbourhood Amenity and Streetscape</b>		
Seniors housing should be designed to— (a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and	Noted.	Noted.
(b) recognise the desirable elements of— (i) the location's current character, or (ii) for precincts undergoing a transition—the future character of the location so new buildings contribute to the quality and identity of the area, and	Noted.	Airds Urban Renewal Area is undergoing renewal, Stage 4 subdivision works have commenced.
(c) complement heritage conservation areas and heritage items in the area, and	Not Applicable	Not Applicable
(d) maintain reasonable neighbourhood amenity and appropriate residential character by— (i) providing building setbacks to reduce bulk and overshadowing, and (ii) using building form and siting that relates to the site's land form, and (iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and	Noted.	A number of concerns were raised with regard to the original proposal and conveyed to the applicant at pre da stage identifying the building form, height and impact upon the northern boundary adjacent to future low density residential allotments. These matters have been addressed providing a 2 storey interface at the northern boundary, enhanced setbacks to the

		street frontages, articulation of buildings.
e) set back the front building on the site generally in line with the existing building line, and	New subdivision, setbacks generally in accordance with minimum requirements.	Setbacks are noted as follows: Riverside Drive – 6m; Axford Avenue – 4.5m to balconies; Castleton Cres – 6m; Northern boundary – 4.5m; Eastern boundary – 3m for two storey element, 10 m for three storey element.
(f) include plants reasonably similar to other plants in the street, and	Landscape details to be submitted with application.	Airds ISDP requires – Package of works to be undertaken in a strategic koala linkage area to assist in the safe movement of koalas from the Georges River Reserve to the Smiths Creek reserve. Koala feed trees recommended.
(g) retain, wherever reasonable, significant trees, and	Not Applicable	Not Applicable
(h) prevent the construction of a building in a riparian zone.	Not Applicable	Not Applicable
<b>Clause 100 Visual and Acoustic Privacy</b>		
Seniors housing should be designed to consider the visual and acoustic privacy of adjacent neighbours and residents by—  (a) using appropriate site planning, including considering the location and design of windows and balconies, the use of screening devices and landscaping, and	Noted.	Capable of Compliance
(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.	Noted.	Capable of Compliance
<b>Clause 101 Solar Access and design for climate</b>		
The design of seniors housing should— (a) for development involving the erection of a new building—provide residents of the building with adequate daylight in a way that does not adversely impact the	Noted.	The applicant has considered solar access and cross ventilation in the design of the proposal.

amount of daylight in neighbouring buildings, and		
(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation, solar heating and lighting by locating the windows of living and dining areas in a northerly direction.	Noted.	Capable of compliance.
<b>Clause 102 Stormwater</b>		
The design of seniors housing should aim to—  (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		Stormwater will be collected via a series of pits and pipes and conveyed to Council infrastructure in Riverside Drive.
(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.	Noted.	Capable of Compliance
<b>Clause 103 Crime Prevention</b>		
Seniors housing should—  (a) be designed in accordance with environmental design principles relating to crime prevention, and	Noted.	Capable of Compliance
(d) provide personal property security for residents and visitors, and  (c) encourage crime prevention by—  (i) 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 the area, driveway or street, and (ii) providing shared entries, if required, that serve a small number of dwellings and that are able to be locked, and (iii) providing dwellings designed to allow residents to see who approaches their dwellings	Noted.	The safety and security of residents is to be considered in the architectural design of the development.  Surveillance is to be provided throughout the site with the use of effective lighting, appropriate fencing, landscaping, clear identification of the entrances, and avoidance of dark spaces.

without the need to open the front door.		
<b>Clause 104 Accessibility</b>		
Seniors housing should— (a) have obvious and safe pedestrian links from the site that provide access to transport services or local facilities, and	Noted.	An Accessibility report has been provided in support of the application.
(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.	Noted.	Complies
<b>Clause 105 Waste Management</b>		
Seniors housing should include waste facilities that maximise recycling by the provision of appropriate facilities.	3 separate waste storage areas have been provided.	Capable of compliance.

**Clause 108 – Non discretionary development standards for independent living units—the Act, s 4.15**

- (1) The object of this section is to identify development standards for particular matters relating to development for the purposes of independent living units that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.
- (2) The following are non-discretionary development standards in relation to development for the purposes of independent living units:

	Proposed	Compliance
a) no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building,	9.5m Building Height Exceeded, max. building height 10.85m.	<b>**Does Not Comply</b>  Clause 4.6 Variation Request submitted.
(b) servicing equipment on the roof of a building, which results in the building having a height of more than 9.5m— (i) is fully integrated into the design of the roof or contained and suitably screened from view from public places, and (ii) is limited to an area of no more than 20% of the surface area of the roof, and (iii) does not result in the building having a height of more than 11.5m,	Noted	Capable of compliance.



(c) the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,	<p>The proposed development has a total gross floor area of 2408.8m<sup>2</sup>.</p> <p>The applicant has noted a floor space ratio of 0.69:1.</p>	<p><b>**Does Not Comply</b></p> <p>Clause 4.6 Variation submitted</p>
(d) for a development application made by a social housing provider—at least 35m <sup>2</sup> of landscaped area per dwelling,	<p>The Applicant has noted: 1,085m<sup>2</sup> required. 1,825m<sup>2</sup> provided.</p>	Complies.
(e) if paragraph (d) does not apply—at least 30% of the site area is landscaped,	Not Applicable	Not Applicable
(f) a deep soil zone on at least 15% of the site area, where each deep soil zone has minimum dimensions of 3m and, if practicable, at least 65% of the deep soil zone is located at the rear of the site,	<p>The Applicant has noted that 29.4% of the site is classified as deep soil zone.</p>	Complies
(g) at least 70% of the dwellings receive at least 2 hours of direct solar access between 9am and 3pm at mid-winter in living rooms and private open spaces,	<p>The applicant has advised Geometry of the design allows for good ability for solar access, whereby 80% of dwellings receive at least 2 hours of direct solar access between 9am and 3pm at mid-winter in living rooms and private open space areas.</p>	Complies
<p>(h) for a dwelling in a single storey building or a dwelling located, wholly or in part, on the ground floor of a multi-storey building—</p> <p>(i) at least 15m<sup>2</sup> of private open space per dwelling, and</p> <p>(ii) at least 1 private open space with minimum dimensions of 3m accessible from a living area located on the ground floor,</p>	<p>The minimum requirements are complied with.</p>	Complies

<p>(i) for a dwelling in a multi-storey building not located on the ground floor—a balcony accessible from a living area with minimum dimensions of 2m and—</p> <p>(i) an area of at least 10m<sup>2</sup>, or</p> <p>(ii) for each dwelling containing 1 bedroom—an area of at least 6m<sup>2</sup>,</p>	<p>The applicant has advised balconies proposed off the living area and bedroom for all apartments.</p>	<p>Complies</p> <p>Minimum dimensions and sizes are in accordance with minimum requirements.</p>
<p>(j) for a development application made by, or made by a person jointly with, a social housing provider—at least 1 parking space for every 5 dwellings.</p>	<p>21 off street spaces are provided.</p>	<p>Complies</p>

## 9.0 Non Compliances

Non-compliance with the following identified development standards as identified above are noted as follows:

- Maximum building height, the building height development standards in Section 84(2)(c)(i) and the non-discretionary development standard in Section 108(2)(a) of the Housing SEPP;
- Setback; The upper level setback development standard in Section 84(2)(c)(iii) of the Housing SEPP; and
- The FSR non-discretionary development standard in Section 108(2)(c) of the Housing SEPP.

### Height

Clause 108(2)(a) of SEPP (Housing) 2021, Height is identified as follows :

- (a) no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building,

The proposal provides a maximum height of 10.85m.

A clause 4.6 request to vary the height standard has been provided.

### Setbacks/Building plane

Clause 84(2)(c) of SEPP (Housing) 2021 is noted as follows:

- (iii) if the development results in a building with more than 2 storeys—the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.

The applicant has noted that the development has two side or rear boundaries to the north west and north east. The non-compliance as identified is as follows:

- A small part of the corner of bedroom to Unit D02 on Level 3 of Building D which is setback approximately 10 m from the north western boundary;
- The corner of the living room Unit D02 on Level 3 of Building D which is setback approximately 6 m from the north eastern western boundary.

A clause 4.6 request to vary the height standard has been provided.

### **Floor Space Ratio**

Under the provisions of SEPP (Housing) an FSR of 0.5:1 is applicable, whilst under the provisions of Campbelltown LEP 2015, no maximum floor space ratio has been identified with respect to the subject site and its proposed use.

The proposed development has a total gross floor area of 2,408.8 m<sup>2</sup>. This equates to a resultant floor space ratio of 0.69:1 as calculated against the site area of 3,050.7 m<sup>2</sup>.

A clause 4.6 request to vary the fsr has been provided.

## **10.0 External Referral**

### **Sydney Water**

Referral response was received 10 October 2022 noting the following:

#### **Water Servicing**

- Potable water servicing should be available via a 250mm C/CL trunk watermain (laid in 1976) on Riverside Drive.
- Amplifications, adjustments, and/or minor extensions may be required.

#### **Wastewater Servicing**

- Wastewater servicing should be available via a 300mm PVC wastewater main (laid in 1975) within the property boundary.
- Amplifications, adjustments, and/or minor extensions may be required.

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."

### **Comment**

Noted. Standard Section 73 application condition to be imposed.

## **11.0 Internal Referrals**

### **Environment Officer– Landscape Plan**

Awaiting amended Landscape Plan.

### **Development Engineer**

Awaiting comments.

### **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."

### **Specialist Building Officer**

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

"1. A review of the BCA report referenced above revealed that the building design is capable of complying with the provision of the BCA 2019 for Class 2 and 7a subject to recommendations and verification of compliance at CC documentation stage. Details of such are required to be provided to the Principal Certifier for assessment prior to certification.

2. A review of the Access report referenced above revealed that the building design is capable of complying with the revilement provision of the AS 1428.1, 1428.4, 2890.6, 4299, 1735 and Housing SEPP & BCA 2019 for Class 2 and 7a subject to recommendations and verification of compliance at CC documentation stage. Details of such are required to be provided to the Principal Certifier for assessment prior to certification."

### **Waste Officer**

Awaiting comments

### **Strategic Infrastructure/Contributions**

Awaiting comments

### **12.0 Exhibition/Notification**

The proposal has been exhibited/ notified from 09 September 2022 – 10 October 2022.

No submissions have been received to date.

### **13.0 Status of application**

To enable the determination of the Development the following actions need to be completed:

- Awaiting referral response from Sydney Water
- Specialist Officers finalising their comments/recommended conditions
- Awaiting response to RFI requesting an amended Landscape Plan.

### **14.0 Conclusion**

Upon finalisation of outstanding matters as noted above, and as Council has received no submissions to the proposal, an electronic determination is requested upon concurrence to the recommended conditions.

Alexandra Long

**Senior Development Officer Airds/Bradbury, Claymore**



**Attachment 1 – Pre Da Minutes**

**Minutes of Pre Development Application Meeting  
Lot 206 Riverside Drive, Airds  
549/2022/PL-DA**

Held Tuesday 22 February 2022 via Microsoft Teams

Meeting commenced: 1.05pm

**1. Formalities:**

**Attendance:** Belinda Borg, Ziwar Sattouf, Alex Long, Salina Lama, Luis Valarezo, Paul Neville, Cameron Hay, Elly Yuan, Ryan Anderson, Simon Mather, Dan Brindle, Ambrose Marquart, Danielle Lopez and Deborah Gilbert

Belinda Borg points raised and discussed:

- Requested if consultation with Council's traffic section regarding access to the development. Cameron Hay confirmed contacted Iraj Shrestha.
- What is justification to variation of building height, Dan Brindle replied, a number of factors, size of the site is larger than other sites and therefore can be designed to minimise any adverse impacts, its location identified adjacent to a higher density development and nature of the development, environmental ground for development of this nature.
- If this proposal was put to panel the design fails by having walk in access
- Building height
- Floor plan shows 3 stories, not showing 2 stories. Development by public housing is not justification for building height
- The buildings at Claymore have transition not seen in this design
- Road access , does the site comply with RMS guidelines for access and laneway
- More appropriate access to site would be via road 403
- Basement carpark layout, turning circle and traffic movement needs to be addressed, do they comply. Simon Maher confirmed this has been looked at and confident not an issue.
- Concern about movements into and out of car spots proposed, how it will function for the target age group.
- **\* Note will ask engineer about reasoning not supported to have blind isles in proposed car park, as requested by Simon Mather.**
- Concern about 3 different storage garbage areas. Response that consultant recommended 3.
- Communal area to have landscape features including seating and good design elements
- Location of Endeavour Energy padmount station, confirmed is existing already in place, confirmed was part of the subdivision works.
- Areas to be movable and accessible for target age group, architectural design to be considered to adopt easy movability with wheelchairs, walking frames and mobility scooter. Comment made by Simon Mather that due to the different levels of the site the design is impacted.
- Koala linear corridor, what elements have been considered
- Landscape design should contain complementary design
- Will a caretaker be allocated to assist and help with allocating rubbish from street for collection. Council will not go into site for the rubbish collection.
- Balcony sizes and depths are not large enough and should be looked at. Claymore had well dimensioned balconies as a good reference.

- The version 7 proposed design submitted, does it include the changes to the access points, off road 403. No confirmation provided.

Simon Mather presented proposed development:

- Proposed location is across the road from Airds Shopping Centre and Airds Youth Centre, on the corner of Riverside Drive. North of the site is future detached houses and to the south medium density lots proposed.
- 31 units 3 storeys
- 3 of 5 frontages are to a road
- Aiming to provide more communal open space, including planting to provide canopy cover
- Proposed underground parking
- Lifts from basement to units
- Proposed 7 pedestrian entries into the complex
- 2 -3 dwellings per floor proposed
- Driveway entry proposed off the eastern side being highest point of the site, not favourable
- Another driveway entry option for access across from proposed road/lane 409, however potential traffic issues identified. A more favourable location for the driveway would be the eastern side running along proposed road 402.
- This location for entry would allow for a good location for the basement parking and try to preserve as much deep soil as possible.
- Geometry allows for good ability for solar access. Achieving 3 hours solar access to 70% , 100% on 2 hours sunlight and 100% natural ventilation
- Breezeway between apartments allows for easy access throughout, allows for good air circulation and natural light
- Section of apartments located in building “A” would be 2 story and therefore walk up entry.
- Pathways between all buildings all join up and have ramps that are compliant
- Balconies proposed off the living area and bedroom for all apartments
- The proposed height is above 9.5 metres from the ground surface
- The off sets are close to being compliant

Dan Brindle from BBC Consulting:

- Referred to new legislation under the housing SEPP that is going to come into place, which will have some non compliances that will be addressed under clause 4.6
- Referred to DCP in regards to setbacks, residential flat buildings in R4 zone
- Regards to seniors policy

Alex Long:

- Iraj Shrestha confirmed he gave information to consultant that the access point must be moved to comply with RMS standards
- Blind isle in the proposed car park will not be supported by Council
- Minimum depth and size requirements for the balconies should be looked at individually and not split, should be per balcony.

Cameron Hay:

- Confirmed Iraj Shrestha had requested that the access be made away from the laneway which is what has been done. Noted this change was not shown to Iraj Shrestha.
- Connection to lower area to look at design to create better access, suggested ramp possibly

Meeting concluded: 2.05pm

## Attachment 2 - Design Excellence Panel Meeting Minutes



(Additional Meeting Requested by the applicant)

**Campbelltown Design Excellence Panel Meeting held at 8:30am on**

**Thursday 21 April 2022**

Panel Members	Matthew Taylor	Chair
	Lynne Hancock	Member
	Iain Stewart	Member

Council staff	Rana Haddad	Coordinator Urban Renewal and Industry
	Alex Long	Senior Development Officer Airds/Bradbury, Claymore

Applicant/ Architect/Owner /Planner	Salina Lama Ryan Anderson Danielle Lopez Simon Mather of MAKO Architecture Erin Owens - MAKO Architecture <i>(note this list was prepared passed on the information obtained from the Teams meeting attendance list and as such may not be inclusive)</i>
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### 1. Acknowledgement of Land

**An Acknowledgement of Land was presented by the Chairperson**

### 2. Declaration of Interest

*Declaration of interests were sent prior to the meeting via emails and no interests was declared by any of the panel members.*

### 3. Agenda Items

#### Item 4.1 – Airds Stage 4 Seniors Living

General Comments from the Panel	
1.	The Panel agreed that there has clearly been a great deal of thought put into the design response as provided. However, the Panel feels 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.
2.	The multiple pedestrian entries are noted as a positive outcome
3.	That the architectural expression to the streetscape should follow more the conceptual sketches presented with playful voids in the walls giving eyes to the street and not appear too defensive
4.	There has been good consideration of the site planning with central open space facilitating a sense of place for community congregation, identity and a safe place



<b>Specific Issues/comments identified by the Panel in relation to:</b>	
<b>1. Architectural Design</b> <b>a. Functionality</b> <b>b. Aesthetic</b> <b>c. Material</b> <b>d. Facades</b>	<p>The use of brick as the main building material is a positive outcome with the fin walls providing a sense of place and identity that also divide the overall architectural composition of the proposal to align with the scale of the surrounding proposed dwellings. The design approach of a “defensible” outer skin is not encouraged (to the extent illustrated to date) and can be mitigated by the comments below in the further treatment of the fins with voids/windows that allow for informal observation of the street encouraging a sense of belonging and community to the overall area.</p>
<b>2. Urban Design</b> <b>a. Human scale</b> <b>b. Integration with the surrounding environment</b> <b>c. Overall aesthetic</b> <b>d. Fit</b>	<p>The scale and massing of the proposal is appropriate: Building upwards and freeing up the ground plane is totally fitting for the site and surroundings with the proximity of the shopping centre and access to the bus route.</p> <p>The green heart to the development is a positive outcome, and there is also potential to strengthen this by extending green fingers from outside in, using the entry pathways as natural connections and maintaining visual connection from courtyard out; minimising the area of overhead lift bridge connections will assist in this regard. The division of bin storage into three separate locations for pick-up is a positive outcome, with dedicated locations on verge for council pick-up to be coordinated with the City’s public domain guidelines. Query was made in relation to the need of a community/shared vehicle and whether a space for this could be accommodated in the basement.</p> <p>The fin wall approach provides a sense of identity for the community and is an appropriate contextual response. However, it appears that through the design process some of the conceptual strength of the original hand sketch (page 33 of the presentation) has been lost – a more considered approach incorporating the voids of the sketch would satisfy CPTED guidelines and create a more visually accessible and community approach to the street.</p> <p>The blank walls to the streetscape as they are shown currently would potentially encourage graffiti.</p> <p>The Solar access plan indicates shading to living rooms and the blade walls appear to be orientated more around privacy than solar access. There is an opportunity to consider amending the fin wall geometry slightly to harness the sun and bring more solar access into living areas – for example the to the north eastern unit the western fin could be ‘bent’ or angled away from the building to let more sun in. Further, consideration to rotate the north western block slightly with an eastern orientation, and locate the living room on the north side – far enough from the boundary to address privacy</p>

	issues and allow for screening vegetation and a medium sized tree.
<b>3. Landscaping</b>	<p>The extensive deep soil area to the periphery of the site allow for the provision of appropriate canopy plantings that will contribute to the urban greening targets for urban areas. Note is made of the hot summers and cold winters of Campbelltown and that there should be a mix of tree plantings that are both evergreen and deciduous to allow for solar access in winter, particularly to the central open space. The landscape design needs to be amended by removing the oversized chessboard to the centre as the scale and the size of this feature excludes multiple community uses of the central open space. The provision of a pergola (with a waterproof clear cover for example to encourage year-round use) a chess board incorporated into a seat and table arrangement and raised herb and vegetable beds will provide a more developed and flexible amenity to the residents. Flowering and scented plants encourage a sense of communal association and wellbeing and are encouraged. The provision of small private defensible garden areas forms an appropriate transition to the broader community open space. Where accessible ramps are accommodated in the landscape area the use of raised planters as noted is encouraged to mitigate the visual impact of handrails. Spill over plantings to break down the built form will assist in this issue. Proximity to the Georges River and Smiths Creek Reserves, Koala habitat protection and connections to country are all to inform the design response.</p>
<b>4. Heritage ( if relevant)</b>	n/a
<b>5. Streetscape</b>	<p>The address of the proposal is noted above with modifications to the fin walls so as to encourage a sense of community interaction. Further, the provision of street trees is an important element that will tie into the proposed landscape treatment to the periphery of the site. The Panel considers that the project boundary, for the purposes of a holistic design, should extend to the edge of kerb so that the proponents can demonstrate how the proposal will contribute positively to neighbourhood character. This would include street tree planting, any verge treatment and the design of areas where bins are placed for collection.</p>
<b>6. Solar Access</b>	Solar access issues are addressed above under urban design.
<b>7. Privacy</b>	<p>The fin walls in the main provide adequate privacy solutions to the proposal. Amendments to these walls proposed by the Panel will not mitigate the overall privacy amenity.</p>
<b>8. Lighting/natural/artificial</b>	<p>The north facing orientation of the units allows for natural lighting across the proposal with the exception of the units as noted above in Urban Design</p>
<b>9. Ventilation</b>	<p>Adequate cross ventilation is accommodated across the proposal.</p>

10. Wind	The orientation and layout of the proposal provides suitable protected areas from prevailing cold winds in winter and cooling winds in summer
11. Sustainable Design	It is noted so that heat may be reflected in summer that the colour of the roof be lightened. The use of solar panels are encouraged and the reuse of water where possible and other ESD initiatives e.g. recycled and low embodied material choice, electric stoves, efficient heating and cooling etc. .

Specific Actions Required - as described above	
1. Architectural Design	Modification of the alignment of fin walls and the inclusion of openings to provide opportunities for viewing to satisfy CPTED guidelines in particular and generally a response to the residential surroundings.
2. Urban Design	The consideration of the concept of the site to extend to the kerb
3. Landscaping	Removal of the oversized Chessboard and consideration of solar access for winter, extending green through access ways
4. Heritage ( if relevant)	n/a
5. Streetscape	Inclusion of street trees
6. Solar Access	Modification of the fin walls to enable solar access
7. Privacy	No further comment
8. Lighting/natural/artificial	No further comment
9. ventilation	No further comment
10. wind	No further comment
11. Sustainable Design	Roof colour to be lightened with general ESD initiatives

Is the overall Design:

- ~~— Acceptable with no changes~~
- acceptable with changes as described
- ~~— not acceptable and needs to be redesigned~~

If the application needs to be redesigned, provide dot points justification

**Attachment 3 – Kick Off Briefing Minutes**



**RSDA Record of Kick-Off Briefing  
Sydney Western City Planning Panel**

<b>PANEL REFERENCE, DA NUMBER &amp; ADDRESS</b>	PPSSWC-263 – 3142/2022/DA-SL - 33 RIVERSIDE DRIVE AIRDS 2560
<b>APPLICANT / OWNER</b>	Applicant: Luis Valarezo Owner: NSW LAND AND HOUSING CORPORATION
<b>APPLICATION</b>	Construction of a part two and part three storey seniors living development comprising 31 independent living units and 21 off street parking spaces including the provision of eight accessible spaces and including communal gardens, landscaping, site services, storm water infrastructure and associated ancillary site works
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	CIV > \$5M - Crown Development
<b>CIV</b>	\$16,059,057.00 (excluding GST)
<b>BRIEFING DATE</b>	26 September 2022

**ATTENDEES**

<b>APPLICANT</b>	Luis Valarezo, Salina Lama, Simon Mather, Erin Owens, Dan Brindle
<b>PANEL CHAIR</b>	Justin Doyle
<b>COUNCIL OFFICER</b>	Alex Long, Kristy Griffiths
<b>CASE MANAGER</b>	George Dojas
<b>PLANNING PANELS SECRETARIAT</b>	Alexander Richard

**DA LODGED:** 06/09/2022

**RFI SUBMISSION DATE:** N/A

**TENTATIVE PANEL BRIEFING DATE:** 31 October 2022

**Exhibition dates:** 09/09/2022 - 10/10/2022

**Estimated assessment completion date:** 31/03/2022

**TENTATIVE PANEL DETERMINATION DATE:** March 2023

#### Applicant Summary

- Introduced the proposal for the construction of a part two and part three storey seniors living development comprising 31 independent living units and 21 off street parking spaces including the provision of eight accessible spaces and including communal gardens, landscaping, site services, storm water infrastructure and associated ancillary site works
- Cited the location of the site and outlined the site context.

#### Council Summary

- Noted that no submissions have been received to date.
- Highlighted that there had been 3 requests for development standard variations: FSR, height and setbacks.
- Council noted the local paper had run an article noting the proposal.
- Council cited the height standard was 8.5m, the application was for a height of 10.5m.
- Council awaiting referrals and any conditions of consent.

#### Chair Comments

- The Chair noted the purpose for the meeting was to discuss the application and to discuss potential issues that may hinder the progress of the assessment.
- It was noted that the intended level of care was for independent living arrangements.
- It was observed that the contamination on-site had been remediated as part of the subdivision.
- The need for the development type in the region was recognised.
- A March 2023 determination was proposed.

- The Chair observed that the the extended blade walls which were one source of the height non-compliance might be considered to be 'architectural roof features' which clause 5.6 of Campbelltown LEP states may be approved despite a height non-compliance. The applicant noted that the topography was also contributing to the issue.

#### **KEY ISSUES IDENTIFIED FOR CONSIDERATION**

- Public exhibition is yet to conclude.
- Council is yet to undertake its full application assessment, so this record is not a final list of the issues that Council staff will need to consider in order to draft their recommendation.
- 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.

#### **REFERRALS REQUIRED**

Internal: Development Engineer, Environmental Officer, Waste Officer.

External: Sydney Water, Regional Panel Kick Off Briefing Minutes.

**Attachment 4 – Sydney Water**