

## Seniors Living – Stage 4 Airds

**Construction of a part two and part three storey seniors living development comprising thirty one (31) independent living units, twenty one (21) basement parking spaces including the provision of eight (8) disabled spaces and including communal gardens, landscaping, site services, stormwater infrastructure and associated ancillary site works**

### Community Strategic Plan

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

### Applicant

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

### Referral Criteria

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

### ***“Schedule 7 Regionally Significant Development***

#### **4 Crown development over \$5 million**

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

### Notification/Exhibition

The application was notified to nearby and adjoining properties, in accordance with Council's Notification Policy between 09 September 2022 and 10 October 2022.

No submissions were received by Council with regard to the proposed development.

### Officer's Recommendation

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

An assessment under Section 4.15 of the Environmental Planning and Assessment Act 1979 has been undertaken.

It is recommended to the Panel that Development Application 3142/2022/DA-SL for the construction of a part 2 and part 3 storey seniors living development comprising 31 independent living units, 21 basement parking spaces, including the provision of communal gardens, landscaping, site services, stormwater infrastructure and associated ancillary site works, be approved, subject to the recommended conditions of consent as provided in Attachment 1.

## Overview

<b>DA Number</b>	3142/2022/DA-SL
<b>Reporting Officer</b>	Alexandra Long
<b>Proposed Development</b>	Construction of a part two and part three storey seniors living development comprising thirty one (31) independent living units, twenty one (21) basement parking spaces including the provision of eight (8) disabled spaces and including communal gardens, landscaping, site services, stormwater infrastructure and associated ancillary site works.
<b>Property Description</b>	Lot 73 in DP255809, Lot 13 in DP1252939 and Lots 205 and 206 in DP1043192 and Lot 1 in DP1291664
<b>Future Lot Description</b>	Lot 4112 in DP 1240452
<b>Applicant</b>	Land and Housing Corporation
<b>Owner</b>	NSW Land & Housing Corporation
<b>Date of Lodgement</b>	06 September 2022 and amended information as provided 04 November 2022, 13 December 2022 and 22 February 2023
<b>Cost of Works</b>	\$17.6 million
<b>Number of Submissions</b>	No submissions received
<b>List of all Relevant Section 4.15 matters of the Environmental Planning and Assessment Act, 1979</b>	<ul style="list-style-type: none"> <li>• State Environmental Housing Policy (Housing) 2021</li> <li>• State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>• State Environmental Planning Policy No 65 – Design Quality Residential Flat Buildings</li> <li>• EP&amp;A Act Regulations 2000</li> <li>• SEPP (Transport and Infrastructure) 2021</li> <li>• SEPP (Resilience and Hazards) 2021</li> </ul>

	<ul style="list-style-type: none"> <li>• SEPP (Biodiversity and Conservation) 2021</li> <li>• Campbelltown Local Environmental Plan 2015</li> <li>• Campbelltown (Sustainable City) Development Control Plan 2015</li> <li>• Campbelltown (Sustainable City) Development Control Plan 2015 – Volume 2: Site Specific DCPs: Part 9 – Urban Renewal Areas Airs Claymore</li> <li>• Campbelltown Local Strategic Planning Statement</li> </ul>
<b>Pre DA Meeting</b>	22 February 2022
<b>Design Excellence Panel Meeting</b>	21 April 2022
<b>Regional Panel Kick Off Briefing</b>	26 September 2022
<b>Regional Panel Briefing Meeting</b>	07 November 2022
<b>Notification</b>	No submissions received
<b>Concurrence</b>	Concurrence received by email 28 February 2023
<b>Recommendation</b>	Approval, subject to conditions

## **1. Background**

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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).

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 EP&A Act.

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

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

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

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

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

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

In summary, the Concept Plan comprises:

- An increase of approximately 562 dwellings;
- Retention of approximately 880 existing dwellings on separate lots;
- A more diverse social mix with 70 per cent private housing and 30 per cent public housing;
- Formalisation and reinvigoration of the Airds Town Centre;
- New and upgraded urban infrastructure including pathways, lighting, open space, community facilities, drainage and new interconnecting public roads;
- A Staging Plan;
- A utilities and infrastructure Delivery Plan;



- Airds-Bradbury Development Control Guidelines; and
- A street tree and landscaping strategy.

The former Sydney South West Planning Panel (SSWPP) and Sydney Western City Planning Panel (SWCPP) have issued consents for Stages 1, 2, 4 and 6 of the ABURP in November 2013, April 2014, September 2019 and February 2019 respectively.

Consent has been granted under Council delegation for Stage 3 of the ABURP on 11 December 2017 (DA No. 2678/2016/DA-SW).

## **1.1. History/Background**

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A summary of determinations issued by the SWCPP and/or by Council under delegated authority is summarised below:

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

Subdivision creating 184 residential allotments and one open space lot including associated works was approved by SWCPP on 6 November 2013.

Construction of Stage 1 is complete with new titles registered and sold.

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

Subdivision to create 132 allotments, two open space lots, one lot for existing seniors housing development and associated works was approved by the SWCPP on 3 April 2014.

Construction of Stage 2 is complete with new titles registered and sold.

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

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

Construction of Stage 3 is complete with new titles registered and sold.

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

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

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

Earthworks have commenced.

### **3742/2016/DA-CW/A**

An application for modification was lodged and subsequently approved under the delegated authority of Council, which comprised of the amendment of Condition 1 – Approved Development and Condition 6 – Retaining Wall and included:

- Modification to the grade of the playing fields from approximately 2 per cent to 1 per cent, to account for the approved synthetic playing field surface, and;
- An increase in retaining wall height adjoining Creigan Road, to account for the change in grade of the playing field surface.

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

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

The paper subdivision has been completed.

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

A development application for the subdivision of land to create 159 Torrens titled residential lots, one lot containing an existing community facility, 7 residue lots, roads and associated civil and landscape works being Stage 4 of the ABURP was approved by the SWCPP in September 2019.

The proposed subdivision works have commenced.

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

A development application for subdivision into 144 residential allotments and associated civil works for Stage 6 of the ABURP was approved by the SWCPP in February 2019.

Stage 6 subdivision works have commenced.

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

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

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

### **Campbellfield Avenue Modification – 3740/2016/DA-CW/A**

Modification of development consent (3740/2016/DA-CW) for the Airds/Bradbury Renewal Project, construction of a road extension Campbellfield Avenue to Riverside Drive including earthworks, boundary adjustments for 16 residential lots, demolition of houses, landscaping and installation of associated services at Campbellfield Avenue, Creigan Road and St Johns Road, Bradbury and Riverside Drive, Airds and comprised the provision of an additional roundabout, introduction of a landscape median and associated street and landscape improvement works and including the removal of an additional 44 trees.

The application was approved under delegated authority on 10 June 2022 and construction works have commenced.

### **Airds Pond Bulk Earthworks – 2854/2020/DA-CW**

A development application for early works to the Airds Pond comprising of bulk earthworks and including excavation, cut and fill, construction of retaining structures, dewatering of the dam and the removal of 28 trees was approved by Council under delegated authority, 28 February 2022 subject to conditions.

### **Airds Pond Embellishment Works – 774/2021/DA-CW**

A development application for the construction of a new access road, landscape and open space infrastructure embellishment works to the new pond and surrounding parklands was approved by the SWCPP, 11 May 2022, subject to conditions.

### **2842/2019/DA-SW and 2842/2019/DA-SW/A (Tasma/Argo)**

Development application was submitted to Campbelltown City Council on 9 September 2019, seeking development consent for the creation of 10 residential lots, 2 boundary adjustments and one super lot and stormwater drainage work.



The application was approved subject to conditions on 6 May 2021 and modification A was approved 10 March 2022.

The current development application incorporates the subdivision of the 'super lot' (as identified above) into 6 separate Torrens titled allotments.

## Stage 9 - 16/2021/DA-SW

A development application for the subdivision of 54 lots comprising of 52 Torrens title residential allotments, one lot consisting of an existing multi dwelling development, one lot being for a public park, associated road and stormwater drainage works, landscape works and ancillary site works including the removal of 103 trees was approved by Council under delegated authority, 10 June 2022 subject to conditions.

### 988/2020/DA-SW known as 'Riley Park subdivision'

A development application for the consolidation of existing allotments, subdivision to create 20 Torrens title residential allotments, associated landscaping, stormwater and drainage works, including the removal of thirty nine (39) trees and ancillary site works was approved by Council under delegated authority, 26 August 2022, subject to conditions.

## 1.2 Airs 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 1 - 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 lot 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.

## 2. Site and Surrounds

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 3,503 m<sup>2</sup> being located within the newly constructed Stage 4 component of the Airds redevelopment.



Figure 2- Subject site

The site will have a south facing frontage of 34.8 m<sup>2</sup> to Road No.402, a west facing frontage of 31.6 m<sup>2</sup> to Riverside Drive, and an east facing frontage of 33.6 m<sup>2</sup> 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, one 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.

The subject site is located approximately 50 m<sup>2</sup> from the Airds Village Shopping Centre and approximately 3.5 km south east of Campbelltown City Centre.



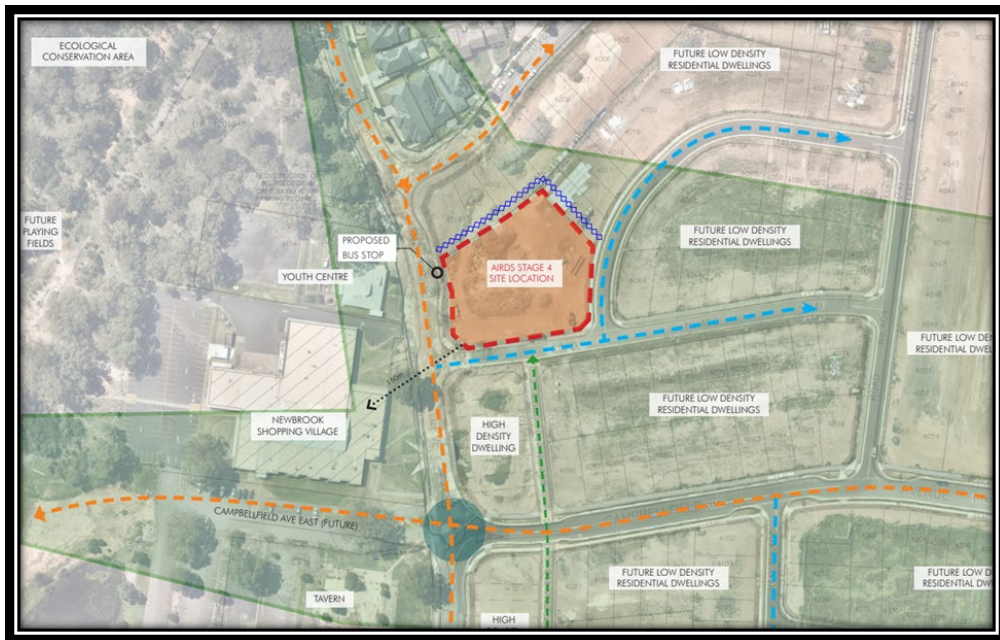


Figure 3 – Site Context

The site is legally described as shown below:

Lot	DP	Details
73	255809	Known as Lot 73 Riverside Drive, AIRDS NSW 2560, 2944 m <sup>2</sup> in area
13	1252939	Known as Lot 1 Deans Road, AIRDS NSW 2560, 3735.7 m <sup>2</sup> in area
205	1043192	Known as Lot 205 Cheviot Place, AIRDS NSW 2560, 3986 m <sup>2</sup> in area
206	1043192	Known as Lot 206 Riverside Drive, AIRDS NSW 2560, 4033 m <sup>2</sup> in area
1	1291664	Part of road closure of Riverside Drive 634.9 m <sup>2</sup> in area

The site in the near future will comprise of one allotment and is to be legally described as:

Lot	DP	Details
4112	1240452	Total site area 3,503 m <sup>2</sup>

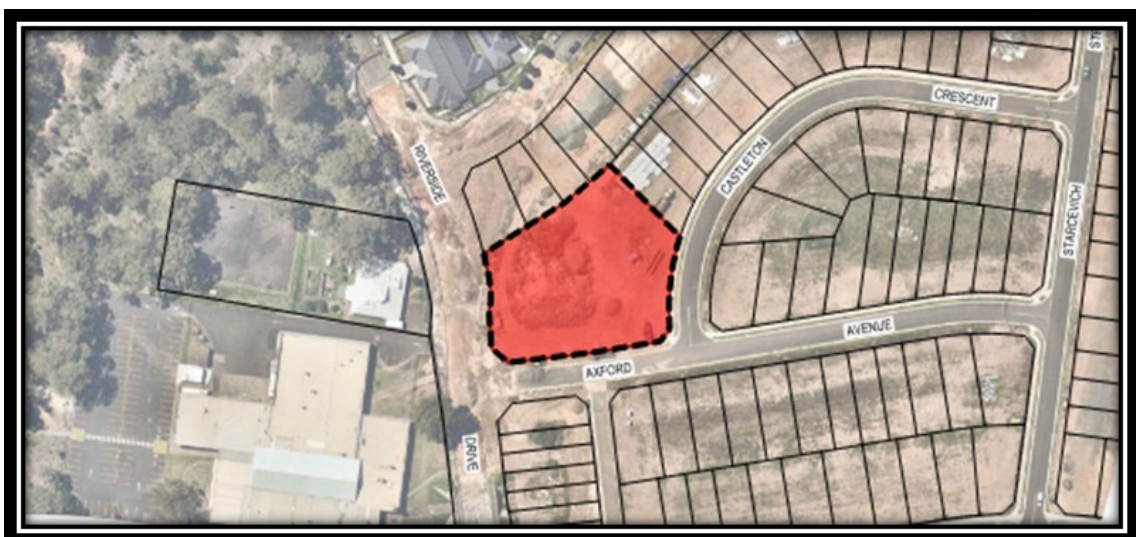


Figure 4 – Lot 4112

The subject site will be 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 an identified heritage conservation area, however, it is a component of the identified koala linkage corridor as nominated within the Airds/Bradbury ISDP.

### 3. Site Constraints Table

Site Constraints	Applicable to this site
Bushfire Prone Land	Not Applicable
Flood Affected	Not Applicable
Overland flow affected	Not Applicable
Mine Subsidence	Not Applicable
Noise Affected Property	Not Applicable
Aboriginal Sensitivity Zone	Not Applicable
Koala Habitat	Koala Corridor as identified in the ISDP
Jemena Gas Line	Not Applicable
Transgrid Electrical Easement	Not Applicable
Easements	Not Applicable
Tree Removal	Not Applicable
Biodiversity Impacts	Not Applicable
Heritage Item	Not Applicable

### 4. Sydney Western City Planning Panel

#### 4.1 Kick Off Briefing

A Kick Off Briefing was held with the Panel Chair on 24 September 2022.

The key issues discussed during the meeting 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.

(Attachment 3 – Record of Kick Off Briefing)

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

The Planning Panel Briefing Meeting was held Monday 07 November 2022.

Issues noted during the meeting were as follows:

#### **KEY ISSUES DISCUSSED**

- The Panel noted the non-compliances with height and the 45 degree plane set for wall height, but observed that the 3 storey form anticipated by the control was maintained. The non-compliances were largely limited to roof and roof features, with the 45 degree plane only interrupted for small parts of the roof due to the building orientation, but there were significant offsetting parts where a larger setback was allowed.
- The FSR was consistent with the deemed to satisfy provision in the Housing SEPP.
- The Panel queried whether a lift was required in the context of a seniors living development for Building A, but noted that inclusion of a lift would have consequences for deep soil planting and cost.
- The Panel queried the consistency of requiring planting suitable for koala migration and the allowance of cats and dogs.
- The Panel hoped that the determination meeting could be fixed by February 2023.

#### **Comment**

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

(Attachment 4 – Record of Briefing)

#### **5. Pre DA Meeting**

A Pre DA Meeting was held 22 February 2022.

Preliminary comments were raised and discussed with respect to the initial proposal.

A record of the meeting minutes are attached for the Panel's reference.

(Attachment 5 – Record of Minutes)

#### **6. Design Excellence Review Panel**

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The proposed application was presented on the 21 April 2022, Design Panel for review.

The following general comment was provided:

*"The Panel agreed that there has clearly been a great deal of thought put into the design response as provided. However, the Panel 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."*

It is noted that the applicant has taken the Panel's response on board and has developed the comments within the submitted proposal.

(Attachment 6 – Record of Minutes)



## 7. Overview of Proposal

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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>

### **Design Principles**

The development has been designed as a series of buildings with a street presence and deep soil open space area within the centre of the site. Building design to the street is articulated with groups of units accessed by a lift and separated by four pedestrian entry points to buildings and to the internal courtyard.

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

- i Scale and relationship to neighbours:
  - a. good response to scale of future adjacent development with 2 storey development on northern boundaries.
  - b. highly articulated building forms.
  - c. core design can be tailored to suit the site levels.
  - d. built form reinforces the street corner.
- ii Overshadowing:
  - a. minimal overshadowing impact on neighbouring properties due to the site's orientation.
  - b. some self-shadowing of communal space but at least 2 hours solar access is achieved to the principal areas in mid-winter.
- iii Social response:
  - a. supports the creation of micro-communities within the site due to multiple cores.
  - b. creates a variety of communal and landscaped open spaces to encourage interaction and social activities.
  - c. communal space follows the natural site contours, and its central location creates a transition level between buildings.
  - d. excellent opportunity for passive surveillance.
- iv Environmental response:
  - a. high number of north facing and naturally cross ventilated units.
  - b. good connection between apartments and communal open spaces.
  - c. contiguous communal outdoor space with variation of landscape treatments and microclimates.

## Materials & Finishes

A detailed scheduled of building materials, colours and finishes was prepared by Mako.



Figure 7 – Materials and Finishes

The Applicant notes that the external building materials are robust, comprising brickwork and vertically grooved fibre cement panelling, including metal handrails.

## Building Height

The proposal has a maximum building height of 10.85 m.

Under the provisions of section 84(2)(c)(i) of the Housing SEPP Development Standards:  
"84 Development standards—general

- (1) This section applies to development for the purposes of seniors housing involving the erection of a building.
- (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 1,000 m<sup>2</sup>, and
  - (b) the frontage of the site area of the development is at least 20 m measured at the building line, and
  - (c) for development on land in a residential zone where residential flat buildings are not permitted—
    - (i) the development will not result in a building with a height of more than 9.5 m, excluding servicing equipment on the roof of the building, and
    - (ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5 m—the servicing equipment complies with subsection (3), and
    - (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) 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



- (b) be limited to an area of no more than 20 per cent of the surface area of the roof, and
- (c) not result in the building having a height of more than 11.5 m."



*Figure 8 – 9.5 m height plane*

The proposal exceeds the maximum building height limit of 9.5 m. The proposal is supported by a Clause 4.6 Variation request in this regard.

### **Additional Storey Setback**

The proposed building is of a three (3) storey built form as such the following clause of section 84(2)(c)(iii) of the Housing SEPP Development Standards, applies:

#### **"84 Development standards—general**

- (1) This section applies to development for the purposes of seniors housing involving the erection of a building.
- (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 1,000 m<sup>2</sup>, and
  - (b) the frontage of the site area of the development is at least 20 m measured at the building line, and
  - (c) for development on land in a residential zone where residential flat buildings are not permitted—
    - (i) the development will not result in a building with a height of more than 9.5 m, excluding servicing equipment on the roof of the building, and
    - (ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5 m—the servicing equipment complies with subsection (3), and
    - (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) 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
  - (b) be limited to an area of no more than 20 per cent of the surface area of the roof, and
  - (c) not result in the building having a height of more than 11.5 m."

The proposed additional storey exceeds the upper storey 45 degree setback plane as follows:

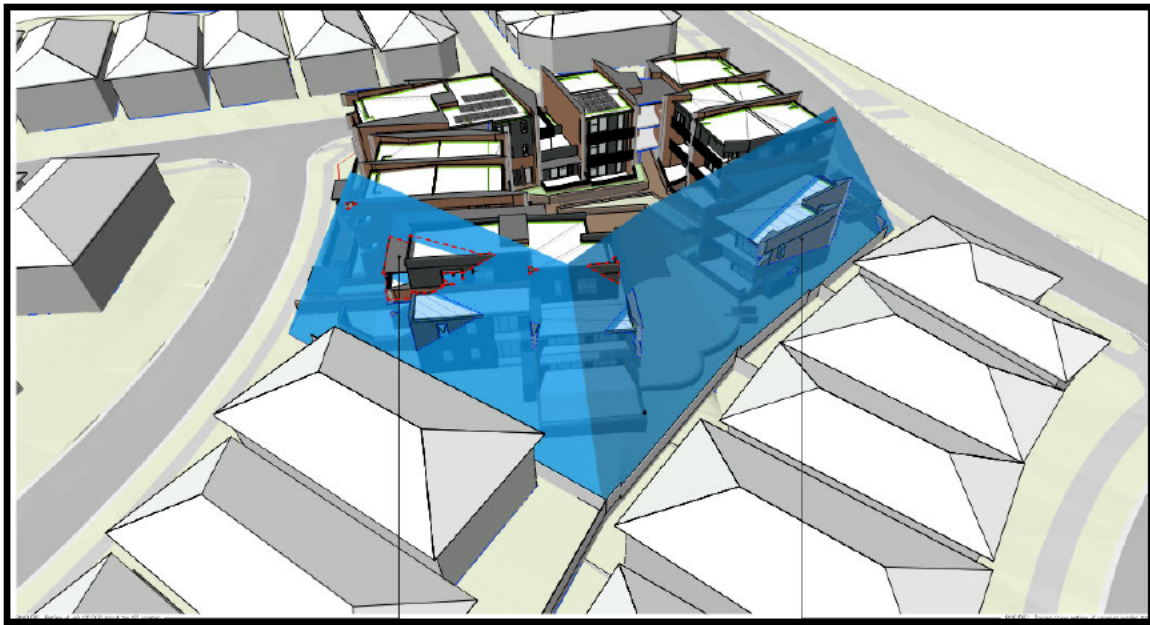


Figure 9 – 45 degree height plane

being;

- a small portion of the corner of bedroom to Unit D02 on Level 3 of Building D; and
- the corner of the living room Unit D02 on Level 3 of Building D.

The proposal is supported by a Clause 4.6 Variation request in this regard.

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

Vehicular access to the basement level car park is provided within the south-eastern portion of the site from Axeford Avenue. The basement car park provides a total of 21 car parking spaces (including 8 x accessible spaces).

Four (4) pedestrian access points are provided to the development from Riverside Drive, Axeford Avenue and Castleton Crescent.

Lift access is provided to Buildings B, C and D. It is noted that Building A is of a two (2) storey form with stair access.

### **Heritage**

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

### **BCA Compliance**

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

Storey	Use	Classification
Level 00 Basement	Carparking	7a
Level 01 Ground	Apartments, hard and soft landscaping	2
Level 2	Apartments	2
Level 3	Apartments	2

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

## Accessibility

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

The report concluded that the proposal achieves spatial requirements to provide access for people with a disability and it is assumed that assessment of the detailed requirements such as assessment of internal fit out, details of stairs, ramps and other features will occur at construction certificate stage.

## Stormwater Management

Stormwater infrastructure is to be constructed as detailed in the Stormwater Management plans prepared by Enspire Solutions Pty Ltd. Stormwater will be collected via a series of pits and pipes and conveyed to Council infrastructure in Riverside Drive which has been recently upgraded to meet the needs of the Airds Urban Renewal Project.

2 x 10,000 L rainwater re-use tanks are proposed in support of the submitted BASIX Certificate.

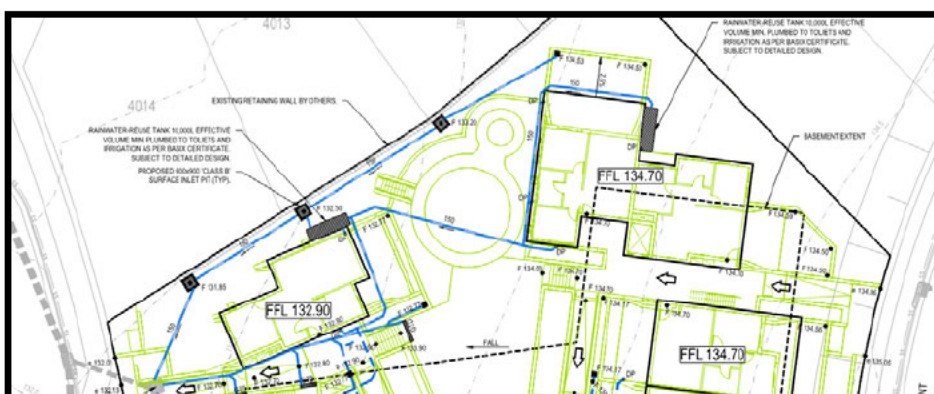


Figure 10 - Stormwater

## Crime Prevention Through Environmental Design

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

### Surveillance

- natural street surveillance is achieved within and around the buildings;

- CCTV monitoring to be installed to the ground floor units and car park entry points; and
- there are minimal unobserved areas across the site.

### **Landscaping**

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

### **Lighting**

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

### **Territorial Reinforcement**

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

### **Access Control**

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

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

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

## **8. Planning Assessment**

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

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

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



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

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

The development application has been assessed with regard to the desired outcomes and objectives identified within the Campbelltown Local Strategic Planning Statement. It is considered that the proposed development is generally consistent with the long term vision for the Campbelltown and the Macarthur Region having regard to the proposed density, character and impact on adjoining development and the locality.

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

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

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

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

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

- (a) verify that he or she designed, or directed the design, of the development, and
- (b) provide an explanation that verifies how the development—
  - (i) addresses how the design quality principles are achieved, and
  - (ii) demonstrates, in terms of the Apartment Design Guide, how the objectives in Parts 3 and 4 of that guide have been achieved.”

A Design Verification Statement has been prepared by Mako (Architect) and was provided in support of the application noting as follows:

“With respect to the architectural documentation lodged in conjunction with this Development Application, I make the following statements:

- I am an Architect registered in NSW (Reg No. 9520) and as such, a qualified designer under clause 50 (1A)
- MAKO Architecture have been responsible for the design of the project since its inception and have worked with related professionals and experts in working towards this design outcome.
- The project has been designed to provide a development that is respectful of local planning and design controls and responds to the nine design quality principles of SEPP No. 65.
- MAKO Architecture verify as required by Clause 50 (1AB) of the Environmental Planning and Assessment Regulation 2000, that the design quality principles set out in Schedule 1 of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development and the objectives in Part 3 and Part 4 of the

Apartment Design Guide have been achieved for the proposed development as detailed on the following pages..”

### **8.1.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 11 – Georges River Catchment**

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

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

The proposal does not conflict with any of the relevant provisions of the plan and is therefore considered acceptable in this regard.

### **8.1.3 State Environmental Planning Policy (Transport and Infrastructure) 2021**

Clause 2.119 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* sets out provisions relating to the impacts of road noise or vibration on non-road development. The proposed land use is not identified in Clause 2.119.

Clause 2.121 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* sets out provisions relating to traffic generating development. However, referral to the Roads and Maritime Services is not required, as the proposal is not traffic-generating development on a road that connects to a classified road where the access (measured along the alignment of the connecting road) is within 90 m of the connection.

### **8.1.4 State Environmental Planning Policy (Resilience and Hazards) 2021**

*State Environmental Planning Policy (Resilience and Hazards) 2021* aims to:

- (1) The object of this Policy is to provide for a State-wide planning approach to the remediation of contaminated land.

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

The Applicant provided the following supporting statement acknowledging remediation and validation of the site has been completed.

“JBS&G has previously completed investigation, remediation and validation works at Stage 4, inclusive of land where the Senior Living site is proposed, which ultimately led to Stage 4 being declared suitable for residential land use by a NSW EPA accredited auditor. The previous works were conducted in accordance applicable guidelines made or endorsed by NSW EPA and the Planning Guidelines, SEPP55 – Remediation of Land (DUAP/EPA 19981), and are considered appropriate to confirm the Senior Living site is suitable for the proposed development for DA submission.”

The site has been remediated and validated suitable for residential use as a component of the overarching Stage 4 subdivisions works.

#### **8.1.5 State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 3 Koala Habitat Protection 2020**

This Chapter aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline—

- a. by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and
- b. by encouraging the identification of areas of core koala habitat, and
- c. by encouraging the inclusion of areas of core koala habitat in environment protection zones.

It is noted that the site falls within the Koala Management Area No. 2 (Central Coast).

Koalas have been recorded within 5 km of the site. However, Koalas, or evidence of Koalas, were not seen on site. The site is not considered core Koala habitat.

The subject site itself has not been identified as Core Koala Habitat however, the Airs ISDP identifies a strategic koala linkage corridor to assist in the safe movement of koalas from the Georges River Reserve to the Smiths Creek reserve. The subject site falls within the identified corridor.



Figure 11 – Koala Linkage Corridor

The landscape plan packages proposes the inclusion of Koala Feed trees to the perimeter of the site to re-establish the koala corridor within the vicinity of the site. It is anticipated that appropriate conditions will be incorporated within the Notice of Determination.

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

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

The subject site falls within the Greater Macarthur Growth Area.

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

Clause 16(1) of the SEPP provides:

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

- (e) whether the proposed development is consistent with the precinct planning strategies and principles set out in any publicly exhibited document that is relevant to the development,
- (f) whether the proposed development will hinder the orderly and co-ordinated provision of infrastructure that is planned for the growth centre,
- (g) in the case of transitional land—whether (in addition) the proposed development will protect areas of aboriginal heritage, ecological diversity or biological diversity as well as protecting the scenic amenity of the land.

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

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

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

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

SEPP (Housing) 2021, applies to land within New South Wales.

#### **Clause 3 Principles of Policy**

The Principles identified in SEPP (Housing) aim to encourage the provision of the following:

- (a) enabling the development of diverse housing types, including purpose-built rental housing,
- (b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,
- (c) ensuring new housing development provides residents with a reasonable level of amenity,
- (d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,
- (e) minimising adverse climate and environmental impacts of new housing development,
- (f) reinforcing the importance of designing housing in a way that reflects and enhances its locality,
- (g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,
- (h) mitigating the loss of existing affordable rental housing.

### **Part 5 Housing for seniors and people with a disability**

#### **Division 1 Land to which Part applies**

##### **Clause 79 Land to which Part applies**

This Part applies to land in the following zones—

- (a) Zone RU5 Village,
- (b) Zone R1 General Residential,
- (c) Zone R2 Low Density Residential,

- (d) Zone R3 Medium Density Residential,
- (e) Zone R4 High Density Residential,
- (f) Zone B1 Neighbourhood Centre,
- (g) Zone B2 Local Centre,
- (h) Zone B3 Commercial Core,
- (i) Zone B4 Mixed Use,
- (j) Zone B5 Business Development,
- (k) Zone B6 Enterprise Corridor,
- (l) Zone B7 Business Park,
- (m) Zone B8 Metropolitan Centre,
- (n) Zone SP1 Special Purposes,
- (o) Zone SP2 Infrastructure,
- (p) Zone RE2 Private Recreation.

The subject site is zoned R2 Low Density Residential, as such SEPP (Housing) 2021 applies.

### **Clause 81 Seniors housing permitted with consent**

Development for the purposes of seniors housing may be carried out with development consent—

- (a) on land to which this Part applies, or
- (b) on land on which development for the purposes of seniors housing is permitted under another environmental planning instrument.

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

- 31 x 2 bedroom units.

Clause 81 of SEPP (Housing) enables consent to be granted to the proposed senior's housing development.

## **Division 2 Preliminary**

### **Clause 82 Definitions**

Clause 82 of SEPP (Housing) defines 'seniors' as follows:

**in-fill self-care housing** means seniors housing consisting of at least 2 independent living units and at which none of the following services are provided on the site—

- (a) meals,
- (b) cleaning services,
- (c) personal care,
- (d) nursing care.

**Seniors** means the following people—


- (a) people who are at least 60 years of age,
- (b) people who are resident at a facility at which residential care, within the meaning of the Aged Care Act 1997 of the Commonwealth, is provided,

- (c) people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.

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

### 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 1,000 m <sup>2</sup> , and	Site Area – 3,503 m <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 20 m measured at the building line, and	South facing frontage of 55.6 m West facing frontage of 34.3 m to Riverside Drive, East facing frontage of 36.4 m plus 33.6 m (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—  <b>Height is defined as:</b> <i>“height in relation to a building, means the distance measured vertically from any point on the ceiling of the topmost floor of the building to the ground level immediately below that point.”</i>	Building Height – exceeds 9.5 m, max. height 10.5 m proposed.	**Does Not Comply  **Clause 4.6 Variation request accompanies application

(i) the development will not result in a building with a height of more than 9.5 m, excluding servicing equipment on the roof of the building, and		
(ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5 m—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.		**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 11.5 m.	Noted.	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**

- (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—-independent 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 15 m at a time, or
  - (ii) 1:10 for a maximum length of 5 m at a time, or
  - (iii) 1:8 for a maximum length of 1.5 m 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 50 m south west of the site, across Riverside Drive including provision of local community facilities (open space/services etc).



*Figure 12- Access*

In addition, the applicant has identified a future bus stop within proximity of the site on Riverside Drive, enabling 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

It is noted, that all the required water and sewer services have been/and or will be provided as a component of the Airds/Bradbury Urban Renewal Project.

State Environmental Planning Policy (Housing) 2021	
Clause	Assessment Comment
<b>Division 5 Design Requirements</b>	
<b>Clause 97 Design of in-fill self-care housing</b>	
<p>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.</p> <p>The proposed development has been assessed in regards to <i>Seniors Living Policy: Urban Design Guideline for Infill Development</i>, March 2004</p> <p>Refer below for review of proposal against the Seniors Living Policy</p>	
<b>Clause 98 Design of Seniors Housing</b>	
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.	<p>The principles as set out in Division 6 are adhered too.</p> <p>Assessment of Design Principles is provided below.</p>

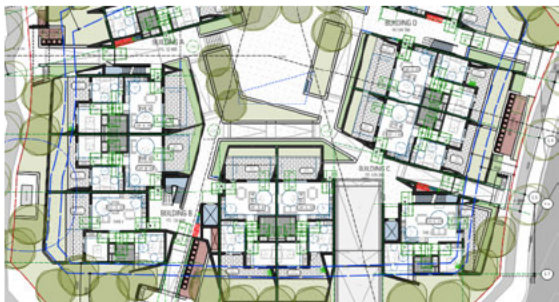
<b>Division 6 Design Principles</b>	
<b>Clause 99 Neighbourhood amenity and streetscape</b>	
Seniors housing should be designed to - (a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and	The proposal is consistent with this requirement in that it provides housing located and designed in a manner particularly suited to seniors who are independent, mobile and active as well as those with a disability regardless of their age.
(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	<p>The impact of the bulk, scale, built form and character of the proposed development is considered to be generally compatible with the adjoining uses and the likely future character of land in the vicinity of the development.</p> <p>The proposed development will contribute to the quality and identity of the Airds urban renewal area and locality as a whole.</p>

<p>(c) complement heritage conservation areas and heritage items in the area, and</p>	<p>N/A – not a heritage listed site or within the vicinity of a heritage item or conservation area.</p>
<p>d) maintain reasonable neighbourhood amenity and appropriate residential character by–</p> <p>(i) providing building setbacks to reduce bulk and overshadowing, and</p> <p>(ii) using building form and siting that relates to the site's land form, and</p> <p>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</p>	<p>(i) The proposed setback to the northern boundary will be sympathetic to the future residential dwellings to the north/northeast. The street setbacks will be generally compatible with future dwellings in a streetscape of varying setbacks and dwelling orientations.</p> <p>(ii) A balance of cut and fill is proposed to address the access requirements of the Seniors SEPP and provide underground parking. The building height transitions to respond to the fall across the site.</p> <p>(iii) The proposed transition in height responds to future neighbouring residential dwelling development. The proposal presents three storeys to Riverside Drive and Axeford Avenue, and is two storeys to the adjoining free standing dwellings to the north/east.</p> <p>It is noted that the desired future character of the area (as envisaged within the Airds/Bradbury Urban Renewal Development Guidelines) is to include more intensive development located close to the proposed town centre, around parks and along bus routes.</p> <p>(iv) No buildings are proposed to be located upon the boundaries of the subject site.</p>
<p>(e) set back the front building on the site generally in line with the existing building line, and</p>	<p>The proposal has a varying setback of 3 m – 6 m to Riverside Drive, 3 m – 6 m to Axeford Avenue and 3 – 5 m to Carleton Crescent.</p> <p>Future dwellings within the vicinity of the subject site will be subject to a 3-4 m primary front setback control under the Airds/Bradbury Urban Renewal Development Control Guidelines. The proposed front setback is/will be generally sympathetic to the setbacks of future surrounding residential development, albeit that the development itself covers the whole block.</p>

(f) include plants reasonably similar to other plants in the street, and	<p>The surrounding area is undergoing substantial redevelopment works therefore, planting has not been established within the streetscape.</p> <p>Proposed landscaping will substantially enhance the appearance of the site and the streetscape by providing mass planting and feature trees along the street frontages and within boundary setbacks as proposed in the submitted Landscape Plan.</p>
(h) prevent the construction of a building in a riparian zone.	The proposed development will not impact a riparian zone.
<b>Clause 100 Visual and acoustic privacy</b>	
<p>Seniors housing should be designed to consider the visual and acoustic privacy of adjacent neighbours and residents by—</p> <p>(a) using appropriate site planning, including considering the location and design of windows and balconies, the use of screening devices and landscaping, and</p> <p>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</p>	<p>The design of the proposal has taken into consideration future development on neighbouring sites. The proposal will not result in any significant visual or acoustic privacy issues to future neighbouring residential developments.</p>
<b>Clause 101 Solar access and design for climate</b>	
<p>The design of seniors housing should—</p> <p>(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 amount of daylight in neighbouring buildings, and</p>	<p>It is considered that, the proposal will not result in any unacceptable overshadowing impacts.</p>
(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.	<p>The proposed buildings have been designed such that the majority of dwellings receive at least the minimum solar access each day, as the development has been design as cross-through apartments allowing for natural cross-ventilation.</p>

<b>Clause 102 Stormwater</b>	
The design of Seniors should aim to:	It is noted that as per the Airds-Bradbury renewal project water cycle management report Project no. 1049 prepared by Storm consulting Pty Ltd the on-site stormwater detention and water sensitive urban design has been designed to cater to the Stage 4 subdivision, including the subject site.
(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	No further on-site stormwater detention nor water sensitive urban design is required.
(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.	Not applicable.
<b>Clause 103 Crime prevention</b>	
Seniors housing should—	Adequate surveillance has been incorporated within the design with effective lighting, landscaping and identification of the entrances, including avoidance of dark spaces.
(a) be designed in accordance with environmental design principles relating to crime prevention, and	The building form and design delivers safety and security measures and will assist in reducing opportunities for crime in and around the site.
(b) provide personal property security for residents and visitors, and	The public domain is defined, with a continuous fence line around the full perimeter of the site reinforcing private territory.  Private open space areas have been clearly defined with courtyard fencing to provide an appropriate level of safety and security for future residents.
(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	Opportunities for passive surveillance to Riverside Drive, Axeford Avenue and Carleton Crescent with rear aspects also provided.
(ii) providing shared entries, if required, that serve a small number of dwellings and that are able to be locked, and	All proposed dwellings look outwards providing passive surveillance to entry paths, front setbacks and footpaths. The proposed dwellings also look inward over the courtyards, providing safe and well lit spaces.
(iii) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.	



<b>Clause 104 Accessibility</b>	
<p>Seniors housing should –</p> <p>(b) have obvious and safe pedestrian links from the site that provide access to transport services or local facilities, and</p> <p>(c) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.</p>	<p>The proposal includes provision of safe pedestrian access from the site to public transport and local services.</p> <p>The applicant has committed to the construction of footpaths between the subject site and bus stops that would take passengers to Campbelltown.</p> <p>The proposed development incorporates linear pedestrian paths into and within the site as well as safe on-site basement car parking.</p>
<b>Clause 105 Waste management</b>	
<p>Seniors housing should include waste facilities that maximise recycling by the provision of appropriate facilities.</p>	<p>A bulky waste room is proposed in the basement for the complex.</p> <p>Residential waste and recycled goods are to be stored in the garbage storage areas, which are to be located at Building A, B and D and is able to be accessed via the central common courtyard.</p>  <p>It is proposed that the bins would be taken to the street for collection by tenants.</p>

## **Division 7 Non discretionary Development Standards**

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

Pursuant to Clause 108 of SEPP (Housing) 2021, the consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development on any of the following grounds—



Clause		Proposed	Compliance
<b>(3) The following are non-discretionary development standards in relation to development for the purposes of independent living units–</b>			
<b>Building height</b>			
(a) no building has a height of more than 9.5 m, excluding servicing equipment on the roof of a building,		The proposed development has a maximum building height of 10.85 m (being a part 2 and 3 storey development)	Does Not Comply**  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 9.5 m– (i) is fully integrated into the design of the roof or contained and suitably screened from view from public places, and		Not Applicable	Not Applicable
(ii) is limited to an area of no more than 20% of the surface area of the roof, and		Not Applicable	Not Applicable

(iii) does not result in the building having a height of more than 11.5 m,		Not Applicable	Not Applicable
<b>Density and scale</b>			
(c) the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,		The proposed FSR is 0.69:1.	Does Not Comply** Clause 4.6 Variation request submitted

Landscaped area				
If- (d) for a development application made by a social housing provider – at least 35 m <sup>2</sup> of landscaped area per dwelling,		31 dwellings x 35 m <sup>2</sup> = 1085 m <sup>2</sup> .  A total of 1825.4 m <sup>2</sup> of landscaped area is provided which equates to approximately 52.1% of the site.		Complies
(e) if paragraph (d) does not apply—at least 30% of the site area is landscaped,		Not Applicable		Not Applicable
Deep soil zones				
(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,		The proposal provides 1028.7 m <sup>2</sup> of deep soil area across the site.  This equates to 29.4% of the site.		Complies
Solar access				
(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,		A total of 25 units (80.6%) achieve solar access for a minimum of 2 hours.		Complies
Private open space for in-fill self-care housing				
(h) for a dwelling in a single storey building or a dwelling located, wholly or in part, on the <b>ground floor of a multi-storey building</b> —  (i) at least 15 m <sup>2</sup> of private open space per dwelling, and	Proposed Unit Ground Floor	Area	Min dimensions of 3m	Complies
	A02	25.13 m <sup>2</sup>	3 m x 7 m	
	A01	25.32 m <sup>2</sup>	3 m x 7 m	
	B03	17.86 m <sup>2</sup>	3 m x 5 m	
	B02	25.54 m <sup>2</sup>	3 m x 5 m	
	B01	19.7 m <sup>2</sup>	3 m x 6 m	
	C02	16.45 m <sup>2</sup>	3 m x 6 m	
	C01	20.71 m <sup>2</sup>	3 m x 3.5 m	
	C03	18.04 m <sup>2</sup>	3 m x 5 m	
	D01	20.62 m <sup>2</sup>	3 m x 5 m	
	D02	18.66 m <sup>2</sup>	3.5 m x 4.35 m	

(ii) at least 1 private open space with minimum dimensions of 3 m accessible from a living area located on the ground floor,	D03	24.22 m <sup>2</sup>	3 m x 5 m	
(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 2 m and— (i) an area of at least 10 m <sup>2</sup> , or (ii) for each dwelling containing 1 bedroom—an area of at least 6 m <sup>2</sup> ,	<b>Upper Floor Units</b>	<b>Area</b>	<b>Minimum dimensions of 2m</b>	Complies  A minimum of 10m <sup>2</sup> is provided for each unit
	L02 A02	17.48 m <sup>2</sup>	5 m x 2 m	
	L02A01	13.5 + 16.22 m <sup>2</sup>	2 m x 5 m	
	L02B03	13.1+11.33 m <sup>2</sup>	2.2 m x 4.6 m	
	L02B02	15.2 m <sup>2</sup>	2.1 m x 4.8 m	
	L02B01	13.8 m <sup>2</sup> +13.01 m <sup>2</sup>	2 m x 5 m	
	L02C02	37.52 + 10.06 m <sup>2</sup>	5 m x 6 m	
	L02C01	14.25 m <sup>2</sup>	2.1 m x 3.3 m	
	L02C03	12.5 + 11.28 m <sup>2</sup>	2 m x 5 m	
	L02D01	13.56 + 13.17 m <sup>2</sup>	2 m x 5 m	
	L02D02	3.01 + 10.76 m <sup>2</sup>	2.1 m x 4.6 m	
	L02D03	15.67 m <sup>2</sup>	2 m x 5 m	
	L03B03	15.37 m <sup>2</sup>	2 m x 5 m	
	L03B04	11.73 m <sup>2</sup>	2 m x 5 m	
	L03B02	15.2 m <sup>2</sup>	2.1 m x 4.8 m	
	L03B01	13.01 + 13.85 m <sup>2</sup>	2 m x 5 m	
	L03C02	18 + 10.96 m <sup>2</sup>	3 m x 6 m	
	L03C01	14.25 m <sup>2</sup>	2 m x 3 m	
	L03C03	11.28 + 12.5 m <sup>2</sup>	2 m x 5 m	
	L03D01	13.5 + 13.17 m <sup>2</sup>	2 m x 5 m	
L03D02	12.7 m <sup>2</sup>	2 m x 4.5 m		
<b>Parking</b>				
(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.		31/5 = 6.2 parking spaces required.  21 car parking spaces are provided (including 8 x accessible spaces)		Complies

(k) if paragraph (j) does not apply—at least 0.5 parking spaces for each bedroom.		Not Applicable	Not Applicable
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#### **Schedule 4 Standards concerning accessibility and useability for hostels and independent living units**

##### **Part 1 Standards applying to hostels and independent living units**

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

<p>(3) Common areas</p> <p>Access must be provided in accordance with AS 1428.1 so that a person using a wheelchair can use common areas and common facilities associated with the development.</p>	<p>Access has been provided to the majority of units by accessible path of travel from common areas and common facilities.</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
<p><b>Clause 3 Security</b></p> <p>Pathway lighting--</p> <p>(a) must be designed and located so as to avoid glare for pedestrians and adjacent dwellings, and</p> <p>(b) must provide at least 20 lux at ground level.</p>	<p>Capable of Compliance to be verified at CC stage of works</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
<p><b>Clause 4 Letterboxes</b></p> <p>Letterboxes--</p> <p>(a) must be situated on a hard standing area and have wheelchair access and circulation by a continuous accessible path of travel (within the meaning of AS 1428.1), and</p> <p>(b) must be lockable, and</p> <p>(c) must be located together in a central location adjacent to the street entry or, in the case of self-contained dwellings, must be located together in one or more central locations adjacent to the street entry.</p>	<p>A common use letterbox area has been provided on the accessible entry pathway to the main building on both street frontages.</p> <p>A hard paved area of 1540 x 2070mm is provided to access the lock side of the letter boxes.</p>	<p>Complies</p>
<p><b>Clause 5 Private car accommodation</b></p> <p>(a) If car parking (not being car parking for employees) is provided--car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890, and</p> <p>(b) 5% of the total number of car parking spaces (or at least</p>	<p>The development requires 1 car parking space per 5 units. The proposal requires a minimum of 6 spaces.</p> <p>A total of 21 parking spaces are provided with 8 accessible spaces in</p>	<p>Complies</p>

<p>one space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8 m, and</p> <p>(c) any garage must have a power-operated door, or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date.</p>	<p>accordance with the minimum requirements.</p>	
<p><b>Clause 6 Accessible entry</b></p> <p>Every entry (whether a front entry or not) to a dwelling, not being an entry for employees, must comply with clauses 4.3.1 and 4.3.2 of AS 4299.</p>	<p>Submitted Access report concludes that the proposal is capable of achieving the spatial requirements to provide access for people with a disability.</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
<p><b>Clause 7 Interior: general</b></p> <p>(1) Internal doorways must have a minimum clear opening that complies with AS 1428.1.</p> <p>(2) Internal corridors must have a minimum unobstructed width of 1,000 millimetres.</p> <p>(3) Circulation space at approaches to internal doorways must comply with AS 1428.1.</p>	<p>Submitted Access report concludes that the proposal is capable of achieving the spatial requirements to provide access for people with a disability.</p>	<p>Capable of Compliance to be verified at CC Stage.</p>

<p><b>Clause 8 Bedroom</b></p> <p>At least one bedroom within each dwelling must have—</p> <p>(a) an area sufficient to accommodate a wardrobe and a bed sized as follows—</p> <p style="padding-left: 40px;">(i) in the case of a dwelling in a hostel—a single-size bed,</p> <p style="padding-left: 40px;">(ii) in the case of a self-contained dwelling—a queen-size bed, and</p> <p>(b) a clear area for the bed of at least—</p> <p style="padding-left: 40px;">(i) 1,200 mm wide at the foot of the bed, and</p> <p style="padding-left: 40px;">(ii) 1,000 mm wide beside the bed between it and the wall, wardrobe or any other obstruction, and</p> <p>(c) 2 double general power outlets on the wall where the head of the bed is likely to be, and</p> <p>(d) at least one general power outlet on the wall opposite the wall where the head of the bed is likely to be, and</p> <p>(e) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and</p> <p>(f) wiring to allow a potential illumination level of at least 300 lux.</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
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<p><b>Clause 9 Bathroom</b></p> <p>(1) At least one bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS 1428.1—</p> <p>(a) a slip-resistant floor surface,</p> <p>(b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS 1428.1,</p> <p>(c) a shower that complies with AS 1428.1, except that the following must be accommodated either immediately or in the future—</p> <p>(i) a grab rail,</p> <p>(ii) portable shower head,</p> <p>(iii) folding seat,</p> <p>(d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it,</p> <p>(e) a double general power outlet beside the mirror.</p> <p>(2) Subclause (1)(c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility.</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
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<b>Clause 10 Toilet</b>  A dwelling must have at least one toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS 4299.	Capable of Compliance to be verified at CC Stage	Capable of Compliance to be verified at CC Stage.
<b>Clause 11 Surface finishes</b>  Balconies and external paved areas must have slip-resistant surfaces.  <b>Note :</b> Advise regarding finishes may be obtained from AS 1428.1.	Capable of Compliance to be verified at CC Stage	Capable of Compliance to be verified at CC Stage.
<b>Clause 12 Door Hardware</b>  Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299.	Capable of Compliance to be verified at CC Stage	Capable of Compliance to be verified at CC Stage.
<b>Clause 13 Ancillary Items</b>  Switches and power points must be provided in accordance with AS 4299.	Capable of Compliance to be verified at CC Stage	Capable of Compliance to be verified at CC Stage.
<b>Part 2 Additional Standards for Independent Living Units</b>		
<b>Clause 14 Application of standards in this part</b>		
The standards set out in this part apply in addition to the standards set out in Part 1 to any seniors housing consisting of independent living units.		
<b>Clause 15 Living room and dining room</b>  (1) A living room in a self-contained dwelling must have—  (a) a circulation space in accordance with clause 4.7.1 of AS 4299, and  (b) a telephone adjacent to a general power outlet.  (2) A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux.	Capable of Compliance to be verified at CC Stage	Capable of Compliance to be verified at CC Stage.

<p><b>Clause 16 Kitchen</b></p> <p>A kitchen in a self-contained dwelling must have—</p> <p>(1) a circulation space in accordance with clause 4.5.2 of AS 4299, and</p> <p>(2) a circulation space at door approaches that complies with AS 1428.1, and</p> <p>(3) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS 4299—</p> <p>(a) benches that include at least one work surface at least 800 mm in length that comply with clause 4.5.5 (a),</p> <p>(b) a tap set (see clause 4.5.6),</p> <p>(c) cooktops (see clause 4.5.7), except that an isolating switch must be included,</p> <p>(d) an oven (see clause 4.5.8),</p> <p>(4) “D” pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards,</p> <p>(5) general power outlets—</p> <p>(a) at least one of which is a double general power outlet within 300 millimetres of the front of a work surface, and</p> <p>(b) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed.</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
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<p><b>Clause 17 Access to Kitchen, main bedroom, bathroom and toilet</b></p> <p>In a multi-storey self-contained dwelling, the kitchen, main bedroom, bathroom and toilet must be located on the entry level.</p>	Not Applicable	Not Applicable
<p><b>Clause 18 Lifts in Multi Storey buildings</b></p> <p>In a multi-storey building containing separate self-contained dwellings on different storeys, lift access must be provided to dwellings above the ground level of the building by way of a lift complying with clause E3.6 of the <i>Building Code of Australia</i>.</p>	Lifts provided	Complies
<p><b>Clause 19 Laundry</b></p> <p>A self-contained dwelling must have a laundry that has—</p> <ul style="list-style-type: none"> <li>(1) a circulation space at door approaches that complies with AS 1428.1, and</li> <li>(2) provision for the installation of an automatic washing machine and a clothes dryer, and</li> <li>(3) a clear space in front of appliances of at least 1,300 mm, and</li> <li>(4) a slip-resistant floor surface, and</li> <li>(5) an accessible path of travel to any clothes line provided in relation to the dwelling.</li> </ul>	Capable of Compliance to be verified at CC Stage	Capable of Compliance to be verified at CC Stage.
<p><b>Clause 20 Storage for linen</b></p> <p>A self-contained dwelling must be provided with a linen storage in accordance with clause 4.11.5 of AS 4299.</p>	Capable of Compliance to be verified at CC Stage	Capable of Compliance to be verified at CC Stage.

<b>Clause 21 Garbage</b>  A garbage storage area must be provided in an accessible location.	Three (3) garbage storage areas are provided in accessible locations throughout the development.	Complies
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It is noted that a supporting Access Report, prepared by Vista Access Architects was submitted in support of the application. The report concluded:

*"The proposal achieves the spatial requirements to provide access for people with a disability and it is assumed that assessment of the detailed requirements such as assessment of internal fit out, details of stairs, ramps and other features will occur at CC stage."*

#### **8.1.8 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

A BASIX certificate accompanies the proposal being Certificate Number 1304375M\_03, dated Wednesday 03 August 2022.

#### **8.1.9 Draft Design and Place SEPP 2021**

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

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

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

The following aims and objectives are noted:

- (1) This Policy aims to improve the design quality of residential apartment development in New South Wales.
- (2) This Policy recognises that the design quality of residential apartment development is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high quality design.
- (3) Improving the design quality of residential apartment development aims:
  - (a) to ensure that it contributes to the sustainable development of New South Wales:
    - (i) by providing sustainable housing in social and environmental terms.
    - (ii) by being a long-term asset to its neighbourhood.
    - (iii) by achieving the urban planning policies for its regional and local contexts.
  - (b) to achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define.

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

(4) This Policy aims to provide:

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

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

Clause 30 Standards that cannot be used as grounds to refuse development consent or modification of a development consent		
<p>(1) If an application for the modification of a development consent or a development application for the carrying out of development to which this Policy applies satisfies the following design criteria, the consent authority must not refuse the application because of those matters—</p> <p>(a) if the car parking for the building will be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,</p>	<p>The subject site is located within 400 m of a commercial/retail centre. The following minimum parking requirement is noted:</p> <p><b>Resident funded development.</b></p> <p>Self-contained units:</p> <ul style="list-style-type: none"> <li>▪ 2 spaces per 3 units (residents) plus.</li> <li>▪ 1 space per 5 units (visitors).</li> </ul> <p>Required: 10.3 +6.2 spaces Total: 16.5 spaces</p> <p>Provided 21 spaces</p>	<p>(a) Complies</p>



#### Design criteria

##### 1. For development in the following locations:

- on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or
- on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre

the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less

The car parking needs for a development must be provided off street

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

#### Design criteria

##### 1. Apartments are required to have the following minimum internal areas:

Apartment type	Minimum internal area
Studio	35m <sup>2</sup>
1 bedroom	50m <sup>2</sup>
2 bedroom	70m <sup>2</sup>
3 bedroom	90m <sup>2</sup>

The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m<sup>2</sup> each

A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m<sup>2</sup> each

##### 2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms

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

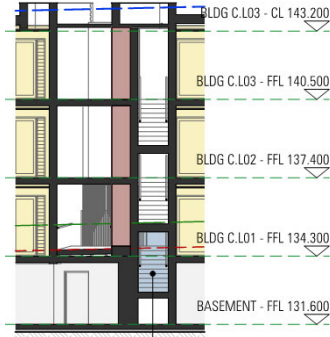
#### Design criteria

##### 1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are:

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

These minimums do not preclude higher ceilings if desired

Unit No.		Area	
L01A02	2 bed	76.2 m <sup>2</sup>	(b) Complies
L01A01	2 bed	74.2 m <sup>2</sup>	
L01B03	2 bed	74 m <sup>2</sup>	
L01B02	2 bed	79 m <sup>2</sup>	
L01B01	2 bed	72.5 m <sup>2</sup>	
L01C02	2 bed	74 m <sup>2</sup>	
L01C01	2 bed	82.6 m <sup>2</sup>	
L01C03	2 bed	74 m <sup>2</sup>	
L01D01	2 bed	74 m <sup>2</sup>	
L01D02	2 bed	75.3 m <sup>2</sup>	
L01D03	2 bed	73 m <sup>2</sup>	(c) Complies Min 2.7 m ceiling heights achieved.
L02A02	2 bed	76 m <sup>2</sup>	
L02A01	2 bed	74 m <sup>2</sup>	
L02B03	2 bed	74 m <sup>2</sup>	
L02B02	2 bed	80 m <sup>2</sup>	
L02B01	2 bed	74 m <sup>2</sup>	
L02C02	2 bed	74 m <sup>2</sup>	
L02C01	2 bed	82 m <sup>2</sup>	
L02C03	2 bed	74 m <sup>2</sup>	
L02D01	2 bed	74 m <sup>2</sup>	
L02D02	2 bed	75 m <sup>2</sup>	(c) Complies Min 2.7 m ceiling heights achieved.
L02D03	2 bed	74 m <sup>2</sup>	
L03B03	2 bed	79 m <sup>2</sup>	
L03B04	2 bed	80 m <sup>2</sup>	
L03B02	2 bed	81 m <sup>2</sup>	

	<table border="1"> <tr> <td>L03B01</td><td>2 bed</td><td>75 m<sup>2</sup></td></tr> <tr> <td>L03C02</td><td>2 bed</td><td>75 m<sup>2</sup></td></tr> <tr> <td>L03C01</td><td>2 bed</td><td>82 m<sup>2</sup></td></tr> <tr> <td>L03C01</td><td>2 bed</td><td>74 m<sup>2</sup></td></tr> <tr> <td>L03D01</td><td>2 bed</td><td>74 m<sup>2</sup></td></tr> <tr> <td>L03D02</td><td>2 bed</td><td>91 m<sup>2</sup></td></tr> </table> <p>(c) Floor to Floor Heights Ground level – 3.1 m Level 1 – 3.1 m Level 2 – 3.1 m Level 3 – 2.7 m</p> 	L03B01	2 bed	75 m <sup>2</sup>	L03C02	2 bed	75 m <sup>2</sup>	L03C01	2 bed	82 m <sup>2</sup>	L03C01	2 bed	74 m <sup>2</sup>	L03D01	2 bed	74 m <sup>2</sup>	L03D02	2 bed	91 m <sup>2</sup>	
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L03D01	2 bed	74 m <sup>2</sup>																		
L03D02	2 bed	91 m <sup>2</sup>																		
<p>(2) Development consent must not be granted if, in the opinion of the consent authority, the development or modification does not demonstrate that adequate regard has been given to—</p> <p>(a) the design quality principles.</p> <p>(b) the objectives specified in the Apartment Design Guide for the relevant design criteria;</p> <p>(c) in determining a development application for consent to carry out a residential flat development, a consent authority is to take into consideration the Apartment Design Guide.</p>	<p>SEPP 65 requires development proposals to give adequate consideration to the objectives specified in the Apartment Design Guide.</p> <p>The project architect (Mako Architecture) has provided an assessment of the proposal against the relevant design principles in the Apartment Design Guide and a supporting Design Verification Statement the Apartment Design Guide assessment.</p>	Complies																		

#### Schedule 1 – Design Quality Principles

Principle	Comment
<b>Principle 1: Context and neighbourhood character</b>	
Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions. Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.	The existing neighbourhood context will be described as predominantly of low density residential. The proposed senior's housing development will be one of the first higher density developments in the area and therefore will represent a change in character from low density to that envisaged in the Airds/Bradbury Concept Plan. Although a change in character will be evident, the strategically located site, its location within proximity to the Airds Town Centre including future community centre lends itself to the proposed development.
<b>Principle 2 – Built form and scale</b>	
Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings. Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.	<p>The proposal is designed to be a 'good neighbour' and achieve a positive contextual 'fit' within the future masterplanned context. The site has three street frontages; Riverside Drive to the West; Axford Avenue to the South; and Castleton Crescent to the East.</p> <p>To the north, subdivisions are proposed for future detached dwellings. The proposal will likely be constructed prior to adjacent lots and will be a 'known quantity' to future neighbours.</p> <p>All buildings directly address street frontage and will activate the streetscape. Each building has an open air entry space with a gap located perpendicular to each respective street permitting a views into the landscape courtyard. The uppermost storey of building A, C and D are set back to reduce scale and create a varied skyline.</p> <p>Buildings A and D mediate contextual development by presenting 2 storey interfaces with detached dwelling lots. All buildings are highly articulated with building entries, balconies, awnings and special brick detailing.</p> <p>Deep soil landscaped setbacks to all boundaries allowing for canopy tree planting which will soften the appearance of the buildings, provide a pleasant green presentation to the public domain and a positive outlook for residents and neighbours.</p>

	<p>The proposal has been purposefully composed of multiple buildings served by separate lift and stair cores. This reduces the apparent bulk of the buildings and creates a more domestic quality and scale. Dwellings primarily face forwards and back, providing a positive outlook to the street and courtyard and delivering excellent internal amenity.</p>
<b>Principle 3 – Density</b>	
<p>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>	<p>The proposal seeks to maximise density to permit occupants to take advantage of the convenient access to transport and adjacent facilities.</p>
<b>Principle 4 – Sustainability</b>	
<p>Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</p>	<p>The proposed development addresses the elements of sustainable design contained in the Apartment Design Guide with high levels of solar access and natural ventilation. The passive thermal design allows for natural ventilation, heating and cooling to reduce reliance on technology and operation costs. Construction will aim to minimise waste and maximise recycling opportunities.</p> <p>The deep soil area will allow for groundwater recharge and vegetation for cooling of communal open space areas.</p> <p>The BASIX report details measures to approve the energy efficiency of the building. Water efficient appliances &amp; fittings, a solar array and a rainwater tank are components of the development.</p>
<b>Principle 5 – Landscape</b>	
<p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood. Good landscape design enhances the development's environmental performance</p>	<p>The proposal provides deep soil landscaped setbacks to all boundaries allowing for canopy tree planting which will soften the appearance of the buildings, provide a pleasant green presentation to the public domain and a positive outlook for neighbours. This will contribute to the positive identity and attractiveness of the area. Once the trees mature, they will match or exceed the height of the buildings and enhance their environmental performance by contributing to the shading of dwellings, cooling the air and</p>



by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks. Good landscape design optimises usability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.	<p>improving outlook.</p> <p>The landscaped central courtyard provides a positive focus for the proposal with ample sun throughout the middle of the day. The southern end of the courtyard (above the basement car park) provides a hard paved space for gathering and productive gardening. The northern end of the courtyard maximises deep soil and tree planting and is accessible via a network of pathways. Private open spaces are buffered by planter beds to increase separation and privacy. All areas of the communal open space are accessible with well-integrated ramps coupled with stairs for direct lines of movement. All pathways are framed by planting and include seating to make movement enjoyable and encourage interaction. All buildings have direct access to the communal open spaces.</p>
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#### Principle 6 – Amenity


Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing. Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.	<p>The proposal achieves excellent internal and external amenity for residents and neighbours to promote positive living environments and resident wellbeing.</p> <p>All living room and bedroom dimensions meet or exceed minimum sizes. Over 80% of apartments have living rooms and private open spaces that will receive a minimum of two hours direct sunlight at mid-winter. Most apartments receive sunlight to multiple balcony spaces at different times of the day. Fewer than 10% of apartments receive less than 15 mins no direct sunlight between 9am and 3pm at mid-winter. Narrow building depths and multiple cores with dual aspect apartments ensure excellent natural ventilation is achieved. 100% of apartments are naturally cross ventilated. Dwellings primarily face forwards and back, providing a positive outlook to the street and over the courtyard. Party walls are generally shared by rooms with like use, and rooms with like use are generally stacked in a typical plan. All dwellings have adequate storage with apartments and basements to meet LAHC Dwelling Requirements supplemented by individual storage areas in the basement.</p> <p>Dwellings at ground level have large private open space courtyards. Upper units each have two balconies areas, a large balcony directly accessible from the living room and a secondary, smaller balcony area for services.</p>
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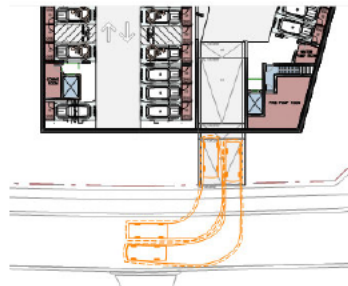
	Minimum apartment sizes are met with high internal efficiency achieved. Bathroom and kitchen designs are standardised to provide the most desired layout to all apartments. All doorways, corridors, bathrooms, laundries, kitchens and bedrooms provide accessible circulation areas.
<b>Principle 7 – Safety</b>	
Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety. A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.	The proposal has been designed to optimise safety within the development and from the private domain. The site is attractively fenced and landscaped to the street and boundaries to provide a clear distinction between public and private land. Portals clearly demarcate the entries at the street edge, with straight paths to the building, and gates to provide security to the buildings and the central courtyard. All entries have awnings and will be well-lit. Dwellings face forwards and back, providing passive surveillance to the street and central courtyard making these spaces safe to be in.
<b>Principle 8 – Housing diversity and social interaction</b>	
<p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p>	<p>The proposal is comprised of self-contained two bedroom seniors social housing apartments in response to the desired portfolio of the NSW Land and Housing Corporation.</p> <p>The proposal provides a variety of communal spaces to promote social interaction amongst residents. The southern end of the courtyard (above the basement car park) provides a hard paved space and barbecue area for gathering. This space is relatively flexible and can be put to different uses as desired by the tenants. The northern end of the courtyard is softer with deep soil and tree planting. All pathways include seating to encourage interaction. Seats at the entries will allow interaction with passers by and informal conversation at the letterbox. Generous lobbies and open stairways serving groups of only 4 to 10 dwellings per core will foster opportunities for incidental encounters between neighbours.</p>
<b>Principle 9 – Aesthetics</b>	
Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures. The visual appearance of a well designed apartment development responds to the existing or future local	<p>The proposal is designed to present attractively to the public domain, being appropriately scaled and modulated in height in response to the future streetscape and adjacent sites.</p> <p>The proposal is highly articulated with a variety of building elements composed in pleasing proportions. Attention to building entries,</p>



<p>context, particularly desirable elements and repetitions of the streetscape.</p>	<p>balconies, awnings, angled parapet lines and brick details provide visual interest, particularly at the street frontage and at the skyline.</p> <p>The proposal reflects its internal layout and structure by clearly revealing its composition as multiple buildings, which reduces the apparent bulk of the buildings and creates a more domestic scale and quality. The primary facade materials consist of mixed red face brick and fibre cement cladding which provide excellent durability and reduce maintenance.</p> <p>Distinctive brick details, such as at ends of blade walls, demonstrate craftsmanship and enhance the built form.</p> <p>The built form is organised into strong masonry blades which demise stacks of apartments and erode through sculptural openings at key interfaces. Between the blades, lighter weight cladding and balustrades recede through use of texture, finish and colour.</p> <p>Features such as entry slots, 'special erosions' of the brick blades, balcony balustrades and projecting roofs provide important visual counterpoints and relief to the body of the building. All elements integrate to the overall building and are not 'stuck on'. All colours are selected to 'connect' and/or recede into the landscaped setting provided. No render is proposed for the project. The buildings should appear to be 'familiar' and 'friendly' in their streetscape and context and will sit comfortably alongside their anticipated neighbours.</p> <p>The buildings are appropriately 'human-scaled' and residential in character. The proposal will be a positive contribution to its neighbourhood.</p>
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## 8.1.10 Seniors Living Policy – Urban Design Guidelines for Infill Development

1. Responding to Context	
<p><b>Analysis of neighbourhood Character</b></p> <p>New development should contribute to the overall character of the area, or in other words, have a good 'neighbourhood fit'.</p>	<p>The proposal has been designed to meet the need for seniors housing in Airds/Bradbury.</p> <p>The development seeks to provide a well-designed development that satisfies contemporary seniors housing residential standards, whilst seeking to achieve a landmark design signifying the importance of seniors housing to the Urban Renewal Project.</p> <p>Overall it is considered that the proposal is a positive contribution to the local area.</p>
2.Site Planning and Design	
<p><b>Design principles and better Practise</b></p> <p>Cater for a broad range of needs from potential residents by providing a mix of dwelling sizes and dwellings both with and without assigned car parking</p>	<p>Construction of a part two and part three storey seniors living development comprising thirty one (31) independent living units and twenty one (21) basement parking spaces including the provision of communal gardens, landscaping, site services.</p> <p>31 x 2 bedroom units.</p>
<p>Locate the bulk of the development towards the front of the site to maximise the number of dwellings with frontage to a public street</p>	<p>The bulk of the development has been designed to front Riverside Drive and Axeford Avenue frontages.</p>
<ul style="list-style-type: none"> <li>• Maintain existing patterns and character of gardens and trees;</li> <li>• Improve amenity by increasing the proportion of the site that is landscaped area;</li> <li>• Provide deep soil zones</li> </ul>	<p>Complies</p>
<p>Parking, Garaging and vehicular circulation</p>	 <p>Twenty one (21) basement spaces are provided for the development.</p>

<b>3.Impacts on Streetscape</b>	
<b>Built Form</b> <ul style="list-style-type: none"> <li>• break up the building massing and articulating building facades;</li> <li>• use variation in materials;</li> <li>• setting back upper levels;</li> <li>• reduce the apparent bulk and visual impact</li> </ul>	<p>The building design utilises a mix of textures and materials to compliment the articulated facades and provide interest to the redevelopment of the site.</p>
<b>Trees, landscaping and deep soil zones</b>	<p>Landscaping is proposed to enhance the aesthetic quality of the development.</p> <p>Planting forward of the proposed courtyard fences will soften the built form and will seek to create a soft edges to the street frontage.</p>
<b>Residential Amenity</b>	<p>The proposal provides a clear delineation of private and public domain areas together with a level of passive surveillance to communal areas to promote safety and a positive residential environment for the residents.</p>
<b>Parking, garaging and vehicular circulation</b> <p>Where basement car parking is used minimise the impact of the entry by:</p> <ul style="list-style-type: none"> <li>• locate it on one side of the site;</li> <li>• recess it from the main building facade</li> </ul> <p>Locate or screen all parking to minimise visibility from the street.</p>	<p>One access point is provided from Axeford Avenue to the basement carpark.</p> 
<b>4. Impact on Neighbours</b>	
<b>Built Form</b> <p>Protect neighbours' amenity</p>	<p>The design has taken into consideration the future use of adjoining sites (residential dwellings) as well as the Concept Plan for the redevelopment of Airds.</p>

5. Internal Site Amenity	
<b>Built Form</b> Design dwellings to maximise solar access to living areas and private open spaces.	The individual dwellings/units have been designed to comply with the requirements of the Housing SEPP and Residential Design Quality guidelines.
<b>Residential Amenity</b> <ul style="list-style-type: none"> <li>• Provide distinct and separate pedestrian and vehicular circulation;</li> <li>• Ensure that adequate consideration is given to safety and security</li> <li>• Provide open space</li> <li>• Provide communal open space</li> </ul>	Complies  The proposal provides a clear delineation of private and public domain areas together with a level of passive surveillance to communal areas from within the development to promote safety and security.

## 9. Airds Bradbury Concept Plan Guidelines

An assessment against the Concept Plan approval is addressed below.

Criteria	Requirement	Consistency
<b>Schedule 3</b>		
Part A – Terms of Approval	(1) Approval of Airds- Bradbury concept plan:	The proposed seniors living development is generally consistent with the masterplan, infrastructure delivery plan, Airds-Bradbury Development Control Guidelines and street layout.
	(2) The Proponent shall carry out the Concept Plan generally in accordance with approved documentation.	The proposed development is generally consistent with the ABURP approval.
	(3) Inconsistency between plans and documentation	The plans are generally consistent with the ABURP Approval.
	(4) Limits on approval	Further approval has been obtained for the construction of the ABURP.
Part B – Modifications to the concept plan	(1) Building Setbacks	Not applicable.
	(2) Fencing Strategy	Not applicable.
	(3) Traffic and transport	The proposal does not include access to Georges River Road.
	(4) Landscaping	A Landscape Plan has been submitted with the proposal.
	(5) Open Space	Not Applicable
	(6) Biodiversity Offset Package	Not Applicable with regard to this application.
Schedule 4 Further Environmental Assessment Required	(1) General Requirements	The proposal maintains consistency with the concept masterplan with regard to the provision of open space and road access.
	(2) Built Form and Urban Design	The proposal is consistent with the ABURP.

	(3) Traffic and transport	Not Applicable
	(4) Development contributions	A VPA was executed for the Airds-Bradbury Renewal Plan.
	(5) Bushfire hazard	The subject site has not been identified as bushfire prone land.
	(6) Biodiversity offset package	Not applicable to this application.
	(7) Bushland Management	Not applicable to this application.
	(8) Heritage	Not Applicable
	(9) Site filling and disposal	Cut and fill is considered to be appropriate for the proposed development.
	(10) Utilities	Infrastructure servicing is capable of being provided and is to be conditioned accordingly.
	(11) Contamination	Not Applicable
	(12) Flooding	Not Applicable
	(13) Water Quality and Riparian Corridors	Not Applicable

## 10. Campbelltown Local Environmental Plan 2015

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

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

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

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

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

- the independent living units meet community needs for seniors within a low density residential environment;
- the proposal provides independent living units in close proximity to a shopping centre and essential support services to meet the day to day needs of residents;

- the proposal provides a desired level of solar access to all independent living units; and
- the proposal provides an adequate level of access and movement within the complex.

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

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

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

Development prohibited in the R2 zone includes as follows:-

*“Any development not specified in item 2 or 3”*

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

SEPP (Housing) 2021 prevails to the extent of any inconsistency with the Campbelltown LEP.

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

Clause	Requirement	Proposed	Compliance
2.6(1) – Subdivision consent requirements	Land to which this Plan applies may be subdivided, but only with development consent.	Not Applicable	Not Applicable
4.3 Height of Buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the <a href="#">Height of Buildings Map</a> .  Required: 8.5 m	10.85 m	Does not Comply  NB. SEPP (Housing) prevails



7.1 Earthworks		The proposal includes earthworks to facilitate the construction of a basement carpark and associated infrastructure works.	Capable of Compliance  The proposed earthworks are considered to satisfy the considerations of Clause 7.1 of the CLEP 2015.
7.10 – Essential Services	<p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage,</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable road and vehicular access,</p> <p>(f) telecommunication services,</p> <p>(g) the supply of natural gas.</p>	The applicant advised that part of the Concept Plan confirmed that all urban utility services are available or can be readily extended to meet the needs of the ABRP.	Capable of Compliance

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

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

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

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

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

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

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

<b>2.7 Erosion and Sediment Control</b>			
<b>2.7 a) Design Requirements</b>	An Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted with a development application proposing construction and/or activities involving the disturbance of the land surface.	ESCP submitted.  Recommended condition of consent for implementation prior to the commencement of any works.	Capable of Compliance
<b>2.8 Cut, Fill and Floor Levels</b>			
<b>2.8.1 a) Cut and Fill</b>	A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	Cut and Fill drawings were submitted as a component of the earthworks	Capable of Compliance
<b>2.10 Water Cycle Management</b>			
<b>2.10.3 Stormwater Drainage</b>	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.	Stormwater Concept Plan submitted as a component of the proposal.	Complies

<b>2.10.3 Stormwater Drainage</b>	<p>The Stormwater Concept Plan shall include the following information as a minimum:</p> <ul style="list-style-type: none"> <li>(1) locations, layouts and sizes of stormwater pipes and pits;</li> <li>(2) minimum grades and capacity of stormwater pipes; and</li> <li>(3) existing and proposed easements, site contours and overland flow path/s.</li> </ul>	Council's Development engineer reviewed the proposal and raised no objections.	Capable of Compliance. Include conditions as provided.
<b>2.13 Security</b>	<p>Design Requirements</p> <p>a) Development shall be designed to:</p> <ul style="list-style-type: none"> <li>i) maximise, where possible, casual surveillance opportunities to the street and surrounding public places;</li> <li>ii) minimise dead ends and other possible entrapment areas;</li> <li>iii) clearly identify and illuminate access points to buildings and designated public places; and</li> <li>iv) clearly differentiate between private and public space</li> </ul>	The proposal has been designed to optimise safety within the development and from the private domain.	Complies
<b>2.15 Waste Management</b>			
<b>2.15.1 Waste Management Plan</b>	A detailed 'Waste Management Plan' (WMP) shall accompany development applications for certain types of development/land uses.	A Construction and Operational Waste Management Plan was prepared by Creative Planning Solutions and submitted in support of the proposal.	Complies

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

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

Part 19.3 Additional controls relating to waste management			
Part 19.3.2 Waste storage areas			
(a)	Open waste storage areas must: i) Be appropriately covered and bunded to avoid stormwater entering the sewer; ii) Be paved with impervious material; iii) Be graded and drained to a waste water disposal system in accordance with Sydney Water's requirements; and iv) Provide a hose tap connected to a water supply to enable easy cleaning.	As indicated in the plans 3 x enclosed waste storage area have been proposed + bulky waste storage located in the basement.	Capable of Compliance

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

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

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

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

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

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

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

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

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

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

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

- Building Height;
- Clause 4.6 variation Request – Building Height Non Compliance;
- 45 degree Building Plane Setback;
- Clause 4.6 45 degree building plane setback;
- Floor Space Ratio;
- Clause 4.6 Floor Space Ratio;
- Construction & Waste Management;
- Koala Linkage Corridor;
- Carpark Manoeuvring;
- Social & Economic Impacts.

#### **Building Height**

The proposed part two and three storey development includes four separate articulated residential blocks. The non-compliance with the height standard relates specifically to the three storey components of the development.

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

The following reasoning is provided in support of the height exceedance of the development:

- The Airds-Bradbury renewal area is currently undergoing a significant transition in built form from a low density public housing estate to a planned community containing a variety of housing types. The desired future character includes more intensive development located close to facilities that can support and sustain higher density development.
- The site is close to Airds Village Shopping Centre and other facilities such as a community health centre, high school, food and retail outlets. Higher density development close to activity centres is considered to be beneficial.
- The development is setback from street frontages providing the opportunity for landscaping to soften the appearance of the building and reduce its bulk and scale when viewed from the public street.
- 3 storey seniors development provides economies of scale supporting lift access to units and allowing for high quality design in terms of solar access, natural ventilation, façade articulation and site landscaping.



- There will be no significant adverse amenity impacts arising from the extent to which the buildings exceeds the maximum building height development standard in relation to overlooking, overshadowing, obstruction of light or air, obstruction of views or any other such impacts on nearby
- The development is designed to be compatible with the likely built form on adjoining and adjacent LAHC sites.
- The development comprises a number of separate buildings and ranges in height from 2 to 3 storeys.
- The development provides a social benefit in the form of accessible and affordable purpose built seniors housing.

#### Comment

The above points of justification are noted. A Clause 4.6 Variation request was submitted in support of the request to vary the height standard in accordance with Section 84(2)(c)(i) and the non-discretionary development standard in Section 108(2)(a) of SEPP (Housing) 2021.

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

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

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

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

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

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

The Applicant noted as follows:

“There is no specifically stated objective of the development standards expressed in Section 84(2)(c)(i) and the non-discretionary development standard in Section 108(2)(a) of SEPP (Housing) 2021. In considering the objectives of this standard, consideration can be given to the objectives of the building height development standard in Clause 4.3 of the Campbelltown LEP 2015 which are:

- (a) to nominate a range of building heights that will provide a transition in built form and land use intensity across all zones,
- (b) to ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity to business centres and transport facilities,

- (c) to provide for built form that is compatible with the hierarchy and role of centres,
- (d) to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.

The maximum building height under the LEP is 8.5 metres whilst the maximum height under the Housing SEPP is 9.5 metres. The applicant has assumed that the SEPP acknowledges that seniors housing may be higher than the prevailing height in the zone, reflecting the unique requirements of seniors housing."

The development is consistent with the objectives in that:

- The height of the development is appropriate given the site's location on a main road (Riverside Drive) to the Airs Bradbury renewal area, the proximity of the site to the shopping centre and to existing and future bus services;
- The character of the existing streetscape is changing with the construction of the Stage 4 subdivision work and the associated creation of new development lots along its alignment;
- The taller 3 storey buildings are located adjacent to Riverside Drive with buildings on the northern part of the site being 2 storeys providing a suitable transition to the future residential dwellings to the north/north-east;
- The development has no significant adverse visual impact, view loss, loss of privacy or loss of solar access to existing and future development and to key elements of the public domain;

The proposed development is considered to satisfy the nominated objectives.

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

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

- the development will be visually attractive and sympathetic to the existing and emerging character of the area;
- the development will maintain the neighbourhood amenity and character of the local area;
- the development is part two and three storeys in height which has been designed to be compatible with the expected neighbouring development and transitions in height;
- the development reflects the desired future character of the Airs Bradbury Urban Renewal Project;
- the bulk and scale of the building is considered appropriate;
- the site is of sufficient size to accommodate the proposed development;

- the proposed seniors living development will meet an important social need in providing independent living units in the local community close to essential services and shops.

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

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

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

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

#### **Does the written request adequately address those issues at Clause 4.6(3)(a)**

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

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

The Applicant believes that the contravention of the building height development standard is justified on environmental planning grounds specific to this development for the following reasons:

- The height of the development is influenced by the need to achieve continuous accessible pathways from surrounding streets into, and within, the site, particularly in the central common open space.
- The bulk and scale of the proposal is compatible with the emerging character of the Airs Urban Renewal area.
- The higher elements of the development front a major street and are acceptable on environmental planning grounds because of the separation provided to adjacent future development and the compatibility with the emerging character of the streetscapes and locality.
- The additional height is acceptable in that the proposed building setbacks have been designed to reduce perceived bulk, scale and overshadowing as required, and the form and configuration of the proposal is sympathetic to the land form.
- Perimeter deep soil landscaping is proposed along the site boundaries, providing an appropriate built form transition from those parts of the building that exceed the height limit and maintaining privacy to properties adjacent to the site as well as future

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

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

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

The development is consistent with the zone objectives in that:

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

The proposed three storey component that exceeds the height standard, is considered to be generally sympathetic to the corner and its interface with Riverside Drive and Axeford Avenue. The development does not detract from the architectural integrity of the principal elevation of the contributory buildings whilst being compatible with the emerging urban form of the area which is undergoing significant change.

### **Conclusion**

The applicant's written request has adequately addressed the matters as identified by cl 4.6 of the Campbelltown Local Environmental Plan 2015 and compliance with the building height development standards in Section 84(2)(c)(i) and the non-discretionary development standard in Section 108(2)(a) of SEPP (Housing) 2021, is considered to be unreasonable and unnecessary in the circumstances of this case.

- the development is considered to be appropriate in this location;
- the development achieves the underlying objectives of the standard;
- the non-compliance does not result in any adverse environmental impacts on the amenity of the surrounding area in general, or on the amenity of nearby future residential properties in particular; and
- the scale of the proposal, notwithstanding the non-compliance, is generally compatible with the desired future character of the Airs Urban Renewal area and is appropriate in its context.

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

## 45 Degree Building Plane Setback

The non-compliance with upper level setback plane development standard is noted within Section 84(2)(c)(iii) of SEPP (Housing) 2021 as follows:

### 84 Development standards—general

- (1) This section applies to development for the purposes of seniors housing involving the erection of a building.
- (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 1,000 m<sup>2</sup>, and
  - (b) the frontage of the site area of the development is at least 20m measured at the building line, and
  - (c) for development on land in a residential zone where residential flat buildings are not permitted—
    - (i) the development will not result in a building with a height of more than 9.5 m, excluding servicing equipment on the roof of the building, and
    - (ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5 m—the servicing equipment complies with subsection (3), and
    - (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.*

Comment

A Clause 4.6 Variation request was submitted in support of the request to vary the building plane setback in accordance with Section 84(2)(c)(iii) (Housing) 2021.

### Extent of non-compliance

The extent of non-compliance with the 45 degree building plane setback, development standard is noted as follows:

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

### Clause 4.6 Variation Request – 45 degree building plane setback Non Compliance

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

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

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

The Applicant seeks to justify the contravention of the building plane setback development standard on the following basis:

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

The Applicant noted as follows:

There is no specifically stated objective of the development standard expressed in Section 84(2)(c)(iii) of the SEPP (Housing) 2021. The former State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 contained a development standard for development adjacent to a boundary:

*40(4)(b) a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height*

A note to clause 40(4)(b) provided guidance on the purpose of this standard:

The purpose of this paragraph is to avoid an abrupt change in the scale of development in the streetscape.

The objectives of the building height development standard in Clause 4.3 of the Campbelltown LEP 2015 can be considered also.

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

The Applicant noted that the objective of the upper level 45 degree setback standard can be interpreted in the following manner:

- To avoid an abrupt change in the scale of development in the streetscape and on adjoining sites.
- To limit the extent of overlooking and overshadowing to the private spaces of neighbouring properties.
- To provide access to light, air and outlook for neighbouring properties and future buildings.
- To prevent overbearing development.

The proposed development is considered to satisfy the intent of the objectives.

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

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

- the development will be visually attractive and sympathetic to the existing and emerging character of the area;

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

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

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

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

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

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

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

The Applicant believes that the contravention of the building height plane setback development standard is justified on environmental planning grounds specific to this development for the following reasons:

- The location of buildings on the site is influenced by the site dimensions and relationship to adjoining lots taking into account the need to provide appropriate separation to adjoining sites to allow access to light, air and outlook for neighbouring properties and their future buildings. The location of Building D has regard to its location near the common boundaries with adjoining lots.
- The location of buildings on the site is influenced by the need to provide disabled access to as many units as possible.
- The design of Building D is oriented away from the site boundary limiting the amount of building that protrudes within the 45 degree plane.



- The location of the three storey elements provides no limitations or restrictions on how the adjoining sites would develop in the future due to the proposed landscaped setbacks and responsive building design.
- The building setbacks have been designed to reduce perceived bulk, scale and overshadowing as required, and the form and configuration of the proposal is sympathetic to the land form.
- Perimeter deep soil landscaping is proposed along the site boundaries, providing an appropriate built form transition from the upper level of Building D and maintaining privacy to properties adjacent to the site.
- There will be no significant adverse amenity impacts arising from the extent to which the upper level of Building D exceeds the 45 degree setback development standard in relation to overlooking, overshadowing, obstruction of light or air, obstruction of views or any other such impacts on nearby existing or future residential properties as a result of building setback.

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

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

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

The development is consistent with the zone objectives in that:

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

The proposed three storey component exceeds the building height plane setback development standard, resulting in minimal adverse impacts upon the existing locality.

### **Conclusion**

The applicant's written request has adequately addressed the matters as identified by cl 4.6 of the Campbelltown Local Environmental Plan 2015 and compliance with the 45 degree building plane setback development standard in Section 84(2)(c)(iii) of SEPP (Housing) 2021, and is considered to be unreasonable and unnecessary in the circumstances of this case.

- the development is considered to be appropriate in this location;
- the development achieves the underlying objectives of the standard;

- the non-compliance does not result in any adverse environmental impacts on the amenity of the surrounding area in general, or on the amenity of nearby future residential properties in particular; and
- the scale of the proposal, notwithstanding the non-compliance, is compatible with the desired future character of the Airds Urban Renewal area and is appropriate in its context.

For the reasons provided above, the requested variation to the 45 degree building height plane setback development standard is supported.

### **Floor Space Ratio**

The provisions of SEPP (Housing) 2021, identifies a FSR of 0.5:1 whilst under the provisions of Campbelltown LEP 2015, no maximum floor space ratio has been identified with respect the subject site and it's proposed use.

The proposed development has a total gross floor area of 2,408.8 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>.

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

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

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

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

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

### **Clause 4.6 Variation Request – Floor Space Ratio**

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

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

**Extent of non-compliance**

The FSR non-discretionary development standard is 0.5:1.

The proposed development has an FSR of 0.69:1.

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

The applicant seeks to justify the contravention of Section 108(2)(c) a non-discretionary FSR development standard for independent living units on the following basis:

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

The Applicant noted that there is no specifically stated objective of the non-discretionary development standard in Section 108(2)(c) of SEPP (Housing) 2021. Consideration can be given to the objectives of the FSR development standard in Clause 4.4 of the Campbelltown LEP 2015 which are:

- (a) to provide effective control over the bulk and scale of future development,
- (b) to nominate a range of floor space ratio controls that will provide a transition in built form and land use intensity across all zones,
- (c) to ensure that buildings are compatible with the bulk and scale of the existing and desired future character of the locality,
- (d) to ensure that the bulk and scale of buildings contribute to the intended architectural outcomes for development appropriate to the locality and reflect their proximity to the business centres and transport facilities,
- (e) to provide for built form that is compatible with the hierarchy and role of centres,
- (f) to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and the public domain is addressed,
- (g) to minimise the adverse impacts of development on heritage conservation areas, heritage items and the public domain.."

Having regard to the aims of SEPP (Housing) 2021, the objectives of the development standard are taken to be those above and the intent of the SEPP is to achieve building density compatible with the character of the streetscape and that is appropriate in the locality."

As such, the development is consistent with the objectives in that:

- The density of development is appropriate in the locality given proximity to the Airds Shopping Centre and other activities such as community facilities, recreation facilities and open space adjacent to the shopping centre on the western side of Riverside Drive.
- The development provides a transition in built form and land use intensity from the activity centres, transitioning to lower density development.
- The diversity of built form, building bulk and scale close to such activity centres can accommodate the proposed development in a manner consistent with the existing and emerging character of the locality and is compatible with the hierarchy of centres being the B1 Neighbourhood Centre.
- The development reduces in scale to side boundaries and maintains a generous setback capable of accommodating significant deep soil landscaping.
- The development comprises a number of separate buildings and the built form is highly modulated and articulated.
- Impacts on adjoining sites such as overshadowing, overlooking and noise is minimised.

- The development has no impact on heritage items or conservation areas.

The proposed development is considered to satisfy the nominated objectives.

As such, the Applicant noted that non-compliance with the non-discretionary FSR development standard in Section 108(2)(c) of the SEPP is acceptable and reasonable in the circumstances of the case for the following reasons:

- the development will be visually attractive and sympathetic to the existing and emerging character of the area;
- the development will maintain the neighbourhood amenity and character of the local area;
- the development is part two and three storeys which has been designed to be compatible with the expected neighbouring development and transitions from the activity centres in the B1 zone to future low density residential sites to the east;
- the development reflects the desired future character of the Airs Urban Renewal area;
- the bulk and scale of the buildings are appropriate in this location and on this site and create no significant amenity impacts resulting from overshadowing or loss of privacy;
- the site is of sufficient size to accommodate the proposed development;
- seniors developments are typically low traffic generating; and
- the proposed seniors living development will meet an important social need in providing independent living units in the local community close to essential services and shops and public transport.

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

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

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

- The site is a large site adjacent to a large area of land zoned B1 Neighbourhood Centre. It is located on a major collector road through the Airs Urban Renewal area and has good access to public transport.
- The bulk and scale of the proposal is compatible with the emerging character of the Airs Urban Renewal area and expected future development on adjacent sites including the future low density residential area to the north, future medium density townhouses to the south and the shopping centre and community facilities in the B1 zone to the west.
- The FSR provides no limitations or restrictions on how the adjoining sites would develop in the future due to the proposed landscaped setbacks and responsive building design.
- The FSR is acceptable in that the proposed building setbacks have been designed to reduce perceived bulk, scale and overshadowing as required, and the form and configuration of the proposal is sympathetic to the land form.
- Perimeter deep soil landscaping is proposed along the site boundaries, providing an appropriate built form transition and maintaining privacy to properties adjacent to the site as well as future residents of the site.
- The extent to which the buildings exceed the maximum FSR does not change the relationship of the development to adjoining land to any significant extent.
- There will be no significant adverse amenity impacts arising from the extent to which the buildings exceed the FSR development standard in relation to overlooking, overshadowing, obstruction of light or air, obstruction of views or any other such

- impacts on nearby existing or future residential properties as a result of the density of the development.
- The traffic generated by the proposed development can be readily accommodated by the surrounding transport network with seniors housing typically generating less traffic than other housing forms.

Given there are no adverse environmental impacts, it is confirmed there are suitable planning grounds to justify contravention of the development standard. Furthermore, the applicant has adequately addressed that there are sufficient environmental planning grounds to justify contravening the standard.

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

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

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

It is considered that the applicant has adequately addressed that compliance with the FSR development standard to be unreasonable or unnecessary in the circumstances of the case.

The applicant has demonstrated that the objectives of the development standard can be achieved notwithstanding non-compliance with the development standard.

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

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

The development is consistent with the zone objectives in that:

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

The proposed development is considered to be generally sympathetic to the corner and its interface with Riverside Drive and Axeford Avenue. The proposed development is in keeping with the future local character of the urban renewal area and will have a streetscape appearance compatible with the emerging urban form which is undergoing significant change.

## **Conclusion**

The applicant's written request has adequately addressed the matters as identified by cl 4.6 of the Campbelltown Local Environmental Plan 2015 and compliance with the FSR development standard in Section 108(2)(c) of the SEPP considered to be unreasonable and unnecessary in the circumstances of this case.

- the development is considered to be appropriate in this location;
- the development achieves the underlying objectives of the standard;
- the non-compliance does not result in any adverse environmental impacts on the amenity of the surrounding area in general, or on the amenity of nearby future residential properties in particular; and
- the scale of the proposal, notwithstanding the non-compliance, will be generally compatible with the desired future character of the Airds Urban Renewal area and is appropriate in its context.

For the reasons provided above, the requested variation to the floor space ratio development standard is supported.

## **Construction & Waste Management**

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

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

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

## **Koala Linkage Corridor**

The site is located east of the Smiths Creek Reserve and the Koala Refuge Initiative Area as defined in the ISDP.

It is acknowledged that the site is not considered to be Core Koala Habitat and a Biodiversity Development Assessment Report (BDAR) is not required. However, the site is identified as falling within the identified Koala initiative corridor, and therefore is required to include specific Koala Tree plantings into the street tree species mix.

During the application process Council's Environment Officer requested amendments to the submitted Landscape Plan to ensure that the initiative be acknowledged and complied with.

Conditions of consent have been recommended acknowledging the reinstatement of the corridor initiative as described in the ISDP.

## Carpark Manoeuvring

Council requested that detail be provided demonstrating that B85 and B99 vehicles can pass each other within the basement parking area including within the aisle and ramps, identifying swept path compliance be achieved.



Figure 13- Manoeuvrability

The applicant responded in the following manner:

*We believe that the one lane section of ramp complies with AS/NZS 2890.1:2004. Under Table 3.1 of the Standard the access driveway is classified as a Category 1 driveway. The Standard states the following in relation to Category 1 driveways:*

*'As a guide, 30 pr more movements in a peak hour (in and out combined) would usually require the provision for two vehicles to pass on the driveway'*

*We anticipate that the section of ramp would accommodate in the order of 4 vehicle movements which indicates it is suitable to operate as a one lane section of ramp. We are proposing convex mirrors to allow drivers to see oncoming vehicles and act accordingly.*

*We also note drivers will be familiar with the car park and its operation and providing a large convex mirror is regularly used in similar situations across Australia. The facility is intended to be used by 'younger older people' where they are expected to be more active which is why there is a high provision of parking. If these people still hold a license, I believe it is fair to assume they can understand how this short one lane section would work.*

*Overall, the likelihood of two vehicles meeting is minimal (approximately once every 95 days in the peak hour) and we believe that the convex mirrors would readily allow drivers to manage the operation of the driveway in a safe and efficient manner.*

*Furthermore, we have attached plans to this email for two recently approved seniors living developments by LAHC that have been approved in the surrounding area (A04 Basement Plan [E] Dowie.pdf & A04 Basement Plan [E] Arkley.pdf). Both developments have one lane sections of accessway similar to the proposed development.*



The projects include:

- Dowie – has a section at the base of the ramp that does not allow for simultaneous two-way vehicle movement. The car park serves 21 parking spaces.
- Arkley – Has a one lane section of ramp between the basement levels like what we are proposing. The second level services 15 parking spaces.

Regarding Clauses 2.3.1, we believe that the proposed one lane section addresses this clause given Table 3.1 and 3.2 permit the use of a single lane for less than 30 vehicle movements in the peak hour.

Clause 2.5.2 states: areas in which it is necessary for two vehicles to pass one another shall be designed for a B85 vehicle to pass a B99 vehicle. It doesn't state that they have to be able to pass each other. We are stating that they do need to pass either side of the ramp but along the one lane section only one vehicle needs to be accommodated. There is clearly precedence from these project examples which supports this approach."

### **Comment**

The submitted response is acknowledged. Taking into consideration the interpretation of the legislation, precedence, scale of development, on balance the final design has been accepted and appropriate conditions have been incorporated within the Notice of Determination.

### **Social & Economic Impacts**

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

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

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

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

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

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

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

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

### **Public Participation**

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

The application was notified to nearby and adjoining properties, in accordance with Council's Notification Policy between 09 September 2022 and 10 October 2022.

No submissions were received in response.

### **Referrals**

The proposal was referred to the following external authorities:

#### **Sydney Water**

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

### **Comment**

Noted. To be conditioned accordingly.

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

#### **Environmental- Landscape Plan**

Amended Landscape Plan was sought during the application process and provided accordingly.

### **Comment**

Council's Environment Officer reviewed the detail and raised no objections subject to the inclusion of conditions as provided.

#### **Development Engineer**

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

#### **Environmental Health Officer**

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

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

### **Comment**

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

### **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."

### **Comment**

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

### **Waste Officer**

Council's Waste Specialist Officer raised no objections subject to comments/conditions as provided.

### **Comment**

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

### **Strategic Infrastructure/Contributions**

Council's Strategic Infrastructure/Contributions Officer raised no objections to the proposal advising as follows:

"I can confirm that **no contributions** are applicable to this application as it forms part of the Airds Bradbury Urban Renewal project and this specific development was contemplated precisely as part of the overall Concept Plan approval granted for the project.

As you can see from the below extract from the September 2014 Infrastructure Services Delivery Program (the accompanying document to the VPA), a 52 unit seniors housing development was considered and approved and forms part of the reason behind the infrastructure being provided via the VPA."

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 lot 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.

### **Comment**

Noted.

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

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

## **17. Conclusion**

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

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

Pursuant to Clause 4.33 of the EP&A Act 1979, draft conditions were sent to the Crown on the 01 February 2023 for review. Concurrence of the conditions was received from the applicant on 28 February 2023.

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

Therefore, the proposal is recommended for approval.

## **18.0 Recommendation**

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Having regard to the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, it is recommended that Development Application 3142/2022/DA-SL for a seniors living housing development be approved, subject to conditions as attached.

In accordance with Section 4.33(1)(b), the recommended conditions have been reviewed and concurrence has been provided by the applicant (LAHC).

**Attachment 1**  
**Conditions of Consent – 3142/2022/DA-SL (Airds Stage 4 Seniors Living)**  
**GENERAL CONDITIONS**

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

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

**1. Approved Development**

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

<b>Plan Detail</b>	<b>Revision</b>	<b>Prepared by</b>	<b>Date</b>
Plan of Subdivision Development Layout Plan Stage 4 Plan No. P50392/DA4/Layout_E Sheet 1 of 5	E	Urban Growth NSW	22 August 2017
Plan of Subdivision Development Layout Plan Stage 4 Plan No. P50392/DA4/Layout_E Sheet 2 of 5	E	Urban Growth NSW	22 August 2017
Plan of Subdivision Development Layout Plan Stage 4 Plan No. P50392/DA4/Layout_E Sheet 3 of 5	E	Urban Growth NSW	22 August 2017
Plan of Subdivision Development Layout Plan Stage 4 Plan No. P50392/DA4/Layout_E Sheet 4 of 5	E	Urban Growth NSW	22 August 2017
Plan of Subdivision Development Layout Plan Stage 4 Plan No. P50392/DA4/Layout_E Sheet 5 of 5	E	Urban Growth NSW	22 August 2017
Plan of Subdivision of part of Riverside Drive for title issue and road closure Under the roads act 1993 (being land comprised in vol.11734 fol. 80) Sheet 1 of 1	Ref: 115498068_01	Surveyor Matthew Cleary	25 February 2022
Plan of Subdivision of Lot 1 in DP 1291664 and Lots 4011-4014 & 4112 in DP 1240452 Sheet 1 of 1	Ref: 115498068_02	Surveyor Matthew Cleary	08 February 2023
LAHC Airds Stage 4 Seniors Housing Drawing No. 2125-DA 0000 Cover Sheet/Drawing List	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022

LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 0000 Cover Sheet/Drawing List	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 1000 Site Analysis	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 1001 Demolition/Excavation	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 2000 Setout	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 2001 Level 00 - Basement	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 2002 Level 01 - Ground	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 2003 Level 02	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 2004 Level 03	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 2005 Roof	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 3000 Section 01 - Facing East	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 3001 Section 02 - Facing South	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 3002 Section 03 - Facing West	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 4000 Elevation - North	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022

LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 4001 Elevation - East	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 4002 Elevation - South	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 4003 Elevation - West	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 5000 Details - Entry Pavilions A+B	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 5001 Details - Entry Pavilions C+D	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 5002 Details - Basement Egress	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 5100 Details - Colours & Materials	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 5200 Details - Project Metrics	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 5400 Details - 9.5m Height Plane	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 5401 Details - 45 Degree Plane	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 6000 Perspective View 01	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 6001 Perspective View 02	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airs Stage 4 Seniors Housing Drawing No. 2125-DA 6002 Perspective View 03	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022



LAHC Airds Stage 4 Seniors Housing Drawing No. 2125-DA 6003 Perspective View 04	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
AHC Airds Stage 4 Seniors Housing Drawing No. 2125-DA 7000 Shadow Diagrams - Winter	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airds Stage 4 Seniors Housing Drawing No. 2125-DA 7001 Shadow Diagrams - Winter	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airds Stage 4 Seniors Housing Drawing No. 2125-DA 7000 Shadow Diagrams - Equinox	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airds Stage 4 Seniors Housing Drawing No. 2125-DA 7100 Views form Sun - Winter	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
LAHC Airds Stage 4 Seniors Housing Drawing No. 2125-DA 7101 Views form Sun - Equinox	D	MAKO Architecture Pty Ltd in association w/ Studio Zanardo	04 August 2022
Airds Seniors Living - Stage 4A Civil Engineering Works Drawing No. 210146-DA-C01.01 Cover Sheet & Drawing Schedule	2	Enspire	23 May 2022
Airds Seniors Living - Stage 4A Civil Engineering Works Drawing No. 210146-DA-C03.01 Erosion & Sediment Control Plan	2	Enspire	23 May 2022
Airds Seniors Living - Stage 4A Civil Engineering Works Drawing No. 210146-DA-C03.21 Erosion & Sediment Control Details	2	Enspire	23 May 2022
Airds Seniors Living - Stage 4A Civil Engineering Works Drawing No. 210146-DA-C05.01 Site Works & Stormwater Management Plan - Basement	3	Enspire	20 July 2022
Airds Seniors Living - Stage 4A Civil Engineering Works Drawing No. 210146-DA-C05.02 Site Works & Stormwater Management Plan - Ground Floor	2	Enspire	23 May 2022
Airds Seniors Living - Stage 4A Civil Engineering Works Drawing No. 210146-DA-C05.03 Site Works & Stormwater Management Plan - Roof	2	Enspire	23 May 2022

Airds Seniors Living – Stage 4A Civil Engineering Works Drawing No. 210146-DA-C07.01 Driveway Longitudinal Section	2	Enspire	23 May 2022
Airds Seniors Living – Stage 4A Civil Engineering Works Drawing No. 210146-DA-C23.01 Safety in Design	2	Enspire	23 May 2022
Seniors Living – Airds Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.00 Coversheet	H	Distinctive Living Design	17 October 2022
Seniors Living – Airds Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.01 Location & Context Plan	H	Distinctive Living Design	17 October 2022
Seniors Living – Airds Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.02 Mood Imagery	H	Distinctive Living Design	17 October 2022
Seniors Living – Airds Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.10 Masterplan	H	Distinctive Living Design	17 October 2022
Seniors Living – Airds Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.11 Deep Soil Diagram	H	Distinctive Living Design	17 October 2022
Seniors Living – Airds Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.12 Sheet Directory Plan	H	Distinctive Living Design	17 October 2022
Seniors Living – Airds Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.13 Access Diagram	H	Distinctive Living Design	17 October 2022
Seniors Living – Airds Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.20 Landscape Detail Plan 01	H	Distinctive Living Design	17 October 2022

Seniors Living – Airs Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.21 Landscape Detail Plan 02	H	Distinctive Living Design	17 October 2022
Seniors Living – Airs Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.22 Landscape Detail Plan 03	H	Distinctive Living Design	17 October 2022
Seniors Living – Airs Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.23 Landscape Detail Plan 04	H	Distinctive Living Design	17 October 2022
Seniors Living – Airs Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.24 Zoomed Plan – COS	H	Distinctive Living Design	17 October 2022
Seniors Living – Airs Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.25 Zoomed Plan – Typical POS	H	Distinctive Living Design	17 October 2022
Seniors Living – Airs Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.26 Sections	H	Distinctive Living Design	17 October 2022
Seniors Living – Airs Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.26 Elevation	H	Distinctive Living Design	17 October 2022
Seniors Living – Airs Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.30 Material Palette	H	Distinctive Living Design	17 October 2022
Seniors Living – Airs Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.31 Plant Palette	H	Distinctive Living Design	17 October 2022
Seniors Living – Airs Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.32 Plant Schedule & Details	H	Distinctive Living Design	17 October 2022

Seniors Living – Airs Stage 4 Landscape Design Package Project No. 45-21 Drawing No. 45-21.33 Details	H	Distinctive Living Design	17 October 2022
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### Supporting Documentation

Traffic Impact Assessment Lot 4112 at the corner of Riverside Drive and Axford Avenue Amber Traffic & Transportation Direction Reference: 271 rep 220718 final	July 2022
Noise Impact Assessment Airds Seniors Living Building Services Engineers Project No. 20211101 Revision - Final	01 April 2022
SEPP 65 Assessment Mako Architecture Design Statement Issue 02	25 July 2022
Written request prepared pursuant to Clause 4.6 of Campbelltown Local Environmental Plan 2015 to a variation to the development standards contained in Sections 84(2)(c)(i) and 108(2)(a) of State Environmental Planning Policy (Housing) 2021 BBC Consulting Planners Job No. 20-128	July 2022
Written request prepared pursuant to Clause 4.6 of Campbelltown Local Environmental Plan 2015 in relation to a Variation which is sought to the Development standards contained in Section clause 84(2)(c)(iii) of Sepp (Housing) 2021 BBC Consulting Planners Job No. 20-128	July 2022
Written request prepared pursuant to Clause 4.6 of Campbelltown Local Environmental Plan 2015 to a variation to the development standards contained in Section 108(2)(c) of State Environmental Planning Policy (Housing) 2021 BBC Consulting Planners Job No. 20-128	July 2022
Results of Geotechnical Investigation – Airs Stage 4 Pells Sullivan Meynink (PSM) Reference: PSM4258-017L	04 March 2022
Suitability Assessment JBS&G Reference: 59958-144018 Revision 0	04 March 2022
Building Design Review Report Metro Building Consultancy Revision 03	22 July 2022
Access Report Vista Access Architects Project Ref: 21463	05 August 2022

Reference No.21463 Issue D	
Demolition, Construction and Operational waste Management Plan Creative Planning Solutions Project No.E676 Revision A	19 May 2022

## 2. Compliance with Notice of Determination 497/2017/DA-SW

The works approved as a component of this consent are to be undertaken in conjunction with and in response to the works approved and relevant conditions imposed as part of 497/2017/DA-SW (Airds Stage 4).

## 3. Occupants of Accommodation

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

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

In this condition:

**seniors** means the following people—

- (a) people who are at least 60 years of age,
- (b) people who are resident at a facility at which residential care, within the meaning of the [Aged Care Act 1997](#) of the Commonwealth, is provided,
- (c) people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.

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

(State Environmental Planning Policy (Housing) 2021)

## 4. Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

## 5. Landscaping

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

## **6. External Finishes**

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application.

Any proposed alterations to these finishes are to be reviewed and endorsed by Council.

## **7. Screening of Hydrant Booster to Riverside Drive**

The hydrant booster is to be screened in a manner that will not hinder impact to the street in accordance with EPI.3 and EP1.4 of the NCC 2019 (BCA).

## **8. Garbage Storage Enclosure**

The garbage storage area identified on the approved plans shall:

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

## **9. Waste Management**

The following conditions have been applied to ensure that all activities involving the operation of the facility are carried out in a manner which will prevent undue air, land, water and noise pollution, in accordance with the Protection of the Environment Operations Act 1997.

### **WASTE STORAGE AREAS –**

Open waste storage areas must be appropriately covered and bunded to avoid stormwater entering the sewer. The ground areas must be paved with impervious material and must be graded and drained to a waste water disposal system according to Sydney Water's requirements. A hose tap connected to a water supply must be provided to enable easy cleaning.

Closed waste storage area/room must be provided with:

- Be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor.
- The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- A hose cock shall be provided within the room.
- Garbage rooms shall be vented to the external air by natural or artificial means.

All waste and recycling generated are to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, odour or health nuisance. All waste storage receptacles must be stored within designated areas and only placed out for collection on the day of collection.

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

On-going waste management is to be conducted in accordance with the Waste Management Plan (prepared by Creative Planning Solutions, dated 19 May 2022).

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

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

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

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

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

#### **12. Fencing**

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

#### **13. Basement Storage**

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

#### **14. Common Pedestrian Pathways**

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



## **15. Wayfinding Map**

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

## **16. Switchboards/Utilities/Air Conditioning Units**

Switchboards, air conditioning units, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

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

The gradients of driveways and manoeuvring areas shall be designed in accordance with Australian Standards AS 2890.1 and AS 2890.2 (*as amended*).

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

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

## **18. Lighting**

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

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

## **19. Graffiti Removal**

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

## **20. Pollution Management**

The following conditions have been applied to ensure that all activities involving the operation of the facility are carried out in a manner which will prevent undue air, land, water pollution, noise pollution and waste management practices in accordance with the Protection of the Environment Operations Act 1997 Protection of the Environment Operations (Waste) Regulation 2014, Local Government Act 1993, Local Government Regulation 2015 and associated technical standards:

#### AMENITY OF THE NEIGHBOURHOOD –

The implementation and ongoing operation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, odour, dust, waste products or other products, particularly from machinery, vehicles, warning sirens, public address systems and the like.

#### OFFENSIVE NOISE –

The development must be design so that the use of the premises, building services, operations, equipment, machinery, vehicles and ancillary fittings must not emit ‘offensive noise’ as defined in the Protection of the Environment Operation Act, 1997: Offensive noise means noise:

- a) That, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
  - i) Is harmful to (or likely to be harmful to) a person who is outside the premises from which it is emitted; or
  - ii) Interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or
- b) That is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

Noise control recommendations must be implemented and noise levels within the premises shall not exceed the relevant noise trigger levels detailed in the acoustic report prepared by Building Service Engineers dated 26 July 2022.

#### UNREASONABLE NOISE, ODOUR, DUST AND VIBRATION –

In the event of a noise fumes, odour, dust, or waste related issue arising during the implementation, construction and ongoing operation of this development, the person in charge of the premises shall when instructed by Council, cause to carry out an investigation by an appropriate consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

Should the development not achieve compliance with the applicable guidelines and standards, amendments to the development are required to be made (with the consent of Council), which may include, but are not limited to, changes to hours of operation, installation of further treatment, modification of operational procedures, etc.

### **21. Engineering Design Works**

The design of all engineering works shall be carried out in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*, *Engineering Design Guide for Development (as amended)* and *Campbelltown (Sustainable City) DCP (as amended)*.

### **22. Car Parking Spaces**

Twenty one (21) car parking spaces shall be designed, sealed, line marked and made available to users of the site in accordance with Australian Standards 2890.1 and 2 (as amended).

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

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

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

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

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

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (e.g. the flushing of toilets), in accordance with the approved plans.

## **25. Construction Certificate**

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

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

## **26. Balconies – Noise, Light and Amenity Mitigation Measures**

The use balconies attached to rooms shall be conducted so as to avoid the generation of unreasonable noise, a light nuisance, amenity concerns or create any interference to adjoining or nearby occupants.

The following management restrictions must be adhered to at all times:

- i. The balustrades of the balcony areas connected to units or apartments must not be used for clothes drying.
- ii. Amplified radios, music, power tools or other noise nuisances are not permitted in the balcony areas connected to apartments.
- iii. Wood fire heating and cooking or any other form of heating and cooking that generates smoke, fumes or other pollution is not to be used on the balcony areas connected to apartments.
- iv. Illumination of the balcony areas connected to apartments must be arranged to provide an appropriate level of lighting in accordance with the requirements of Australian Standard 4282 (as amended) so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

## **27. Chemical Storage Area**

Any room used to store chemicals for cleaning or other purposes must be constructed with smooth and impervious floors, walls and ceiling to enable easy cleaning.

Appropriate ventilation, bunding and storage of the chemical must be provided within the room in accordance with SafeWork NSW and the Safety Data Sheets for each chemical to prevent any pollution incidents or risk to public health and safety.

All chemical waste must be collected and disposed of appropriately by a waste transporter and treatment facility licensed by the DEC – Department of Environment and Conservation (Protection of the Environment Operations (Waste) Regulation 2014).

## **28. Regulated Systems Requirements**

**CONSTRUCTION** - In the event the development constructs a regulated system/s, as defined under the Public Health Act 2010, the regulated system/s must be designed and installed in accordance with the *Public Health Act 2010*, Public Health Regulation 2022 and AS/NZS 3666.1:2011 Air-handling and water systems of buildings—Microbial control—Design, installation and commissioning, Local Government Act 1993 and associated technical standards.

**WASTE WATER** - In the event of installation of a regulated system/s and plant room/surrounding areas must have appropriate measures to prevent wastewater from the regulated system/s entering the stormwater system.

**OPERATION OF THE REGULATED SYSTEM/S** - The regulated system/s must comply and operate in accordance with the *Public Health Act 2010* and Public Health Regulation 2022.

**INSPECTION** - In the event of installation of a regulated system prior to the release of the occupation certificate, Council's Environmental Health Officer is to be contacted (Phone 4645 4604) to undertake an inspection of the premises. An inspection fee will be charged in accordance with Council's current schedule of fees and charges.

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

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

## **29. Site Audit Statement**

Prior to Council or the appointed Principle Certifier issuing a Construction Certificate, or the commencement of works, whichever occurs first, a section A1 site audit statement under the Contaminated Land Management Act, 1997, is required to be submitted, certifying that the land is suitable for "residential with minimal opportunity for soil access, including units".

### **30. Substation Details**

Prior to the issue of a Construction Certificate, the applicant will provide details to Council for its records and/or the appointed principal certifier for the constructed substation, external to the building, along the Riverside Drive frontage, as indicated on the stamped plans. The substation shall be designed in accordance with Endeavour Energy's standards and requirements for access, noise influence and fire rating.

### **31. Landscape Maintenance Program**

Prior to Council or the appointed Principal Certifier issuing a Construction Certificate, the applicant must submit a landscape maintenance program in accordance with the approved landscape plan for a minimum period of 24 months to ensure that all landscape work becomes well established by regular maintenance.

### **32. Schedule 4 SEPP (Housing)**

#### **Standards concerning accessibility and useability for hostels and independent living units**

Prior to the issue of a Construction Certificate, a report prepared by an appropriately qualified professional is to be provided to ensure the construction certificate plans are in compliance with Schedule 4 of State Environmental Planning Policy (Housing) 2021.

### **33. Utility Servicing Provisions**

Prior to Council or the appointed Principal Certifier issuing a Construction Certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

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

### **34. Waste Management Plan**

Prior to Council or the appointed Principal Certifier issuing a Construction Certificate, the relevant provisions of Council's Waste Management Plan is to be completed to the satisfaction of Council.

### **35. Geotechnical Report**

Prior to Council or an accredited certifier issuing a Construction Certificate, where proposed excavation and/or filling exceed 900mm in depth, or where the subject site is identified as being filled land, a geotechnical report prepared by a NATA registered laboratory shall be submitted which indicates that the land will not be subject to subsidence, slip, slope failure or erosion.

### **36. Soil and Water Management Plan**

Prior to Council or the appointed Principal Certifier issuing a Construction Certificate, a detailed soil and water management plan shall be submitted for approval.

### **37. Stormwater Management Plan**

Prior to the issue of a Construction Certificate, a plan indicating all engineering details and calculations relevant to the site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval to the PCA.

Stormwater shall be conveyed from the site to the nearest drainage system on Riverside Drive. The design shall be generally in accordance with the drainage concept plan prepared by Enspire Solutions Pty Ltd dated 23.5.22 Revision 2.

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

### **38. Dilapidation Report**

Prior to the issue of a Construction Certificate, the applicant shall prepare and submit a dilapidation report for all buildings on lands that adjoin the subject works.

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

Prior to the issue of a Construction Certificate, the applicant shall lodge a Section 138 application for any proposed civil works proposed on public land.

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

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

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

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

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

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

### **40. Access Compliance Report**

Prior to the issue of a Construction Certificate, the applicant shall ensure that the detailed design drawings demonstrate that the development site complies with the locational requirements of Clause 93 of State Environmental Planning Policy (Housing) 2021.

In this regard:

- a. The applicant shall ensure a safe pedestrian crossing facility across Riverside Drive is provided. The location is to be determined in consultation with Council's Infrastructure Division and Development Engineer.

The crossing facility is to be in place prior to release of the occupation certificate otherwise the applicant shall provide a shuttle bus service to ensure compliance with the location requirements of Clause 93, until such time as the crossing facility is in place.

#### **41. Work on Public Land**

Prior to the issue of a construction certificate, the applicant shall obtain written approval from Council for any proposed work on public land.

Inspection of this work shall be undertaken by Council at the applicants expense and a compliance certificate, approving the works, shall be obtained from Council prior to the Principal Certifier issuing an occupation certificate.

#### **42. Design for Access and Mobility**

Prior to the issue of a Construction Certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility.

#### **43. Telecommunications Infrastructure**

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

#### **44. Sydney Water**

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

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

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

#### **45. Vehicle turning movements**

Prior to the issue of a construction certificate, vehicle turn path shall be provided for approval and shall comply with AS 2890.1:2004.

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

#### **46. Dwelling Storage**

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

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

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

#### **48. Clearance to the Services**

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

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

#### **49. Basement Car Parking**

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

#### **50. Traffic Control Plans**

Prior to the issue of a construction certificate, the applicant shall provide to the appointed principal certifier (or other appropriately qualified professional) a Traffic Control Plan (TCP) prepared by a suitably qualified professional and in accordance with the State Roads Authority manual "Traffic Control at Work Sites" and Australian Standard AS 1742.3 (as amended).

A copy of the approved TCP shall be kept on site for the duration of the works in accordance with Work Cover Authority requirements. A copy shall be submitted to Council for its records.

#### **51. Structural Engineering Details**

Prior to the issue of a construction certificate, the applicant shall submit all relevant structural engineering drawings and details prepared by a practising structural engineer to Council and the appointed principal certifier.

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

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



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

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

## **53. Erosion and Sediment Control**

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

## **54. Erection of Construction Sign**

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

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

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

## **55. Toilet on Construction Site**

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

## **56. Trade Waste**

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

## **57. Vehicular Access during Construction**

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

## **58. Construction Management Plan**

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

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

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

## **59. Public Property**

Prior to the commencement of any works on site, the applicant shall provide Council with a report establishing the condition of the property which is controlled by Council which adjoins the site including (but not limited to) kerbs, gutters, footpaths, and the like.

Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

## **60. Footpath and Vehicular Crossing Levels**

Prior to the commencement of any work, footpath and vehicular crossing levels are to be obtained from Council by lodging an application on the prescribed form.

## **61. Hoarding / Fence**

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with Work Cover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under *Section 68 of the Local Government Act 1993* shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

## **62. Fencing**

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

## **63. Crane and Plant Equipment**

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

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

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

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

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

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

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

## **DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION**

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

### **64. No Work in Portion of Public Road**

No construction work can be undertaken within the 61.19m<sup>2</sup> portion of the site which remains public road, being part of Riverside Drive, until this land is compulsorily acquired and formally closed as a public road.

## **65. Construction Work Hours**

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

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

## **66. Erosion and Sediment Control**

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

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

## **67. Work Zones**

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

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

## **68. Excavation and Backfilling**

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

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

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

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

#### **69. Fill Compaction Requirements**

Any filling carried out in accordance with this consent shall maintain a minimum requirement of 98 per cent standard compaction.

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test sites shall be located randomly across the fill site with 1 test per 500m<sup>2</sup> (minimum 1 test per 300mm layer) certified by a qualified geotechnical engineer.

#### **70. Fill Contamination**

Any landfill used on the site is to be validated in accordance with the Environment Protection Authority's guidelines for consultants reporting on contaminated sites. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

#### **71. Dust Nuisance**

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – 'Soils and Construction (2004)' (Bluebook). Construction areas shall be treated/regularly watered to the satisfaction of the appointed Principal Certifier.

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

Prior to the positioning of wall panels/bricks or block work, the applicant shall submit to the appointed Principal Certifier a qualified practicing surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from the boundaries, and the dimensions of the building.

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

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

#### **74. Termite Control**

The building shall be protected from subterranean termites in accordance with Australian Standard 3660.1. Certification of the treatment shall be submitted to the principal certifying authority prior to the issue of an occupation certificate.

#### **75. Excess Material**

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

## **76. Earth Works/Filling Works**

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

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

## **77. Public Safety**

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

## **78. Compliance with Council Specification**

All design and construction work shall be in accordance with:

- Council's specification for Construction of Subdivisional Road and Drainage Works (as amended)
- Campbelltown (Sustainable City) DCP - Volumes 1 and 3 as amended
- Soils and Construction (2004) (Bluebook) and
- Relevant Australian standards and State Government publications.

## **79. Footpath Kerb and Gutter**

The applicant shall re-construct all damaged bays of concrete path paving and kerb & gutter, adjacent to the site. Areas not concreted shall be re-graded, topsoiled and turfed. All works shall be in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and *Engineering Design Guide for Development (as amended)*.

## **80. Medium Density Footpath Crossing and Layback**

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

A separate application for this work, which will be subject to a crossing inspection fee and inspections by Council, must be lodged with Council prior to pouring the concrete. Where necessary, conduits shall be provided under the footpath crossing, in accordance with the relevant service authority's requirements.

## **81. Associated Works**

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

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

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

## **82. Consolidation of proposed lot 4112 with relevant part of compulsorily acquired land (part road closure Riverside Drive)**

Prior to the issue of an Occupation Certificate, and in accordance with the Section 30 Agreement, as executed by Land and Housing Corporation and Campbelltown City Council on 15 February 2023 to acquire proposed lot 1 in DP1291664 (part road closure Riverside Dr), LAHC is required to obtain registration of the proposed Lot with Land and Property Information NSW in accordance with the Section 30 Agreement.

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

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

- Common drainage lines;
- Substation restrictions; and
- Occupants of the development are required to satisfy the definition below:
  - a. seniors or people with a disability,
  - a. people who live within the same household with seniors or people who have a disability,
  - b. staff employed to assist in the administration of and provision of services to housing provided under this Policy.

**seniors** means the following people—

- (a) people who are at least 60 years of age,
- (b) people who are resident at a facility at which residential care, within the meaning of the [Aged Care Act 1997](#) of the Commonwealth, is provided,
- (c) people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.

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

Restrictions/easements may also include the following:

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

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

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

#### **84. Section 73 Certificate**

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

Application must be made through an authorised Water Servicing Coordinator.

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

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

#### **85. Basement Operation**

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

#### **86. Structural Engineering Certificate**

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



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

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

## **88. Works as Executed Plans**

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

## **89. Restoration of Public Roads**

Prior to the principal certifying authority issuing an occupation certificate, any restoration of the public road pavement required as a result of the development, shall be carried out by Council and all costs shall be paid by the applicant.

## **90. Public Utilities**

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

## **91. Service Authorities**

To ensure that an adequate level of services and infrastructure is provided to this development, and, prior to the appointed Principal Certifier issuing an Occupation Certificate the following is required:

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

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

The final seal shall be deferred pending installation of all services. In this regard the applicant shall provide a temporary seal and lodge with Council as security, the amount to be determined by Council, to cover the cost of trench restoration by Council and the placement of the final asphaltic concrete seal.

## **92. BASIX Certificate Requirements**

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

## **93. Schedule 4 SEPP (Housing) 2021**

Prior to the issue of an occupation certificate, a statement prepared by an appropriate qualified professional is to be provided to ensure the building, as completed, is compliant with Schedule 4 of State Environmental Planning Policy (Housing) 2021.

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

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

## **95. Lot/House Numbers**

Prior to the appointed principal certifier issuing an occupation/subdivision certificate all lot/house numbers shall be stencilled onto the kerb at appropriate locations with black letters/numbers 75mm high on a white background using approved pavement marking grade paint.

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

## **96. Council Fees and Charges**

Prior to the appointed Principal Certifier issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

## **97. Public Indemnity Insurance – Onsite Waste Collection**

The applicant to the development application indemnifies Council and its contractors and agents against any claims, proceedings, actions or demands arising from or in relation to any damage howsoever caused to the road surface, paving or drainage within the Development by the operation by Council or its contractors or agents in the collection of domestic waste except to the extent that such damage results from any misconduct or negligent act or omission of Council or its contractors or agents.

Prior to the issue of an occupation certificate, the applicant shall provide Council with a copy of its public liability insurance policy valid for 12 months to satisfy Council that in the event that such a claim arises, a public liability insurance policy is in place to respond to any claim arising. Each year the body corporate must furnish Council with a copy of its renewed public liability insurance policy valid for the next 12 months to satisfy Council that in the event that such a claim arises, a public liability insurance policy is in place to respond to any claim arising.

## 98. Retaining

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

## 99. Compliance Certificate

All the works on public area in relation to the development shall be completed as per the Council approved plans. A compliance certificate, approving the works, shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

## 100. Pedestrian Accessibility

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall demonstrate that the pedestrian accessibility requirements for safe access to the Airds Shopping Centre under the SEPP (Housing) 2021 has been met and construction of marked pedestrian crossing under S138 application – 1887/2020 has been completed.

## 101. Koala Refuge Street Trees

Prior to issuing of the occupation certificate, the street tree landscaping will require the provision of a minimum of twenty one (21) Koala Refuge Street trees.

These trees are to be planted in the following areas, with the nominated species as identified below: –

- In the area marked as Supplementary Koala Refuge Street Trees in Streetscape Setback on Sheet No. 45.21.26 of the distinctive landscape Plan dated 17 October 2022, the following is required:

Area of Seniors Living site	Numbers of Koala Refuge trees in Streetscape Setback required
Southern	12
Western	4
Eastern	5

- The species required for planting in the area noted as Supplementary Koala refuge Street Trees in Streetscape Setback on Sheet No. 45.21.26 of the distinctive landscape Plan dated 17 October 2022 are: –

Tree Species	Common Name	Numbers of each species
<i>Eucalyptus punctata</i>	Grey Gum	7
<i>Eucalyptus tereticornis</i>	Forest Red Gum	7
<i>Eucalyptus viminalis</i>	Manna Gum	7

## 102. Trees/Landscape

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

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

### ADVISORY NOTES

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

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

The Environmental Planning and Assessment Act 1979 requires you to:

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

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

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

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

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

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

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA) & the Premises Standards. In this

regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

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

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

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

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

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

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

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

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

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

#### **Advice 7. Inspection within Public Areas**

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

#### **Advice 8. Adjustment to Public Utilities**

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

**Advice 9. Asbestos Warning**

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

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

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

**Advice 10. Rain Water Tank**

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

**Advice 11. Dial before you Dig**

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

**Advice 12. Telecommunications Act 1997 (Commonwealth)**

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

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

**END OF CONDITIONS**

## Attachment 2

### Apartment Design Guide Assessment – Key Standards

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

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

Development Controls		
Site Analysis		
<b>Objective 3A-1:</b> Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context		
Design Guidance:	Proposed	Compliance
Each element in the Site Analysis Checklist should be addressed (see Appendix 1)	Site analysis accompanied application documentation.	Complies
Orientation		
<b>Objective 3B-1:</b> Building types and layouts respond to the streetscape and site while optimising solar access within the development		
Design Guidance	Proposed	Compliance
Buildings along the street frontage define the street, by facing it and incorporating direct access from the street (see figure 3B.1)	Access to all units is provided through a centrally located site through link.	Complies
Where the street frontage is to the east or west, rear buildings should be orientated to the north	The development is orientated to the north to maximise solar exposure.	Complies
Where the street frontage is to the north or south, overshadowing to the south should be minimised and buildings behind the street frontage should be orientated to the east and west (see figure 3B.2)	The layout responds to the streetscape with minimal overshadowing anticipated.	Complies
<b>Objective 3B-2:</b> Overshadowing of neighbouring properties is minimised during mid-winter		
Design Guidance	Proposed	Compliance
Living areas, private open space and communal open space should receive solar access in accordance with sections 3D Communal and public open space and 4A Solar and daylight access	Northerly orientated units have been maximised on site. Communal open space is has been centered on site and achieves acceptable levels of solar access. The proposal achieves the solar access to communal open space in accordance with requirements under the ADG.	Complies.
Solar access to living rooms, balconies and private open spaces of neighbours should be considered	Has been considered in the design of the proposal.	Complies

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



Opportunities should be provided for casual interaction between residents and the public domain. Design solutions may include seating at building entries, near letter boxes and in private courtyards adjacent to streets	Opportunities have been provided for casual social interaction throughout the development, including the inclusion of ground plain paving patterns, interactive planting forms, seating types and shade structures. Details of additional interaction and gathering opportunities will be reviewed and included within the Design Development stage of the proposal.	Complies
In developments with multiple buildings and/or entries, pedestrian entries and spaces associated with individual buildings/entries should be differentiated to improve legibility for residents, using a number of the following design solutions: <ul style="list-style-type: none"> <li>• architectural detailing</li> <li>• changes in materials</li> <li>• plant species</li> <li>• colours</li> </ul>	Separate, identifiable entrances are proposed with letter boxes, bin areas, landscaping and architectural features.	Complies
Opportunities for people to be concealed should be minimised	The development avoids dark, concealed areas and minimises opportunities for concealment, particularly in common areas.	Complies
<b>Objective 3C-2:</b> Amenity of the public domain is retained and enhanced		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Planting softens the edges of any raised terraces to the street, for example above sub-basement car parking	Deep soil planting areas are provided around the perimeter of the site. Deep soil is also provided in the central courtyard (outside basement footprint) to accommodate trees.	Complies
Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided	Letterboxes are proposed at Entry points.	Complies
The visual prominence of underground car park vents should be minimised and located at a low level where possible	The visual prominence of the driveway is minimised by locating it at the lowest point of the site possible and lining it with planting.	Complies
Substations, pump rooms, garbage storage areas and other service requirements should be located in basement car parks or out of view	The substation is located where existing, accessed from the Riverside Drive frontage. Services are located within enclosed cupboards and well integrated as a part of the main entry portal.	Complies

Ramping for accessibility should be minimised by building entry location and setting ground floor levels in relation to footpath levels	Has been factored into the design of the development.	Complies
Durable, graffiti resistant and easily cleanable materials should be used	Details not provided with the development application.	Capable of Compliance. Recommended condition of development consent for the owner to be responsible for the removal of graffiti.
<p align="center"><b>Communal and Public Open Space</b></p> <p><b>Objective 3D-1:</b> An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping</p>		
<b>Design Criteria</b>	<b>Proposed:</b>	<b>Compliance</b>
<p><b>1.</b> Communal open space has a minimum area equal to 25% of the site (see figure 3D.3)</p> <p><b>Definition:</b> outdoor space located within the site at ground level or on a structure that is within common ownership and for the recreational use of residents of the development. Communal open space may be accessible to residents only, or to the public.</p>	The communal open space has a total area of 1,028.7 m <sup>2</sup> . This equates to approximately 29.4% of the site area.	Complies
<b>2.</b> Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter).	A central communal open space is provided within the development. The ground level courtyard space receives direct sunlight to at least 50% of open space area from 10 am. until at least 3 pm.	Complies
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Communal open space should be consolidated into a well-designed, easily identified and usable area	The communal open space at ground level has incorporated usable areas. These areas are spacious and will receive optimal levels of solar access. A landscape plan is prepared as part of the DA.	Complies
Communal open space should have a minimum dimension of 3 m, and larger developments should consider greater dimensions	Minimum 3 m is achieved.	Complies

Communal open space should be co-located with deep soil areas	Communal open space incorporates facilities suitable for seniors housing including seating for individuals and groups and a covered barbecue area. The facilities are located in the central landscaped courtyard which has ample access to sun in winter, shade provided by trees in the summer and is protected from strong winds by surrounding buildings.	Complies
Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies	Direct equitable access is provided to communal open space from the lobbies of all buildings.	Complies
Where communal open space cannot be provided at ground level, it should be provided on a podium or roof	The communal open space is provided at ground level.	Not Applicable
Where developments are unable to achieve the design criteria, such as on small lots, sites within business zones, or in a dense urban area, they should: <ul style="list-style-type: none"> <li>provide communal spaces elsewhere such as a landscaped roof top terrace or a common room</li> <li>provide larger balconies or increased private open space for apartments</li> <li>demonstrate good proximity to public open space and facilities and/or provide contributions to public open space</li> </ul>	The proposal has achieved the Design Criteria.	Not applicable
<b>Objective 3D-2:</b> Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Facilities are provided within communal open spaces and common spaces for a range of age groups (see also 4F Common circulation and spaces), incorporating some of the following elements: <ul style="list-style-type: none"> <li>seating for individuals or groups</li> <li>barbecue areas</li> <li>play equipment or play areas</li> <li>swimming pools, gyms, tennis courts or common rooms</li> </ul>	Communal open space incorporates facilities suitable for seniors housing including seating for individuals and groups and a covered barbecue area.  The facilities are located in the central landscaped courtyard which has ample access to sun in winter, shade provided by trees in the summer and is protected from strong winds by surrounding buildings. The proposal is considered to be attractive and inviting for the residents.	Complies
The location of facilities responds to microclimate and site conditions with access to sun in winter, shade in summer and shelter from strong winds and down drafts	The landscape plans communal open space that encourages use by residents incorporating a mix of soft edges and equipment that encourages socialisation and relaxation.	Complies

Visual impacts of services should be minimised, including location of ventilation duct outlets from basement car parks, electrical substations and detention tanks	The outlets are concealed, and subtly integrated where there is unavoidable protrusion (from basement car parks). Water meter, substation, etc. are concealed taking into account that service providers do require certain infrastructure to be located in an accessible location at the street frontage.	Complies
<b>Objective 3D-3:</b> Communal open space is designed to maximise safety		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Communal open space and the public domain should be readily visible from habitable rooms and private open space areas while maintaining visual privacy. Design solutions may include: <ul style="list-style-type: none"> <li>• bay windows</li> <li>• corner windows</li> <li>• balconies</li> </ul>	The communal open space and public domain is readily visible from habitable rooms and private open space areas while maintaining visual privacy. The communal open space will be well lit for safety.	Complies
Communal open space should be well lit	Communal open space maximises passive light (solar) and may be lit at night, while considering light spillage into residences facing it.  Further details to be considered in design development.	Recommended condition of consent.
Where communal open space/facilities are provided for children and young people they are safe and contained	Facilities are specifically not proposed for children which is considered acceptable for a seniors living development.	Not Applicable
<b>Objective 3D-4:</b> Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
The public open space should be well connected with public streets along at least one edge  <b>Definition:</b> public land for the purpose of open space and vested in or under the control of a public authority	Public open space does not form part of the proposed development.	Not Applicable
<b>Deep Soil Zones</b>		
<b>Objective 3E-1:</b> Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality		
<b>Design Criteria</b>	<b>Proposed</b>	<b>Compliance</b>
1. Deep soil zones are to meet the following minimum requirements:	Deep soil zones with a minimum dimension of 6m exceed 7% of the site area.	Complies

Site area	Minimum dimensions	Deep soil zone (% of site area)	It is noted that the landscape plan demonstrates good quality planting in deep soil zones without excessive paving.	
Less than 650 m <sup>2</sup>	-	7%		
650-1,500 m <sup>2</sup>	3 m			
Greater than 1,500 m <sup>2</sup>	6 m			
Greater than 1,500 m <sup>2</sup> with significant existing tree cover	6 m			
Design Guidance			Proposed	Compliance
On some sites it may be possible to provide larger deep soil zones, depending on the site area and context: <ul style="list-style-type: none"><li>10% of the site as deep soil on sites with an area of 650 m<sup>2</sup> - 1,500 m<sup>2</sup></li><li>15% of the site as deep soil on sites greater than 1,500 m<sup>2</sup></li></ul>				Complies
Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may include: <ul style="list-style-type: none"><li>basement and sub basement car park design that is consolidated beneath building footprints</li><li>use of increased front and side setbacks</li><li>adequate clearance around trees to ensure long term health</li><li>co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil</li></ul>			The proposed development provides deep soil around the perimeter of the site and will allow for the establishment of larger trees.	Complies
Achieving the design criteria may not be possible on some sites including where: <ul style="list-style-type: none"><li>the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres)</li><li>there is 100% site coverage or non-residential uses at ground floor level</li></ul>			Not Applicable	Not Applicable
Where a proposal does not achieve deep soil requirements, acceptable stormwater management should be achieved and alternative forms of planting provided such as on structure.			Deep soil requirements are achieved.	Not Applicable



## Visual Privacy

**Objective 3F-1:** Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy

### Design Criteria

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

Building height	Habitable rooms and balconies	Non-habitable rooms
Up to 12 m (4 storeys)	6 m	3 m
Up to 25 m (5-8 storeys)	9 m	4.5 m
Over 25 m (9+ storeys)	12 m	6 m

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

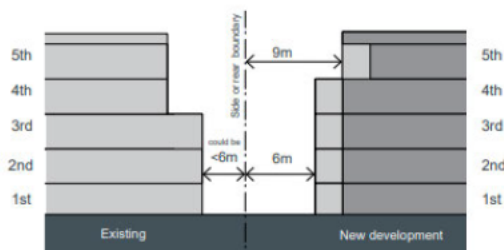


Figure 3F.3 New development adjacent to existing buildings should provide adequate separation distances to the boundary in accordance with the design criteria

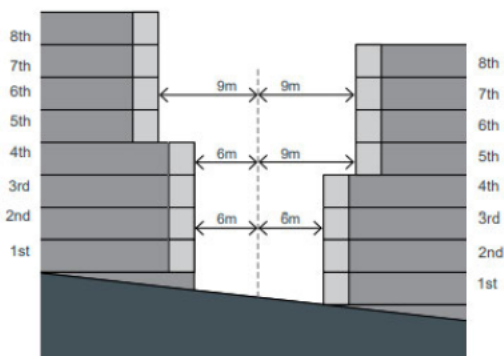


Figure 3F.4 Within the same site, minimum separation should be shared equitably between buildings. On sloping sites, appropriate separation distances ensure visual privacy for apartments on different levels

### Proposed

Reasonable building separation distances are provided.

### Compliance

Complies

Design Guidance	Proposed	Compliance
Generally one step in the built form as the height increases due to building separations is desirable. Additional steps should be careful not to cause a 'ziggurat' appearance.	Not Applicable	Not Applicable
For residential buildings next to commercial buildings, separation distances should be measured as follows: <ul style="list-style-type: none"> <li>for retail, office spaces and commercial balconies use the habitable room distances</li> <li>for service and plant areas use the non-habitable room distances</li> </ul>	The proposed development is not adjacent to any commercial buildings.	Not Applicable
New development should be located and oriented to minimise visual privacy between buildings on site and for neighbouring buildings. Design solutions include: <ul style="list-style-type: none"> <li>site layout and building orientation to minimize privacy impacts (see also section 3B Orientation)</li> <li>on sloping sites, apartments on different levels have appropriate visual separation distances (see figure 3F.4)</li> </ul>	<p>The proposal has been developed to achieve separation to neighbours to the north, addressing the desired built form for the precinct.</p> <p>The proposal aims to achieve ADG building separation criteria with neighbouring properties.</p>	Complies
Apartment buildings should have an increased separation distance of 3 m (in addition to the requirements set out in design criteria 1) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale and increased landscaping (figure 3F.5)	Seniors Living Development	Not Applicable
Direct lines of sight should be avoided for windows and balconies across corners No separation is required between blank walls	All buildings are located and oriented to maximise visual privacy between buildings on the same site and neighbouring sites.	Complies
<b>Objective 3F-2:</b> Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space		
Design guidance	Proposed	Compliance
Communal open space, common areas and access paths should be separated from private open space and windows to apartments, particularly habitable room windows. Design solutions may include: <ul style="list-style-type: none"> <li>setbacks</li> <li>solid or partially solid balustrades to balconies at lower levels</li> <li>fencing and/or trees and vegetation to separate spaces</li> <li>screening devices</li> <li>bay windows or pop out windows to</li> </ul>	Communal open space, common areas and access paths are separated from private open spaces and windows to apartments by setbacks with planter beds, visually permeable fencing and solid balcony balustrades in front of living rooms.	Complies

<p>provide privacy in one direction and outlook in another</p> <ul style="list-style-type: none"> <li>• raising apartments/private open space above the public domain or communal open space</li> <li>• planter boxes incorporated into walls and balustrades to increase visual separation</li> <li>• pergolas or shading devices to limit overlooking of lower apartments or private open space</li> <li>• on constrained sites where it can be demonstrated that building layout opportunities are limited, fixed louvres or screen panels to windows and/or balconies</li> </ul>		
Bedrooms, living spaces and other habitable rooms should be separated from gallery access and other open circulation space by the apartment's service areas	Separation is provided and considered satisfactory.	Complies
Balconies and private terraces should be located in front of living rooms to increase internal privacy	Balconies are accessed directly from living areas.	Complies
Windows should be offset from the windows of adjacent buildings	Sufficient building separation is provided to reduce privacy impacts.	Complies
Recessed balconies and/or vertical fins should be used between adjacent balconies	Adjacent balconies (though limited) are appropriately treated with visual screening.	Complies
<p style="text-align: center;"><b>Pedestrian Access and Entries</b></p> <p><b>Objective 3G-1:</b> Building entries and pedestrian access connects to and addresses the public domain</p>		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Multiple entries (including communal building entries and individual ground floor entries) should be provided to activate the street edge	Multiple communal entries are distributed along the available street frontages to activate the street edge.	Complies
Entry locations relate to the street and subdivision pattern and the existing pedestrian network	Portal structures provide clearly identifiable communal entries, with clear sight lines to the courtyard.	Complies
Building entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries	The entry lobby to all buildings is evident, highlighted by the break in the built form and links within ground level.	Complies
Where street frontage is limited and multiple buildings are located on the site, a primary street address should be provided with clear sight lines and pathways to secondary building entries	The proposal has four entries at the street frontage with clear sight lines to each other.	Complies



<b>Objective 3G-2:</b> Access, entries and pathways are accessible and easy to identify		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Building access areas including lift lobbies, stairwells and hallways should be clearly visible from the public domain and communal spaces	The proposed building access is considered satisfactory and is clearly visible from the public domain.	Complies
The design of ground floors and underground car parks minimise level changes along pathways and entries	Ground floor levels step with the topography to minimise as far as possible the required level changes along pathways and entries. Steps and ramps are integrated into the overall landscape design.	Complies
Steps and ramps should be integrated into the overall building and landscape design	The proposed steps and ramps are considered to integrate into the overall building design.	Complies
For large developments 'way finding' maps should be provided to assist visitors and residents (see figure 4T.3)	The development is not considered large enough for the provision of a way finding map.	Not Applicable
For large developments electronic access and audio/video intercom should be provided to manage access	The proposal will provide electronic access for security at entry points.	Complies
<b>Objective 3G-3:</b> Large sites provide pedestrian links for access to streets and connection to destinations		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Pedestrian links through sites facilitate direct connections to open space, main streets, centres and public transport	The proposed site is not considered large enough to facilitate pedestrian links.	Not Applicable
Pedestrian links should be direct, have clear sight lines, be overlooked by habitable rooms or private open spaces of dwellings, be well lit and contain active uses, where appropriate	The proposed site is not considered large enough to facilitate pedestrian links.	Not Applicable
<b>Vehicle Access</b>		
<b>Objective 3H-1:</b> Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Car park access should be integrated with the building's overall facade. Design solutions may include: <ul style="list-style-type: none"> <li>the materials and colour palette to minimise visibility from the street</li> <li>security doors or gates at entries that minimise voids in the facade</li> <li>where doors are not provided, the visible interior reflects the facade design and the building services, pipes and ducts are concealed</li> </ul>	Underground car parking is provided and is accessed from Axeford Avenue. A roller/security door will be provided.	Complies

Car park entries should be located behind the building line	The car park entry is suitably integrated into the building design.	Complies
Vehicle entries should be located at the lowest point of the site minimising ramp lengths, excavation and impacts on the building form and layout	The site slopes east to west.  Car park entry is considered satisfactory.	Complies
Car park entry and access should be located on secondary streets or lanes where available	Car park entry is accessed from Axeford Avenue.	Satisfactory
Vehicle standing areas that increase driveway width and encroach into setbacks should be avoided	Vehicle standing areas are not proposed.	Not Applicable
Access point locations should avoid headlight glare to habitable rooms Adequate separation distances should be provided between vehicle entries and street intersections	The residential units on ground level have generous landscape treatment and is separated from the vehicle access point.	Complies
The width and number of vehicle access points should be limited to the minimum	The development proposes one vehicle access point for residents.	Complies
Visual impact of long driveways should be minimised through changing alignments and screen planting	Long driveways do not form part of the proposal.	Not Applicable
The need for large vehicles to enter or turn around within the site should be avoided	Not Applicable	Not Applicable
Garbage collection, loading and servicing areas are screened	The servicing area is proposed to be screened.	Complies
Clear sight lines should be provided at pedestrian and vehicle crossings	Site lines considered satisfactory.	Complies
Traffic calming devices such as changes in paving material or textures should be used where appropriate	Traffic calming devices do not form part of the proposal.	Not Applicable
Pedestrian and vehicle access should be separated and distinguishable. Design solutions may include: <ul style="list-style-type: none"> <li>• changes in surface materials</li> <li>• level changes</li> <li>• the use of landscaping for separation</li> </ul>	Pedestrian and vehicle access is separated.	Complies
<b>Bicycle and Car Parking</b> <b>Objective 3J-1:</b> Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas		
<b>Design Criteria:</b>	<b>Proposed</b>	<b>Compliance:</b>
1. For development in the following locations: <ul style="list-style-type: none"> <li>• on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or</li> <li>• on land zoned, and sites within 400 metres of land zoned, B3 Commercial</li> </ul>	21 basement spaces are proposed	<b>Complies</b>

Core, B4 Mixed Use or equivalent in a nominated regional centre		
the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.		
The car parking needs for a development must be provided off street.		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Where a car share scheme operates locally, provide car share parking spaces within the development. Car share spaces, when provided, should be on site	A car share scheme does not operate locally in the Campbelltown LGA.	Not Applicable
Where less car parking is provided in a development, council should not provide on street resident parking permits	Car parking permits are not proposed to be provided.	Complies
<b>Objective 3J-2:</b> Parking and facilities are provided for other modes of transport		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters	Motorcycle parking is not provided – not required as part of SCDGP.	Not Applicable
Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas	No bicycle parking is proposed.	Complies
Conveniently located charging stations are provided for electric vehicles, where desirable	Charging stations are not proposed.	Not Applicable
<b>Objective 3J-3:</b> Car park design and access is safe and secure		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces	Supporting facilities, plant rooms and storage areas are located so that they are accessed via a corridor. Where storage is located behind a car parking space it is to be assigned to the unit which owns the car parking space.	Complies
Direct, clearly visible and well lit access should be provided into common circulation areas	The access areas are visible and corridors/lobby will be lit.	Complies
A clearly defined and visible lobby or waiting area should be provided to lifts and stairs	The proposed development incorporates a clearly defined entrance areas.	Complies
For larger car parks, safe pedestrian access should be clearly defined and circulation areas have good lighting, colour, line marking and/or bollards	Proposed car park is not considered large.	Not Applicable

<b>Objective 3J-4:</b> Visual and environmental impacts of underground car parking are minimised		
<b>Design Guidance:</b>		
Excavation should be minimised through efficient car park layouts and ramp design	The proposed level of excavation is required to achieve the required car parking.	Complies
Car parking layout should be well organised, using a logical, efficient structural grid and double loaded aisles	Car parking area provides double loaded aisles one-way movement, and is arranged in an efficient manner for logical circulation.	Complies
Protrusion of car parks should not exceed 1m above ground level. Design solutions may include stepping car park levels or using split levels on sloping sites	The proposed car park does not exceed 1m above ground level.	Complies
Natural ventilation should be provided to basement and sub-basement car parking areas	Details not provided with the development application.	Can comply. Recommended condition of development consent for ventilation to be provided to the basement levels.
Ventilation grills or screening devices for car parking openings should be integrated into the facade and landscape design	The car parking ingress/egress is appropriately screened.	Complies
<b>Objective 3J-5:</b> Visual and environmental impacts of on-grade car parking are minimised		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
On-grade car parking should be avoided	All parking is proposed underground.	Not Applicable
<b>Objective 3J-6:</b> Visual and environmental impacts of above ground enclosed car parking are minimised		
<b>Design Guidance</b>	<b>Proposed:</b>	<b>Compliance:</b>
Exposed parking should not be located along primary street frontages	All parking is proposed underground.	Not Applicable
<b>Solar and Daylight Access</b>		
<b>Objective 4A-1:</b> To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space		
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>
1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas	The proposed development meets the objective by maximising the number of units with a northly aspect on a site. Good daylighting is achieved to all rooms proposed and the design by virtue of glass lines, articulated facades, reduced unit depth and	Complies



	<p>locating living areas close to the glass line.</p> <p>Over 80% of apartments have living rooms and private open spaces that will receive a minimum of two hours direct sunlight at mid-winter. Fewer than 10% of apartments receive less than 15 mins of direct sunlight between 9am and 3pm at mid-winter.</p>	
2. In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter	Not Applicable. The site is located within the Sydney Metropolitan Area.	Not Applicable
3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter	Most apartments receive sunlight to multiple rooms and balconies at different times throughout the day.	Complies
<b>Natural Ventilation</b>		
<b>Objective 4B-1:</b> All habitable rooms are naturally ventilated		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
The building's orientation maximises capture and use of prevailing breezes for natural ventilation in habitable rooms	Many of the apartments are dual aspect. Facades are stepped and operable glazing maximised.	Complies
Depths of habitable rooms support natural ventilation	Building and habitable room depths are appropriate for the development and maximises natural cross ventilation opportunities where possible.	Complies
The area of unobstructed window openings should be equal to at least 5% of the floor area served	Each room has a window opening which is at least 5% of the room size. Operable glazing is maximised in the proposed open plan living room/kitchen/ dining room spaces.	Complies
Light wells are not the primary air source for habitable rooms	Light wells are not proposed.	Not Applicable
<p>Doors and openable windows maximise natural ventilation opportunities by using the following design solutions:</p> <ul style="list-style-type: none"> <li>adjustable windows with large effective openable areas</li> <li>a variety of window types that provide safety and flexibility such as awnings and louvres</li> <li>windows which the occupants can reconfigure to funnel breezes into the apartment such as vertical louvres, casement windows and externally opening doors</li> </ul>	Doors and windows are designed to be large and operable, in particular to living rooms and bedrooms. All units have living rooms adjoining balcony/terrace areas, with bedrooms also having direct access to private open space. The proposal uses building indentations where possible.	Complies

**Objective 4B-3:** The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents

<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>
1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed	100% of apartments are naturally cross ventilated. The overall depth of cross-through apartments does not exceed 18m measured glass line to glass line. The proposal maximises dual aspect apartments and limits apartment depth. The size of external window and door openings in cross-through apartments are approximately equal on both sides of the apartment. Apartments are designed to minimise the number of corners, doors and rooms that obstruct airflow.	Complies
2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line	Cross-through apartments are limited to a depth of 18 m	Complies
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths	The proposed development uses corner and cross through apartments to achieve cross ventilation. The apartment depth is considered satisfactory.	Complies
In cross-through apartments external window and door opening sizes/areas on one side of an apartment (inlet side) are approximately equal to the external window and door opening sizes/areas on the other side of the apartment (outlet side)(see figure 4B.4)	Propose operable windows are adjustable.	Complies
Apartments are designed to minimise the number of corners, doors and rooms that might obstruct airflow	The proposal provides efficient plan layout in each unit combining kitchen dining and living areas and avoids corners and doors where possible. Bathroom and laundry areas are carefully positioned in suitable locations within each unit, usually at the deeper parts of units to maximise amenity of habitable rooms.	Complies
Apartment depths, combined with appropriate ceiling heights, maximise cross ventilation and airflow	Building and habitable room depths are appropriate for the development and maximise natural cross ventilation opportunities.	Complies

Ceiling Heights														
Objective 4C-1: Ceiling height achieves sufficient natural ventilation and daylight access														
Design Criteria:	Proposed:	Compliance:												
<p>1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <table><tr><th colspan="2">Minimum ceiling height for apartment and mixed use buildings</th></tr><tr><td>Habitable rooms</td><td>2.7 m</td></tr><tr><td>Non-habitable</td><td>2.4 m</td></tr><tr><td>For 2 storey apartments</td><td>2.7 m for main living area floor 2.4 m for second floor, where its area does not exceed 50% of the apartment area</td></tr><tr><td>Attic spaces</td><td>1.8 m at edge of room with a 30 m degree minimum ceiling slope</td></tr><tr><td>If located in mixed used areas</td><td>3.3 m for ground and first floor to promote future flexibility of use</td></tr></table> <p>These minimums do not preclude higher ceilings if desired.</p>	Minimum ceiling height for apartment and mixed use buildings		Habitable rooms	2.7 m	Non-habitable	2.4 m	For 2 storey apartments	2.7 m for main living area floor 2.4 m for second floor, where its area does not exceed 50% of the apartment area	Attic spaces	1.8 m at edge of room with a 30 m degree minimum ceiling slope	If located in mixed used areas	3.3 m for ground and first floor to promote future flexibility of use	<p>Proposed ceiling heights are 2.7 m in habitable rooms and 2.4 m in non-habitable rooms, with an overall floor-to-floor height of 3.1 m.</p> <p>All living rooms and bedrooms will have ceiling fans for cooling and heat distribution</p>	Complies
Minimum ceiling height for apartment and mixed use buildings														
Habitable rooms	2.7 m													
Non-habitable	2.4 m													
For 2 storey apartments	2.7 m for main living area floor 2.4 m for second floor, where its area does not exceed 50% of the apartment area													
Attic spaces	1.8 m at edge of room with a 30 m degree minimum ceiling slope													
If located in mixed used areas	3.3 m for ground and first floor to promote future flexibility of use													
Objective 4D-1: The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity														
Design Criteria:	Proposed:	Compliance:												
<p>1. Apartments are required to have the following minimum internal areas:</p> <table><tr><th>Apartment type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35 m<sup>2</sup></td></tr><tr><td>1 bedroom</td><td>50 m<sup>2</sup></td></tr><tr><td>2 bedroom</td><td>70 m<sup>2</sup></td></tr><tr><td>3 bedroom</td><td>90 m<sup>2</sup></td></tr></table> <p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5sqm each.</p>	Apartment type	Minimum internal area	Studio	35 m <sup>2</sup>	1 bedroom	50 m <sup>2</sup>	2 bedroom	70 m <sup>2</sup>	3 bedroom	90 m <sup>2</sup>	<p>All apartments meet the minimum internal areas corresponding to number of bedrooms (and any additional bathrooms).</p>	Complies		
Apartment type	Minimum internal area													
Studio	35 m <sup>2</sup>													
1 bedroom	50 m <sup>2</sup>													
2 bedroom	70 m <sup>2</sup>													
3 bedroom	90 m <sup>2</sup>													
<p>2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms</p>	<p>Large operable glass windows will be provided in each habitable room being min 10% of the floor area of the room.</p>	Complies												

<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Kitchens should not be located as part of the main circulation space in larger apartments (such as hallway or entry space)	All kitchens are 'L'-shaped wall kitchens and are integrated into an open plan living and dining area.	Complies
A window should be visible from any point in a habitable room	The bedrooms incorporate large windows or operable doors to balconies	Complies
Where minimum areas or room dimensions are not met apartments need to demonstrate that they are well designed and demonstrate the usability and functionality of the space with realistically scaled furniture layouts and circulation areas. These circumstances would be assessed on their merits	Not Applicable, minimum room sizes and dimensions are met.	Not Applicable
<b>Objective 4D-2:</b> Environmental performance of the apartment is maximised		
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>
2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window	All open plan layouts are less than 8m in depth from a window. All living areas and bedrooms are located on the external face of the building. Where possible bathrooms with laundries have an external openable window. Main living spaces are oriented towards the primary outlook.	Complies
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Greater than minimum ceiling heights can allow for proportional increases in room depth up to the permitted maximum depths	Ceiling height is 2.7 m.	Complies
All living areas and bedrooms should be located on the external face of the building	Living areas and bedrooms are generally located on the external face of the building.	Complies
Where possible: <ul style="list-style-type: none"> <li>bathrooms and laundries should have an external openable window</li> <li>main living spaces should be oriented toward the primary outlook and aspect and away from noise sources</li> </ul>	The location and laundries and bathrooms are considered satisfactory.	Complies



**Objective 4D-3:** Apartment layouts are designed to accommodate a variety of household activities and needs

<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>
1. Master bedrooms have a minimum area of 10sqm and other bedrooms 9 m <sup>2</sup> (excluding wardrobe space)	All master bedrooms have a minimum area of 10 m <sup>2</sup> , a minimum robe length of 1.8 m, and provide accessible circulation areas. All other bedrooms have a minimum area of 9 m <sup>2</sup> and a minimum robe length of 1.5 m. All combined living/dining rooms have a minimum width of 4 m.	Complies
2. Bedrooms have a minimum dimension of 3 m (excluding wardrobe space)	All proposed bedrooms have a minimum dimension of 3m (excluding wardrobes).	Complies
3. Living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"> <li>• 3.6 m for studio and 1 bedroom apartments</li> <li>• 4 m for 2 and 3 bedroom apartments</li> </ul>	All proposed living rooms achieve the minimum width	Complies
4. The width of cross-over or cross-through apartments are at least 4 m internally to avoid deep narrow apartment layouts	Apartment width is considered satisfactory.  Deep narrow apartment are not proposed.	Complies
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Access to bedrooms, bathrooms and laundries is separated from living areas minimising direct openings between living and service areas	The proposal avoids direct access to bathrooms and laundries from living areas.	Complies
All bedrooms allow a minimum length of 1.5 m for robes	Minimum length of main robe in each apartment is a minimum of 1.5 m.	Complies
The main bedroom of an apartment or a studio apartment should be provided with a wardrobe of a minimum 1.8 m long, 0.6 m deep and 2.1 m high	All main bedrooms have robe length greater than 1.8 m.	Complies
Apartment layouts allow flexibility over time, design solutions may include: <ul style="list-style-type: none"> <li>• dimensions that facilitate a variety of furniture arrangements and removal</li> <li>• spaces for a range of activities and privacy levels between different spaces within the apartment</li> <li>• dual master apartments</li> <li>• dual key apartments</li> <li>• room sizes and proportions or open plans (rectangular spaces (2:3) are more easily furnished than square spaces (1:1))</li> <li>• efficient planning of circulation by stairs, corridors and through rooms to maximise the amount of usable floor space in rooms</li> </ul>	Apartment layouts are considered to allow for satisfactory flexibility.	Complies

Private Open Space and Balconies																	
<b>Objective 4E-1:</b> Apartments provide appropriately sized private open space and balconies to enhance residential amenity																	
Design Criteria:	Proposed:	Compliance:															
<p>1. All apartments are required to have primary balconies as follows:</p> <table border="1"> <thead> <tr> <th>Dwelling type</th><th>Minimum area</th><th>Minimum depth</th></tr> </thead> <tbody> <tr> <td>Studio apartments</td><td>4 m<sup>2</sup></td><td>-</td></tr> <tr> <td>1 bedroom apartments</td><td>8 m<sup>2</sup></td><td>2 m</td></tr> <tr> <td>2 bedroom apartments</td><td>10 m<sup>2</sup></td><td>2 m</td></tr> <tr> <td>3+ bedroom apartments</td><td>12 m<sup>2</sup></td><td>2.4 m</td></tr> </tbody> </table> <p>The minimum balcony depth to be counted as contributing to the balcony area is 1m</p>	Dwelling type	Minimum area	Minimum depth	Studio apartments	4 m <sup>2</sup>	-	1 bedroom apartments	8 m <sup>2</sup>	2 m	2 bedroom apartments	10 m <sup>2</sup>	2 m	3+ bedroom apartments	12 m <sup>2</sup>	2.4 m	<p>All apartments at ground level have a private open space with a minimum area of 15 m<sup>2</sup> and a minimum depth of 3m. All upper level apartments have a balcony with a minimum area of 10 m<sup>2</sup> and a minimum depth of 2 m.</p>	<p>Complies</p>
Dwelling type	Minimum area	Minimum depth															
Studio apartments	4 m <sup>2</sup>	-															
1 bedroom apartments	8 m <sup>2</sup>	2 m															
2 bedroom apartments	10 m <sup>2</sup>	2 m															
3+ bedroom apartments	12 m <sup>2</sup>	2.4 m															
Design Guidance:	Proposed:	Compliance:															
Increased communal open space should be provided where the number or size of balconies are reduced	Not Applicable	Not Applicable															
Storage areas on balconies is additional to the minimum balcony size	Storage is not proposed on any balcony.	Not Applicable															
<p>Balcony use may be limited in some proposals by:</p> <ul style="list-style-type: none"> <li>consistently high wind speeds at 10 storeys and above</li> <li>close proximity to road, rail or other noise sources</li> <li>exposure to significant levels of aircraft noise</li> <li>heritage and adaptive reuse of existing buildings</li> </ul> <p>In these situations, juliet balconies, operable walls, enclosed wintergardens or bay windows may be appropriate, and other amenity benefits for occupants should also be provided in the apartments or in the development or both. Natural ventilation also needs to be demonstrated</p>	Not Applicable	Not Applicable															

<b>Objective 4E-2:</b> Primary private open space and balconies are appropriately located to enhance liveability for residents		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Primary open space and balconies should be located adjacent to the living room, dining room or kitchen to extend the living space	Balconies are accessible from main living areas for each proposed dwelling.	Complies
Private open spaces and balconies predominantly face north, east or west	These orientations have been maximised	Complies
Primary open space and balconies should be orientated with the longer side facing outwards or be open to the sky to optimise daylight access into adjacent rooms	The private open spaces face outwards and optimise solar access where possible to capture natural light to the internal living spaces.	Complies
<b>Objective 4E-3:</b> Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Solid, partially solid or transparent fences and balustrades are selected to respond to the location. They are designed to allow views and passive surveillance of the street while maintaining visual privacy and allowing for a range of uses on the balcony. Solid and partially solid balustrades are preferred	Appropriate terrace fencing is used to allow views of the public domain and/or communal open space while offering a measure of visual privacy to each unit. The balconies are proposed with solid balustrades, and incorporated screening is proposed. The private open spaces are generous in proportion, depth and width and shall not impact on privacy of the internal areas of the units	Complies
Full width full height glass balustrades alone are generally not desirable	Not Applicable	Not Applicable
Projecting balconies should be integrated into the building design and the design of soffits considered	Balconies conform with the building footprint to maximise solar access and ventilation	Complies
Operable screens, shutters, hoods and pergolas are used to control sunlight and wind	Living room windows are recessed behind a balcony	Complies
Balustrades are set back from the building or balcony edge where overlooking or safety is an issue	The proposed development achieves setback criteria for visual privacy.	Complies
Downpipes and balcony drainage are integrated with the overall facade and building design	Downpipes location will be integrated as part of a feature, where possible.	Complies
Air-conditioning units should be located on roofs, in basements, or fully integrated into the building design	Not Applicable – no air conditioning proposed for any units.	Not Applicable

Where clothes drying, storage or air conditioning units are located on balconies, they should be screened and integrated in the building design	All clothes drying elements are screened.	Complies										
Ceilings of apartments below terraces should be insulated to avoid heat loss	Not Applicable	Not Applicable										
Water and gas outlets should be provided for primary balconies and private open space	Not Applicable	Not Applicable										
Objective 4E-4: Private open space and balcony design maximises safety												
Design Guidance:	Proposed:	Compliance:										
Changes in ground levels or landscaping are minimised	The site poses sloping topography. Despite this the proposal seeks to provide minimal ground level changes to frontage and landscaped areas.	Complies										
Design and detailing of balconies avoids opportunities for climbing and falls	The proposed design of the balconies is not considered to increase opportunities for climbing.	Complies										
Objective 4F-1: Common circulation spaces achieve good amenity and properly service the number of apartments												
Design Criteria:	Proposed:	Compliance:										
1. The maximum number of apartments off a circulation core on a single level is eight	Direct and legible access is provided between vertical circulation points and apartment entries with short corridor lengths and clear sight lines. Tight corners and spaces are avoided. Circulation spaces will be well lit at night.	Complies										
Storage												
Objective 4G-1: Adequate, well designed storage is provided in each apartment												
Design Criteria:	Proposed:	Compliance:										
1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: <table><tr><th>Dwelling Type</th><th>Storage size volume</th></tr><tr><td>Studio apartments</td><td>4 m<sup>2</sup></td></tr><tr><td>1 bedroom apartments</td><td>6 m<sup>2</sup></td></tr><tr><td>2 bedroom apartments</td><td>8 m<sup>2</sup></td></tr><tr><td>3+ bedroom apartments</td><td>10 m<sup>2</sup></td></tr></table> At least 50% of the required storage is to be located within the apartment	Dwelling Type	Storage size volume	Studio apartments	4 m <sup>2</sup>	1 bedroom apartments	6 m <sup>2</sup>	2 bedroom apartments	8 m <sup>2</sup>	3+ bedroom apartments	10 m <sup>2</sup>	All dwellings have adequate storage with apartments and basements to meet LAHC Dwelling Requirements supplemented by individual storage areas in the basement.  Storage is adjacent to the kitchen and is accessible from the living area.	Complies
Dwelling Type	Storage size volume											
Studio apartments	4 m <sup>2</sup>											
1 bedroom apartments	6 m <sup>2</sup>											
2 bedroom apartments	8 m <sup>2</sup>											
3+ bedroom apartments	10 m <sup>2</sup>											

<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Storage is accessible from either circulation or living areas	These areas are accessible from circulation or living areas.	Complies
Storage provided on balconies (in addition to the minimum balcony size) is integrated into the balcony design, weather proof and screened from view from the street	Storage is not provided on the balconies.	Not Applicable
Left over space such as under stairs is used for storage	Not Applicable	Not Applicable
<b>Objective 4G-2:</b> Additional storage is conveniently located, accessible and nominated for individual apartments		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Storage not located in apartments is secure and clearly allocated to specific apartments	These are securely located in a designated area in the basement and allocated to each unit.	Complies
Storage is provided for larger and less frequently accessed items	These are securely located in a designated area in the basement and allocated to each unit.	Complies
Storage space in internal or basement car parks is provided at the rear or side of car spaces or in cages so that allocated car parking remains accessible	Storage in basement is generally located in areas with corridor access. Where storage is provided at the rear of car spaces it shall be allocated to the owner of the car space.	Complies
If communal storage rooms are provided they should be accessible from common circulation areas of the building	Not Applicable	Not Applicable
Storage not located in an apartment is integrated into the overall building design and is not visible from the public domain	Ancillary storage is located in the basement.	Complies
<b>Objective 4H-1:</b> Noise transfer is minimised through the siting of buildings and building layout		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses (see also section 2F Building separation and section 3F Visual privacy)	Adequate building separation provided.	Complies
Window and door openings are generally orientated away from noise sources	Window and doors are oriented away from noise sources where possible. Where access to common open space is proposed, a POS & landscape buffer provides separation.	Complies
Noisy areas within buildings including building entries and corridors should be located next to or above each other and quieter areas next to or above quieter areas	The internal living and bedroom areas are located away from the corridor and service areas to maximise acoustic privacy to sensitive parts within each unit	Complies
The number of party walls (walls shared with other apartments) are limited and are appropriately insulated	Party walls are limited.	Complies
Noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open spaces and	These are mostly provided underground or on the roof. All the other adjoining terraces have appropriate screening to insulate	Complies



circulation areas should be located at least 3m away from bedrooms	against visual and noise intrusion.	
<b>Objective 4H-2:</b> Noise impacts are mitigated within apartments through layout and acoustic treatments		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
<p>Internal apartment layout separates noisy spaces from quiet spaces, using a number of the following design solutions:</p> <ul style="list-style-type: none"> <li>rooms with similar noise requirements are grouped together</li> <li>doors separate different use zones</li> <li>wardrobes in bedrooms are co-located to act as sound buffers</li> </ul>	The apartments layouts appropriate group together quiet spaces.	Complies
<b>Noise and Pollution</b>		
<b>Objective 4J-1:</b> In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
<p>To minimise impacts the following design solutions may be used:</p> <ul style="list-style-type: none"> <li>physical separation between buildings and the noise or pollution source</li> <li>residential uses are located perpendicular to the noise source and where possible buffered by other uses</li> <li>non-residential buildings are sited to be parallel with the noise source to provide a continuous building that shields residential uses and communal open spaces</li> <li>non-residential uses are located at lower levels vertically separating the residential component from the noise or pollution source. Setbacks to the underside of residential floor levels should increase relative to traffic volumes and other noise sources</li> <li>buildings should respond to both solar access and noise. Where solar access is away from the noise source, non-habitable rooms can provide a buffer</li> <li>where solar access is in the same direction as the noise source, dual aspect apartments with shallow building depths are preferable (see figure 4J.4)</li> <li>landscape design reduces the perception of noise and acts as a filter for air pollution generated by traffic and industry</li> </ul>	Appropriate glazing as per technical recommendations contained within the BCA and acoustic report will be adopted to minimise acoustic and pollution impacts.	Complies

<b>Apartment Mix</b>		
<b>Objective 4K-1:</b> A range of apartment types and sizes is provided to cater for different household types now and into the future		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
A variety of apartment types is provided.	The proposal is comprised of self-contained two bedroom seniors social housing apartments in response to the desired portfolio of the NSW Land and Housing Corporation.	Complies
<p>The apartment mix is appropriate, taking into consideration:</p> <ul style="list-style-type: none"> <li>the distance to public transport, employment and education centres</li> <li>the current market demands and projected future demographic trends</li> <li>the demand for social and affordable housing</li> <li>different cultural and socioeconomic groups</li> </ul>	This has been taken into the design consideration and is considered appropriate for the locality.	Complies
Flexible apartment configurations are provided to support diverse household types and stages of life including single person households, families, multi-generational families and group households	Apartment and configurations are varied, generous and flexible to support diverse demographic types and living arrangements.	Complies
<b>Objective 4K-2:</b> The apartment mix is distributed to suitable locations within the building		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Different apartment types are located to achieve successful facade composition and to optimise solar access (see figure 4K.3)	Façade composition is considered satisfactory.	Complies
Larger apartment types are located on the ground or roof level where there is potential for more open space and on corners where more building frontage is available	Not Applicable	Not Applicable
<b>Ground Floor Apartments</b>		
<b>Objective 4L-1:</b> Street frontage activity is maximised where ground floor apartments are located		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Direct street access should be provided to ground floor apartments	Single secure entries are more desirable for seniors social housing, however some ground floor apartments are provided with individual gates to private open spaces to allow for scooter access. Private open space is located within the front setback and doors and windows face the street.	Complies

<b>Objective 4L-2:</b> Design of ground floor apartments delivers amenity and safety for residents		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Privacy and safety should be provided without obstructing casual surveillance. Design solutions may include: <ul style="list-style-type: none"> <li>elevation of private gardens and terraces above the street level by 1–1.5 m (see figure 4L.4)</li> <li>landscaping and private courtyards</li> <li>window sill heights that minimise sight lines into apartments</li> <li>integrating balustrades, safety bars or screens with the exterior design</li> </ul>	Privacy and safety are provided to ground floor apartments with landscaping and private courtyards.	Complies
<b>Facades</b>		
<b>Objective 4M-1:</b> Building facades provide visual interest along the street while respecting the character of the local area		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Design solutions for front building facades may include: <ul style="list-style-type: none"> <li>a composition of varied building elements</li> <li>a defined base, middle and top of buildings</li> <li>revealing and concealing certain elements</li> <li>changes in texture, material, detail and colour to modify the prominence of elements</li> </ul>	The front building facade is composed from a variety of building elements, with a defined base of fencing and landscaping, strong masonry blades and changes in texture, material and detail to modify the prominence of elements. Building facades are well resolved with an appropriate scale and proportion to the streetscape and human scale. Building facades relate to key heights of future adjacent buildings. Shadow is created on the facade throughout the day with building articulation and balconies.	Complies
Building services should be integrated within the overall facade	Services are provided in the basement and a substation is located on the ground level with screening and landscape to minimise the visual intrusion.  Building services are integrated into the building design and are not considered obtrusive or not in keeping with the design of the building.	Complies
Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale. Design solutions may include: <ul style="list-style-type: none"> <li>well composed horizontal and vertical elements</li> <li>variation in floor heights to enhance the human scale</li> <li>elements that are proportional and arranged in patterns</li> <li>public artwork or treatments to exterior</li> </ul>	The design aims to avoid blank facades with well composed and positioned elements to break down bulk and scale, provide visual interest and enhance the visual quality to Campbellfield West.  The building façade is architecturally designed and is considered appropriate.	Complies



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

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

<b>Objective 4O-2:</b> Landscape design contributes to the streetscape and amenity		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Landscape design responds to the existing site conditions including: <ul style="list-style-type: none"> <li>• changes of levels</li> <li>• views</li> <li>• significant landscape features including trees and rock outcrops</li> </ul>	Existing site comprises minimal vegetation. The proposed landscape design has considered the site conditions, maintaining the slope of the land within the landscaped areas and is responsive to the proposed development.	Complies
Significant landscape features should be protected by: <ul style="list-style-type: none"> <li>• tree protection zones (see figure 4O.5)</li> <li>• appropriate signage and fencing during construction</li> </ul>	Not Applicable	Not Applicable
Plants selected should be endemic to the region and reflect the local ecology	New trees, shrubs, planters, and vegetation will be provided as identified in the Landscape Plan.	Complies
<b>Planting on Structures</b>		
<b>Objective 4P-1:</b> Appropriate soil profiles are provided		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Structures are reinforced for additional saturated soil weight	Recommended condition of consent for the applicant to provide a landscape management plan which includes information relating to the soil composition and weight to be provided prior to the issue of a construction certificate	Recommended condition of consent.
Soil volume is appropriate for plant growth, considerations include: <ul style="list-style-type: none"> <li>• modifying depths and widths according to the planting mix and irrigation frequency</li> <li>• free draining and long soil life span</li> <li>• tree anchorage</li> </ul>	Recommended condition of consent for information to be provided within the landscape maintenance plan prior to the issue of a construction certificate.	Recommended condition of consent.
Minimum soil standards for plant sizes should be provided in accordance with Table 5.	Recommended condition of consent for information to be provided within the landscape maintenance plan prior to the issue of a construction certificate.	Recommended condition of consent.

<b>Objective 4P-2:</b> Plant growth is optimised with appropriate selection and maintenance		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Plants are suited to site conditions, considerations include: <ul style="list-style-type: none"> <li>• drought and wind tolerance</li> <li>• seasonal changes in solar access</li> <li>• modified substrate depths for a diverse range of plants</li> <li>• plant longevity</li> </ul>	Plant species details have been identified as a component of the Landscape submission and is in accordance with Council's policy.	Complies
A landscape maintenance plan is prepared	Recommended condition of consent for a landscape maintenance plan to be prepared prior to the issue of a construction certificate.	Recommended condition of consent.
Irrigation and drainage systems respond to: <ul style="list-style-type: none"> <li>• changing site conditions</li> <li>• soil profile and the planting regime</li> <li>• whether rainwater, stormwater or recycled grey water is used</li> </ul>	Recommended condition of consent for information to be provided within the landscape maintenance plan prior to the issue of a construction certificate.	Recommended condition of consent.
<b>Objective 4P-3:</b> Planting on structures contributes to the quality and amenity of communal and public open spaces		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Building design incorporates opportunities for planting on structures. Design solutions may include: <ul style="list-style-type: none"> <li>• green walls with specialised lighting for indoor green walls</li> <li>• wall design that incorporates planting</li> <li>• green roofs, particularly where roofs are visible from the public domain</li> <li>• planter boxes</li> </ul>	Building design incorporates opportunities for planting over the basement car park structure in planter boxes.	Complies
<b>Universal Design</b>		
<b>Objective 4Q-1:</b> Universal design features are included in apartment design to promote flexible housing for all community members		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Developments achieve a benchmark of 20% of the total apartments incorporating the Livable Housing Guideline's silver level universal design features	The proposal is suitable for Seniors Living, therefore the minimum requirement is achieved.	Not a design criteria,

<b>Objective 4Q-2:</b> A variety of apartments with adaptable designs are provided		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Adaptable housing should be provided in accordance with the relevant council policy	<p>The apartments are designed to achieve the accessibility requirements of Seniors Housing.</p> <p>All apartments have convenient access to communal open spaces.</p> <p>A high proportion of apartments receive adequate solar access in mid-winter. 20% of car spaces are provided as accessible.</p>	Capable of Compliance
<b>Objective 4Q-3:</b> Apartment layouts are flexible and accommodate a range of lifestyle needs		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
<p>Apartment design incorporates flexible design solutions which may include:</p> <ul style="list-style-type: none"> <li>rooms with multiple functions</li> <li>dual master bedroom apartments with separate bathrooms</li> <li>larger apartments with various living space options</li> <li>open plan 'loft' style apartments with only a fixed kitchen, laundry and bathroom</li> </ul>	Suitable apartment layouts are provided.	Not Applicable
<b>Objective 4R-2:</b> Adapted buildings provide residential amenity while not precluding future adaptive reuse		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
<p>Design features should be incorporated sensitively into adapted buildings to make up for any physical limitations, to ensure residential amenity is achieved. Design solutions may include:</p> <ul style="list-style-type: none"> <li>generously sized voids in deeper buildings</li> <li>alternative apartment types when orientation is poor</li> <li>using additions to expand the existing building envelope</li> </ul>	The proposed development is not an adapted building.	Not Applicable
<p>Some proposals that adapt existing buildings may not be able to achieve all of the design criteria in this Apartment Design Guide. Where developments are unable to achieve the design criteria, alternatives could be considered in the following areas:</p> <ul style="list-style-type: none"> <li>where there are existing higher ceilings, depths of habitable rooms could increase subject to demonstrating access to natural ventilation, cross ventilation (when applicable) and solar</li> </ul>	The proposed development is not utilising an existing building.	Not Applicable



<p>and daylight access (see also sections 4A Solar and daylight access and 4B Natural ventilation)</p> <ul style="list-style-type: none"> <li>alternatives to providing deep soil where less than the minimum requirement is currently available on the site</li> <li>building and visual separation – subject to demonstrating alternative design approaches to achieving privacy</li> <li>common circulation</li> <li>car parking</li> <li>alternative approaches to private open space and balconies</li> </ul>		
<p><b>Mixed Use</b></p> <p><b>Objective 4S-1:</b> Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement</p>		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Mixed use development should be concentrated around public transport and centres	Not Applicable	Not Applicable
<p>Mixed use developments positively contribute to the public domain. Design solutions may include:</p> <ul style="list-style-type: none"> <li>development addresses the street</li> <li>active frontages are provided</li> <li>diverse activities and uses</li> <li>avoiding blank walls at the ground level</li> <li>live/work apartments on the ground floor level, rather than commercial</li> </ul>	Not Applicable	Not Applicable
<p><b>Objective 4S-2:</b> Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents</p>		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
<p>Residential circulation areas should be clearly defined. Design solutions may include:</p> <ul style="list-style-type: none"> <li>residential entries are separated from commercial entries and directly accessible from the street</li> <li>commercial service areas are separated from residential components</li> <li>residential car parking and communal facilities are separated or secured</li> <li>security at entries and safe pedestrian routes are provided</li> <li>concealment opportunities are avoided</li> </ul>	<p>Residential and car parking areas are separated and secured.</p> <p>The development incorporates CPTED principles and avoids opportunities for crime/concealment and maximises passive surveillance of the public domain as well as communal spaces.</p>	Complies
Landscaped communal open space should be provided at podium or roof levels	The proposal provides communal open space on Ground level.	Complies

<b>Awnings and Signage</b>		
<b>Objective 4T-1:</b> Awnings are well located and complement and integrate with the building design		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Awnings should be located along streets with high pedestrian activity and active frontages	Awnings not proposed.	Not Applicable
A number of the following design solutions are used: <ul style="list-style-type: none"> <li>continuous awnings are maintained and provided in areas with an existing pattern</li> <li>height, depth, material and form complements the existing street character</li> <li>protection from the sun and rain is provided</li> <li>awnings are wrapped around the secondary frontages of corner sites</li> <li>awnings are retractable in areas without an established pattern</li> </ul>	Not Applicable	Not Applicable
Awnings should be located over building entries for building address and public domain amenity	Entry visible through building design and placement of entry awning at centre of elevation for weather protection	Complies
Awnings relate to residential windows, balconies, street tree planting, power poles and street infrastructure	Not Applicable.	Not Applicable
Gutters and down pipes should be integrated and concealed	Gutters and downpipes will be integrated as part of a feature, where possible.	Complies
Lighting under awnings should be provided for pedestrian safety	Lighting will be provided under awning, and this is to be addressed at CC stage.	Capable of Compliance
<b>Objective 4T-2:</b> Signage responds to the context and desired streetscape character		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Signage should be integrated into the building design and respond to the scale, proportion and detailing of the development	Signage is not proposed.	Not Applicable
Legible and discrete way finding should be provided for larger developments	Signage is not proposed.	Not Applicable
Signage is limited to being on and below awnings and a single facade sign on the primary street frontage	Signage is not proposed.	Not Applicable

<b>Energy and Efficiency</b>		
<b>Objective 4U-1:</b> Development incorporates passive environmental design		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access)	Adequate natural light is provided to habitable rooms.	Complies
Well located, screened outdoor areas should be provided for clothes drying	Recommended condition of consent for balconies to not be used as clothes drying areas.	Complies
<b>Waste Management</b>		
<b>Objective 4W-1:</b> Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
Adequately sized storage areas for rubbish bins should be located discreetly away from the front of the development or in the basement car park	Sufficient storage areas are allocated for waste storage.	Complies
Waste and recycling storage areas should be well ventilated	The waste areas are well ventilated.	Complies
Circulation design allows bins to be easily manoeuvred between storage and collection points	The waste storage area is located at ground level.	Complies
Temporary storage should be provided for large bulk items such as mattresses	An area for bulk waste has been provided.	Complies
A waste management plan should be prepared	A Waste Management Plan (WMP) was provided with the development application.	Complies
<b>Objective 4W-2:</b> Domestic waste is minimised by providing safe and convenient source separation and recycling		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
All dwellings should have a waste and recycling cupboard or temporary storage area of sufficient size to hold two days worth of waste and recycling	All dwelling are capable of storing domestic waste temporarily.	Complies
Communal waste and recycling rooms are in convenient and accessible locations related to each vertical core	These are easily accessible from the lift.	Complies
For mixed use developments, residential waste and recycling storage areas and access should be separate and secure from other uses	Not Applicable	Not Applicable
Alternative waste disposal methods such as composting should be provided	Composting area could be provided in common open space (ground floor) as a condition of consent.	Recommended condition of consent.



<b>Building Maintenance</b> <b>Objective 4X-1:</b> Building design detail provides protection from weathering		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
A number of the following design solutions are used: <ul style="list-style-type: none"> <li>• roof overhangs to protect walls</li> <li>• hoods over windows and doors to protect openings</li> <li>• detailing horizontal edges with drip lines to avoid staining of surfaces</li> <li>• methods to eliminate or reduce planter box leaching</li> <li>• appropriate design and material selection for hostile locations</li> </ul>	Apartment windows are protected by the location of the balconies, hoods provided, horizontal edges proposed	Complies

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



**RSDA 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 Western City Planning Panel Record of Briefing



Planning  
Panels

#### RECORD OF BRIEFING SYDNEY WESTERN CITY PLANNING PANEL

##### BRIEFING DETAILS

BRIEFING DATE / TIME	Monday, 7 November 2022, 9:00am to 9:45am
LOCATION	Teleconference

##### BRIEFING MATTER(S)

PPSSWC-263 – CAMPBELLTOWN – 3142/2022/DA-SL - 33 Riverside Drive, Airds

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

##### PANEL MEMBERS

IN ATTENDANCE	Justin Doyle (Chair), Brian Kirk, George Brticevic, Karen Hunt
APOLOGIES	Nicole Gurran
DECLARATIONS OF INTEREST	Nil

##### OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Alex Long, Kristy Griffiths
DPE	George Dojas, Alexander Richard

##### KEY ISSUES DISCUSSED

- The Panel noted the non-compliances with height and the 45 degree plane set for wall height, but observed that the 3 storey form anticipated by the control was maintained. The non-compliances were largely limited to roof and roof features, with the 45 degree plane only interrupted for small parts of the roof due to the building orientation, but there were significant offsetting parts where a larger setback was allowed.
- The FSR was consistent with the deemed to satisfy provision in the Housing SEPP.
- The Panel queried whether a lift was required in the context of a seniors living development for Building A, but noted that inclusion of a lift would have consequences for deep soil planting and cost.
- The Panel queried the consistency of requiring planting suitable for koala migration and the allowance of cats and dogs.
- The Panel hoped that the determination meeting could be fixed by February 2023.

**TENTATIVE DETERMINATION DATE SCHEDULED FOR: February 2023**

##### Planning Panels Secretariat

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

## 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 6**  
**Design Excellence Panel Meeting Minutes**



**Minutes Summary**

(Additional Meeting Requested by the applicant)

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

**Thursday 21 April 2022**

<b>Panel Members</b>	<b>Matthew Taylor</b>	<b>Chair</b>
	<b>Lynne Hancock</b>	<b>Member</b>
	<b>Iain Stewart</b>	<b>Member</b>

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

<b>Applicant/ Architect/Owner /Planner</b>	<b>Salina Lama</b> <b>Ryan Anderson</b> <b>Danielle Lopez</b> <b>Simon Mather of MAKO Architecture</b> <b>Erin Owens - MAKO Architecture</b> <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> a. <b>Functionality</b> b. <b>Aesthetic</b> c. <b>Material</b> d. <b>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> a. <b>Human scale</b> b. <b>Integration with the surrounding environment</b> c. <b>Overall aesthetic</b> d. <b>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>	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.
<b>8. Lighting/natural/artificial</b>	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
<b>9. Ventilation</b>	Adequate cross ventilation is accommodated across the proposal.

<b>10. Wind</b>	The orientation and layout of the proposal provides suitable protected areas from prevailing cold winds in winter and cooling winds in summer
<b>11. Sustainable Design</b>	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. .

<b>Specific Actions Required - as described above</b>	
<b>1. Architectural Design</b>	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.
<b>2. Urban Design</b>	The consideration of the concept of the site to extend to the kerb
<b>3. Landscaping</b>	Removal of the oversized Chessboard and consideration of solar access for winter, extending green through access ways
<b>4. Heritage ( if relevant)</b>	n/a
<b>5. Streetscape</b>	Inclusion of street trees
<b>6. Solar Access</b>	Modification of the fin walls to enable solar access
<b>7. Privacy</b>	No further comment
<b>8. Lighting/natural/artificial</b>	No further comment
<b>9. ventilation</b>	No further comment
<b>10. wind</b>	No further comment
<b>11. Sustainable Design</b>	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 6**  
**Sydney Water**



7 October 2022

**CNR Team**

Campbelltown City Council  
[cnr@campbelltown.nsw.gov.au](mailto:cnr@campbelltown.nsw.gov.au)

**RE: Development Application 3142/2022/DA-SL at 33 Riverside Drive, Airds**

Thank you for notifying Sydney Water of 3142/2022/DA-SL at 33 Riverside Drive, Airds, which proposes construction of a part-two and part-three storey seniors housing development comprising 31 independent living units, with a basement car park for 21 vehicles, communal gardens and associated site landscaping, fencing, site services and stormwater infrastructure. Sydney Water has reviewed the application based on the information supplied and provides the following comments to assist in planning the servicing needs of the proposed development.

**Water Servicing**

- Potable water servicing should be available via a 250mm CICL 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](#).

Further advice and requirements for this proposal are in Attachment 1. If you require any further information, please contact the Growth Planning Team at [urbangrowth@sydneywater.com.au](mailto:urbangrowth@sydneywater.com.au).

Yours sincerely,



**Kristine Leitch**

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

## Attachment 1

### Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit [www.sydnewwater.com.au](http://www.sydnewwater.com.au) > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

### Building Plan Approval

The approved plans must be submitted to the Sydney Water [Tap in™](#) online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The [Tap in™](#) service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's [Tap in™](#) online service is available at:

<https://www.sydnewwater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

Sydney Water recommends developers apply for Building Plan approval early as in some instances the initial assessment will identify that an Out of Scope Building Plan Approval will be required.



### **Out of Scope Building Plan Approval**

Sydney Water will need to undertake a detailed review of building plans:

1. That affect or are likely to affect any of the following:
  - Wastewater pipes larger than 300mm in size
  - Pressure wastewater pipes
  - Drinking water or recycled water pipes
  - Our property boundary
  - An easement in our favour
  - Stormwater infrastructure within 10m of the property boundary.
2. Where the building plan includes:
  - Construction of a retaining wall over, or within the zone of influence of our assets
  - Excavation of a basement or building over, or adjacent to, one of our assets
  - Dewatering – removing water from solid material or soil.

The detailed review is to ensure that:

- our assets will not be damaged during, or because of the construction of the development
- we can access our assets for operation and maintenance
- your building will be protected if we need to work on our assets in the future.

The developer will be required to pay Sydney Water for the costs associated with the detailed review.

### **Tree Planting**

Certain tree species placed in close proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Sydney Water requires that all proposed or removed trees and vegetation included within the proposal adhere to the specifications and requirements within Section 46 of the Sydney Water Act (1994) and *Diagram 5 – Planting Trees* within our [Technical guidelines – Building over and adjacent to pipe assets](#). Please note these guidelines include more examples of potential activities impacting our assets which may also apply to your development.

If any tree planting proposed breaches our policy, Sydney Water may need to issue an order to remove every tree breaching the act, or directly remove every tree breaching the Act and bill the developer or Council for their removal.