

## Seniors Living – Stage 4 Claymore

**Construction of a Part 2 and Part 3 storey seniors living development comprising 23 independent living units, basement car parking for 13 vehicles, at grade parking for 3 vehicles, landscaping, communal gardens, site services and 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 EP&A Act.

### 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

#### 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 23 January 2023 and 14 February 2023.

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 Claymore 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 EP&A Act has been undertaken.

It is recommended to the Panel that Development Application 4973/2022/DA-SL for the construction of a part 2 and part 3 - storey seniors living development comprising 23 independent living units, basement car parking for 13 vehicles, at grade parking for 3 vehicles, landscaping, communal gardens, site services and 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>	4973/2022/DA-SL
<b>Reporting Officer</b>	Alexandra Long
<b>Proposed Development</b>	Construction of a Part 2 and Part 3-storey seniors living development comprising 23 independent living units, basement car parking for 13 vehicles, at grade parking for 3 vehicles, landscaping, communal gardens, site services and stormwater infrastructure and associated ancillary site works.
<b>Property Description</b>	<ul style="list-style-type: none"> <li>• Lot 4180 in the Plan of Proposed Subdivision of lot 300 in DP 261323 (Unregistered Plan of Consolidation) Dobell Road; and comprises part of the following;</li> <li>• Lots 15 and 16 in DP258940 Martens Way.</li> </ul>
<b>Future Lot Description</b>	Lot 4180 (Lot 16 DP25258940)
<b>Applicant</b>	NSW Land and Housing Corporation
<b>Owner</b>	NSW Land and Housing Corporation
<b>Date of Lodgement</b>	23 January 2023, 06 April 2023 (updated plan to provide platform to stair), 09 June 2023 (updated plan package including driveway access to at grade parking)
<b>Cost of Works</b>	\$11.8 million
<b>Number of Submissions</b>	No submissions received
<b>List of all Relevant Section 4.15 matters of the Environmental Planning and Assessment Act, 1979</b>	<ul style="list-style-type: none"> <li>• State Environmental 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> </ul>

	<ul style="list-style-type: none"> <li>• SEPP (Resilience and Hazards) 2021</li> <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>	04 April 2022
<b>Design Excellence Panel Meeting</b>	19 May 2022
<b>Regional Panel Kick Off Briefing</b>	27 March 2023
<b>Regional Panel Briefing Meeting</b>	Not required Panel advised straight to Electronic Determination
<b>Notification</b>	No submissions received
<b>Department of Planning &amp; Environment - Water</b>	Control Activity Not Required
<b>Department of Planning &amp; Environment - Heritage NSW</b>	<p>AHIP 5027 was issued to Landcom on 23 December 2022 for the Claymore Renewal Project Stage 4 and permits community collection and harm to part of artefact site 52-2-4162. The AHIP is valid for five years and will expire on 23 December 2027. Heritage NSW was notified that community collection of part of site 52-2-4162 was completed on 1 February 2023 in accordance with the AHIP conditions.</p> <p>Conditions of consent provided.</p>
<b>Concurrence</b>	Concurrence received by email 06 July 2023
<b>Recommendation</b>	Approval, subject to conditions

## **1. Background**

The Claymore public housing estate is one of 5 public housing areas in Campbelltown built in the 1970s and early 1980s. The housing estate was previously one of the largest public housing estates in South Western Sydney, containing 1,123 public housing dwellings. Significant parts of the Claymore public housing area utilised the Radburn urban design principles, which are now considered unsuitable in a public housing context.

Redevelopment of the Claymore public housing estate is being undertaken by the NSW Land and Housing Corporation in accordance with the Claymore Urban Renewal Concept Plan (Concept Plan) granted by the Minister for Planning and Infrastructure on 24 May 2013. The subject development application is identified as Stage 4 within the Concept Plan.

The redevelopment of the Claymore public housing estate is facilitated by the Concept Plan.

The Concept Plan increases dwelling numbers from 1,123 to approximately 1,490 dwellings, including 100 seniors housing units. Further, the Concept Plan increases social mix within the estate with 70 per cent of housing stock to be privately owned and 30 per cent to be retained as public housing. The Concept Plan also includes the creation of a new Claymore town centre and new and upgraded urban infrastructure such as pathways, lighting, open space, community facilities, drainage and a new road network.

The Concept Plan was modified on 22 October 2013 to allow a planning agreement to be provided prior to the lodgement of any development application for subdivision relating to Stage 3 of the Concept Plan.

### **1.1. History/Background**

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

#### **Stages 1 and 2 (1141/2014/DA-SW)**

On 9 October 2014, the Sydney West Joint Regional Planning Panel approved Stages 1 and 2 of the Concept Plan (development application 1141/2014/DA-SW) which created 247 Torrens title residential allotments, 2 allotments for future medium density development, 4 residue allotments and associated subdivision works including construction of new roads, drainage, site regarding and retaining, utility services and landscaping. The Stages 1 and 2 subdivision works have been completed.

#### **Stages 3A and 3B (1700/2017/DA-SW)**

On 19 December 2018, approval was granted for application 1700/2017/DA-SW for the subdivision of land creating 113 Torrens title residential allotments, 17 residue lots, including one lot that would contain the future proposed retail centre, community facilities and 3 lots comprising roads, and associated civil works in Stages 3A and 3B of the Claymore Urban Renewal Concept Plan, subject to conditions.

On 21 November 2019, application 1700/2017/DA-SW/B was modified to update property and development descriptions, provide a turning head to road 09, and connect Bryant Way to Ruby Way subject to amending Condition No.1.

On 20 August 2020, application 1700/2017/DA-SW/C was modified to remove 4 trees, prune 3 trees and amend condition 19 regarding footpath width, involving modification of Condition 1 and 19.

### **Stage 11 (11-2021/DA-SW)**

On 30 June 2021, the Sydney Western City Planning Panel approved Stage 11 (development application 11/2021/DA-SW) for the subdivision of land comprising 92 torrens title residential allotments, 1 residue allotment and associated site, civil and landscape works, including the removal of 190 trees.

### **Stage 11 Modification A (11/2021/DA-SW/A)**

Under the delegated authority of Council, modification of development consent for Stage 11 was granted consent (26 May 2023) being for the subdivision creating 91 Torrens titled residential allotments, 1 residue lot and associated site, civil and landscape works involving minor earthworks and drainage works associated with the subdivision on Council land comprising Lot 154 DP 774619 being part of land to which the consent relates to include the provision of remediation containment cells and the removal of Tree 144. More specifically the modification involved:

- Delete Condition 7 – Batter & Drainage Works
- permit on-site containment beneath proposed road areas of soils impacted with asbestos and heavy metals
- correct a mis-description in the consent (incorrect report reference)
- Removal of Tree 144; and
- Other errors in working within conditions.

### **Stage 4 (906/2020/DA-SW)**

Application 906/2020/DA-SW, for the subdivision of land comprising 181 torrens title allotments, being 180 residential allotments, and 1 residual lot (future Davis Park), and including land remedial works via the construction of containment cells under identified roadways, associated site, civil and street tree landscape works, including the removal of 312 trees within the Claymore public housing estate, generally in accordance with the Claymore Urban Renewal Concept Plan, was granted approval by the Sydney Western City Planning Panel at its meeting 14 September 2022, subject to conditions.

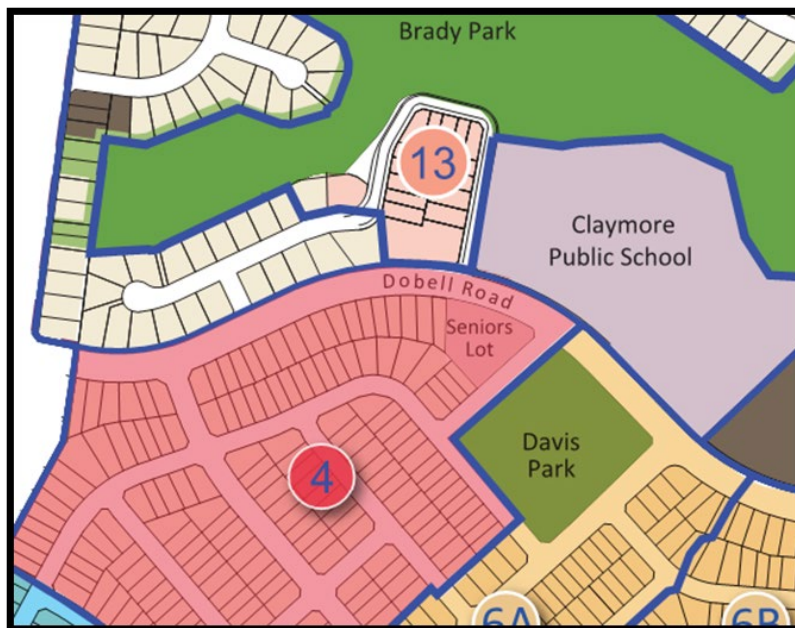
### **Stage 5**

Application 4604/2020/DA-SW, for the subdivision of land to create 86 residential lots 1 residue lot, 1 lot for future park (Dimeny Park) and including land remedial works, associated site, civil and street tree landscape works, including the removal of 200 trees, identified as Stage 5 of the Claymore public housing estate in accordance with the Claymore Urban Renewal Concept Plan, was granted approval by the Sydney Western City Planning Panel at its meeting 08 December 2022, subject to conditions.

## 1.2 Claymore 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 increase in dwellings from 1,123 to approximately 1,490 dwellings
- the retention of approximately 127 existing dwellings on separate lots
- an increased social mix with 70 per cent private and 30 per cent public housing
- creation of a new retail centre
- new or upgraded urban infrastructure such as pathways, lighting, open space, community uses, drainage and interconnecting public roads
- staging plan
- utilities and infrastructure delivery plan
- Claymore Development Control Guidelines
- Street layout and building typologies and
- Street tree and landscaping strategy.

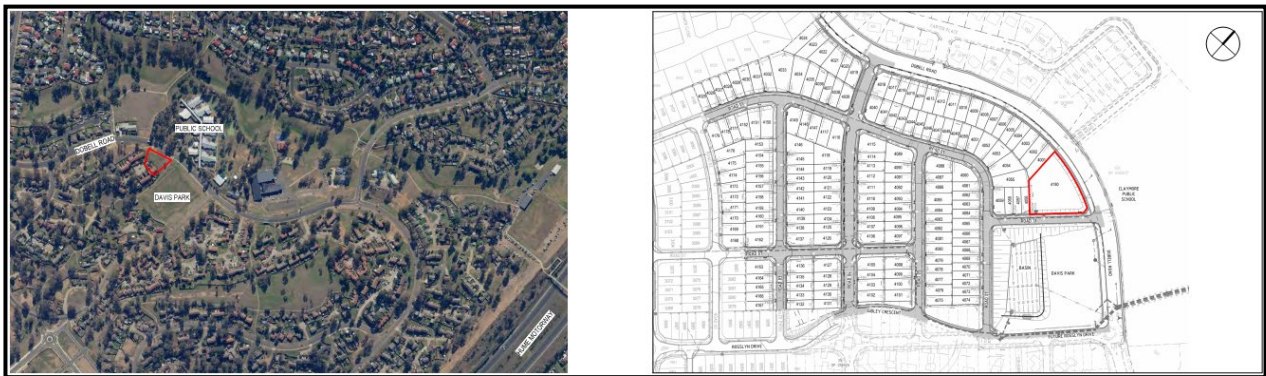
The Project Report proposes seniors housing units on sites selected by NSW Land and Housing Corporation as suitable for this purpose.

The site is one such selected site. It is also 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 Claymore.

The development site is an irregular shaped parcel of land and has a total area of 2,969 m<sup>2</sup>. The site has a south east facing frontage of 60 m to proposed road No 13, and a north east facing frontage of 72 m to Dobell Road within the newly constructed Stage 4 component of the Claymore redevelopment.



*Figure 2- Subject site*

Stage 4 subdivision works was approved under application DA 906/2020/DA-SW. Subdivision creating 179 residential lots, 2 residual lots, and associated site, civil and landscape works as identified within Stages 4A and 4B, being Stage 4 of the Claymore Urban Renewal Project was approved by the Sydney Western City Regional Planning Panel 14 September 2022.

The subject site is to be surrounded by future residential development, the existing public school, the local neighbourhood retail and community facilities and the future newly created Davis Park.

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

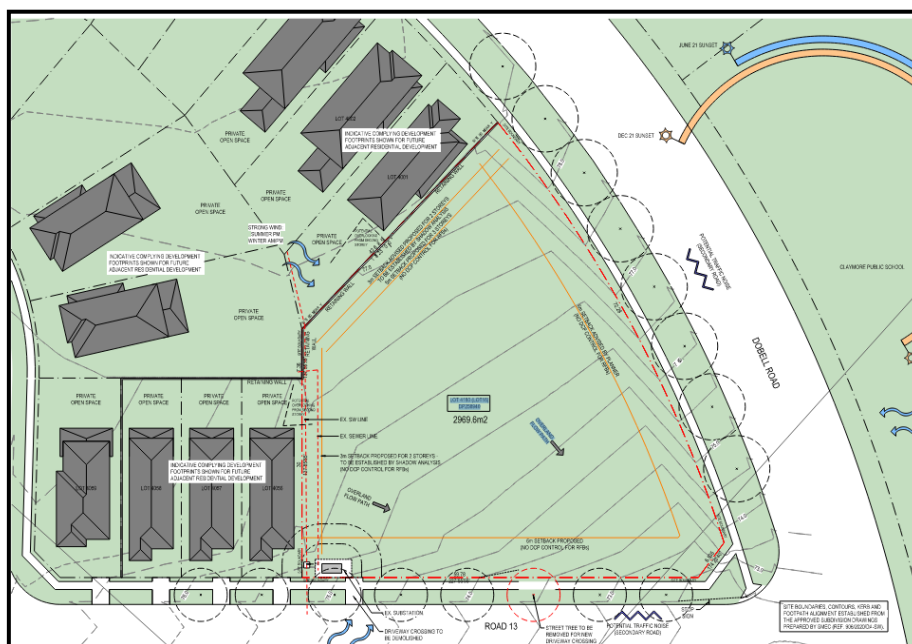


*Figure 3 – Site Context*

The site comprises Lot 4180 in the Plan of Proposed Subdivision of Lot 300 in DP 261323 (Unregistered Plan of Consolidation) and comprises part of the following lots 15 and 16 in DP258940 and Martens Way.

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

Lot	Details
4180	Total site area 2969 m <sup>2</sup>



*Figure 4 – Lot 4180*



### 3. Site Constraints Table

<b>Site Constraints</b>	<b>Applicable to this site</b>
Bushfire Prone Land	Not Applicable
Flood Affected	Not Applicable (addressed within Stage 4 site works)
Overland flow affected	Applicable
Mine Subsidence	Not Applicable
Noise Affected Property	Not Applicable
Aboriginal Sensitivity Zone	Applicable it is noted that an AHIP has been issued
Koala Habitat	Not Applicable
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 (addressed within Stage 4, AHIP issued)

### 4. Sydney Western City Planning Panel

#### 4.1 Kick Off Briefing

A Kick Off Briefing was held with the Panel Chair on 27 March 2023.

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

- The Chair noted the progressed nature of the assessment of the proposed development resulting from work and consultation undertaken between the applicant and Council prior to the lodgement of the application.
- The Panel raised minor concern with number of stairs within a single run without opportunity for a break. The Panel requested that this be clarified by the applicant's accessibility consultant.
- 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)

### 5. Pre DA Meeting

A Pre DA Meeting was held 04 April 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

The proposed application was presented on the 19 May 2022, Design Panel for review.

*“The Panel appreciated that the proponent showed a generally well-integrated scheme that was also thoughtfully presented together with an adequate context analysis. The overall approach to the site layout and building massing was considered appropriate to the setting and the particular opportunities and constraints. Nevertheless, the Panel would like to encourage further exploration of some design opportunities that it felt would improve the relationship between the development and its (existing and future) neighbours, and enhance the amenity for residents. ”*

The Panel concluded that the overall design was acceptable with changes as discussed.

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

(Attachment 4 – Record of Minutes)

## 7. Overview of Proposal

This development application seeks approval for the construction of a Part 2 and Part 3-storey seniors living development comprising 23 independent living units, basement car parking for 13 vehicles, at grade parking for 3 vehicles, landscaping, communal gardens, site services and 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**

- 13 x car spaces (including 3 x accessible spaces);
- 3 x bike racks;
- storage lockers;
- a bulky waste room;
- a mechanical plant room;
- a comms room;
- a hydrant pump room;
- a main switch room;
- 2 x lift accesses to Building B and Building C; and
- 2 x stair accesses.

**Ground Floor**

- 8 x 2 bedroom units (Building A – 2 units, Building B – 3 units, and Building C – 3 units);
- driveway access and at grade parking for 3 vehicles adjacent to Building A (including 2 x accessible spaces);
- driveway access to the basement carpark from Road No. 13;
- 2 x interconnected communal spaces;
- 2 x garbage rooms;
- a pedestrian link between Building B and Building C;
- pedestrian pathways;
- lift access to Building B and Building C;
- stair access to each building; and
- a substation.

## First Floor

- 8 x 2 bedroom units and 1 x 1 bedroom units (Building A – 2 units, Building B – 4 units, and Building C – 3 units);
- lift access to Building B and Building C; and
- stair access to each building.

## Second Floor

- 5 x 2 bedroom units and 1 x 1 bedroom units (Building B – 4 units, and Building C – 2 units);
- lift access to Building B and Building C;
- stair access to Building B and Building C; and
- roof space.

## Roof

- lift overruns to Building B and Building C;
- screened roof areas to Building B and Building C; and
- solar panels to Building C.

## 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
1 bedroom	2	61 m <sup>2</sup>
2 bedroom	21	71 – 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. The design rationale for the seniors housing development is described in the supporting architectural design statement incorporated into the drawings prepared by Become Architecture.

The following provides a summary of the key design principles of the proposal:

Scale and relationship to neighbours:

- good response to scale of future adjacent development with 2 storey development on southern and western boundaries.
- highly articulated building forms
- core design can be tailored to suit the site levels.
- building form reinforces the street corner.

#### Overshadowing:

- minimal overshadowing impact on neighbouring properties
- some self-shadowing of communal space but at least 2 hours solar access is achieved to the principal areas in mid-winter

#### Social response:

- supports the creation of micro-communities within the site due to multiple cores.
- creates a variety of communal and landscaped open spaces to encourage interaction and social activities.
- communal space follows the natural site contours, and its central location creates a transition level between block A and block B/C.
- excellent opportunity for passive surveillance.

#### Environmental response

- high number of north facing units.
- good connection between apartments and communal open spaces
- 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 Become.



*Figure 7 – Materials and Finishes*

The Applicant notes that the external building materials are robust, comprising brickwork, aluminium cladding, a mixture of brick and glass balustrades, aluminium sunhoods, and aluminium privacy fencing.

### Building Height

The proposal has a maximum building height of 12.1 m

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

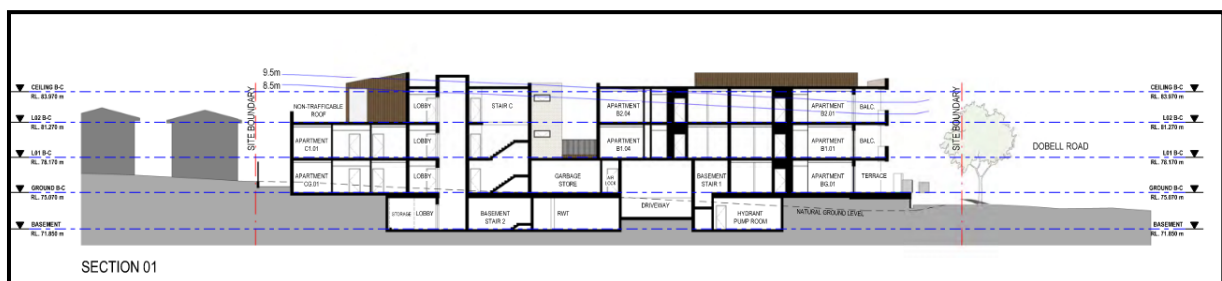
#### 84 Development standards—general

- (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 – 9.5m 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.

### Height Plane - Additional Storey Setback

The proposed building is of a part 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*

The non-compliance is a portion of the parapet roof (410 mm) to corner of bedroom to Unit C2.01 on Level 3 of Building C.

This parapet wall is setback approximately 8 m from the south-western boundary which adjoins a future residential lot.

The proposal is supported by a Clause 4.6 Variation request.

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

Vehicular access to the basement level car park is provided within the southern portion of the site from the new Road 13. The basement car park provides for a total of 13 car parking spaces (including 3 x accessible spaces). Vehicular access to the at-grade car park is provided from Dobell Road. The at-grade car park provides for a total of 3 off street car parking spaces (including 2 x accessible spaces).

Three pedestrian access points are provided to the development from Dobell Road and the new Road 13.

Lift access is provided to Buildings B and C. It is noted that Building A is of a 2 storey form with stair access, plans have been modified to provide a platform within the stair configuration.

### **Heritage**

The site itself does not comprise any items of heritage significance however, it falls within the approved Stage 4 site works which includes an Aboriginal archaeological site, known as Claymore 1, consisting of both surface and subsurface Aboriginal objects (stone artefacts). The objects are distributed in a low density across a highly disturbed area of open space on either side of Dobell Road.

AHIP 5027 was issued to Landcom on 23 December 2022 for the Claymore Renewal Project Stage 4 and permits community collection and harm to part of artefact site 52-2-4162. The AHIP is valid for 5 years and will expire on 23 December 2027.

Heritage NSW has been notified that community collection of part of site 52-2-4162 was completed on 1 February 2023 in accordance with the AHIP conditions.

Conditions of consent have been issued by letter dated 03 February 2023.  
(Attachment 6)

### **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 06 December 2022 was submitted in support of the application.

*"The building's design details provided to date has been assessed in respect to the deemed to satisfy provisions of the deemed-to-satisfy provisions of Section C, D, E and F of the Building Code of Australia 2019 Amendment 1 excluding Section B (Structure by Structural Engineer), Part F5 (Sound Transmission & Insulation by Acoustic Engineer), Part G5 (Bushfire by Bushfire Consultant if applicable) and Section J (Energy Efficiency/BASIX by ESD Consultant)."*

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.



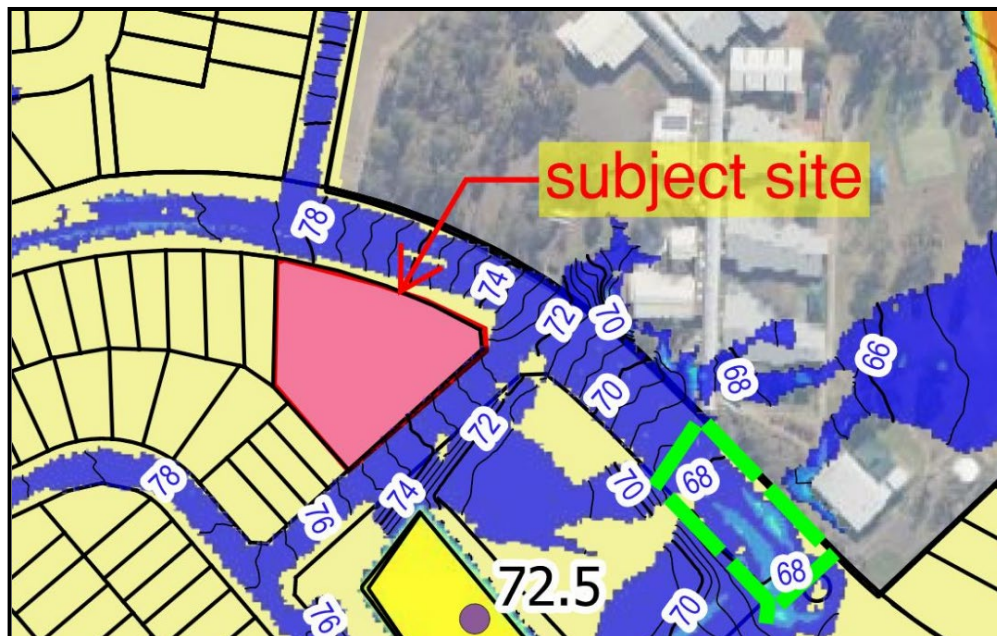


The submitted report demonstrates that the stormwater drainage objectives as outlined in Northorp's Water Cycle Management Plan and in the Campbelltown City Council Design specifications are able to be achieved.

### **Flooding**

The site has been identified by Council's flooding mapping as subject to flooding.

The finish floor level of the site is to be constructed above the 1 per cent AEP flood level or higher, reducing the risk of flooding within the basement entry. The figure below depicts that the 1 per cent AEP is wholly contained within the road reserve.



*Figure 11 - 1% AEP Flood Mapping*

The proposed development will not detrimentally affect the flood water levels or increase flood hazard level. As per the Water Cycle Management Plan for Claymore Urban Renewal project, levels of the subdivision have been raised to resolve any flooding issues.

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

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

#### **Surveillance**

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

### **Landscaping**

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

### **Lighting**

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

### **Territorial Reinforcement**

- entrances and exits to the ground floor of the 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**

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**

### **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 Become (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)
- Become Architects 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.
- Become Architects 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:

*“DP prepared a Detailed Site Investigation, Claymore Urban Renewal Project, Stage 4, Dobell Road, Claymore, NSW, reference 76577.25 Rev 3, dated 8 October 2020 (DP, 2020; ‘the DSI’) which identified surface and near-surface asbestos impact which required further delineation and remediation as well as the need to investigate building footprints where demolition works had not yet been completed. The DSI also identified the potential for asbestos impacted fill to be present in Davis Park, which is partially located in the Stage 4 area (and the remainder and majority in Stage 6) and includes a short-term detention / long term bio-retention basin in the Stage 4 portion of Davis Park”.*

*The Rev 2 and subsequent versions of this report was prepared to incorporate the findings of a delineation assessment undertaken at the site as recommended in the DSI as documented in Report on Stage 4 Detailed Site Investigation Addendum – Delineation Investigation, reference 76577.25.R.001(DP, 2020a).*

*This RAP will inform a Remediation Specification which will be prepared to document the remediation process with reference to the construction design, including construction details for containment cell(s) and how excavated soils will be managed with reference to this RAP.*

*Based on the findings of the DSI (DP, 2020) the extent of remediation required is defined as follows:*

- *ACM impact on the site surface and in shallow fill*
- *Friable asbestos impact on the site surface and/or in shallow fill*
- *ACM impact on the site surface in the heritage area, if possible, in lieu of an AHIP. This is a precautionary measure to prevent tracking and cross contamination of soils elsewhere on the site; and*
- *ACM pipes/conduits on site.*

*Based on discussions with Landcom and LAHC since the Revision 3 version of this report was prepared, DP understands the preferred remediation option is as follows (in order and in accordance with this RAP):*

- *Construct a containment cell in roadways at the site;*
- *Placement of (in order) AF/FA, ACM and pre-validation fill soils into the containment cell; and*
- *Any remaining fill soils will be managed as follows:*

AF/FA – disposed and validated;

- ACM – either treated or disposed of and validated; and/or
- Pre-validation soils – depending on the results of the validation exercise, either treat or dispose of soils.

*ACM pipes and pits are to be disposed of via a licensed landfill and cannot be placed in the containment cell. Fill surrounding these site features can, however, be placed in the containment cell or disposed of. The remediation of ACM pipes and communications pits can be undertaken at any time, however they are not included in the above chronological order of remediation works as they may be encountered throughout excavation works.”*

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

### **8.1.5 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).

### **8.1.6 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:

- 21 x 2 bedroom units.
- 2 x 1 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.

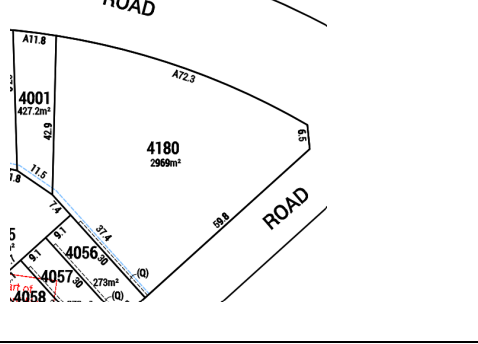
**Seniors** means the following people—

- (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 23 independent living units, 13 basement parking spaces and 3 at grade off street 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 - 2,969 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	North facing frontage to Dobell Road of 72.3 m South-East facing frontage of 59.8 m to new road	Complies  NB: Does not apply as application made by LAHC

		
<p>(c) for development on land in a residential zone where residential flat buildings are not permitted—the development will not result in a building—</p> <p><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></p> <p>(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</p>	<p>Building Height - exceeds 9.5 m, max. height 12.1 m proposed.</p>	<p>**Does Not Comply</p> <p>**Clause 4.6 Variation request accompanies application</p>
<p>(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</p>	<p>Not Applicable</p>	<p>Not Applicable</p>
<p>(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.</p>		<p>**Does Not Comply</p> <p>**Clause 4.6 Variation request accompanies application</p>
<p>(3) The servicing equipment must—</p> <p>(a) be fully integrated into the design of the roof or contained and suitably screened from view from public places, and</p>	<p>Noted.</p>	<p>Not Applicable</p>
<p>(b) be limited to an area of no more than 20 per cent of the surface area of the roof, and</p>	<p>Noted.</p>	<p>Not Applicable</p>

(c) not result in the building having a height of more than 11.5 m.	Not Applicable	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**

- (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**

- (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 8 am and 12 pm each day and at least once between 12 pm and 6 pm 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 400 m 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.

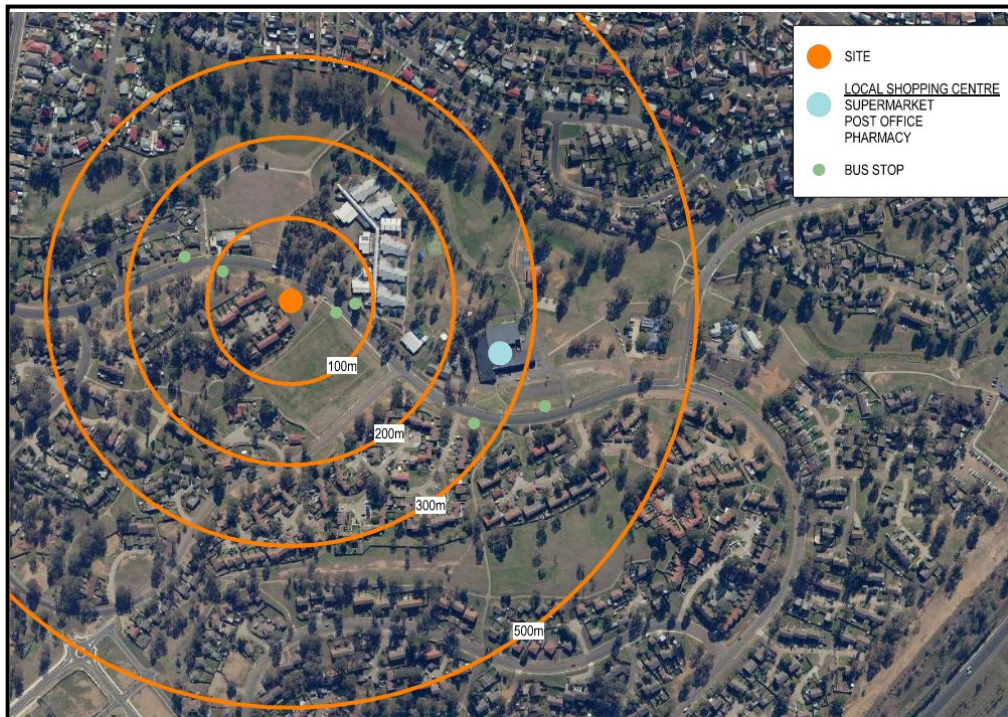
(5) In this section—

**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 Claymore Shopping Centre is located approximately 230 m north east of the site, across Dobell Road including provision of local community facilities (open space/services etc).



*Figure 12- Access*

In addition, the applicant has identified bus stops within proximity of the site on Dobell Road, 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 Claymore Urban Renewal Project.

<b>State Environmental Planning Policy (Housing) 2021</b>	
<b>Clause</b>	<b>Assessment Comment</b>
<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, March 2004</i></p> <p>Refer below for review of proposal against the Seniors Living Policy</p>	
<b>Clause 98 Design of Seniors Housing</b>	
<p>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>	<p>The principles as set out in Division 6 are adhered to.</p> <p>Assessment of Design Principles is provided below.</p>
<b>Division 6 Design Principles</b>	
<b>Clause 99 Neighbourhood amenity and streetscape</b>	
<p>Seniors housing should be designed to -</p> <p>(a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and</p>	<p>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.</p>
<p>(b) recognise the desirable elements of—</p> <p>(i) the location's current character, or</p> <p>(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>	<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 Claymore 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 an identified conservation area.</p> <p>It is noted that an AHIP has been issued for the overarching Stage 4 subdivision works 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</p>	<p>(i) The proposed 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</p>

<p>to the site's land form, and          (iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and          (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</p>	<p>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 Dobell Road and the new road 13, and is two storeys to the adjoining free standing dwellings to the north/west.</p> <p>It is noted that the desired future character of the area (as envisaged within the Claymore Urban Renewal Development Guidelines) is to include more intensive development located close to the existing 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.</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 Claymore 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>
<p>(f) include plants reasonably similar to other plants in the street, and</p>	<p>The surrounding area is undergoing substantial redevelopment works therefore, planting has not been established within the streetscape.</p> <p>Proposed landscaping will substantially enhance the appearance of the site and the streetscape by providing mass planting and feature trees along the street frontages and within boundary setbacks as proposed in the submitted Landscape Plan.</p>
<p>(h) prevent the construction of a building in a riparian zone.</p>	<p>The proposed development will not impact a riparian zone.</p>
<p><b>Clause 100 Visual and acoustic privacy</b></p>	
<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</p>	<p>The design of the proposal has taken into consideration future development on neighbouring sites.</p> <p>It is anticipated that the proposal will not result</p>



<p>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>in any significant visual or acoustic privacy issues to future neighbouring residential developments.</p>
<p><b>Clause 101 Solar access and design for climate</b></p>	
<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>
<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>	<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>
<p><b>Clause 102 Stormwater</b></p>	
<p>The design of Seniors should aim to:</p> <p>(a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and</p>	<p>It is noted that as per the Claymore renewal project water cycle management report prepared by Northrop the on-site stormwater detention and water sensitive urban design has been designed to cater to the Stage 4 subdivision, including the subject site.</p> <p>No further on-site stormwater detention nor water sensitive urban design is required.</p>
<p>(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.</p>	<p>Not applicable.</p>
<p><b>Clause 103 Crime prevention</b></p>	
<p>Seniors housing should—</p> <p>(a) be designed in accordance with environmental design principles relating to crime prevention, and</p>	<p>Adequate surveillance has been incorporated within the design with effective lighting, landscaping and identification of the entrances, including avoidance of dark spaces.</p> <p>The building form and design delivers safety and security measures and will assist in reducing opportunities for crime in and around the site.</p>
<p>(b) provide personal property security for residents and visitors, and</p>	<p>The public domain is defined, with a continuous fence line around the full perimeter of the site reinforcing private territory.</p> <p>Private open space areas have been clearly</p>

	<p>defined with courtyard fencing to provide an appropriate level of safety and security for future residents.</p>
<p>(c) encourage crime prevention by–</p> <ul style="list-style-type: none"> <li>(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</li> <li>(ii) providing shared entries, if required, that serve a small number of dwellings and that are able to be locked, and</li> <li>(iii) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</li> </ul>	<p>All proposed dwellings look outwards providing passive surveillance to entry paths, front setbacks and footpaths. The proposed dwellings also look inward over the internal communal area/courtyard, providing safe and well lit spaces.</p>
<p><b>Clause 104 Accessibility</b></p>	
<p>Seniors housing should –</p> <ul style="list-style-type: none"> <li>(a) have obvious and safe pedestrian links from the site that provide access to transport services or local facilities, and</li> <li>(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.</li> </ul>	<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 and at grade car parking.</p>
<p><b>Clause 105 Waste management</b></p>	
<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 and C 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 12.1 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 (The proposed development has a maximum building height of 12.1 m (being a part 2 and 3 storey development))	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 0.75:1.	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,		23 dwellings x 35 m <sup>2</sup> = 805 m <sup>2</sup> .  A total of 1125 m <sup>2</sup> of landscaped area is provided which equates to approximately 37% 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 3 m and, if practicable, at least 65% of the deep soil zone is located at the rear of the site,		The applicant has acknowledged that he proposal provides 476.1 m <sup>2</sup> of deep soil area across the site.  This equates to 16% of the site.	Complies	
Solar access				
(g) at least 70% of the dwellings receive at least 2 hours of direct solar access between 9 am and 3 pm at mid-winter in living rooms and private open spaces,		The applicant has acknowledged that a total of 22 units (95%) 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 (ii) at least 1 private open space with minimum	<b>Proposed Unit Ground Floor</b>	<b>Area</b>	<b>Min dimensions of 3m</b>	Complies
	AG01	31 m <sup>2</sup>	3.5 m x 4 m	
	AG02	50 m <sup>2</sup>	4 m x 4 m	
	BG01	39 m <sup>2</sup>	3 m x 3 m	
	BG02	51 m <sup>2</sup>	4 m x 8 m	
	BG03	32 m <sup>2</sup>	6 m x 4 m	
	CG01	42 m <sup>2</sup>	3 m x 6 m	
	CG02	43 m <sup>2</sup>	4 m x 4 m	
	CG03	48 m <sup>2</sup>	3 m x 6 m	

dimensions of 3 m accessible from a living area located on the ground floor,				
(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 10 m <sup>2</sup> is provided for each unit
	A1.01	15 m <sup>2</sup>	2.5 m x 3.7 m	
	A1.02	16 m <sup>2</sup>	2 m x 3.7 m	
	B1.01	15 m <sup>2</sup>	2.4 m x 3 m	
	B1.02	15 m <sup>2</sup>	2 m x 3 m	
	B1.03	16 m <sup>2</sup>	2 m x 4 m	
	B1.04	24 m <sup>2</sup>	3 m x 3.7 m	
	C1.01	17 m <sup>2</sup>	2 m x 5 m	
	C1.02	14 m <sup>2</sup>	2.9 m x 3.9 m	
	C1.03	17 m <sup>2</sup>	2.7 m x 3.6 m	
	B2.01	16 m <sup>2</sup>	2.4 m x 3.4 m	
	B2.02	15 m <sup>2</sup>	2 m x 3.6 m	
	B2.03	16 m <sup>2</sup>	2 m x 4 m	
	B2.04	17 m <sup>2</sup>	3 m x 3 m	
C2.01	16 m <sup>2</sup>	2.5 m x 3 m		
C2.02	17 m <sup>2</sup>	2.8 m x 4 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,		23/5 = 4.6 parking spaces required.  16 car parking spaces are provided in total.		Complies
(k) if paragraph (j) does not apply—at least 0.5 parking spaces for each bedroom.		Not Applicable		Not Applicable

#### **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.

Clause	Proposed	Compliance
<p><b>Clause 2 Siting standards</b></p> <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>	<p>Access has been provided to all units by accessible path of travel from an adjoining public road and lifts.</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
<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>	<p>Access has been provided to all units by accessible path of travel from an adjoining public road and lifts.</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
<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>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) must provide at least 20 lux at ground level.</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 2070 mm 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 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>The development requires 1 car parking space per 5 units. The proposal requires a minimum of 5 spaces.</p> <p>A total of 16 off street parking spaces are provided with 5 accessible spaces in accordance with the minimum requirements.</p>	<p>Complies</p>
<p><b>Clause 6 Accessible entry</b></p> <p>Every entry (whether a front</p>	<p>Submitted Access report concludes that the</p>	<p>Capable of Compliance to be verified at CC Stage.</p>

<p>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>proposal is capable of achieving the spatial requirements to provide access for people with a disability.</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</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p>



<p>outlet on the wall opposite the wall where the head of the bed is likely to be, and</p> <p>(e) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and</p> <p>(f) wiring to allow a potential illumination level of at least 300 lux.</p>		
<p><b>Clause 9 Bathroom</b></p> <p>(1) At least one bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS 1428.1—</p> <p>(a) a slip-resistant floor surface,</p> <p>(b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS 1428.1,</p> <p>(c) a shower that complies with AS 1428.1, except that the following must be accommodated either immediately or in the future—</p> <p>(i) a grab rail,</p> <p>(ii) portable shower head,</p> <p>(iii) folding seat,</p> <p>(d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it,</p> <p>(e) a double general power outlet beside the mirror.</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p>

<p>(2) Subclause (1)(c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility.</p>		
<p><b>Clause 10 Toilet</b></p> <p>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.</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
<p><b>Clause 11 Surface finishes</b></p> <p>Balconies and external paved areas must have slip-resistant surfaces.</p> <p><b>Note :</b> Advise regarding finishes may be obtained from AS 1428.1.</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
<p><b>Clause 12 Door Hardware</b></p> <p>Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299.</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
<p><b>Clause 13 Ancillary items</b></p> <p>Switches and power points must be provided in accordance with AS 4299.</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
<p><b>Part 2 Additional Standards for Independent Living Units</b></p>		
<p><b>Clause 14 Application of standards in this part</b></p>		
<p>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.</p>		
<p><b>Clause 15 Living room and dining room</b></p> <p>(1) A living room in a self-contained dwelling must have—</p> <p style="padding-left: 20px;">(a) a circulation space in accordance with clause 4.7.1 of AS 4299, and</p> <p style="padding-left: 20px;">(b) a telephone adjacent to a general power outlet.</p> <p>(2) A living room and dining room</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p>

<p>must have wiring to allow a potential illumination level of at least 300 lux.</p>		
<p><b>Clause 16 Kitchen</b> 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>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p>

<p>(b) (ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed.</p>		
<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>	<p>Not Applicable</p>	<p>Not Applicable</p>
<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>	<p>Lift access provided to Building B &amp; C</p>	<p>Complies</p>
<p><b>Clause 19 Laundry</b></p> <p>A self-contained dwelling must have a laundry that has—</p> <p>(1) a circulation space at door approaches that complies with AS 1428.1, and</p> <p>(2) provision for the installation of an automatic washing machine and a clothes dryer, and</p> <p>(3) a clear space in front of appliances of at least 1,300 mm, and</p> <p>(4) a slip-resistant floor surface, and</p> <p>(5) an accessible path of travel to any clothes line provided in relation to the dwelling.</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p>

<p><b>Clause 20 Storage for linen</b></p> <p>A self-contained dwelling must be provided with a linen storage in accordance with clause 4.11.5 of AS 4299.</p>	<p>Capable of Compliance to be verified at CC Stage</p>	<p>Capable of Compliance to be verified at CC Stage.</p>
<p><b>Clause 21 Garbage</b></p> <p>A garbage storage area must be provided in an accessible location.</p>	<p>Two garbage storage areas are provided in accessible locations within the development.</p>	<p>Complies</p>

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 1350209M, dated Thursday 1 December 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 3 or more storeys and contains at least 4 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.

<b>Clause 30 Standards that cannot be used as grounds to refuse development consent or modification of a development consent</b>		
<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 local commercial/retail centre. The following minimum parking requirement is noted:</p> <p><b>Subsidised development:</b></p> <p>Self-contained units:</p> <ul style="list-style-type: none"> <li>▪ 1 space per 10 units (residents) plus.</li> <li>▪ 1 space per 10 units (visitors).</li> </ul> <p>Required: 2.3 +2.3 spaces Total: 4.6 spaces</p> <p>Provided 16 off street spaces.</p>	<p>(a) Complies</p>

**Design criteria**

- 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 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**

- 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>

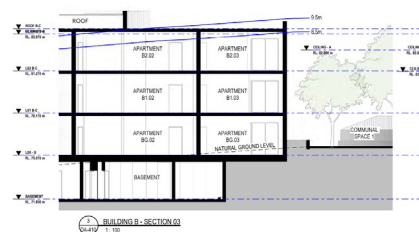
The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m<sup>2</sup> each

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

(c) 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.

Unit No.		Area
AG.01	2 bed	74 m <sup>2</sup>
AG.02	2 bed	72 m <sup>2</sup>
BG.01	2 bed	72 m <sup>2</sup>
BG.02	2 bed	71 m <sup>2</sup>
BG.03	2 bed	79 m <sup>2</sup>
CG.01	2 bed	80 m <sup>2</sup>
CG.02	2 bed	72 m <sup>2</sup>
CG.03	2 bed	72 m <sup>2</sup>
A1.01	2 bed	74 m <sup>2</sup>
A1.02	2 bed	72 m <sup>2</sup>
B1.01	2 bed	72 m <sup>2</sup>
B1.02	2 bed	71 m <sup>2</sup>
B1.03	2 bed	79 m <sup>2</sup>
B1.04	2 bed	81 m <sup>2</sup>
C1.01	2 bed	80 m <sup>2</sup>
C1.02	2 bed	72 m <sup>2</sup>
C1.03	1 bed	61 m <sup>2</sup>
B2.01	2 bed	72 m <sup>2</sup>
B2.02	2 bed	71 m <sup>2</sup>
B2.03	2 bed	79 m <sup>2</sup>
B2.04	2 bed	83 m <sup>2</sup>
C2.01	2 bed	72 m <sup>2</sup>
C2.02	1 bed	61 m <sup>2</sup>

(c) Floor to Floor Heights  
 Ground level – 3.1 m  
 Level 1 – 3.1 m  
 Level 2 – 3.1 m  
 Level 3 – 3.1 m



(b) Complies

(c) Complies  
 Min 2.7 m ceiling heights achieved.

Complies

<p><b>Design criteria</b></p> <p>1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <table border="1" data-bbox="279 264 612 521"> <thead> <tr> <th colspan="2">Minimum ceiling height for apartment and mixed use buildings</th> </tr> </thead> <tbody> <tr> <td>Habitable rooms</td> <td>2.7m</td> </tr> <tr> <td>Non-habitable</td> <td>2.4m</td> </tr> <tr> <td>For 2 storey apartments</td> <td>2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area</td> </tr> <tr> <td>Attic spaces</td> <td>1.8m at edge of room with a 30 degree minimum ceiling slope</td> </tr> <tr> <td>If located in mixed used areas</td> <td>3.3m for ground and first floor to promote future flexibility of use</td> </tr> </tbody> </table> <p>These minimums do not preclude higher ceilings if desired</p>	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		
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													
<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 (Become Architecture) has provided an assessment of the proposal against the relevant design principles in the Apartment Design Guide and a supporting Design Verification Statement.</p>	<p>Complies</p>												

### Schedule 1 – Design Quality Principles

Principle	Comment
<b>Principle 1: Context and neighbourhood character</b>	
<p>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</p>	<p>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 Claymore Concept Plan. Although a change in character will be evident, the strategically located site, its location within proximity to the Claymore retail village, Claymore Public School including future Davis Park lends itself to the proposed development.</p> <p>The essential criteria determining the proposed design are;</p>



<p>change.</p>	<ul style="list-style-type: none"> <li>• appropriate height and scale;</li> <li>• development that defines the street frontage and corner site;</li> <li>• appropriate articulation of the building form and clear definition of pedestrian and vehicular entries;</li> <li>• Deep soil setbacks to support a high level of soft landscaping and large trees that contribute to a desirable and environmentally sustainable neighbourhood;</li> <li>• privacy impacts on neighbouring properties;</li> <li>• overshadowing impacts on neighbouring properties and communal open spaces;</li> <li>• apartment amenity including solar access and natural ventilation;</li> <li>• Functionality and servicing of the site access to communal space, parking and garbage collection;</li> <li>• Creation of ‘micro-communities’ at site and individual building level by providing facilities and environments that encourage social interaction and healthy lifestyles.</li> </ul>
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**Principle 2 – Built form and scale**

<p>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>	<p>The proposal is designed to be a ‘good neighbour’ and achieve a positive contextual ‘fit’ within the future masterplanned context.</p> <p>The height of the proposed development has been carefully considered to respond to the scale and low-density nature of future neighbouring development.</p> <p>The building to the south with a frontage to Road 13, identified as Building C, steps down in height from 3 storeys to 2 storeys at the southern boundary. This reduction in height along with a generous 3m landscaped setback, provides a sympathetic interface to and minimises amenity impacts on future adjoining development.</p> <p>The smaller of the buildings with a frontage to Dobell Road, identified as Building A, presents as a two-storey walk-up style apartment building, and has a scale that is compatible with future neighbouring detached development on the adjacent sites to the north. Therefore, the proposed development presents a continuation of the desired future street pattern in relation to bulk and scale.</p>
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<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 proposed development includes provision of 23 dwellings comprising 21 x 2 Bedroom units and 2 x 1 Bedroom units. The accommodation provisions are in accordance with the briefing requirements provided by Land and Housing Corporation which are based on projected need for senior's social housing. 91% of the units are adaptable and the site is well located to provide access to facilities and services with public transport connections to Campbelltown city centre.</p> <p>The proposed development has an FSR of 0.71 : 1 and a deep soil area of 16% (6 m minimum dimension) of the site area. This is in exceedance of the minimum ADG guidelines and results in a high-quality development with excellent amenity for residents and visitors due to the generous communal outdoor spaces, trees and soft landscaping, and facilities provided.</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>	<ul style="list-style-type: none"> <li>• 96% of units receive a minimum of 2 hours solar access in mid-winter.</li> <li>• 74% of units are natural cross ventilated.</li> <li>• 16% of the site area is deep soil (minimum 6 m) which assists in reduction of stormwater runoff.</li> <li>• The development will be provided with a Solar PV system.</li> <li>• Ceiling fans will be provided to all units.</li> <li>• The building fabric will be designed to meet or exceed the minimum BASIX requirements for thermal insulation and glazing.</li> <li>• Durable, low-maintenance internal and external finishes are proposed to be implemented including face brick, tile and prefinished metal.</li> </ul>
<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</p>	<p>The proposed landscape design will enhance the character of the development and contribute positively to the overall neighbourhood, through the provision of:</p> <ul style="list-style-type: none"> <li>• Deep soil tree planting for visual attractiveness, shade and urban cooling.</li> <li>• Use of native and exotic plants that are appropriate to the climate, low-maintenance and attract wildlife.</li> </ul>

<p>development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks. Good landscape design optimises usability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</p>	<ul style="list-style-type: none"> <li>• Provision of appealing and functional outdoor communal areas that encourage social interaction and healthy lifestyles.</li> </ul>
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### **Principle 6 - Amenity**


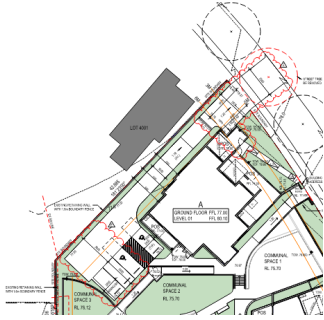
<p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing. Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual 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>	<p>The proposal achieves excellent internal and external amenity for residents and neighbours to promote positive living environments and resident wellbeing.</p> <p>Each unit has been designed to maximise functionality and efficiency and provide a high level of internal and external amenity.</p> <ul style="list-style-type: none"> <li>• Internally, corridor lengths are reduced as far as possible to avoid unusable space, and bedrooms are grouped with the bathroom located away from living spaces.</li> <li>• All room dimensions and unit sizes comply with the minimum ADG guidelines.</li> <li>• The floor-to-floor height is 3.1m which will comfortably accommodate 2.7 ceilings in the habitable rooms.</li> <li>• Ceiling services will be contained above bathroom and wardrobe or storage bulkheads to minimise impact on habitable rooms.</li> <li>• Balcony and private open space floor slabs will be set down to achieve an accessible transition from indoors to outdoors.</li> </ul> <p>The design of the development has considered amenity impacts and mitigated amenity concerns through:</p> <ul style="list-style-type: none"> <li>• Orientation of the units to face either the street or the internal communal open space;</li> <li>• Compliant ADG building separation.</li> <li>• Use of blank walls, screening or translucent glazing to walls facing the side boundaries.</li> <li>• Solid walls to balconies to direct views and provide noise mitigation between units.</li> <li>• A combination of metal slat screens or solid</li> </ul>
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	<p>walls to ground floor terraces to 1.8 m high.</p> <ul style="list-style-type: none"> <li>• Appropriate planting at ground floor level to provide additional screening and separation between private and communal open spaces.</li> </ul>
<b>Principle 7 – Safety</b>	
<p>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety. A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p>The proposal has been designed to optimise safety within the development and from the private domain.</p> <ul style="list-style-type: none"> <li>• The units are orientated to provide passive surveillance of public and private areas of the site.</li> <li>• Appropriate internal and external lighting will be provided around the development</li> <li>• The key entry points to the development are provided with security gates with intercom and access control.</li> </ul>
<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 proposed development includes provision of 23 dwellings comprising 21 x 2 Bedroom units and 2 x 1 Bedroom units. The accommodation provisions are in accordance with the briefing requirements provided by Land and Housing Corporation which are based on projected need for senior’s social housing. 91% of the units are adaptable and the site is well located to provide access to facilities and services with public transport connections to Campbelltown city centre.</p> <p>The communal spaces are designed to facilitate a range of passive and active recreational activities and to encourage social interaction between residents.</p>
<b>Principle 9 – Aesthetics</b>	
<p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures. The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	<p>The proposed development has been designed to present a high-quality addition to this neighbourhood of Claymore that is undergoing significant urban renewal. The architectural and landscape design reflects the residential nature of the building but seeks to evolve from the ‘traditional’ aesthetics associated with social housing. This is achieved through careful composition of façade elements and the use of high quality, tactile, attractive, and robust materials including prefinished metal cladding and textured face brick with metal framed openings. The varied roof heights and raked</p>

	<p>parapets help to break down the buildings into smaller visually proportionate elements. Dark bronze metal cladding is used to articulate the recessed slots within the open corridors that denote the building entries and stairwells.</p> <p>Overall the design of the buildings is attractive and well-considered and will contribute positively to the immediate streetscape as well as setting a high-quality precedent for future development in the urban renewal area.</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 Claymore.</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 2 and Part 3 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>21 x 2 bedroom units; and</p> <p>2 x 1 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 Dobell Road and Road 13 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>13 basement spaces and 3 at grade spaces are provided as a component of the development.</p> 
<p><b>3.Impacts on Streetscape</b></p>	
<p><b>Built Form</b></p> <ul style="list-style-type: none"> <li>• break up the building massing and articulating building facades;</li> <li>• use variation in materials;</li> <li>• setting back upper levels;</li> <li>• reduce the apparent bulk and visual impact</li> </ul>	<p>The building design utilises a mix of textures and materials to compliment the articulated facades and provide interest to the redevelopment of the site.</p>
<p><b>Trees, landscaping and deep soil zones</b></p>	<p>Landscaping is proposed to enhance the aesthetic quality of the development.</p>
<p><b>Residential Amenity</b></p>	<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>
<p><b>Parking, garaging and vehicular circulation</b></p> <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 Road 13 to the basement carpark and one access point is provided from Dobell Road to the at-grade off street parking area.</p>
<p><b>4. Impact on Neighbours</b></p>	
<p><b>Built Form</b></p> <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 re-development of Claymore as a whole.</p>

5. Internal Site Amenity	
<p><b>Built Form</b></p> <p>Design dwellings to maximise solar access to living areas and private open spaces.</p>	<p>The individual dwellings/units have been designed to comply with the requirements of the Housing SEPP, 2021 and Residential Design Quality guidelines.</p>
<p><b>Residential Amenity</b></p> <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>	<p>Complies</p> <p>The proposal provides a clear delineation of private and public domain areas together with a level of passive surveillance to communal areas from within the development to promote safety and security.</p>

## 9. Claymore Urban Renewal Development Control Guidelines

The terms of the Concept Plan require all subdivision applications to demonstrate consistency with the Claymore Urban Renewal Development Control Guidelines (DCG). The DCG apply to all land within the Claymore Urban Renewal area.

The DCG were prepared to guide the design of subdivision and construction of housing in the Claymore Urban Renewal area. The provisions of the DCG are site-specific and reflect the planning and design objectives of the Concept Plan.

The aims of the DCG are to:

- Ensure the development occurs generally in accordance with the Claymore Urban Renewal Project Concept Plan
- Encourage the creation of safe, secure and liveable environments
- Provide high quality affordable housing choices; and
- Ensure that the principles of ecological sustainability are incorporated into the design, construction and ongoing operation of development.

The proposed seniors living development is consistent with the above aims of the DCG.

It is noted that no specific development control guidelines are nominated for senior living development proposals.

## 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 Claymore 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	12.1 m	Does not Comply  NB. SEPP (Housing) 2021, 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	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:  (a) the supply of water,  (b) the supply of electricity,  (c) the disposal and management of sewage,  (d) stormwater drainage or on-site conservation,  (e) suitable road and vehicular access,	The applicant confirmed that all urban utility services are available or can be readily extended to meet the needs of the redevelopment.	Capable of Compliance

	(f) telecommunication services,		
	(g) the supply of natural gas.		

## 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:

<b>Campbelltown (Sustainable City) Development Control Plan</b>			
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<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>	BASIX Certificate indicates the requirement of a minimum 1 x 4,000 L water tanks to be provided.	Capable of Compliance.
<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>	<p>Council's Development engineer reviewed the proposal and raised no objections.</p>	<p>Capable of Compliance. Include conditions as provided.</p>
<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>	<p>The proposal has been designed to optimise safety within the development and from the private domain.</p>	<p>Complies</p>
<b>2.15 Waste Management</b>			
<b>2.15.1 Waste Management Plan</b>	<p>A detailed 'Waste Management Plan' (WMP) shall accompany development applications for certain types of development/land uses.</p>	<p>A Construction and Operational Waste Management Plan was prepared by Creative Planning Solutions and submitted in support of the proposal.</p>	<p>Complies</p>

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

<b>Part 19.2.1 Requirements for a development application</b>			
(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
<b>Part 19.3 Additional controls relating to waste management</b>			
<b>Part 19.3.2 Waste storage areas</b>			
(a)	Open waste storage areas must: i) Be appropriately covered	As indicated in the submitted plans, 2 x enclosed waste storage area have been proposed + bulky waste storage located in the basement.	Capable of Compliance

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

Section 4.15(1)(b) of the The EP&A Act 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 Variation request - Floor Space Ratio;
- Construction & Waste Management;
- Social & Economic Impacts.

### **Building Height**

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



*Figure 13- Dobell Road & Road 13 Elevations*

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 development has been designed to minimise visual impact, disruption to views, loss of privacy, overshadowing impacts and loss of solar access to existing and future development and to the public domain. This is achieved in a number of ways including:

- The development reduces in height to side boundaries and maintains a generous setback capable of accommodating significant deep soil landscaping.
- The development comprises a number of separate buildings and ranges in height from two to three storeys. Building A is two storeys in height, Building B is three storeys in height, and Building C is Part 2 and Part 3 storeys in height;
- Impacts on adjoining sites such as overshadowing, overlooking and noise is managed;
- Solar access to future development to the south and north west is maintained;
- The built form is highly modulated and articulated.
- 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 m whilst the maximum height under the Housing SEPP is 9.5 m. 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 in the locality given proximity to the Claymore public school and the proposed park and the location on a collector road at an intersection with future higher order road. Taller buildings are appropriate near to activity centres such as is the case with this development, transitioning to lower density development.
- 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.
- Three storey seniors development provides economies of scale supporting lift access to units and allowing for high quality design in terms of solar access, natural ventilation, façade articulation and site landscaping.
- The development is designed to be compatible with the likely built form on adjoining and adjacent LAHC sites.
- The non-compliant building height is located toward the street frontages opposite the park and addressing Dobell Road. The site falls away quickly towards the street frontages and is appropriate in this varied streetscape.
- The height of the development being Part 2 storeys and Part 3 storeys is compatible with the hierarchy and role of this part of the renewal area and the location of the site on Dobell Road a major collector road running through Claymore.
- 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:

- Most of the development is below the height limit with the exceedance greater towards the corner of Dobell Road and Road No.13 (Building B). This is the lowest part of the site. Reducing the height of Building B at this point to meet the height standard would compromise accessibility as the building levels have been set so as to ensure accessible pathways across the site and from entry points to the site, particularly to the communal open space within the site. As the site falls away towards Road No. 13 and the Dobell Road corner, there is a resulting height non-compliance.
- The maximum building height to the top of the corner feature element is 12.1m. Reducing the height of the building would compromise accessibility.
- The bulk and scale of the proposal is compatible with the emerging character of the Claymore Urban Renewal area and expected future low density residential development on adjacent sites.

- The higher elements of the development front a collector road at an important corner 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 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 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 residents of the site.
- The extent to which the buildings exceed the maximum building height does not change the relationship of the development to adjoining land to any significant extent.
- There will be no significant adverse amenity impacts arising from the extent to which the buildings exceed the maximum building height development standard in relation to overlooking, overshadowing, obstruction of light or air, obstruction of views or any other such impacts on nearby existing or future residential properties as a result of the height of the buildings.
- The development will be visually attractive and sympathetic to the existing and emerging character of the area;
- The bulk and scale of the building is considered appropriate;
- The proposed seniors living development will meet an important social need in providing independent living units in the local community.

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 bulk and scale of the proposal is compatible with the emerging character of the Claymore Urban Renewal area.
- The higher elements of the development front Dobell Road and new Road 13 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.

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 local 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 Dobell Road and Road 13. 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 Claymore 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 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.**

## Comment

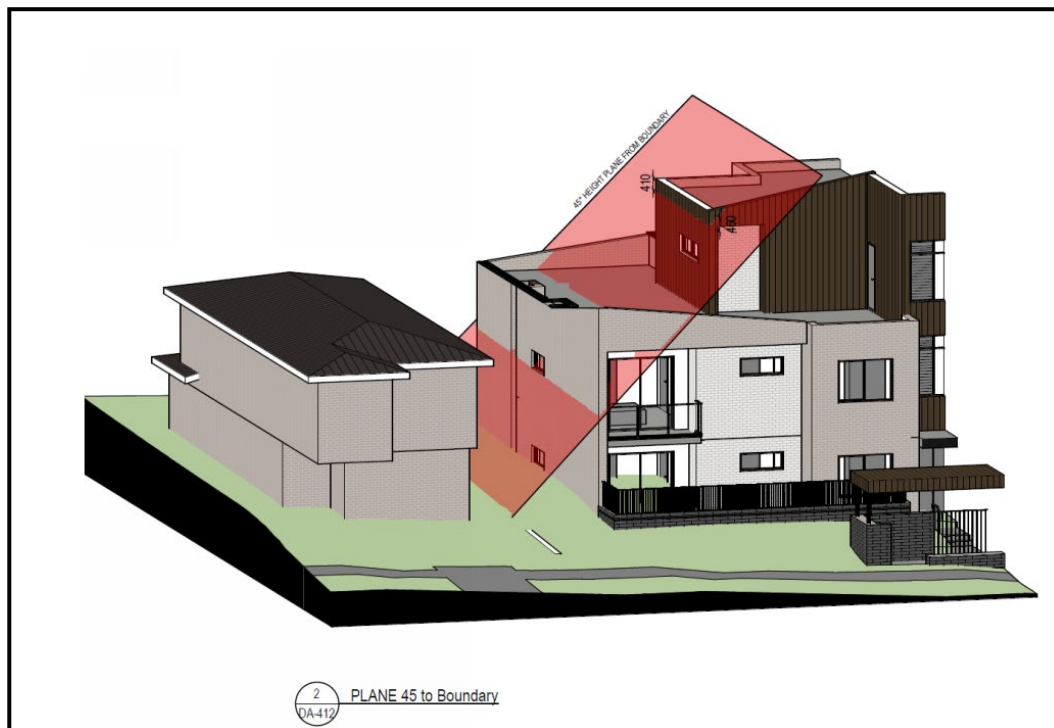
A Clause 4.6 Variation request was submitted in support of the request to vary the building plane setback in accordance with Section 84(2)(c)(iii) (Housing) 2021.

### Extent of non-compliance

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

The development has two side or rear boundaries to the south west and north west.

The non-compliance is a small part of the parapet roof (410 mm) to corner of bedroom to Unit C2.01 on Level 3 of Building C. This parapet wall is setback approximately 8 m from the south-western boundary which adjoins a future residential lot.



*Figure 14- 45 Degree plane to 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:

- Abrupt changes to the scale of development in the streetscape and to adjoining sites in avoided by:
  - The two storey element to the Road No 13 frontage provides a suitable transition to future low density dwellings to the south west;
  - the third storey element to Building C is setback approximately 8 m from the south western boundary providing an appropriate transition to future low density dwellings on adjoining sites with the potential for significant deep soil landscaping in the setback;
  - highly modulated and articulated facades oriented to the street and side boundaries with well-proportioned façade elements including balconies, window openings and robust façade brickwork elements;
- The development comprises a number of separate buildings and ranges in height from two to three storeys;
- Amenity impacts on adjoining sites are managed;
- Solar access to future development to the north east and north west is maintained;
- The built form is highly modulated and articulated and setbacks allow significant deep soil landscaping to prevent any sense of overbearing 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 C has regard to its location near the common boundary with an adjoining lot.
- The location of buildings on the site is influenced by the need to provide disabled access to as many units as possible.
- Building C is setback 3 m from the side 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 C 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 C 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 proposal is consistent with the objectives of the relevant planning instruments and will result in no significant adverse environmental planning impacts. The inherent characteristics of the site including its size, nature of surrounding development, and being part of the Claymore Urban Renewal area in which significant growth and change is occurring, make the proposal suitable and entirely justifiable on environmental planning grounds.

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 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 Claymore 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 2215.4 m<sup>2</sup>. This equates to a resultant floor space ratio of 0.75:1 as calculated against the site area of 2,969.6 m<sup>2</sup>.

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

The proposed floor space ratio will not compromise the ability of the proposed development to provide good internal amenity, a large internal communal courtyard, and the landscaping of the site as a whole. Furthermore it is considered that the proposal will not present unacceptable impacts on the amenity of future neighbour's or use of Dobell Road and Road 13.

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 0.75:1.

#### **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 site is close to a large park, a school and the existing shopping centre (noting that a new centre is planned for a site on Badgally Road under the Concept Plan approval). It fronts Dobell Road set within a generous reserve width of 26 m with a footpath width of 7.4 m and is a collector road of dimensions capable of accommodating higher buildings. Higher density development in such locations is beneficial.
- The development is setback from street frontages providing the opportunity for landscaping to soften the appearance of the building and reduce its bulk and scale when viewed from the public street.
- Three storey seniors development provides economies of scale supporting lift access to units and allowing for high quality design in terms of solar access, natural ventilation, façade articulation and site landscaping.
- The development is designed to be compatible with the likely built form on adjoining and adjacent LAHC sites.
- The development comprises three 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;
- the development reflects the desired future character of the Claymore Urban Renewal area;

- the bulk and scale of the building 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 located on a major collector road through the Claymore 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 Claymore Urban Renewal area and expected future development on adjacent sites including the future low density residential area to the south and east.
- 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 local 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 Dobell Road and Road 13. 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 Claymore 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.

### **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**

Section 4.15(1)(c) of the EP&A Act 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 Claymore 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**

Section 4.15(1)(d) of the EP&A Act 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 23 January 2023 and 14 February 2023.

No submissions were received in response.

### **Referrals**

The proposal was referred to the following external authorities:

#### **NSW Heritage Office**

Heritage NSW advised as follows:

*"We have reviewed documents uploaded on the CNR portal. AHIP 5027 was issued to Landcom on 23 December 2022 for the Claymore Renewal Project Stage 4 and permits community collection and harm to part of artefact site 52-2-4162. The AHIP is valid for 5 years and will expire on 23 December 2027. Heritage NSW was notified that community collection of part of site 52-2-4162 was completed on 1 February 2023 in accordance with the AHIP conditions.*

*We recommend the applicant consult with the AHIP holder to undertake the works.*

*Should Council decide to approve the development, we recommend the following conditions of consent:*

1. *Development works must be undertaken in accordance with AHIP 5027.*
2. *If any human remains are discovered and/or harmed in, on or under the land, the following must occur:*
  - a. *Not further harm these remains,*
  - b. *Immediately cease all works at the particular location,*
  - c. *Secure the area so as to avoid further harm to the remains,*
  - d. *Notify the NSW Police and Environment Line on 131 555 as soon as practicable and provide any details of the remains and their location, and*
  - e. *Not recommence any work at the particular location unless authorised in writing by Heritage NSW.*
3. *If Aboriginal objects are identified during works outside of the boundary of AHIP 5027, the following must occur:*

- a. *Immediately cease all works at the particular location,*
- b. *Secure the area so as to avoid further harm to the remains,*
- c. *Notify Environment Line on 131 555 as soon as practicable and provide any details of the objects and their location, and*
- d. *Not recommence any work at the particular location unless authorised in writing by Heritage NSW.'*

**Comment**

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

**Department of Planning & Environment – Water**

The Department responded by way of letter dated 05 July 2023 as follows:

*The Department of Planning and Environment-Water has reviewed documents for the above development application and considers that, for the purposes of the Water Management Act 2000 (WM Act), a controlled activity approval is not required for the proposed works and no further assessment by this agency is necessary.*

**Comment**

Noted.

**Sydney Water**

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

**Comment**

Noted. To be conditioned accordingly.

**Endeavour Energy**

No objections raised.

**Comment**

Noted. To be conditioned accordingly.

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

**Development Engineer**

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

**Comment**

Noted. Conditions to be incorporated within Notice of determination 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.

## **Waste Officer**

Council's Waste Specialist Officer provided the following comments:

### **Waste Generation Rates:**

*As the development is treated as independent living units, there is no consideration for the provision of external care (i.e. nursing). Therefore the proposed waste generation rates are sufficient.*

### **Bin Allocation:**

*As above, the proposed number of bins is sufficient. Consideration for Medical and Cytotoxic waste should always be taken as the development is proposed for seniors living. Therefore 2 additional bins for the disposal of medical and cytotoxic waste should also be considered.*

### **Bin Storage Area:**

*Currently proposed bin storage area is sufficient for current bin arrangement.*

### **Bin Presentation and Collection:**

*All Seniors Living operations should enter into a commercial arrangement for the supply and servicing of bins for the site. As per Clause 19.3.1 part (a) of the DCP. A private contractor should be sought out before the provision of a council waste service is considered. This will allow for more accessibility to medical bins where necessary.*

*The proposal for bin presentation to the kerbside on road 13 and Dobell Road is sufficient to temporarily present all required bins for weekly servicing. There is also sufficient kerbside space for the presentation of bulky waste materials where necessary. It is noted a caretaker will be assigned to the site for the transport and ongoing maintenance of bins and storage areas.*

### **Recommendations:**

*It is recommended that the following conditions be met before approval is sought:*

- *All waste services for the proposed site are contracted by a private waste contractor as per 19.3.1 part (a) of the DCP.*
- *Two additional bins are allocated for the disposal of medical and cytotoxic waste.*
- *Bin Storage areas are sufficient to house additional bins in the event aged care is required.*

### **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 and advised that no contributions are applicable in this instance.

### **Comment**

Noted.

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

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

### **17. Conclusion**

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 14 June 2023 for review. Concurrence of the conditions was received from the applicant on 06 July 2023.

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

Therefore, the proposal is recommended for approval.

### **18.0 Recommendation**

Having regard to the matters of consideration under Section 4.15 of the EP&A Act, it is recommended that Development Application 4973/2022/DA-SL for a seniors living housing development, Stage 4 Claymore, 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 as concurred too 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>
Cover Sheet Project No. 21045 Drawing No. DA-000	K	Become	07 June 2023
Project Details Project No. 21045 Drawing No. DA-001	P	Become	07 June 2023
Site Location Analysis Project No. 21045 Drawing No. DA-005	K	Become	07 June 2023
Site Analysis Project No. 21045 Drawing No. DA-006	N	Become	07 June 2023
Contextual Study Project No. 21045 Drawing No. DA-007	D	Become	07 June 2023
Site Plan Project No. 21045 Drawing No. DA-015	E	Become	07 June 2023
Basement Plan & Entry Ramp Sections Project No. 21045 Drawing No. DA-100	T	Become	07 June 2023
Ground Floor & Level 01 Floor Plans Project No. 21045 Drawing No. DA-101	V	Become	07 June 2023
Level 02 & Roof Floor Plans Project No. 21045 Drawing No. DA-102	Q	Become	07 June 2023
Site Elevations & Sections Project No. 21045 Drawing No. DA-400	Q	Become	07 June 2023
Building A Elevations Project No. 21045 Drawing No. DA-401	H	Become	07 June 2023
Building B+ C Elevations Project No. 21045 Drawing No. DA-402	H	Become	07 June 2023
Building Sections	N	Become	07 June 2023

Project No. 21045 Drawing No. DA-410			
Cut & Fill Diagram Project No. 21045 Drawing No. DA-411	C	Become	07 June 2023
Height Plane Diagram Project No. 21045 Drawing No. DA-412	C	Become	07 June 2023
Shadow Analysis & Cross ventilation Diagrams Project No. 21045 Drawing No. DA-800	O	Become	07 June 2023
Solar Access Analysis Project No. 21045 Drawing No. DA-801	E	Become	07 June 2023
Area Diagrams Project No. 21045 Drawing No. DA-802	J	Become	07 June 2023
Apartment Types Project No. 21045 Drawing No. DA-803	C	Become	07 June 2023
View from Dobell Road Project No. 21045 Drawing No. DA-940	C	Become	07 June 2023
Internal Courtyard Project No. 21045 Drawing No. DA-941	C	Become	07 June 2023
Architectural Materials Palette Project No. 21045 Drawing No. DA-942	D	Become	07 June 2023
Landscape Package Cover Sheet Project No. 44-21 Drawing No. 44-21.00	D	Distinctive Living Design	16 December 2022
Landscape Package Context & Site Analysis Project No. 44-21 Drawing No. 44-21.01	D	Distinctive Living Design	16 December 2022
Landscape Package Mood Imagery Project No. 44-21 Drawing No. 44-21.02	D	Distinctive Living Design	16 December 2022
Landscape Package Master Plan Project No. 44-21 Drawing No. 44-21.10	D	Distinctive Living Design	16 December 2022
Landscape Package Deep Soil Diagram Project No. 44-21 Drawing No. 44-21.11	D	Distinctive Living Design	16 December 2022

Landscape Package Access & Levels Diagram Project No. 44-21 Drawing No. 44-21.12	D	Distinctive Living Design	16 December 2022
Landscape Package Sheet Directory Plan Project No. 44-21 Drawing No. 44-21.13	D	Distinctive Living Design	16 December 2022
Landscape Package Landscape Detail Plan 01 Project No. 44-21 Drawing No. 44-21.20	D	Distinctive Living Design	16 December 2022
Landscape Package Landscape Detail Plan 02 Project No. 44-21 Drawing No. 44-21.21	D	Distinctive Living Design	16 December 2022
Landscape Package Landscape Detail Plan 03 Project No. 44-21 Drawing No. 44-21.22	D	Distinctive Living Design	16 December 2022
Landscape Package Landscape Detail Plan 04 Project No. 44-21 Drawing No. 44-21.23	D	Distinctive Living Design	16 December 2022
Landscape Package Zoomed Plan – Communal Space Project No. 44-21 Drawing No. 44-21.24	D	Distinctive Living Design	16 December 2022
Landscape Package Zoomed Plan – Private Open Space 01 Project No. 44-21 Drawing No. 44-21.25	D	Distinctive Living Design	16 December 2022
Landscape Package Zoomed Plan – Private Open Space 02 Project No. 44-21 Drawing No. 44-21.26	D	Distinctive Living Design	16 December 2022
Landscape Package Sections Project No. 44-21 Drawing No. 44-21.27	D	Distinctive Living Design	16 December 2022
Landscape Package Elevation Project No. 44-21 Drawing No. 44-21.28	D	Distinctive Living Design	16 December 2022
Landscape Package Material Palette Project No. 44-21 Drawing No. 44-21.30	D	Distinctive Living Design	16 December 2022
Landscape Package Plant Palette Project No. 44-21 Drawing No. 44-21.31	D	Distinctive Living Design	16 December 2022

Landscape Package Plant Schedule & Details Project No. 44-21 Drawing No. 44-21.32	D	Distinctive Living Design	16 December 2022
Landscape Package Details Project No. 44-21 Drawing No. 44-21.33	D	Distinctive Living Design	16 December 2022

### Supporting Documentation

Report on Remediation Action Plan Claymore Stage 4 Project No. 76577.25	PSM	April 2022
Results Geotechnical Investigation Claymore Stage 4 Ref: PSM4258-022L REV1	PSM	22 July 2022
Building Code of Australia 2019 Amendment 1 Ref: 21230R03 Job No. 21230	Metro Building Consultancy	06 December 2022
Access Report Ref: 21465 Issue A	Vista Access Architects	07 December 2022
Construction and Operational Waste Management Plan Project No. E677 Revision A	Creative Planning Solutions	24 November 2022
SEPP No. 65 – Design Quality of Residential Apartment Development Design Verification Statement Revision D	Become	30 November 2022
Civil Engineering/Stormwater Management Report Project No. 210146 Revision 02	Enspire	18 November 2022
Traffic Impact Assessment Reference: 271rep221209	Amber	December 2022
Noise Impact Assessment Project No.20211101	Building Services Engineers	18 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 Sections 84(2)(c)(i) and (ii) AND 108(2)(a) and (b) Of State Environmental Planning Policy (HOUSING) 2021 Variation to Height Job No. 20-128	BBC Consulting Planners	December 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 Sections 84(2)(c)(iii) of State Environmental	BBC Consulting Planners	December 2022

Planning Policy(HOUSING) 2021 Variation to 45 Degree Height Plane Job No. 20-128		
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 Sections 108(2)(c) of State Environmental Planning Policy(HOUSING) 2021 Variation to FSR Job No. 20-128	BBC Consulting Planners	December 2022

## **2. Compliance with Notice of Determination 906/2020/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 906/2020/DA-SW (Claymore Stage 4).

## **3. Department of Environment & Heritage: General Terms of Approval**

The development shall comply with the general terms of approval (Aboriginal Cultural Heritage Regulation conditions) issued by the Department of Environment and Heritage dated 26 February 2021 referenced as DOC20/557741.

## **4. Heritage NSW**

The development shall be carried out in accordance with the following conditions as issued by Heritage NSW, reference no. DOC23/69786-23 dated 03 February 2023:

1. Development works must be undertaken in accordance with AHIP 5027.
2. If any human remains are discovered and/or harmed in, on or under the land, the following must occur:
  - a. Not further harm these remains,
  - b. Immediately cease all works at the particular location,
  - c. Secure the area so as to avoid further harm to the remains,
  - d. Notify the NSW Police and Environment Line on 131 555 as soon as practicable and provide any details of the remains and their location, and
  - e. Not recommence any work at the particular location unless authorised in writing by Heritage NSW.
3. If Aboriginal objects are identified during works outside of the boundary of AHIP 5027, the following must occur:
  - a. Immediately cease all works at the particular location,
  - b. Secure the area so as to avoid further harm to the remains,
  - c. Notify Environment Line on 131 555 as soon as practicable and provide any details of the objects and their location, and
  - d. Not recommence any work at the particular location unless authorised in writing by Heritage NSW.

## 5. Occupants of Accommodation

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

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

In this condition:

**Seniors** 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)

## 6. 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 crown works certificate is made.

## 7. 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.

## 8. External Finishes

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

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

## 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 that 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 areas/rooms must be provided with:

- 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. 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 24 November 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. Basement Storage**

Dwellings are to be provided with access to basement storage with the ability to be secured/lockable.

### **13. 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.

### **14. Wayfinding Map**

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

### **15. Fencing**

A 1.8 m high fence shall be erected on the site's side and rear boundaries behind the front building alignment and between each required courtyard at the sole cost of the developer. 'Colorbond' style metal fences that face a public space are not permitted.

### **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**

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

Driveways shall be constructed using decorative paving materials such as pattern stencilled concrete, coloured stamped concrete or paving bricks. The finishes of the paving surfaces are to be non-slip and plain concrete is not acceptable.

Driveway shall be at least 1 metre away from the stormwater pit lintel.

### **18. 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 within 48 hours of becoming aware of its application.

### **19. 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).

### **20. Car Parking Spaces**

Sixteen (16) car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended).

## **21. 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.

## **22. 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.

## **23. 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).

## **24. Regulated System 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.

**25. 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.

**26. Unreasonable Noise, Dust and Vibration**

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

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

**27. Rain Water Tank(s)**

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

## **28. Crown Works Certificate**

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

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

### **PRIOR TO THE ISSUE OF A CROWN WORKS CERTIFICATE**

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

## **29. Site Audit Statement/Interim Site Audit Statement**

Prior to Council or the appointed Principle Certifier issuing a Crown Works Certificate, or the commencement of works, whichever occurs first, a section A1 Interim Advice site audit statement under the Contaminated Land Management Act, 1997, is required to be submitted to Council (for its records) and the principal certifying authority, 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 Crown Works Certificate, the applicant will provide details to Council for its records and/or the appointed principal certifier for the electrical substation, external to the building, along Road 13 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. Services and Fire Hydrant Enclosure**

Prior to the issue of a Crown Works Certificate for service installations near the street boundary of the development (Gas meter, water meter & fire hydrant and sprinkler booster valves and the like), the Certifying Authority is to be provided with plans indicating that all such services are enclosed in a manner that compliments the building and landscape design and is in accordance with the authority and BCA requirements.

## **32. Landscape Maintenance Program**

Prior to Council or the appointed Principal Certifier issuing a Crown Works 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.

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

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

Prior to the issue of a Crown Works Certificate, a report prepared by an appropriately qualified Access Consultant is to be provided to Council (for its records) and the appointed Principal Certifier, to ensure the crown works certificate plans are in compliance with Schedule 4 of State Environmental Planning Policy (Housing) 2021.

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

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

### **35. Geotechnical Report**

Prior to Council or the appointed Principal Certifier issuing a Crown Works certificate, a geotechnical report prepared by a NATA registered lab shall be submitted which indicates that the land will not be subject to subsidence, slip, slope failure or erosion where excavation and/or filling exceeds 900 mm in depth or identified as filled land.

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

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

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

Prior to Council or the appointed Principal Certifier issuing a Crown Works certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval.

All proposals shall comply with the requirements detailed in Council's *Engineering Design Guide for Development (as amended)* and the design shall be generally in accordance with submitted stormwater plan drawing number 210146-03-DA-C05.01 and 210146-03-DA-C.05.02 drawn by Enspire Solutions dated 1.08.2022 Rev 2.

### **38. Dilapidation Report**

Prior to Council or an accredited certifier issuing a Crown Works certificate, the applicant shall submit a dilapidation report for all buildings in the vicinity of the subject works and for any other infrastructure that may be affected by the works on the subject site.

### **39. Alignment of New Works**

Prior to Council or the appointed Principal Certifier issuing a Crown Works Certificate, the applicant shall liaise with Council and the adjoining land owners regarding the alignment and construction of new roads.

#### **40. Work on Public Land**

Prior to Council or the appointed Principal Certifier issuing a Crown Works 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.

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

Prior to Council or the appointed Principal Certifier issuing a Crown Works 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.

#### **42. Access Compliance Report**

Prior to the issue of a Crown Works 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 Dobell Road 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 a roundabout or alternative crossing facility is in place.

#### **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 Crown Works 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 Council or the appointed Principal Certifier issuing a Crown Works 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 the Crown Works certificate.

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

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

Vehicle turning movements (for the appropriate vehicle types as agreed with Council) are to be assessed using Autodesk Vehicle Tracking and provided to Council for review prior to the issue of a Crown Works Certificate, for the following locations:

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

Vehicle Tracking files and associated development proposal are to be submitted to Council in .dwg/ .dxf format for assessment.

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. Civil Works under S138 Roads Act**

Prior to Council or the appointed principal certifier issuing a Crown Works certificate, a S138 Roads Act application, including payment of plan assessment and inspection fees shall be lodged with Campbelltown City Council for construction of *stormwater drainage system, vehicle crossings*.

Detailed engineering plans for the proposed works shall be submitted to Council for approval. All works shall be carried out in accordance with Roads Act approval including the stamped approved plans and Council specifications.

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

Prior to the appointed Principal Certifier issuing a Crown Works 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.

#### **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.

#### **48. 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.

#### **49. 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.

#### **50. 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.

#### **51. 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.

#### **52. 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.

#### **53. 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.

#### **54. 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.

#### **55. 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.

#### **56. Crane and Plant Equipment**

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

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

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

- c. Radius details of the crane

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

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

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

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

### **57. Structural Engineering Details**

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

## **DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION**

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

### **58. 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.

### **59. 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.**

## **60. 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.

## **61. Fill Compaction Requirements**

Any filling carried out on the site shall be compacted to a minimum dry density of 98 per cent Standard Compaction. Density testing, which is to be certified by a qualified geotechnical engineer, shall be undertaken for every 300 mm rise in vertical height, with test locations being selected randomly across the site. At least 1 test shall be taken for every 500 m<sup>2</sup> of the filled area (minimum 1 test per 300 mm layer).

## **62. 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.

## **63. 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.

## **64. 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.

## **65. 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.

## **66. 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.

#### **67. 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.

#### **68. 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. A copy of the report and fill plan shall be forwarded to Council for its records; 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.

#### **69. 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.

#### **70. Compliance with Council Specification**

All design and construction work shall be in accordance with:

- a. Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)*;
- b. Council's *Engineering Design Guide for Development (as amended)*;
- c. Council's *Campbelltown (Sustainable City) DCP (as amended)*;
- d. *Soils and Construction (2004) (Bluebook)*; and
- e. Relevant Australian Standards and State Government publications.

#### **71. Footpath**

The footpath adjoining the subject land shall be regraded, topsoiled and turfed in accordance with levels to be obtained from Council. The footpath formation may need to be extended beyond the site boundaries, to provide an acceptable transition to existing footpath levels.

## **72. 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.

## **73. 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.

## **74. 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,
  - b. people who live within the same household with seniors or people who have a disability,
  - c. staff employed to assist in the administration of and provision of services to housing provided under this Policy.

**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)
- Any other restrictions

The applicant shall liaise with Council regarding the required wording.

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.

#### **75. 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.

#### **76. Utility Servicing Provisions**

Prior to Council or the appointed Principal Certifier issuing an occupation 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 authority's water or sewer infrastructure.*

#### **77. CCTV footage to verify integrity of all new pipes and existing pipes**

Prior to Council or the appointed Principal Certifier issuing an occupation Certificate, the applicant shall provide CCTV footage to Council for all new pipes and for all existing pipes which are modified by works.

The footage shall comply with the following:

- the files shall be in MP4 format
- file resolution shall be 640 by 480 pixels, 3Mbps and 25 frames per second

- each pipe reach (i.e. between two pits) shall be provided as a separate file
- the CCTV inspection shall be undertaken in accordance with the IPWEA Condition Assessment and Asset Performance Guidelines, Practice Note 5, Stormwater Drainage
- the speed and panning of the footage shall be sufficient to demonstrate that there are no significant cracks in the pipe and that the joints have been properly constructed
- the files shall have a name corresponding with the unique label provided in the associated stamped approved drawings and
- a summary report (\*.pdf) shall accompany the data.

#### **78. Structural Engineering Certificate**

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

#### **79. 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.

#### **80. 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)*.

#### **81. Restoration of Public Roads**

Prior to issuing an occupation certificate, the restoration of public road and associated works required as a result of the development shall be carried out by Council (or a third-party contractor approved by Council) and all costs shall be paid by the applicant.

Council acknowledge that Land and Housing Corporation may submit Letters of Undertaking in this regard.

#### **82. 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.

#### **83. Service Authorities**

To ensure that an adequate level of services and infrastructure is provided to this development, prior to the appointed Principal Certifier issuing a Subdivision 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.

#### **84. Compliance Certificate**

All the works within the 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.

#### **85. 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.

#### **86. 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 75 mm high on a white background using approved pavement marking grade paint.

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

#### **87. 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.

## **88. 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.

## **89. 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.

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

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

Prior to the issue of an Occupation Certificate, a report prepared by an appropriately qualified Access Consultant is to be provided to Council (for its records) and the appointed Principal Certifier, to ensure the development, as completed, is compliant with Schedule 4 of State Environmental Planning Policy (Housing) 2021.

## **91. 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 facilities and public amenities are in accordance with SEPP (Housing) 2021 and construction of marked pedestrian crossing under S138, has been completed. Details are to be submitted to Council for its records.

## **92. 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.

### **Seniors Living Housing**

The following conditions have been applied to ensure that the use of the building is carried out in such a manner that is consistent with the Public Health Act 2010, Public Health Regulation 2022, Local Government Act 1993 and associated technical standards.

## **93. Pest and Vermin**

All practicable measures are to be taken to keep the premises free from fleas, other disease-carrying insects, rats and mice (except any such animals kept as pets).

## **94. Lighting and Ventilation**

Adequate light and ventilation must be maintained in the premises.

#### **95. 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.

#### **96. Pollution Control**

The following conditions have been applied to ensure that all activities involving the operation of the premises 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, Protection of the Environment Operations (Noise) Regulation 2017, Local Government Act 1993, Local Government Regulation 2005 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.

##### **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.

#### **NSW INDUSTRIAL NOISE POLICY –**

The use of the premise must not exceed the noise criteria outlined in the NSW Industrial Noise Policy.

#### **ACOUSTIC COMPLIANCE REPORT –**

An *Overall Acoustic Compliance Report* shall be prepared within 90 days after the completion of construction and commencement of full-scale operations of the premise, to confirm the noise is compliant with the operating development and to address any resulting issues.

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

#### **OPERATIONAL NOISE MANAGEMENT PLAN –**

Prior to the issue of a Crown Works Certificate, an overall ongoing *Operational Noise Management Plan* shall be prepared for the development (covering all relevant aspects of the development). The Management Plan shall ensure the introduction of ongoing use of best practice noise management and minimisation operations and procedures, and to assist in ensuring the acoustic compliance of the development.

The *Operational Noise Management Plan* shall be subject to amendment, should the need arise. At the regulatory authority's' direction, the *Noise Management Plan* shall be amended to incorporate any measures or procedures deemed necessary for the development to achieve acoustic compliance.

### **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 Crown Works 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 Crown Works 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 Crown Works 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:

<b>Development Controls</b>		
<b>Site Analysis</b>		
<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		
<b>Design Guidance:</b>	<b>Proposed</b>	<b>Compliance</b>
Each element in the Site Analysis Checklist should be addressed (see Appendix 1)	Site analysis accompanied application documentation.	Complies
<b>Orientation</b>		
<b>Objective 3B-1:</b> Building types and layouts respond to the streetscape and site while optimising solar access within the development		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Buildings along the street frontage define the street, by facing it and incorporating direct access from the street (see figure 3B.1)	Buildings are located and oriented to address both street frontages and define the corner site typology, while also maximising solar access to the central communal space and those apartments facing it. The shadow diagrams and solar access studies indicate a very high level of solar access to communal spaces and apartments.	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		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
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	The height of the building steps down to the southern boundary to minimise impact on neighbouring future development. Development on the boundary facing the western neighbour is limited to two storeys.	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	Building entries are clearly defined and provide secure entry to the ground floor entry lobbies. Private and secure individual access to ground floor apartments is provided where enabled by the site levels. Seating is provided at building entries to encourage casual interaction between residents and the public	Complies



	domain.	
Changes in level between private terraces, front gardens and dwelling entries above the street level provide surveillance and improve visual privacy for ground level dwellings (see figure 3C.1)	Private terraces at ground level are fenced but will be higher than the street level and will permit passive surveillance to the public domain, as will balconies associated with the residential units on levels 1 and 2.	Complies
Upper level balconies and windows should overlook the public domain	Upper level balconies and windows overlook the public domain	Complies
Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m	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	A high-quality landscape design has been proposed to provide an attractive and amenable interface between the development and the	Complies

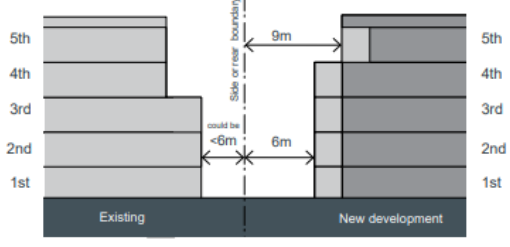
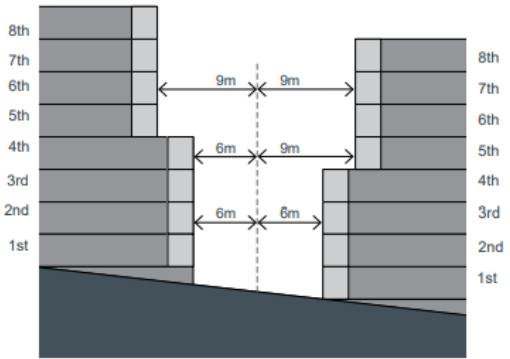
	public domain.	
Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided	Mailboxes are located perpendicular to the street in clearly defined entry areas.	Complies
The visual prominence of underground car 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	Garbage stores and plant areas are located within the building envelope or on the basement.	Complies
Ramping for accessibility should be minimised by building entry location and setting ground floor levels in relation to footpath levels	Ground floor levels have been established to minimise ramping.	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.
<b>Communal and Public Open Space</b>		
<b>Objective 3D-1:</b> An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping		
<b>Design Criteria</b>	<b>Proposed:</b>	<b>Compliance</b>
<p><b>1.</b> Communal open space has a minimum area equal to 25% of the site (see figure 3D.3)</p> <p><b>Definition:</b> outdoor space located within the site at ground level or on a structure that is within common ownership and for the recreational use of residents of the development. Communal open space may be accessible to residents only, or to the public.</p>	<p>A variety of communal spaces have been designed for the amenity of residents and to contribute to the public domain.</p> <p>The communal spaces consist of:</p> <ul style="list-style-type: none"> <li>• an 'active' central courtyard, containing three connected spaces that provide various recreational and social opportunities for residents.</li> <li>• 'passive' landscaped areas including raised planters against internal terraces and landscaped setbacks, that provide privacy and amenity, a pleasant outlook and microclimate benefits to residents.</li> </ul> <p>The total communal space is 32% of the total site area.</p>	Complies

2. 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 shadow diagrams indicate that solar access is provided to at least 50% of the principal useable part of the communal open space in mid-winter.	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. 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	A variety of functions are accommodated in the	Complies

<p>range of age groups (see also 4F Common circulation and spaces), incorporating some of the following elements:</p> <ul style="list-style-type: none"> <li>• seating for individuals or groups</li> <li>• barbecue areas</li> <li>• play equipment or play areas</li> <li>• swimming pools, gyms, tennis courts or common rooms</li> </ul>	<p>communal areas including:</p> <ul style="list-style-type: none"> <li>• Individual and gathered seating</li> <li>• Kitchen/herb garden</li> <li>• Level turf areas for flexible use</li> </ul> <p>The locations and species of trees have been carefully considered to provide summer shade and winter sun. Refer to the Landscape Plans for further details.</p>	
<p>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</p>	<p>The landscape plans communal open space that encourages use by residents incorporating a mix of soft edges and equipment that encourages socialisation and relaxation.</p>	Complies
<p>Visual impacts of services should be minimised, including location of ventilation duct outlets from basement car parks, electrical substations and detention tanks</p>	<p>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.</p>	Complies
<p><b>Objective 3D-3:</b> Communal open space is designed to maximise safety</p>		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
<p>Communal open space and the public domain should be readily visible from habitable rooms and private open space areas while maintaining visual privacy. Design solutions may include:</p> <ul style="list-style-type: none"> <li>• bay windows</li> <li>• corner windows</li> <li>• balconies</li> </ul>	<p>Communal open spaces are fronted mainly by balconies to provided mediation between communal and private spaces. Windows that front onto communal spaces are protected by privacy screens.</p>	Complies
<p>Communal open space should be well lit</p>	<p>Communal open space maximises passive light (solar) and may be lit at night, while considering light spillage into residences facing it.</p> <p>Further details to be considered in design development.</p>	Recommended condition of consent.
<p>Where communal open space/facilities are provided for children and young people they are safe and contained</p>	<p>Facilities are specifically not proposed for children which is considered acceptable for a seniors living development.</p>	Not Applicable
<p><b>Objective 3D-4:</b> Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood</p>		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>

<p>The public open space should be well connected with public streets along at least one edge</p> <p><b>Definition:</b> public land for the purpose of open space and vested in or under the control of a public authority</p>	<p>Public open space does not form part of the proposed development.</p>	<p>Not Applicable</p>												
<b>Deep Soil Zones</b>														
<p><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</p>														
<b>Design Criteria</b>	<b>Proposed</b>	<b>Compliance</b>												
<p>1. Deep soil zones are to meet the following minimum requirements:</p> <table border="1" data-bbox="225 871 745 1328"> <thead> <tr> <th>Site area</th> <th>Minimum dimensions</th> <th>Deep soil zone (% of site area)</th> </tr> </thead> <tbody> <tr> <td>Less than 650 m<sup>2</sup></td> <td>-</td> <td rowspan="4" style="text-align: center;">7%</td> </tr> <tr> <td>650-1,500 m<sup>2</sup></td> <td>3 m</td> </tr> <tr> <td>Greater than 1,500 m<sup>2</sup></td> <td>6 m</td> </tr> <tr> <td>Greater than 1,500 m<sup>2</sup> with significant existing tree cover</td> <td>6 m</td> </tr> </tbody> </table>	Site area	Minimum dimensions	Deep soil zone (% of site area)	Less than 650 m <sup>2</sup>	-	7%	650-1,500 m <sup>2</sup>	3 m	Greater than 1,500 m <sup>2</sup>	6 m	Greater than 1,500 m <sup>2</sup> with significant existing tree cover	6 m	<p>16% of the site area consists of deep soil zones with a minimum dimension of 6 m.</p> <p>A further 8% of the site area consists of deep soil zones with a minimum dimension of 3 m.</p> <p>As the site is in a new subdivision and there are no existing trees to be retained. New trees are proposed. Refer to the Landscape Plans for further details.</p>	<p>Complies</p>
Site area	Minimum dimensions	Deep soil zone (% of site area)												
Less than 650 m <sup>2</sup>	-	7%												
650-1,500 m <sup>2</sup>	3 m													
Greater than 1,500 m <sup>2</sup>	6 m													
Greater than 1,500 m <sup>2</sup> with significant existing tree cover	6 m													
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>												
<p>On some sites it may be possible to provide larger deep soil zones, depending on the site area and context:</p> <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>		<p>Complies</p>												
<p>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:</p> <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</li> </ul>	<p>The proposed development provides deep soil and will allow for the establishment of larger trees.</p>	<p>Complies</p>												

<p>ensure long term health</p> <ul style="list-style-type: none"> <li>co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil</li> </ul>														
<p>Achieving the design criteria may not be possible on some sites including where:</p> <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												
<p>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.</p>	Deep soil requirements are achieved.	Not Applicable												
<b>Visual Privacy</b> <b>Objective 3F-1:</b> Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy														
<b>Design Criteria</b>	<b>Proposed</b>	<b>Compliance</b>												
<p>1. Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:</p> <table border="1" data-bbox="228 1227 726 1552"> <thead> <tr> <th>Building height</th> <th>Habitable rooms and balconies</th> <th>Non-habitable rooms</th> </tr> </thead> <tbody> <tr> <td>Up to 12 m (4 storeys)</td> <td>6 m</td> <td>3 m</td> </tr> <tr> <td>Up to 25 m (5-8 storeys)</td> <td>9 m</td> <td>4.5 m</td> </tr> <tr> <td>Over 25 m (9+ storeys)</td> <td>12 m</td> <td>6 m</td> </tr> </tbody> </table> <p>Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room.</p>	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	<p>The proposed development has a mix of two and three storey building forms.</p> <p>The minimum building separation is generally proposed as follows:          Within the development:</p> <ul style="list-style-type: none"> <li>Habitable to habitable – 12 m</li> <li>Habitable to non-habitable – 9 m</li> <li>Side/rear boundary conditions:</li> <li>Habitable (kitchen) to boundary – 3 m with translucent glazing</li> </ul>	<p>Complies</p>
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												

 <p>Figure 3F.3 New development adjacent to existing buildings should provide adequate separation distances to the boundary in accordance with the design criteria</p>  <p>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</p>		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
<p>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.</p>	<p>Not Applicable</p>	<p>Not Applicable</p>
<p>For residential buildings next to commercial buildings, separation distances should be measured as follows:</p> <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>	<p>The proposed development is not adjacent to any commercial buildings.</p>	<p>Not Applicable</p>
<p>New development should be located and oriented to minimise visual privacy between buildings on site and for neighbouring buildings. Design solutions include:</p> <ul style="list-style-type: none"> <li>• site layout and building orientation to minimize privacy impacts (see also section 3B Orientation)</li> <li>• on sloping sites, apartments on different levels have appropriate visual separation distances (see figure 3F.4)</li> </ul>	<p>The proposal has been developed to achieve separation to neighbours to the north, addressing the desired built form for the precinct.</p> <p>The proposal aims to achieve ADG building separation criteria with neighbouring properties.</p>	<p>Complies</p>
<p>Apartment buildings should have an increased separation distance of 3 m (in</p>	<p>Seniors Living Development</p>	<p>Not Applicable</p>

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)		
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		
<b>Design guidance</b>	<b>Proposed</b>	<b>Compliance</b>
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 provide privacy in one direction and outlook in another</li> <li>• raising apartments/private open space above the public domain or communal open space</li> <li>• planter boxes incorporated into walls and balustrades to increase visual separation</li> <li>• pergolas or shading devices to limit overlooking of lower apartments or private open space</li> <li>• on constrained sites where it can be demonstrated that building layout opportunities are limited, fixed louvres or screen panels to windows and/or balconies</li> </ul>	Solid balustrades are proposed to the north facing balconies facing the road frontages, to provide a high level of privacy and acoustic amenity. Translucent glazed balustrades are proposed to balconies that face the internal courtyard to help maximise natural light into the apartments. Landscaped planters and permeable screen fencing and tree planting is used as a visual buffer between private open space and the communal space or public domain.	Complies
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	Sufficient building separation is	Complies



of adjacent buildings	provided to reduce privacy impacts.	
Recessed balconies and/or vertical fins should be used between adjacent balconies	Adjacent balconies (though limited) are appropriately treated with visual screening.	Complies
<b>Pedestrian Access and Entries</b>		
<b>Objective 3G-1:</b> Building entries and pedestrian access connects to and addresses the public domain		
<b>Design Guidance</b>	<b>Proposed</b>	<b>Compliance</b>
Multiple entries (including communal building entries and individual ground floor entries) should be provided to activate the street edge	Building entries are well defined and provide protected places to enter the development, sit and check mail.	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 three 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	Building entries are clearly defined structures containing mailboxes and bench seats. Ground floor levels have been set to minimise ramping.	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>	The basement access driveway is located at the lowest possible point on the site to minimise the visual impact of the basement on the overall development. The driveway is located away from building entries to avoid potential for pedestrian conflict.	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	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 Road 13 and Dobell Road.	Satisfactory
Vehicle standing areas that increase driveway width and encroach into setbacks should be avoided	Vehicle standing areas are not proposed.	Not Applicable
Access point locations should avoid headlight glare to habitable rooms Adequate separation distances should be provided between vehicle entries and street intersections	The residential units on ground level have generous landscape treatment and is separated from the vehicle access points.	Complies
The width and number of vehicle access points should be limited to the minimum	The development proposes two vehicle access point for residents.	Complies
Visual impact of long driveways should be minimised through changing alignments and screen planting	The at grade driveway access incorporates screen planting and access control.	Complies
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	Traffic calming devices do not form part of the proposal.	Not Applicable

where appropriate		
<p>Pedestrian and vehicle access should be separated and distinguishable. Design solutions may include:</p> <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>
<p>1. For development in the following locations:</p> <ul style="list-style-type: none"> <li>• on sites that are within 800 m of a railway station or light rail stop in the Sydney Metropolitan Area; or</li> <li>• on land zoned, and sites within 400 m of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre</li> </ul> <p>the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.</p> <p>The car parking needs for a development must be provided off street.</p>	13 basement spaces are proposed and 3 at grade spaces provided.	Complies
<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	Provision of other modes of vehicle parking is not desirable for Senior's Social Housing. Car spaces can be used for cars or scooters as required.	Not Applicable
Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas	A small number of bicycle parking rails are provided in the basement for more mobile residents.	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	The simple basement design ensures clear sightlines. Lifts lobby areas are separated from vehicle access and will be well-lit. Storage cages are accessed from secondary circulation zones to minimise potential for conflict between vehicles and pedestrians.	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. The basement level and its entry point have been set to minimise protrusion above the ground.	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 car parking ingress/egress is appropriately screened.	Complies

the facade and landscape design		
<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	On grade parking is located at the rear of the site. Permeable paving is proposed to minimise surface runoff. Refer to landscape plans for details.	Capable of Compliance
<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	On grade parking is located at the rear of the site.	Complies
<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 northerly aspect on a site. 96% of apartments receive at least 2 hours solar access in mid-winter.  No apartment receives no direct sunlight in mid-winter.  Single aspect apartments are minimised and face north or north-west.	Complies
2. In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter	Not Applicable. The site is located within the Sydney Metropolitan Area.	Not Applicable
3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter	A high level of sunlight is available to apartments, without requiring the use of high-level windows, courtyards or skylights.	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	All windows to habitable rooms comply with the minimum 5% openable ventilation requirement. Apartment layouts incorporate shallow room depths and corner or	Complies

	cross-through planning as much as possible.	
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
Doors and openable windows maximise natural ventilation opportunities by using the following design solutions: <ul style="list-style-type: none"> <li>adjustable windows with large effective openable areas</li> <li>a variety of window types that provide safety and flexibility such as awnings and louvres</li> <li>windows which the occupants can reconfigure to funnel breezes into the apartment such as vertical louvres, casement windows and externally opening doors</li> </ul>	Doors and windows are designed to be large and operable, in particular to living rooms and bedrooms. All units have living rooms adjoining balcony/terrace areas, with bedrooms also having direct access to private open space. The proposal uses building indentations where possible.	Complies
<b>Objective 4B-3:</b> The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents		
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>
1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed	74% of apartments at naturally ventilated due to having corner or cross-through layouts.	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 max. 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	Propose operable windows are adjustable.	Complies

side of the apartment (outlet side)(see figure 4B.4)		
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

<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>												
<p>1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="background-color: #cccccc;">Minimum ceiling height for apartment and mixed use buildings</th> </tr> </thead> <tbody> <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> </tbody> </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>The proposed floor to floor height is 3.1 m.</p> <p>The proposed ceiling heights are:</p> <ul style="list-style-type: none"> <li>• 2.7 m for habitable rooms</li> <li>• 2.4 m for non-habitable rooms</li> </ul>	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

<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>
1. Apartments are required to have the		Complies

<p>following minimum internal areas:</p> <table border="1" data-bbox="228 230 726 432"> <thead> <tr> <th>Apartment type</th> <th>Minimum internal area</th> </tr> </thead> <tbody> <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> </tbody> </table> <p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5 m<sup>2</sup> 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>	
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>The development has been designed to maximise opportunities for passive solar design. Rooms depths do not exceed 8m to a window. Bathrooms located on a façade are provided with an openable window.</p>	<p>Complies</p>										
<p><b>Design Guidance:</b></p>	<p><b>Proposed:</b></p>	<p><b>Compliance:</b></p>										
<p>Kitchens should not be located as part of the main circulation space in larger apartments (such as hallway or entry space)</p>	<p>All kitchens are integrated into an open plan living and dining area.</p>	<p>Complies</p>										
<p>A window should be visible from any point in a habitable room</p>	<p>The bedrooms incorporate large windows or operable doors to balconies</p>	<p>Complies</p>										
<p>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</p>	<p>Not Applicable, minimum room sizes and dimensions are met.</p>	<p>Not Applicable</p>										
<p><b>Objective 4D-2:</b> Environmental performance of the apartment is maximised</p>												
<p><b>Design Criteria:</b></p>	<p><b>Proposed:</b></p>	<p><b>Compliance:</b></p>										
<p>2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window</p>	<p>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.</p>	<p>Complies</p>										
<p><b>Design Guidance:</b></p>	<p><b>Proposed:</b></p>	<p><b>Compliance:</b></p>										
<p>Greater than minimum ceiling heights can allow for proportional increases in room depth up to the permitted maximum depths</p>	<p>Ceiling height is 2.7 m.</p>	<p>Complies</p>										
<p>All living areas and bedrooms should be located on the external face of the building</p>	<p>Living areas and bedrooms are generally located on the external face</p>	<p>Complies</p>										



	of the building.	
Where possible: <ul style="list-style-type: none"> <li>• bathrooms and laundries should have an external openable window</li> <li>• main living spaces should be oriented toward the primary outlook and aspect and away from noise sources</li> </ul>	The location and laundries and bathrooms are considered satisfactory.	Complies
<b>Objective 4D-3:</b> Apartment layouts are designed to accommodate a variety of household activities and needs		
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>
1. Master bedrooms have a minimum area of 10 m <sup>2</sup> and other bedrooms 9 m <sup>2</sup> (excluding wardrobe space)	Living areas, bedrooms and combined bathrooms and laundries provide the minimum required circulation spaces and can include all electrical and plumbing provisions as required.	Complies
2. Bedrooms have a minimum dimension of 3 m (excluding wardrobe space)	All proposed bedrooms have a minimum dimension of 3 m (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> </ul>	Apartment layouts are considered to allow for satisfactory flexibility.	Complies

<ul style="list-style-type: none"> <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>																	
<b>Private Open Space and Balconies</b> <b>Objective 4E-1:</b> Apartments provide appropriately sized private open space and balconies to enhance residential amenity																	
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>															
<p>1. All apartments are required to have primary balconies as follows:</p> <table border="1" data-bbox="228 685 727 1043"> <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 1 m</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 principle private open spaces at ground level at least 15 m<sup>2</sup> (3 m minimum).</p> <p>All principle private open spaces at upper levels have a minimum area of 10 m<sup>2</sup> and 2 m minimum depth.</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															
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>															
<p>Increased communal open space should be provided where the number or size of balconies are reduced</p>	<p>Not Applicable</p>	<p>Not Applicable</p>															
<p>Storage areas on balconies is additional to the minimum balcony size</p>	<p>Storage is not proposed on any balcony.</p>	<p>Not Applicable</p>															
<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>	<p>Not Applicable</p>	<p>Not Applicable</p>															

<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	Primary open space balconies and courtyards are orientated to the north or north-west and are directly accessed from living rooms.	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	Balconies are integrated into façade design of the building. Balustrades are either solid masonry or translucent glass. No clear glass is proposed.	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										
<b>Objective 4E-4:</b> Private open space and balcony design maximises safety												
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>										
Changes in ground levels or landscaping are minimised	Private open spaces have level thresholds at the doors to maximise accessibility.	Complies										
Design and detailing of balconies avoids opportunities for climbing and falls	Balustrade design complies with the National Construction Code.	Complies										
<b>Objective 4F-1:</b> Common circulation spaces achieve good amenity and properly service the number of apartments												
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>										
1. The maximum number of apartments off a circulation core on a single level is eight	The maximum number of apartments serviced by a single core is four. Circulation corridors have generous widths and are enclosed with sufficient operable glazing to provide a comfortable internal environment and contribute positively to the thermal performance of the development.	Complies										
<b>Storage</b>												
<b>Objective 4G-1:</b> Adequate, well designed storage is provided in each apartment												
<b>Design Criteria:</b>	<b>Proposed:</b>	<b>Compliance:</b>										
1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:  <table border="1" data-bbox="226 1330 726 1657"> <thead> <tr> <th>Dwelling Type</th> <th>Storage size volume</th> </tr> </thead> <tbody> <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> </tbody> </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>	Each apartment in Buildings B & C are provided with compliant storage (note: ADG provisions do not apply to apartments in Building A).  Storage is located in hallways, adjacent to entries or kitchens. Apartment layouts also accommodate freestanding bookcases, shelving and display furniture that may be provided by residents to suit their individual needs.	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	Apartments in Buildings B and C are provided with additional storage cages in the basement (one storage cage per apartment). 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.	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)	Apartment layouts are stacked to minimise vertical noise transfer. Corridor and intertenancy wall, floor and ceiling construction will comply with the minimum acoustic requirements of the National Construction Code.	Complies
Window and door openings are generally orientated away from noise sources	Window and doors are oriented away from noise sources where possible. Where access to common open space is proposed, a POS & landscape buffer provides separation.	Complies
Noisy areas within buildings including building entries and corridors should be located next to or above each other and quieter areas next to or above quieter areas	The internal living and bedroom areas are located away from the corridor and service areas to maximise acoustic privacy to sensitive parts within each unit	Complies
The number of party walls (walls shared with other apartments) are limited and are appropriately insulated	Party walls are limited.	Complies
Noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open spaces and circulation areas should be located at least 3m away from bedrooms	These are mostly provided underground or on the roof. All the other adjoining terraces have appropriate screening to insulate against visual and noise intrusion.	Complies

<b>Objective 4H-2:</b> Noise impacts are mitigated within apartments through layout and acoustic treatments		
<b>Design Guidance:</b>	<b>Proposed:</b>	<b>Compliance:</b>
<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>	<p>Bedrooms are generally clustered together adjacent to bathrooms and separated from living areas by a small hallway.</p>	<p>Complies</p>
<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>	<p>Noise mitigation measures have been designed into the fabric of the building in the form of:</p> <ul style="list-style-type: none"> <li>Living areas separated from road frontages by balconies or terraces and generous landscaped setbacks.</li> <li>Solid masonry balustrades to balconies facing the road frontages.</li> <li>Glazing and acoustic insulation in accordance with the minimum provisions contained in the acoustic report.</li> <li>Mechanical ventilation system for apartments.</li> </ul> <p>Refer to the Acoustic Report for further construction details.</p>	<p>Complies</p>

<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 and one bedroom seniors social housing apartments in response to the desired portfolio of the NSW Land and Housing Corporation.	Complies
The apartment mix is appropriate, taking into consideration: <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 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)	21 out of the 23 apartments are 2-bedroom layouts. 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	Apartment living areas and their private open spaces generally face the street to encourage activation and passive surveillance. Ground floor units are provided with individual entries where site levels permit.	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.	Private courtyards are provided to ground floor apartments with a	Complies

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>	combination of solid and screened fences to provide a balance of privacy and visual connection.	
<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 development is designed to present as a series of smaller brick pavilions with angled or flat parapet rooflines, punctuated by light slots or articulated recesses to provide a high level of visual interest.	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 blank walls</li> <li>grouping of floors or elements such as balconies and windows on taller buildings</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 Dobell Road and Road 13.  The building façade is architecturally designed and is considered appropriate.	Complies
Building facades relate to key datum lines of adjacent buildings through upper level	The area is undergoing renewal and redevelopment, with the new Davis	Not Applicable



setbacks, parapets, cornices, awnings or colonnade heights	park and residential development.	
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	Balconies and punched windows reveal apartments behind, while building entries and lobbies are distinguished by metallic cladding and glazed walls.	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 development is designed as a series of smaller scaled pavilions, each with an individual raked or flat parapet roof form, resulting in a varied and visually interesting roofline.	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> </ul>	Roof space is non-accessible to residents, to comply with the operational requirements of LAHC.	Not Applicable

<ul style="list-style-type: none"> <li>dormer or clerestory windows</li> <li>openable skylights</li> </ul>		
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 proposed roof is a flat roof which allows for the provision of a PV system. The roof covers the balconies below to provide shading and weather protection.	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>	A high-quality landscape design has been proposed using a variety of hardy and drought tolerant species. Refer to the Landscape Plans for further details.	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:	A high-quality landscape design has been proposed to provide an	Complies

<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>	attractive and amenable interface between the development and the public domain. The landscape design contributes to the desirable and attractive streetscape and built-form character.	
Significant landscape features should be protected by: <ul style="list-style-type: none"> <li>• tree protection zones (see figure 40.5)</li> <li>• appropriate signage and fencing during construction</li> </ul>	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> </ul>	A variety of hardy and drought tolerant species is proposed. Refer to the Landscape Plans for further details. Ongoing maintenance is to be provided by LAHC.	Complies

<ul style="list-style-type: none"> <li>plant longevity</li> </ul>		
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>	A small number of planters are to be located over the basement footprint. Appropriate plant selections and soil mix is to be provided to these areas.	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	All apartments have been designed to comply with SEPP (Housing) 2021 Part 5 Housing for seniors and people with a disability.	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	All apartments and communal spaces have been designed to comply with SEPP (Housing) 2021 Part 5 Housing for seniors and people with a disability. 47% of the carparking provided in the development is accessible.	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>	<p>Apartment layouts are rational and maximise usable floor space while providing appropriate circulation in accordance with SEPP (Housing) 2021 Part 5 Housing for seniors and people with a disability.</p>	<p>Not Applicable</p>
<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>	<p>The proposed development is not an adapted building.</p>	<p>Not Applicable</p>
<p>Some proposals that adapt existing buildings may not be able to achieve all of the design criteria in this Apartment Design Guide. Where developments are unable to achieve the design criteria, alternatives could be considered in the following areas:</p> <ul style="list-style-type: none"> <li>• where there are existing higher ceilings, depths of habitable rooms could increase subject to demonstrating access to natural ventilation, cross ventilation (when applicable) and solar and daylight access (see also sections 4A Solar and daylight access and 4B Natural ventilation)</li> <li>• alternatives to providing deep soil where less than the minimum requirement is currently available on the site</li> <li>• building and visual separation – subject to demonstrating alternative design approaches to achieving privacy</li> </ul>	<p>The proposed development is not utilising an existing building.</p>	<p>Not Applicable</p>

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

with high pedestrian activity and active frontages	building entries.	
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>	Awnings or roofs are provided over all building entries.	Complies
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	Complies.	Complies
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	Legible building address and way finding signage will be provided across the development.	Capable of Compliance
Legible and discrete way finding should be provided for larger developments	Legible building address and way finding signage will be provided across the development.	Capable of Compliance
Signage is limited to being on and below awnings and a single facade sign on the primary street frontage	Legible building address and way finding signage will be provided across the development.	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	The design of the development has	Complies

habitable rooms (see 4A Solar and daylight access)	considered: <ul style="list-style-type: none"> <li>• Orientation</li> <li>• Passive solar design to apartments and communal spaces</li> <li>• Landscaping</li> </ul>	
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 maneuvered 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</li> </ul>	Drip grooves and flashings are detailed into the underside of slabs. Façade materials have been selected to be durable.	Complies



<p>protect openings</p> <ul style="list-style-type: none"><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>		
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**Attachment 3  
Sydney Western City Planning Panel Kick Off Briefing**



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

<b>PANEL REFERENCE, DA NUMBER &amp; ADDRESS</b>	PPSSWC-310 – Campbelltown – 4973/2022/DA-SL – Dobell Road, Claymore
<b>APPLICANT / OWNER</b>	Applicant: New South Wales Land and Housing Corporation Owner: New South Wales Land and Housing Corporation
<b>APPLICATION TYPE</b>	Seniors housing development comprising a part two and three storey seniors living development comprising 23 independent living units, basement car parking for 13 vehicles, at grade parking for 4 vehicles, landscaping , communal gardens, site services and stormwater infrastructure
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	CIV > \$5M - Crown Development
<b>CIV</b>	\$10,716,020.05 (excluding GST)
<b>BRIEFING DATE</b>	27 March 2023

**ATTENDEES**

<b>APPLICANT</b>	Emmanuel Igbokwe, Dan Brindle, Skye Kim, Andrew Talbot, Mark Santangelo
<b>PANEL</b>	Justin Doyle, David Kitto, Cinnamon Dunsford, George Briticevic, Karen Hunt
<b>COUNCIL OFFICER</b>	Alexandra Long, Zoran Sarin
<b>CASE MANAGER</b>	Kate McKinnon
<b>PLANNING PANELS SECRETARIAT</b>	Sharon Edwards and Mary Francis

**DA LODGED & DAYS SINCE LODGEMENT:** 23 January 2023 (41 Days)

**TENTATIVE PANEL BRIEFING DATE:** Requirement not currently anticipated

**TENTATIVE PANEL DETERMINATION DATE:** July 2023

### **ISSUES LIST**

Chair reviewed attendance and introduced Kick Off Briefing purpose and process.

#### **Council**

- Council advised that the overarching Stage 4 subdivision application was approved by the panel in 2022, with the subject lot (residue lot) earmarked for seniors living.
- The Council described the proposed development, the surrounding locality and the site's proximity to the Campbelltown City Centre.
- Council described the site's relationship to the Claymore Urban Renewal Concept Plan and the site and development's planning context.
- Council described the three Clause 4.6 variations proposed including building heights, setbacks and Floor Space Ratios (FSR).
- Council advised that internal and external referrals (Sydney Water) remain outstanding.
- Notification period concluded - no submissions received.

#### **Applicant**

- The Applicant described the proposed development including design drivers, urban form and the development's position within the broader Claymore setting.

#### **Panel**

- The Chair noted the progressed nature of the assessment of the proposed development resulting from work and consultation undertaken between the applicant and Council prior to the lodgement of the application.
- The Panel raised minor concern with number of stairs within a single run without opportunity for a break. The Panel requested that this be clarified by the applicant's accessibility consultant.

#### **Note:**

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

The application is yet to be considered by the Sydney Central City Planning Panel and therefore future comment will not be limited to the detail contained within.

## Attachment 4 – Design Excellence Panel Minutes

### CAMPBELLTOWN CITY COUNCIL

#### Minutes Summary

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

Thursday 19 May 2022

Panel Members	Lynne Hancock	Chair
	Matthew Taylor	Member
	Tony Quinn	Member

Council staff	Rana Haddad	
	Alex Long	

1. **Acknowledgement of Land**  
An Acknowledgement of Land was presented by the Chairperson
2. **Declaration of Interest**  
No conflicts of interest were noted
3. **Agenda Items**

#### Item 4.1 – Claymore Stage 4, Seniors Living – Dobell Road, Claymore

<b>General Comments from the Panel</b>	
<b>1.</b>	The Panel appreciated that the proponent showed a generally well-integrated scheme that was also thoughtfully presented together with an adequate context analysis. The overall approach to the site layout and building massing was considered appropriate to the setting and the particular opportunities and constraints. Nevertheless, the Panel would like to encourage further exploration of some design opportunities that it felt would improve the relationship between the development and its (existing and future) neighbours, and enhance the amenity for residents.
<b>2.</b>	The importance placed on landscape, deep soil and tree planting is commended, particularly in light of ameliorating urban heat island effects. The Panel noted that this does put the onus on the development's builder and owner/operator to maintain the landscape as proposed, to deliver on the promised amenity.
<b>3.</b>	The stated desire for the buildings to have "a non-institutional feel" is acknowledged. However, the Panel considered that the long elevation (Buildings B and C) to Road 13 somewhat undermined that principle and presented as a defensive edge rather than engaging fully with the street. Taken together with the height and FSR exceedences, the Panel prefers to see these buildings separated (at best) or the massing broken down further (at least).
<b>4.</b>	The arrangement of buildings around the central courtyard, and the provision of different spaces for residents, is acceptable in principle but requires some refinement. The Panel considered that a less rigid program of activities (bocce court, formal arbor) would allow for greater flexibility of use, and for more users.

<b>Specific Issues/comments identified by the Panel in relation to:</b>	
<p><b>1. Architectural Design</b></p> <ul style="list-style-type: none"> <li>a. <b>Functionality</b></li> <li>b. <b>Aesthetic</b></li> <li>c. <b>Material</b></li> <li>d. <b>Facades</b></li> </ul>	<p>The designers' stated intent is for the buildings to be modest rather than 'loud', that they create a singular identity across the site, and to provide a backdrop for a colourful and vibrant landscape within and at the edges of the site. The apartment layouts are well considered; private open space is well sized and located; accessibility has been achieved between site entries, communal spaces and buildings.</p> <p>The communal space comprises two separate areas with different design treatment. These spaces are not large, and appear constrained by the level changes across the site, their programming and the access requirements (multiple ramps).</p> <p>The architectural language comprises simple masonry forms, darker recesses, and a composition of framed openings. This was generally supported, particularly in terms of the hoods to all windows facing east and west to moderate sun access. Also supported was the use of reclaimed bricks, and the added definition of textured brick corbel details, to relieve what might otherwise be monotonal and bland, given the limited colour and material palette.</p> <p>As the buildings wrap around the east and south (street) edges, their facades vary depending on their orientation, with larger openings placed to optimise sun access as well as overlooking of communal open spaces or the street. This approach is generally successful, but has contributed to the more 'closed' character of the southern façade to Road 13. See comments below.</p>
<p><b>2. Urban Design</b></p> <ul style="list-style-type: none"> <li>a. <b>Human scale</b></li> <li>b. <b>Integration with the surrounding environment</b></li> <li>c. <b>Overall aesthetic</b></li> <li>d. <b>Fit</b></li> </ul>	<p>The Panel supports transition in height from two-storey to three-storey buildings, to fit with the likely future built form to the north and to optimise sun access to the internal courtyard. Scale relationships are good except in the SE corner (see comment above) where the hard edge of a high blank wall to the boundary creates a poor public-private domain interface.</p> <p>The building aesthetic (form, materiality, colour, façade modulation) is considered appropriate given that the area is in transition and this development is looking to create a new neighbourhood character as much as respond to the previous low-scale domestic building typologies.</p> <p>The Panel is concerned about the treatment of the SE corner (the lowest point of the site) where the basement car park protrudes above ground and results in an approximately 3m high wall against the street. This reinforces the 'fortress' character of the long Road 13 façade, and detracts from the streetscape. Panel members also noted the likelihood of this extent of blank wall being an invitation to graffiti/tagging.</p>

	<p>Buildings B &amp; C read as a single building. The proponent explained that they are connected by common corridors in the event of one of the two lifts not working (ie to ensure accessibility is maintained). The Panel is unconvinced by this argument as the primary driver of built form and notes that the scheme exceeds height in metres and FSR controls; while these exceedances are minor they contribute to a larger bulk overall, that could be reduced by greater modulation / separation of Buildings B &amp; C. This would be a 'win-win' that would provide a better elevation and public domain interface to Road 13.</p>
<p><b>3. Landscaping</b></p>	<p>The provision of generous and contiguous deep soil areas to support large trees and extensive planting is commended. The Panel agrees with the use of permeable pavers to the Building A car park. The inclusion of a mix of evergreen and deciduous trees is also supported, both to add interest and identity to the development and also for environmental comfort, particularly within the internal communal spaces.</p> <p>While the central landscape area has the potential to be well used as the focus of the proposal, further design development is required so that the appropriate functions can be accommodated that are suitable for the residents that are going to live there. While a bocce court is a reasonable idea, this is a recreational pursuit that is more aligned with France and not suburban Sydney. It is hard to envisage that the residents would be familiar with the game. More value would be gained by providing a flexible open space that can be realised in a familiar landscape typology. Further, the concept of seating under trees in the courtyard needs to be re considered to how and when this space might be really used. It is important to get a balance between prescriptive and flexible open spaces and so allow for community input to a proposal that will be their home. Is there potential for raised garden beds for example to encourage a sense of community?</p> <p>The transitions from private to communal open spaces are well considered with the provision of small private defensible garden areas forming an appropriate transition to the broader community open space.</p> <p>Flowering and scented plants encourage a sense of communal association and wellbeing and are encouraged.</p> <p>The street trees will be an important component in the overall composition of the proposal and the proponent is encouraged to liaise with council in relation to the species.</p>
<p><b>4. Heritage ( if relevant)</b></p>	<p>n/a</p>
<p><b>5. Streetscape</b></p>	<p>The development has generous setbacks with deep soil to accommodate large canopy trees. These will complement the proposed new street trees in grassed verges, an approach which is commended.</p>

	<p>The Panel also supports the separation of bin collection to Dobell Road and Road 13 servicing Building A and Building B &amp; C respectively.</p> <p>Small waiting / sitting areas at the mailboxes and building entries are positives and the designers are encouraged to develop these further to create pockets of activity along the street, in public rather than behind security gates, where residents can interact with visitors, neighbours and passers-by. The Panel considers this would help integrate the development and promote a sense of shared community.</p>
<b>6. Solar Access</b>	Solar access is acceptable.
<b>7. Privacy</b>	Privacy is achieved by way of building and apartment layout and by the treatment of window with hoods, and the recessing of balconies. Extensive tree planting will also assist both to provide outlook and visual privacy for residents.
<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>	Building and apartment orientation is consistent with passive solar design principles; deep soil areas allow for tree canopy to respond to climate.

<b>Specific Actions Required - as described above</b>	
<b>1. Architectural Design</b>	Separation / greater modulation of Buildings B&C
<b>2. Urban Design</b>	Treatment of SE corner to reduce extent / blankness of high wall against the boundary  Refinement of 'edge' spaces between the public and private domain at entry / waiting points, to encourage community interaction and passive surveillance
<b>3. Landscaping</b>	More flexibility to support and encourage appropriate cultural uses and enjoyment of communal open space
<b>4. Heritage ( if relevant)</b>	n/a
<b>5. Streetscape</b>	Confirm species suitable for Council's tree strategy/preferred palette
<b>6. Solar Access</b>	No further comment
<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>	No further comment

Is the overall Design:

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



**Attachment 5  
Pre DA Meeting Minutes****Minutes of Pre Development Application Meeting  
Stage 4 Claymore Seniors Living 919/2022/PL-DA**

Held Monday 4 April 2022 via Microsoft Teams

Meeting commenced: 11.05am

**1. Formalities:**

**Attendance:** Fletcher Rayner, Andrew MacGee, David Timmins, Iraj Shrestha, Salina Lama, Skye Kim, Lois Morgan, Andrew Talbot, Carolyn Howell, Emmanuel Lgbokwe, and Kristie Vaughan

**2. Lois Morgan Brief Overview:**

- Located in part of urban renewable area
- Located in an established residential area in Claymore
- Mindful of surrounding single development low rise around the site
- Neighbours in mind, sensitive to any impacts that may affect them
- Appropriate building separation
- Increased upper level setbacks, southern boundary where larger buildings are
- Shadow diagrams demonstrate minimal overshadowing to neighbours
- Building form that reinforces street corner
- Included deep soil setbacks, provide for deep root trees and amenity for the apartments and the community
- Designed the buildings to be a series of connected pavilions linked by a large communal space to encourage social connection
- All units have good views, solar access and cross ventilation
- Primary objection of development to create high quality residential character and clear identity for the residents
- Robust materials will be used to have durability and longevity.
- Communal open space centralised creates a wide variety of use of outdoor spaces for passive and active recreation
- Incorporated articulation in the building, deep root building reveals, creates sense of identity for the building
- In the communal areas, looking at vegetable gardens to create interaction amongst the residents and create a sense of ownership within the landscaping.

**3. David Timmins points raised and discussed:**

- Any town planning concerns regarding the development standards. Dan Brindle responded as per below.
- 9.5 metres under the SEPP is maximum building height, which facilitates a three story typology
- For the building height variation, have lift over runs been considered. Lois Morgan replied the lift over run on building B is centrally located and as the site levels are stepping up would be within the 9.5 metre height. With the lift for building C anticipated will be slightly over
- The SEPP provides some standards for servicing equipment in excess of 9.5 metres height, if it goes above then should not exceed 11.5 metres in height, may need to investigate and may trigger 4.6.

- With the 4.6 variation, would request be very detailed against the objectives of the development standard for the building height and floor space ratio. Given extent of the development standards variation, need to be determined by the local planning panel or if exceeds 5 million in cost then would need to go to Western City Regional Planning Panel.
- Confirmed as exceeds 5 million will need to go to the Western City Regional Planning Panel.
- Confirmed each resident will receive their own remote control to access underground car park
- Is there enough room for bins required to service the amount of waste generated. Emmanuel Lgbokwe confirmed would prefer kerb side collection and will have a maintenance contractor to take the bins in and out. Had waste consultant review, 10 bins recommended for recycling and 10 for waste, 20 in total, partly located within the building, bin store in the boundary and bulk collection in basement.
- Controls will need to be addressed for kerb side collection to be allowed. Emmanuel Lgbokwe requested consultation with our waste team and their waste consultant.
- Will footpath be provided to the frontage. Emmanuel confirmed would form the subdivision application, to ensure the footpaths get constructed and will comply with SEPP and DA.
- Suggested submitting a plan gradient to footpath and bus stop, controls for gradient under the SEPP provisions. Emmanuel confirmed will provide and noted that the subdivision works would be completed.
- Any communal outdoor facilities to be provided. Option for residents to go outside and enjoy the open space. Ziwar Sattouf commented not sure about having BBQ in communal are due to safety concerns and maintenance, however actively exploring the use of active and passive shading using planting and trees, incorporating seating areas, including disabled access.
- Any communal areas for events such a birthday gatherings. Ziwar Sattouf confirmed the communal areas could be utilised including the central courtyard. Looking at options to shelter using either pergola or sail shades.
- Will this land be remediated and be made suitable for residential use purposes. Ziwar confirmed yes will be outlined in the stage 4 subdivision, also can be detailed in the SEE
- Ideas about where the stormwater will be connected, any concept plans. Ziwar confirmed connection point from the southern eastern point of the site that ties into the wider precinct. Internal plans civil engineer working on concept plans
- Anticipated lodgement and construction start, Salina Lama confirmed, lodge end of May, construction is pending on approval 6 to 7 months after, also construction on stage 4 will impact on this timing, possibly end of next year 2023.
- **Will ask waste if they will be supportive of kerb side collection. Confirmed will get back to Salina Lama directly**

#### 4. Dan Brindle points raised:

- Aware of non-compliances, corner of the site, attributing to as part is a three storey building, lowest point of the site.
- Requirement for disabled access across the site, limits ability to reduce the height of the three storey building on the corner
- In terms of height it is a unique characteristic that will used to justify clause 4.6
- Floor space housing SEPP has new non discretionally development standards, if does not comply will require 4.6 in that regard and argument similar, corner site, opposite a park, opposite school, community hub, street has width and characteristics capable of higher density. Design would be justifiable in terms of the FSR and the height

- Clause 4.6 required to enable consent to be provided prior to footpath being built, confirmed will be included in the development application as well.

**5. Sky Kim points made:**

- This design is similar to Dowie Drive, Claymore, 2 to 3 stories
- Arkley Drive units have 3 to 4 stories
- Already completed stages 1, 2 and 3
- Civil construction on stage 4 to start middle this year
- Feedback received from Dowie Drive and Arkley Drive residents has been really positive
- Providing underground car park for each dwelling along with own self storage
- Allows more room for landscaping by not having car spaces above ground
- Confirmed 100% of the residents would be managed by department of community and justice
- Has more than 1 bedroom to allow for possible use of visitors, study or room for caretaker if required.

**6. Andrew MacGee point raised:**

- Will require review by the Design Excellence Panel prior to lodgement of the development application. Need to let council know when ready and can make arrangements with the panel.

**7. Fletcher Rayner points raised:**

- Regional panel development approval, council is required to carry out a kick off briefing as soon as the application is lodged
- In relation to the 4.6 variation need to address the access requirements to the SEPP, distance to facilities and gradient
- What solar standards are being used, confirmed the AVG standard

**8. Iraj Sherestha points raised:**

- Stormwater, pit number 1/18 conflicts with driveway location
- Is substation part of the subdivision, it is close to the stormwater line, conflicting. The proposed substation is not shown on the CC plans.
- Stormwater pit should be located not to conflict with driveways
- If collection of waste from basement then would have to suit HR vehicle and gradient would have to comply
- Parking requires turning path dedicated to show movement can be achieved
- Engineering guidelines, must be complied with including any ramp down to an underground carpark must be covered to minimise rainwater intrusion. This needs to be considered.

Meeting concluded: 11.51am

## Attachment 6 – Aboriginal Cultural Heritage Referral



Our ref: DOC23/69786-23

Ms Rebecca Ferns  
Campbelltown City Council  
91 Queen Street  
Campbelltown NSW 2560

Email: [rebecca.ferns@campbelltown.nsw.gov.au](mailto:rebecca.ferns@campbelltown.nsw.gov.au)

Letter uploaded to the Concurrence and Referral (CNR) portal

Dear Ms Ferns

### ADVICE DEVELOPMENT APPLICATION ABORIGINAL CULTURAL HERITAGE REFERRAL

**Address:** Lots 16 and 17 DP258940 Dobell Road, Claymore

**Proposal:** Seniors housing development comprising a part two and part three storey seniors living development comprising 23 independent living units, basement car parking for 13 vehicles, at grade parking for 4 vehicles, landscaping, communal gardens, site services and stormwater infrastructure.

**IDA application no:** DA: 4973/2022/DA-SL, CNR-51014, A-60331, received 31 January 2023.

Thank you for submitting an Aboriginal cultural heritage (ACH) referral for the above Development Application (DA) to our office. We understand that Campbelltown City Council is seeking our advice on this DA in relation to Aboriginal cultural heritage.

We have reviewed documents uploaded on the CNR portal. AHIP 5027 was issued to Landcom on 23 December 2022 for the Claymore Renewal Project Stage 4 and permits community collection and harm to part of artefact site 52-2-4162. The AHIP is valid for five years and will expire on 23 December 2027. Heritage NSW was notified that community collection of part of site 52-2-4162 was completed on 1 February 2023 in accordance with the AHIP conditions.

#### ADVICE

We recommend the applicant consult with the AHIP holder to undertake the works.

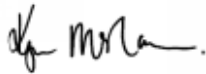
Should Council decide to approve the development, we recommend the following conditions of consent:

1. Development works must be undertaken in accordance with AHIP 5027.
2. If any human remains are discovered and/or harmed in, on or under the land, the following must occur:
  - a. Not further harm these remains,
  - b. Immediately cease all works at the particular location,
  - c. Secure the area so as to avoid further harm to the remains,

- d. Notify the NSW Police and Environment Line on 131 555 as soon as practicable and provide any details of the remains and their location, and
  - e. Not recommence any work at the particular location unless authorised in writing by Heritage NSW.
3. If Aboriginal objects are identified during works outside of the boundary of AHIP 5027, the following must occur:
- a. Immediately cease all works at the particular location,
  - b. Secure the area so as to avoid further harm to the remains,
  - c. Notify Environment Line on 131 555 as soon as practicable and provide any details of the objects and their location, and
  - d. Not recommence any work at the particular location unless authorised in writing by Heritage NSW.

If you have any questions in relation to this matter, please contact Lyndon Patterson, Senior Assessment Officer at Heritage NSW, on 02 6022 0619 or [Lyndon.Patterson@environment.nsw.gov.au](mailto:Lyndon.Patterson@environment.nsw.gov.au)

Yours sincerely



**Kym McNamara**  
Manager Assessments  
Heritage NSW  
Department of Planning and Environment  
(As Delegate under *National Parks and Wildlife Act 1974*)  
Date: 3 February 2023