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# STATEMENT OF ENVIRONMENTAL EFFECTS

## Development Application

### 22-32 QUEEN STREET, CAMPBELLTOWN, NSW 2560



Prepared for Campbelltown 88 Development Pty Ltd

Submitted to Campbelltown City Council  
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# 1. Introduction

This Statement of Environmental Effects (SEE) has been prepared by Pacific Planning Pty Ltd to accompany a Development Application (DA) in relation to land at 22-32 Queen Street, Campbelltown. This application has been prepared on behalf of Campbelltown 88 Development Pty Ltd and is submitted to Campbelltown City Council.

The purpose of this report is to describe the proposed development and review the relevant planning requirements relating to the proposal. It provides an assessment of the proposed development in terms of the Evaluation Criteria prescribed under Section 4.15 (1) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The site has been the subject of a recent Planning Proposal process that amended the heights and density controls to facilitate the urban renewal of a substantially derelict site and the future development in accordance with the strategic planning framework. The Planning Proposal was made by the delegate for the Minister for Planning and Public Spaces when it was notified on the Legislation NSW website on 30 June 2021. The final LEP amendment provided for the following:

- A maximum FSR of 4.2:1;
- Maximum building heights of 1.5, 7, 42, 45, 49 and 52 metres;
- A site-specific clause that requires concurrence of the Planning Secretary in relation to designated State public infrastructure; and
- A site-specific clause in relation to an exception to the maximum building height on land mapped as "Area A" (the open space) for the purpose of a recreation area or shade structure.

The development application implements the above controls and in doing so seeks consent for a mixed-use development in the above terms, above basement parking.

This Development Application (DA) is supported and should be read in conjunction with the reports and documentation noted in the Appendices table. It must also be understood in conjunction with the approved Concept Development Application for the site, which includes demolition works. The proposal includes allocated uses for public open space and a child care centre, however these details will be subject to future applications for each use.

This SEE describes the site, its context and existing environment. It also outlines the proposal, the project justification and provides an environmental assessment of the concept proposal in terms of the relevant matters for consideration under Section 4.15(1) of the EP&A Act, including relevant legislation, environmental planning instruments, planning policies and strategies.

## 1.1 Background

### **Development Application**

A development application (901/2016/DA-RA) was lodged for the subject site in April 2016.

The proposed development included the: -

- refurbishment and additions to an existing commercial building;
- construction of a mixed-use commercial/residential development comprising 594 apartments within seven towers;
- provision of new ground level retail tenancies; and
- 1190 car parking spaces on-site.

The application was subsequently withdrawn following adoption of the Campbelltown Precinct: Glenfield to Macarthur Land Use and Infrastructure Implementation Plan and preparation of the draft Reimagining Campbelltown CBD Strategy. These documents have informed a new strategic planning framework for Campbelltown where the development concept will continue to be considered.

### **Planning Proposal**

On 22 June 2018, a Planning Proposal request was submitted to Council which sought an increase to the maximum permissible building height control for this site from 26 metres to a range of heights including 34 metres (8 storeys); 49.5 metres (13 storeys); 65 metres (18 storeys); 77 metres (22 storeys); and 87 metres (25 storeys).

On 4 September 2018, a presentation was made to Campbelltown City Council Councillors where the proposed controls and development concept were outlined. As a consequence of these discussions, a revised Planning Proposal which amended the intended heights on site. A revised Planning Proposal was submitted on 11 September 2018 which sought to increase the maximum building height on this site from 26 metres to 37 metres (10 storeys); 53 metres (15 storeys); 56 metres (16 storeys); 59 metres (17 storeys); and 62 metres (18 storeys).

On 28 November 2018, the Local Planning Panel considered the Planning Proposal and recommended, in part, that: -

*“the applicant be invited to submit further information in the form of concept development application and site specific DCP....”.*

In response to the Local Planning Panel’s recommendation a concept application was prepared that sought consent for the concept to which the Planning Proposal related and sought to deal with many aspects that the Panel raised. The Concept DA did not seek consent for any development, and only sought consent for massing and footprints that were consistent and compliant with the provisions of the Campbelltown LEP 2015 at that time. The Concept DA was lodged on 5 February 2019 and approved on 16 February 2021.

Following the Panel meeting, the maximum heights were further reconsidered noting the Panel’s preference for one Gateway tower. The spread of heights across the site were subsequently amended, and a revised lodgement submitted to Council on 25 January 2019. The re-submitted Planning Proposal sought revised heights being 0 metres; 29 metres (8 storeys); 42 metres (12 storeys); and 70 metres (20 storeys). This included an 8-storey building nearest the state heritage item, a 20 storey gateway tower on Queen Street, and 12 storey’s across the remaining 4 buildings. Further, the proposal provides the opportunity for an additional 4 storeys on the gateway tower where design excellence is achieved.

### **Council Meeting – 11 June 2019**

The Planning Proposal was considered by Council on 11 June 2019. At that meeting Council resolved as follows:



1. That Council endorse option two within the report and the draft planning proposal at attachment 3 to increase the height limit at 22 - 32 Queen St, Campbelltown and introduce other planning controls as detailed in this report and submit it to the Department of Planning and Environment seeking a Gateway Determination.
2. That subject to the Gateway Determination and prior to public exhibition, a further report be presented to Council with a draft development control plan for the site.

Option 2 resolved by Council included the following:

- *maintaining a building height of 26 metres (eight storeys) for the part of the site that is immediately adjacent to the heritage building*
- *increase the building height from 26 metres (eight storeys) to 32 metres (ten storeys), 38.5 metres (12 storeys) and 45 metres (15 storeys), across other buildings on site; and*
- *decrease the building height from 26 metres to 1.5 metres for the area proposed for ground floor plaza/open space.*
- *Include an appropriate FSR requirement (e.g. 2.5:1 for residential apartment buildings and 1.7:1 for mixed use development). The appropriate FSR control for the site would be confirmed post gateway determination and prior to public exhibition*

On 9 July 2019, the endorsed Planning Proposal was forwarded to the Department of Planning, Industry and Environment for a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.

### **Gateway Determination – 17 January 2020**

A conditional Gateway determination was issued on 17 January 2020 in support of the progression of the Planning Proposal. Condition 1 of the Gateway required that prior to public exhibition the planning proposal be updated. Condition 1(f) required that options be explored to increase the size of the proposed local open space and that amendments be introduced to the planning proposal if necessary. Further, condition (b)(i) provided that where applicable, the proposed floor space ratio controls and building height(s) for the site be amended based on Council's consideration of any additional findings.

The exploration into the provision of additional open space resulted in the following key amendments to the planning proposal:

- Removal of Building C (the 8-storey building that immediately adjoined the open space). This created a much larger consolidated area of public open space for the community in accordance with the Gateway condition;
- The creation of a community facility/social infrastructure on part of the open space area supported by an accessible rooftop area. Any building in this area is to be incorporated in to the open space to appear part of the public realm;
- Increase the ground floor setback to Queen Street to a minimum of 5 metres to support an activated public domain along this interface;
- The retention of the same FSR being 4.2:1 (with a refined mix for residential apartments and mixed use floorspace; and
- Amend the maximum heights to 0 metres (public open space); 7 metres (for the community facility within the public open space), 42.5 metres (12 storeys), 45.6 metres (13 storeys), 49 metres (14 storeys), 52 metres (15 storeys).

A comparison of the scheme prior to Gateway and the scheme following the study resulted in the addition of nearly 4,000sq.m of open space with the inclusion of a small signature community/social infrastructure building facilitated by the removal of then building C.

### **Council Meeting – 14 July 2020**

The changes were reported to Council on 14 July 2020, where Council resolved as follows:

1. *“That Council support the proposed amendments to the planning proposal outlined in this report and the planning proposal be amended to reflect the expanded area of open space and changes to the height of buildings map as detailed in this report.*
2. *That the amended planning proposal be forwarded to the Department of Planning, Industry and Environment with a request that the Gateway Determination be altered to reflect the revised proposal.*
3. *That Council endorse the future public exhibition of the draft amendment No 10 to the Campbelltown (Sustainable City) Development Control Plan 2015 which seeks to add Part 14, 22-32 Queen Street Campbelltown, as shown at attachment 1 to this report, subject to the tower setback to Queen Street being increased from 8m to 10m”.*

### **Altered Gateway Determination – 31 August 2020**

Accordingly, the revised Planning proposal was forwarded to the Department of Planning, Industry and Environment in accordance with Condition (2) of the Gateway Determination. The Department issued an altered Gateway determination on 31 August 2020, endorsing the progression of the Planning Proposal.

The Planning Proposal was publicly exhibited concurrently from 30 September 2020 until 30 October 2020, and reported to Council on 8 December 2020. At that meeting Council resolved:

1. *That Council forward the Planning Proposal at attachment 2 to this report which seeks to amend the Campbelltown Local Environmental Plan 2015 by increasing the maximum height of buildings map for 22-32 Queen Street, Campbelltown, from the current 26m limit to a range of heights for this site including 1.5m, 7m, 42m, 45m, 49m and 52m, to the Minister for Planning and Public Spaces and request that the amendment to Campbelltown Local Environmental Plan, 2015 be made.*
2. *That Council adopt and notify Amendment No. 10 to the Campbelltown (Sustainable City) Development Control Plan 2015 being the addition of Part 14, which is attachment 3 to this report and contains the site specific requirements for 22-32 Queen Street, Campbelltown.*
3. *That the land owners be advised of Council’s decision.*

### **LEP Finalisation June 2021**

The Planning Proposal was made by the delegate for the Minister for Planning and Public Spaces when it was notified on the Legislation NSW website on 30 June 2021.

For clarity, the final LEP amendment provided for the following:

- A maximum FSR of 4.2:1;
- Maximum building heights of 1.5, 7, 42, 45, 49 and 52 metres;
- A site-specific clause that requires concurrence of the Planning Secretary in relation to designated State public infrastructure; and
- A site-specific clause in relation to an exception to the maximum building height on land mapped as “Area A” (the open space) for the purpose of a recreation area or shade structure.

### **Concept Application and Demolition**

A Concept application was approved on 16 February 2021. The concept provided for the building footprints, location of open space, setbacks, and open space, as suggested by the Local Planning Panel during the Planning Proposal process. This assist to inform the outcome sought by the Planning Proposal and provided detail and rigor around the development outcome.

However, the concept application was based on the compliant heights at that time, not on the heights sought by the planning proposal, noting that the desired heights under the planning proposal could not have been approved under the concept application at the time as this was not permissible. Given the subject development application now seeks consent for revised heights, compliant with the recently adopted controls, the concept application will now need to be amended with a second Concept Development Application (with revised heights), in order for the development application to be approved.

It should also be noted that consent for the demolition of existing structures was issued on 10 March 2021 under application DA/1817/2020.

## **1.2 Consent Authority and Capital Investment Value**

Regionally Significant Development is defined in Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021 and includes Clause 2: General development over \$30 million. As such the project is classified as Regionally Significant Development.

The site is located in the City of Campbelltown Local Government Area (LGA) and as such the DA will be assessed by Council's City Development staff and determined by the Sydney Western City Planning Panel who are the consent authority for the development. A QS Report is attached.

## 2. Site Description and Context

### 2.1 Site Description

The land to which this DA applies is at 22-32 Queen Street, at the northern end of the Campbelltown CBD. It lies to the north of the CBD and is adjacent to Campbelltown Road and the Southern railway line. The land the subject of this DA is identified in the Figures 2 below.

The subject site comprises three (3) lots and is known legally as follows:

Address	Lot details	Area (m <sup>2</sup> )
22 Queen Street	Lot X in DP 409704	5,978
	Lot 15 in DP 14782	
32 Queen Street	Lot 1 in DP 1154928	14,487.7
<b>Total Area</b>		<b>20,465.7</b>

**Table 1:** Site description

The site has an area of 20,465.7m<sup>2</sup> and is located on Queen Street which is the main thoroughfare into the Campbelltown Central Business District (CBD). The site is highly visible from the overpass on Campbelltown Road, and as such forms a significant gateway into the city.

The site fronts Queen Street to the west and adjoins Campbelltown High School located to the south east. This includes 2 storey buildings and large playing fields, as shown in the photo below:



**Photo 1:** View looking SE from the site towards the primary school



Sites to the south west contain low-rise mixed-use retail/commercial premises. The opposite side of Queen Street contains the railway line with commercial industrial buildings beyond. The site to the north of the property contains the Colonial Motor Inn and also a Garden Centre. These sites contain 2 storey sandstone buildings which formed part of the John Warby Estate. The barn and Stables are listed as heritage items. It also contains a 2 storey 1970's motel, which has no heritage value beyond its inclusion within the precinct.

The buildings along Queen Street consist largely of 1-2 storey commercial premises along with newer residential flat buildings around 7 storeys. Among the commercial spaces there are a large amount of health-related uses. Queen Street is the main entry road to the Campbelltown CBD.

The site is approximately 820 metres from the main entrance to the Campbelltown railway station. Queen Street is also a main bus route, and the site is therefore well served by public transport.

The site is located close to large areas of public green space including the Campbelltown Show Ground and Mawson Park. The site is also close to a number of schools including Campbelltown High School, Beverley Park Special School and St Peters Anglican Primary School.



Figure 1: Air photo - Site context



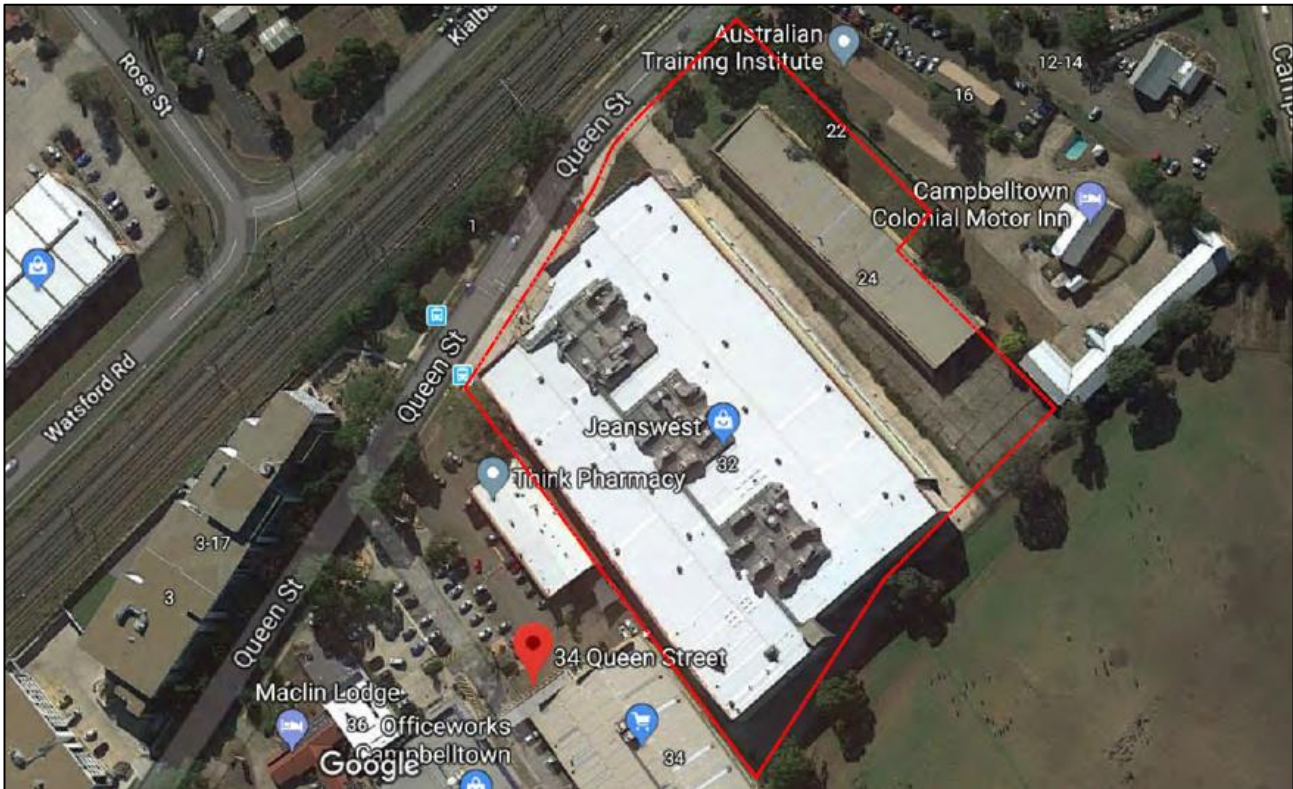


Figure 2: Aerial view – close up

## 2.2 Site Context



Photo 2: View looking south along Queen Street from the front of the site.

The site is currently zoned B4 Mixed Use under the Campbelltown Local Environmental Plan 2015. It is surrounded on three sides by land of the same zoning and borders R4 High Density Residential to the south. According to the *Campbelltown Precinct Land Use and Infrastructure Study*, the site is within the Campbelltown CBD, which is designated as a Metropolitan Centre.

## 2.3 Existing Heritage Context

22-32 Queen Street Campbelltown (the subject site) adjoins a significant heritage item: the Warby Barn and Stables (the Warby site, Heritage Item I00497) which consists of two sandstone agricultural buildings that once formed part of the larger John Warby Estate. This site is listed on the State Heritage Register and is of considerable historic significance to the history of Campbelltown.

Established in c.1816, the Warby site once also held a homestead (long demolished) directly in front of the barn building with an entry drive from Queen Street leading to the western side of the site. The site is currently used as the Colonial Motor Inn and a garden centre.

The heritage interface included in the previous DA (2016) for the project site did not adequately address the opportunities that having a site of State significance adjacent to a new development presented.

As part of the process for the amendment to the maximum building heights under Amendment No. 21, a detailed and considered process was undertaken to ensure an appropriate interface and response to the heritage context within which the site is located.

During this process, the applicant engaged heritage architects Lucas Stapleton Johnson and Partners to consider how best to address the interface between the Warby site and the 22-32 Queen Street, Campbelltown site.

Based on an analysis of the configuration of the site and its history, the following issues and opportunities were identified at this time:

- Principal views of the Warby barn and stables buildings are from the northeast from the Campbelltown Road overpass.
- The existing driveway access to the Warby site is not the historic entry and provides limited views into the site.
- Views from Queen Street into the Warby site are constrained.
- Although a later addition, the scale, form and character of the hotel accommodation building is generally sympathetic to the Warby barn.
- Other development fronting Queen Street intrudes into views of the Warby buildings and interrupts the historic visual and spatial relationships between the barn and stables.
- Although the buildings have been altered, they retain their essential forms and character.
- The site retains elements of its historic character with scattered tree plantings of natives and historic species (pepper corn) and a tree lined drive.

During the process, through consultation with council and the Heritage Council of NSW, a large area of open space was provided adjacent to the Warby barn and stables buildings. This ensured that the immediate context was preserved while the massing, bulk and form was away from the State listed items.



The photo below shows the Queen Street context where the subject site adjoins the heritage property.



**Photo 3:** Interface between the subject site and the Warby site.



## 3. Description of the Proposal

### 3.1 Proposal Overview

Address	22-32 Queen Street, Campbelltown
Site Description	Lot X DP 409704 Lot 15 DP 14782 Lot 1 DP 1154928
Area	20,465.7m <sup>2</sup> .
Ownership	Supa 88 Pty Ltd Campbelltown 88 Pty Ltd
LGA	Campbelltown City Council
Zoning	B4 Mixed Use
Permissibility	Permissible
Project Summary	<p>To develop a mixed-use development incorporating residential apartments above ground floor retail and commercial uses. The development seeks to incorporate the following:</p> <ul style="list-style-type: none"> <li>• Five towers of two podium building forms;</li> <li>• A range of building heights, from 12 storeys to 15 storeys;</li> <li>• 558 residential apartments;</li> <li>• 9,494 sq.m of non-residential commercial and retail floorspace;</li> <li>• Total GFA of 62,177.7 sq.m of floorspace</li> <li>• Five basement levels supporting 1,509 car parking spaces;</li> <li>• Podium and tower roof top communal open space;</li> <li>• A community park/open space incorporating a community facility (subject to future DA process); and</li> <li>• An activated main street through the centre of the site.</li> </ul> <p>Consent for the demolition of existing structures was issued on 10 March 2021 under application DA/1817/2020.</p>
Capital Investment Value	The proposal is Regionally Significant Development under Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021. As the capital investment value is over \$30 million and is general development under clause 2 of Schedule 6 of the Planning Systems SEPP, the Sydney Western City Planning Panel will be the consent authority for the development.

**Table 2:** Proposal Overview

### 3.2 Proposal Objectives

- support urban growth and the provision of housing in the Campbelltown LGA;
- support the urban renewal of an underutilised site in the Campbelltown CBD;
- facilitate the development of the site and provide for a built form and scale that:
  - respects the sensitive location adjoining a State heritage listed building;

- responds to the sites CBD location;
- supports a high standard of architectural design and amenity;
- enhances the public domain and pedestrian areas; and
- provides an appropriate setback to Queen Street.
- to create a network of publicly accessible spaces and streets;
- balance pedestrian and public spaces with ensuring safe vehicle access and traffic solutions;
- support the Campbelltown town centre’s role as a Metropolitan Centre under the Western City District Plan;
- provide for a residential development that is compatible with the existing and future surrounding character and development on adjoining land; and
- facilitate the redevelopment of the site including the demolition of the urban scar in the form of a large disused DFO Factory Outlet store.

### 3.3 Development Details

The design of the development includes two key building footprints located either side of a new main street (refer RW-01 on plans) through the site. The main street supports vehicular access and pedestrian activity with activated frontages from ground floor non-residential uses.

Towers A and B are located to the north of the main street and towers C, D & E are located to the south of the main street (RW-01), both sitting atop a podium. Towers A and B are 12 storeys, Tower C is 15 storeys, Tower D is 14 storeys and Tower E is 13 storeys. The footprints, elevation and massing is depicted in the below figures:



Figure 3: Development masterplan



Figure 4: Proposal – 3D view

### 3.4 Demolition

Consent for the demolition of existing structures was issued on 10 March 2021 under application DA/1817/2020. Demolition is to be undertaken in accordance with the approved demolition plans.

### 3.5 Basements and Access

The development incorporates five basement levels to support parking, loading facilities and operational waste storage and collection. It is proposed that following demolition, the site will be excavated to accommodate the five basement levels.

In total, the basements will support the provision of 1,392 parking spaces, 117 visitor spaces (total of 1,509 spaces), 351 bicycle spaces and 80 motorbike spaces. In summary, the following is proposed over the five basement levels:

Basement level	Facilities
Level B1	<ul style="list-style-type: none"> <li>• Total car park bays – 231                             <ul style="list-style-type: none"> <li>○ Standard car park bays – 217</li> <li>○ Standard small car park bays – 2</li> <li>○ Disabled car park bays – 12</li> </ul> </li> <li>• Bicycle spaces – 14</li> <li>• Motorbike bays – 10</li> </ul>

	<ul style="list-style-type: none"> <li>• Swimming pool</li> <li>• Waste storage</li> </ul>
Level B2	<ul style="list-style-type: none"> <li>• Total car park bays – 296                             <ul style="list-style-type: none"> <li>○ Standard car park bays – 279</li> <li>○ Standard small car park bays – 3</li> <li>○ Disabled car park bays – 14</li> </ul> </li> <li>• Bicycle spaces – 83</li> <li>• Motorbike bays – 12</li> </ul>
Level B3	<ul style="list-style-type: none"> <li>• Total car park bays – 319                             <ul style="list-style-type: none"> <li>○ Standard car park bays – 186</li> <li>○ Standard small car park bays – 4</li> <li>○ Disabled car park bays – 12</li> <li>○ Standard visitor car park bays – 112</li> <li>○ Disabled visitor car park bays – 5</li> </ul> </li> <li>• Bicycle spaces – 84</li> <li>• Motorbike bays - 18</li> </ul>
Level B4	<ul style="list-style-type: none"> <li>• Total car park bays – 330                             <ul style="list-style-type: none"> <li>○ Standard car park bays – 302</li> <li>○ Standard small car park bays – 7</li> <li>○ Disabled car park bays – 21</li> </ul> </li> <li>• Bicycle spaces – 85</li> <li>• Motorbike bays - 20</li> </ul>
Level B5	<ul style="list-style-type: none"> <li>• Total car park bays – 333                             <ul style="list-style-type: none"> <li>○ Standard car park bays – 306</li> <li>○ Standard small car park bays – 6</li> <li>○ Disabled car park bays – 21</li> </ul> </li> <li>• Bicycle spaces – 85</li> <li>• Motorbike bays - 20</li> </ul>

**Table 3:** Basement uses

Access to the basements is located from two points. Firstly, a northern access point is located directly from Queen Street at the northern most point below tower A. This provides an entry and exit point for residential parking, a retail entry and exit point for retail parking and access to the ground floor loading dock.

The southerly access point is located along the southern boundary accessing the basement below Tower D. This also serves to access the ground floor loading dock in this location, which also serves as an exit point.

### 3.6 Apartment size and layout

The attached plans provide for a range of apartment sizes and layouts in accordance with the objectives of the ADG. The yield breakdown includes:

- 558 units, including:
  - 97 one bedroom units (17%);
  - 415 two bedroom units (74%); and

- 46 three bedroom units (8%).
- 112 silver level liveable housing
- 56 adaptable units
- 52,683.6sq.m of residential floorspace

In terms of the performance of apartments against the key solar and cross ventilation of the ADG, the following is noted:

ADG- Objective	% of Apartments	Description	Required	Proposed	Compliance
Objective 4A-1 -1 Solar and daylight access Solar access	70%	70% of apartments should receive 2hrs between 9am & 3pm, 21 June	391 of 558	406 of 558 (72.76%)	Yes
Objective 4B-3 -1 Natural Ventilation Minimum cross ventilated	60%	60% of apartments should be naturally cross ventilated (total no. of units in the first nine (9) storeys)	230 of 382 (first 9 storeys)	238 of 382 (62.3%)	Yes
Objective 4A-1 -3 Solar and daylight access No direct sunlight	15%	15% of apartments receive no direct sunlight between 9am & 3pm, 21 June (maximum)	84 of 558	31 of 558 (5.56%)	Yes

**Table 4:** ADG Apartment Performance – Summary

### 3.7 Landscape Design

The concept for the site seeks to deliver significant areas of communal and publicly accessible open space and pedestrian areas in support of the vision for the site to create a people friendly mixed-use destination. The existing use on the site, being a factory outlet, occupies a significant portion of the site with little regard for pedestrian space. While a mixed-use development would usually provide open spaces for residents, the proposed concept proposes areas of communal space as well as private communal spaces for residents. This is considered to be a major factor in creating a sustainable and vibrant mixed-use development that complements the growth of the Campbelltown CBD.

While the ultimate concept will provide a civic open space and community building and kiosk, this part of the development will be subject to a separate application. Therefore, the landscape strategy associated with the subject application focuses on the rooftop (podium and tower) communal open space areas rather than the ground floor civic spaces. The application proposes communal open spaces in the following locations:

Location		Amount (sq.m)
Level	Building	
1	C, D & E	1973.88 sq.m
2	A&B	694.75 sq.m
4	A&B	509.32 sq.m
12	A	741.76 sq.m
12	B	1059.62 sq.m
13	E	843.97 sq.m



14	D	552.24 sq.m
15	C	734.36 sq.m
<b>Total</b>		<b>7,109.90 sq.m</b>

**Table 5:** Communal open spaces

A Landscape Plan has been prepared by Sturt Noble Associates and is attached. It provides a landscape design for each communal open space area, including species of trees and planting, hard and soft landscaping, breakout and play areas, and general design features. The extract below is taken from the landscape plan and illustrates the level 2 podium between buildings A and B.



**Figure 5:** Level 2 communal open space (buildings A & B)

### 3.8 Materials and Finishes

The proposed building is designed to reinforce its location and typology through the proposed materials, textures and colour palette. The colours, materials and articulation of façade language will be complementary to the surrounding streetscape in this area. The proposed development will improve the streetscape and provide a gateway development of a high architectural standard, which set a good architectural element for future development in the locality and other infill type developments along Queen Street.

A material and colour palette is included in the architectural design set at D08.01.01, and indicated on the elevations from D02.01-01 to D02.08-05.

## 4. Strategic Context

### 4.1 Strategic Planning Documents

This section considers the strategic planning framework relevant to the subject site, including State and local plans and strategies. The strategic context is considered having regard to the mixed-use zoning of the site and a development that seeks to deliver new housing, commercial and retail development and community open space within a key gateway site to the centre of Campbelltown.

#### 4.1.1 *A Metropolis of Three Cities – The Greater Sydney Region Plan*

In March 2018, the NSW Government published *A Metropolis of Three Cities – The Greater Sydney Region Plan* (The Plan). The Plan is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. This is consistent with the 10 Directions in *Directions for a Greater Sydney* which establish the aspirations for the region over the next 40 years and are a core component of the vision and a measure of the Plan's performance.

To meet the needs of a growing and changing population the vision seeks to transform Greater Sydney into a metropolis of three cities:

- the Western Parkland City
- the Central River City
- the Eastern Harbour City.

The site is located in the Western City District. Campbelltown is designated as a “metropolitan centre” in the Plan.

The Plan projects the population of Greater Sydney to grow to 8 million over the next 40 years, half of which will reside west of Parramatta. The Plan seeks to rebalance the economic and social opportunities and leverage that growth and deliver the benefits more equitable across Greater Sydney. The goals are for:

- residents to have quick and easy access to jobs and essential services;
- housing supply and choice to increase and meet the growing and changing needs of the community;
- the environment and precious resources to be protected; and
- Infrastructure to be sequenced to support growth and to be delivered concurrently with new homes and jobs.

The Plan sets out a new urban corridor for land release areas from Greater Macarthur in the south-west through Bringelly and Penrith in the west to Rouse Hill in the north-west. The Plan also envisages infill development and urban renewal to play an important role in delivering growth balanced with local character. This development proposal is for the renewal of a site that will improve amenity and enhance local character.

The Western Parkland City will be established on the strength of the new international Western Sydney Airport at Badgerys Creek. It will be a polycentric city capitalising on the established centres of Liverpool, Greater Penrith and Campbelltown-Macarthur.

The population of the Western Parkland City is projected to grow from 740,000 in 2016 to 1.1 million by 2036, and to well over 1.5 million by 2056.

The city will be established on the strength of the new international Western Sydney Airport and Badgerys Creek Aerotropolis. It will be a polycentric city capitalising on the established centres of Liverpool, Greater Penrith and Campbelltown-Macarthur. New city-shaping transport and the airport will make the city the most connected place in Australia.

A Western Economic Corridor will attract globally significant defence and aerospace activities and contribute to a strong trade, freight, logistics, advanced manufacturing, health, education and science economy. This will produce knowledge-intensive jobs close to areas of high population growth and drive the development of the corridor and the metropolitan cluster.

To achieve the objectives for the Western Parkland City, the plan includes 10 directions and 40 objectives, supporting actions and priorities for each “City”.

To improve liveability, The Plan seeks to create new great places, with well-connected communities which have access to a range of jobs and services, starting with public places, open spaces and transit-oriented developments. The development application seeks to create and facilitate a range of jobs and services, and a large open space and main street accessible to the public. The new community will sit within an area and development outcome that encourages and supports the development of social connections, which will bring vibrancy and activation and improve liveability.

The proposal will facilitate the provision of additional housing while balancing this with high standards of amenity and design. The site is close to existing public transport and jobs and will support the growth of Campbelltown as a ‘Metropolitan Centre’, being the only true B4 Mixed Use site within the Campbelltown Precinct capable of supporting the vision.

The actions of the Greater Sydney Region Plan will be realised through the development application.

#### **4.1.2 Western City District Plan**

The Greater Sydney Commission released the Western Cities District Plans in March 2018. The Plan seeks to manage Sydney’s growth to 2056. The goal of the Plan is to “*have well-coordinated, integrated and effective planning for land use, transport and infrastructure*”. The District Plan provides the means by which the Greater Sydney Region Plan can be put into action at the local level.

The Plan sets a 0-5 year housing target for the District of 39,850, with 6,800 of these new dwellings targeted to be built in Campbelltown. These are minimum targets and largely reflect delivery potential under current planning controls. In addition, the 20-year strategic target is 184,500 additional dwellings. The proposal will facilitate additional housing and take advantage of the opportunities presented by the site’s strategic location.

#### **4.1.3 Campbelltown Precinct Land Use and Infrastructure Study**

The Campbelltown Precinct Land Use and Infrastructure Study (DPE, November 2017) sets a vision for the future vision of the Campbelltown precinct.



The Study identifies the site for future mixed use, as per the current zone. The subject site and the adjoining Warby's Barn and stables and nursery are the only lots within the Precinct that are identified for "Mixed Use Retail and Residential". The development proposal supports the future mix use development of the site in accordance with the state strategic planning framework.

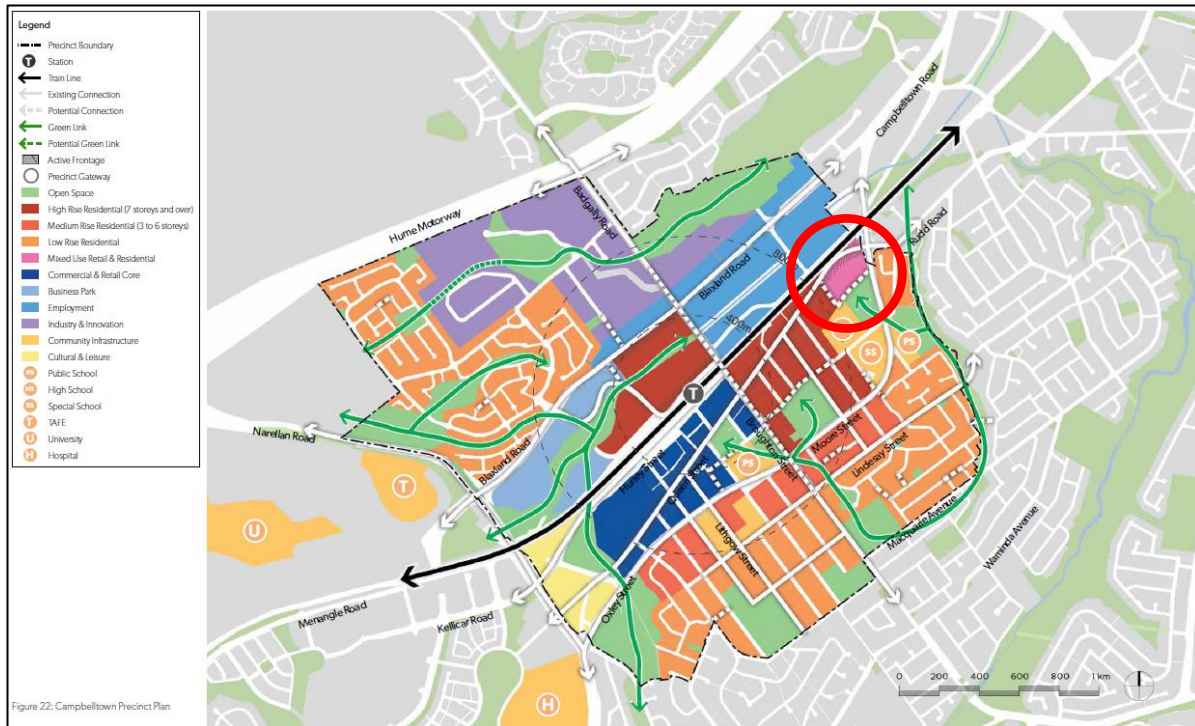


Figure 6: Campbelltown Precinct Plan

There are five goals in the *Campbelltown Precinct Land Use and Infrastructure Study*. These are:

1. Jobs

- A revitalised and activated Queen Street will deliver a significant amount of retail and commercial jobs with high levels of amenity and access to public transport.
- A new prestige campus-style office park with access to the station, Hume Highway, TAFE and University of Western Sydney will facilitate business clustering and expansion of Campbelltown’s knowledge economy in the medicine/health, education and administration sectors.

The proposal will facilitate the revitalisation of Queen Street, with a viable and appropriate amount of retail and commercial floor space, with high amenity, close to public transport and walking distance to the heart of the CBD. The site is currently dilapidated with a mostly vacant building with few amenities with little hope or incentive for re-tenanting in its current state. Furthermore, the proposal provides a central “eat street” activated main road along the former heritage road alignment.

2. Movement Network

- Promote cycling and walking by providing new shared pathways, separated cycleways, footpaths, pedestrian refuges, bicycle storage facilities and lighting.
- Introduce new regional and local cycle routes and walking connections to improve links with Campbelltown Station and the surrounding area.

- Improve linkages to and through the City Centre through a high quality public domain connecting the revitalised commercial and retail core, Queen Street, Campbelltown Mall and Council chambers.
- Improve east west connections by investigating a potential future pedestrian, cycle and public transport link between Badgally Road and Broughton Road.

The proposal includes the potential for a cycleway and is within 850m of Campbelltown Railway Station and on a high-frequency bus route.

### 3. Housing

- Provide a variety of housing types within walking distance of the station to cater for all members of the community.

The predominant form of housing in the Campbelltown LGA is detached single dwelling housing. The development proposal seeks to improve the housing mix within walking distance of the station.

### 4. Open Space and Public Domain

- Enhance the activity around Campbelltown Station and Queen Street with pedestrian friendly streets, outdoor dining, street tree planting, inviting public gathering spaces and attractive street furniture.
- Establish a quality open space and public domain network that provides better linkages to and upgrades of existing open spaces.
- Promote connections to ecological corridors within the precinct and broader area, including through Bradbury Park and Fishers Ghost Reserve.
- Investigate opportunities to review underutilised open space to contribute towards recreational outcomes.
- Strengthen community and cultural facilities, including a new district level multi-purpose community facility and expanded central library servicing Campbelltown and Macarthur.
- Longer term provision of a new primary school servicing the area.

The site is located on the key corner of Queen Street and so is an opportunity to present as a gateway to Campbelltown. The proposal identifies view alignments and nodal points for locating gateway structures. The public domain around this end of Queen Street is currently unappealing. The proposal seeks to improve the public domain in the area by creating a large publicly accessible park that enhances, respects and links to the state heritage site and includes a proposal for a tree-lined “eat street”. The public domain improvements will increase passive surveillance and be attractive and inviting to the public.

### 5. Built Form

- Provide a range of building heights, with higher rise buildings close to the station to maximise pedestrian activity and access to rail and bus services and increase trade for local businesses.
- Retain the existing character of areas east of Lindesay Street, with a mixture of detached dwellings, townhouses and terraces.
- Large floor plate, campus style office park west of the station.

The development proposal facilitates a built form with a range of heights and identifies as a destination, maximising pedestrian activity in close proximity to a railway station and bus stops. On this basis it supports the Precinct Land use and Infrastructure Study.

#### **4.1.4 Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area**

The Department of Planning and Environment has prepared the Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area which incorporates the Glenfield to Macarthur Urban Renewal Corridor and the land release precincts to the south of Campbelltown. The interim Plan sets out the strategic planning framework for the area.

The draft Greater Macarthur 2040 and Special Infrastructure Contributions Plan were on public exhibition from November 2018 until February 2019. The Department of Planning and Environment declared Greater Macarthur as a Growth Area in 2019, through an amendment to the SEPP (Sydney Region Growth Centres (2006)) to identify the Greater Macarthur Growth Area.

In terms of Campbelltown, the Interim Plan in relation to “place” provides the following goals:

- Provide a range of building heights, with high rise buildings close to the station to maximise pedestrian activity and increase trade for local businesses.
- Retain the character of areas east of Lindesay Street, with a mixture of detached dwellings, townhouses and terraces.
- Plan for a large floorplate, campus-style office park west of the station.

The site is nominated for mixed use under the Greater Macarthur Structure Plan (urban renewal areas) Map, however the interim Plan does not propose building heights for the Campbelltown CBD. The development application achieves the objectives and desired outcomes of the interim Plan, supporting the provision of housing, activated streets and pedestrian activity, and open space and community amenity.

#### **4.1.5 Re-Imagining Campbelltown CBD**

Re-imagining Campbelltown CBD (Campbelltown City Council, Draft, March 2018) sets the community’s vision for the future of the Campbelltown CBD to create “*a Metropolitan CBD, a leading centre of health services, medical research and med-tech activity.*” The city would be designed for “*ambition, innovation and opportunity.*”

If the Campbelltown and the Macarthur region is to thrive it must pivot from a suburban model of growth towards an urban model of development. Reducing development on the urban fringe, providing a greater diversity of housing and transport choice, and shifting town centres out of shopping centres and into public spaces that are more diverse, clustered and innovative.

*Re-imagining Campbelltown CBD* points out that the Macarthur region will likely need to accommodate an additional 530,000 people over the next 25 to 30 years. A “business as usual” response would require around 200km<sup>2</sup> of land for single-detached dwellings to accommodate an additional 153,000 dwellings at a typical suburban density. It also points out that there is a lack of housing choice, a local jobs deficit, a reliance on the road network for connectivity, it is prone to chronic health issues, and at risk of heatwave conditions.

In addition, *Re-Imagining Campbelltown CBD* sets the following complementary growth principles and commitments:

#### Environment

- Deliver high quality and diverse open space experiences
- Lead the delivery of low resource, low carbon solutions for Campbelltown
- Be visionary and tactical in the greening of the urban fabric

#### City and Bush

- Regenerate, restore and maintain natural ecosystems
- Respect and give life to existing natural, historic and cultural features
- Contribute to measurable improvements to local air and water quality

#### Mobility

- Pioneer the development of human scale urban environments that are decoupled from car dependence and support health and wellbeing.
- Develop the infrastructure and connectivity for Campbelltown to be an accessible southern gateway to the Western City.
- Increase accessibility to local amenities and services

#### Culture

- Ensure adaptability and diversity of built form for innovators, disrupters and entrepreneurs.
- Drive solutions for climate resilient communities, public space and urban infrastructure.
- Deliver design-led excellence for both public and private spaces, including assurance for design outcomes.

#### Economy

- Create and connect clusters of agglomeration and activity that increase and diversify Campbelltown's productivity.
- Leverage industry opportunities from Western Sydney Airport and Badgerys Creek Aerotropolis.
- Plan and manage industrial and urban services land's retention and evolution.

#### Living

- Create inspirational places for all, showcasing culture and the arts.
- Engage with our communities and other stakeholders to deliver lively, healthy, safe and welcoming places that support diverse and inclusive communities.
- Delivery of connected places + healthy communities through a range of active recreational spaces for playing sport.
- Create inclusive communities through housing diversity and innovative affordable rental, housing and living solutions.

Amendment No. 21 to the Campbelltown LEP 2015, being the previous planning proposal process that supported the increase in height and density provision, addressed in detail the alignment of the proposed development outcome with *Re-imagining Campbelltown*. The development application facilitates the development of the site, providing open space experiences, greening of the urban fabric, and delivers a lively, healthy, safe and welcoming place that supports a diverse and inclusive community.

#### **4.1.6 Campbelltown Community Strategic Plan – Campbelltown 2027**

The overarching Community Strategic Plan represents the principal community outcome focussed strategic plan guiding council’s policy initiatives and actions.

The Proposal is considered to be consistent with the relevant outcomes headed accordingly within the Plan:

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

The proposal will provide a revitalised commercial and retail core which will support the growth of a strong local economy. The proposal also supports the possibility of integrating open space and walkable thoroughfares to Queen Street.

#### **4.1.7 Campbelltown Residential Strategy 2014**

The *Campbelltown Residential Strategy* (Campbelltown City Council, 2013) labels the site as “potential development area (mixed use/high density residential)”, with phasing to commence immediately.

The development application seeks to realise the development of the site, with the first phase of the development commencing immediately.

## 5. Environmental Planning Assessment

This section considers the development proposal against the objects of the EP&A Act and provides the planning assessment against the key statutory environmental planning instruments and Development Control Plans relevant to the development. In summary it is considered that the application promotes the orderly and economic use and development of land without resulting in an adverse impact on the environment.

### 5.1 Section 4.15 Heads of Consideration

The following detailed assessment of the proposal is provided and is based on the heads of consideration contained in Section 4.15 of the EP&A Act.

#### *4.15[1] Matters for consideration—general*

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

- [a] the provisions of:
  - [i] any environmental planning instrument, and*
  - [ii] any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority [unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved], and*
  - [iii] any development control plan, and*
  - [iiia] any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
  - [iv] the regulations [to the extent that they prescribe matters for the purposes of this paragraph], and**
- [b] the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- [c] the suitability of the site for the development,*
- [d] any submissions made in accordance with this Act or the regulations,*
- [e] the public interest.*

### 5.2 State Planning Instruments

The proposed development has been prepared having regard to the following State EPI's:

- SEPP (Resilience and Hazards) 2021
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP 65 (Design Quality of Residential Apartment Development)
- SEPP (Planning Systems) 2021

### 5.2.1 SEPP (Resilience and Hazards) 2021

The State Environmental Planning Policy (Resilience and Hazards) 2021 (incorporating the former State Environmental Planning Policy No. 55 - Remediation of Contaminated Lands) establishes State-wide provisions to promote the remediation of contaminated land.

The SEPP requires that a consent authority must not grant consent to a development if it has considered whether a site is contaminated, and if it is, that it is satisfied that the land is suitable (or will be after undergoing remediation) for the proposed use.

A preliminary site investigation is provided. It carried out a detailed inspection of the site and its previous uses. It was noted that a service station was present on the site between 1979 and 1991. The site was noted as being primarily sealed in most areas not built upon.

The report notes that the potential for contamination does exist on the site and that a Phase 2 investigation is appropriate following demolition and prior to development. This will enable a more-detailed characterisation of the soils and groundwater at the site.

The recommendations are that a Hazardous Materials Survey (HMS) is carried out prior to demolition, with any findings managed appropriately to the guidelines. The general scope of the Detailed Site Investigation (DSI) is outlined within the recommendations, to be carried out following demolition.

### 5.2.2 SEPP (Building Sustainability Index: BASIX) 2004

A BASIX certificate has been prepared for the residential component of the proposal.

### 5.2.3 SEPP 65 (Design Quality of Residential Apartment Development)

The Policy sets out nine Design Quality Principles, which provide a guide to achieving good design and the means of evaluating the merit of proposed solutions. An assessment of the proposed residential flat building development, against these design principles is contained in the Design Verification Statement provided by the project architect. Details are also shown on the plans. The primary ADG requirements are summarised below:

Summary of ADG Checklist (Design Criteria only)	
Part 3 Criteria:	
3D-1(1) Communal Open Space is 25% of site area.	<p>Complies. Site Area = 20,465.7m<sup>2</sup></p> <p><u>Provided:</u> 7,109.9sq.m (34.7%) which is a combination of podium and roof top spaces. Specific details are shown on the plans, as noted below:</p> <p><u>Level 1:</u> 1,973.88 sq.m (Towers C, D &amp; E)</p> <p><u>Level 2:</u> 694.75 sq.m (Towers A&amp;B)</p>



	<p><u>Level 4:</u> 509.32 sq.m (Towers A&amp;B)</p> <p><u>Level 12:</u> 741.76 sq.m (Tower A) and</p> <p><u>Level 12:</u> 1059.62 sq.m (Tower B)</p> <p><u>Level 13:</u> 843.97 sq.m (Tower E)</p> <p><u>Level 14:</u> 552.24 sq.m (Tower D)</p> <p><u>Level 15:</u> 734.36 sq.m (Tower C)</p>
3D-1(2) 50% direct sunlight to principal usable part of communal open space area for 2 hours in midwinter	Complies. Most of the COS is north-orientated.
3E-1 Deep soil zones 7% of site area. Min dimensions apply to the following site areas: <650m <sup>2</sup> = nil 650m <sup>2</sup> – 1500m <sup>2</sup> = 3m >1500m <sup>2</sup> = 6m	A min dimension of 6m applies to a site of this size.  4,385.12 m <sup>2</sup> (21.42%) has been proposed as deep soil zone, which complies.
3F-1 Building separations to habitable windows and balconies = 6m, 9m and 12m. Non-habitable = 3m, 4.5m, 6m	Dimensions and separation distances are noted on the plans and elevations.
3J-1 Parking for sites within 800m of railway or light-rail stop in Sydney Metro Area, or on land zoned (or land within 400m of land zoned) B3, Commercial Core or B4 shall meet the minimum requirements of Guide to Traffic Generating Developments or Council’s controls, whichever is less.	N/A. The site is just over 800 metres from the railway station. Parking is established in the DCP for the site.
<b>Part 4 Criteria:</b>	
4A-1(1) Min 70% units receive 2 hours sunlight between 9 and 3 in mid-winter.	Complies. 406 out of 558 units (72.76%) receive 2 hrs of solar access, with illustrations shown on the plans.
4A-1(3) Max 15% apartments receive no sunlight between 9 and 3 in mid-winter.	Complies. 31 out of 558 (5.56%) only receive no sunlight.
4B-3(1) Min 60% units naturally cross ventilated in first 9 storeys	Complies. 238 out of 382 (62.30%) achieve compliance, with illustrations shown on the plans.
4B-3(2) Overall depth of a cross-over or cross-through unit no more than 18m	Cross-over apartments are located on levels 2 and 3 linking Towers A and B.  The overall depth of these apartments is less than 18 metres, being 12 metres to 12.1 metres.
4C-1 Ceiling heights 2.7m habitable rooms 2.4m non-habitable rooms 3.3m ground floor and first floor levels in mixed use developments 1.8m at edge of attic room with a 30 deg minimum ceiling slope	Complies.
4D-1 Min internal floor areas: Studio = 35m <sup>2</sup> 1 bed = 50m <sup>2</sup> 2 bed = 70m <sup>2</sup>	Complies.



3 bed = 90m <sup>2</sup> The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5sq.m each	
4D-2(1) Habitable room depths are no more than 2.5 x ceiling height	Complies.
4D-2(2) In open-plan layouts, max habitable room depth is 8m to window	Complies.
4D-3(1) Master bedrooms have a min area of 10m <sup>2</sup> and other bedrooms 9m <sup>2</sup> (excluding wardrobes)	Complies. All areas noted on the plans.
4D-3(2) Bedrooms have a min dimension of 3m (excluding wardrobes)	Complies.
4D-3(3) Living rooms or combined living/ dining rooms have a min width of: <ul style="list-style-type: none"> <li>• 3.6m for studio and 1 bed units</li> <li>• 4m for 2 &amp; 3 bed units</li> </ul>	Complies.
4D-3(4) Widths of cross-over or cross-through units are at least 4m internally	Complies.
4E-1(1) Balcony areas and dimensions: <ul style="list-style-type: none"> <li>• Studios = 4m<sup>2</sup></li> <li>• 1 bed = 8m<sup>2</sup> and 2m min depth</li> <li>• 2 bed = 10m<sup>2</sup> and 2m min depth</li> <li>• 3+ bed = 12m<sup>2</sup> and 2.4m min depth</li> </ul>	Complies. Areas noted on the plans.
4E-1(2) Ground level of podium units with private open space instead of balcony, must have a min area of 15m <sup>2</sup> and min depth of 3m	Ground floor levels comprise commercial floor space.
4F-1(1) Max 8 apartment entries off a circulation core on a single level	All levels comply. The buildings have two or three lift cores, as required.
4F-1(2) Max 40 units sharing a single lift – for buildings 10 storeys or more	Complies. Multiple lifts are proposed in each tower.
4G-1 Storage is provided as follows: <ul style="list-style-type: none"> <li>• Studios = 4m<sup>3</sup></li> <li>• 1 bed = 6m<sup>3</sup></li> <li>• 2 bed = 8m<sup>3</sup></li> <li>• 3+ bed = 10m<sup>3</sup></li> </ul> Storage is in addition to kitchen, bathroom and bedroom. 50% required storage must be located in the apartment	Areas are noted on the tables within the Plans.

Table 6: ADG Compliance Table

#### 5.2.4 SEPP (Planning Systems) 2021

The State Environmental Planning Policy (Planning Systems) 2021 incorporates the former State Environmental Planning Policy (State and Regional Development) 2011.

There are no substantive provisions which are not captured in the site specific LEP controls now adopted for this land.

### 5.3 Campbelltown LEP 2015

Campbelltown Local Environmental Plan (LEP) 2015 commenced on the 11 December 2015 when it was published on the NSW Government Legislation website.

The table below summarises the Campbelltown LEP 2015 principal development standards that currently apply to the subject site:

Land Zoning	Maximum Building Height	Maximum Floor Space Ratio (FSR)	Heritage
B4 Mixed Use	Part 1.5 metres Part 7 metres Part 42 metres Part 45 metres Part 49 metres Part 52 metres	4.2:1	Adjoins State listed Warby Barn and Stables (the Warby site, Heritage Item I00497)

**Table 7:** Site Development Standards

#### 5.3.1 Zoning

The site is zoned B4 Mixed Use, under which 'residential flat buildings' and 'shop top housing' are permissible with consent. The proposed Development will facilitate the future development of the site for a mixed-use retail, commercial and residential apartment development in accordance with the objectives and provisions of the LEP.

#### B4 Mixed Use

##### 1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage the timely renewal and revitalisation of centres that are undergoing growth or change.
- To create vibrant, active and safe communities and economically sustainable employment centres.
- To provide a focal point for commercial investment, employment opportunities and centre-based living.
- To encourage the development of mixed-use buildings that accommodate a range of uses, including residential uses, and that have high residential amenity and active street frontages.
- To facilitate diverse and vibrant centres and neighbourhoods.
- To achieve an accessible, attractive and safe public domain.

**2 Permitted without consent**

Nil

**3 Permitted with consent**

Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; premises; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Helipads; Home businesses; Home occupations; Hotel or motel accommodation; Information and education facilities; Medical centres; Mortuaries; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Service stations; Serviced apartments; Shop top housing; Signage; Veterinary hospitals

**4 Prohibited**

Any development not specified in item 2 or 3

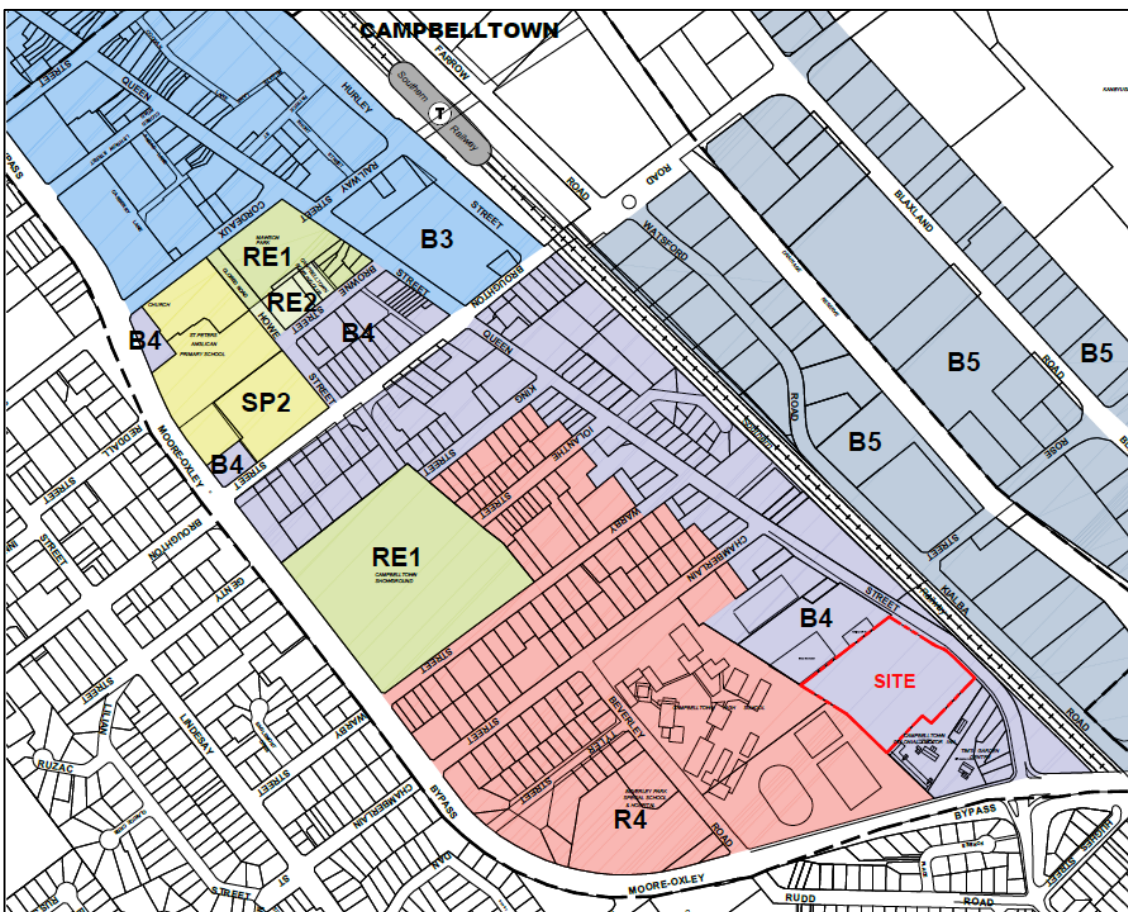


Figure 7: Zoning Map

The proposal is consistent with the objectives of the zone as follows:

- The application will facilitate the redevelopment of a large underutilised site in need of urban renewal and regeneration that does not currently provide a land use that aligns with the objectives of the zone;

- The proposal will support the vision and objectives of the Campbelltown Precinct Land Use and Infrastructure Study, which identifies the site for mixed use development;
- The proposal is consistent with Section 9.1 Direction 1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor and Direction 1.14 Implementation of Greater Macarthur 2040;
- The proposal will facilitate the provision and integration of business, residential, retail and other development in an accessible location;
- The proposal will provide a focal point for the community, not only through the land uses being sought, but also the provision of a main street and civic spaces;
- The proposal will contribute to creating a diverse and vibrant part of the CBD in accordance with the zone and objectives of the Campbelltown Precinct Land Use and Infrastructure Study; and
- The proposal will create accessible, attractive and safe public domain through the creation of new streets and civic spaces.

### 5.3.2 Height of Buildings

The site contains a number of maximum building heights under the Campbelltown LEP 2015. The maximum building heights are identified in the below figure and include the following Part 1.5 metres, Part 7 metres, Part 42 metres, Part 45 metres, Part 49 metres and Part 52 metres.

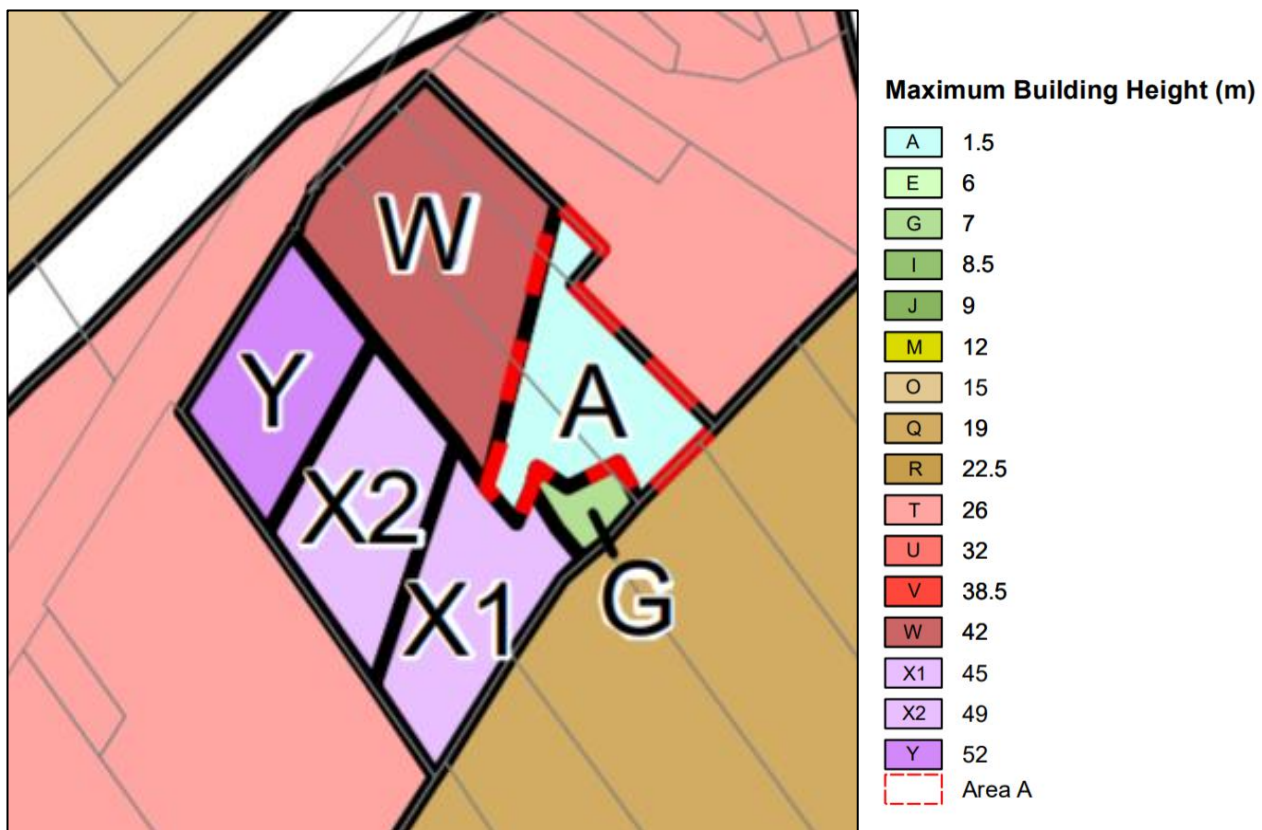


Figure 8: Building Height Map

The building heights have been adopted through a detailed study that informed a Part 3 process to amend the control. Amendment No. 21 to the Campbelltown LEP 2015 adopted the below prescribed heights when the amendment was notified on the Legislation website on 30 June 2021. The previous control was a maximum building height of 26 metres.



The final resolution of the building heights has meant that there is a minor variation to building heights, primarily arising from the roof structures and lift overruns. A Clause 4.6 report (attached) has been prepared justifying the variations. Refer to the attached Clause 4.6 report for details on the maximum heights proposed and variations.

### 5.3.3 Floor Space Ratio

The maximum floor space ratio control for the subject site is 4.2:1. The FSR contemplated by the development application is 3.02:1 and therefore complies with the Campbelltown LEP 2015.

Specifically, the application seeks consent for the following:

- 558 apartments containing 52,683.6 sq.m of GFA (2.57:1);
- 9,494.1 sq.m of non-residential floorspace including retail, restaurants and cafes, and commercial floorspace (0.46:1); and
- A total of 62,177.7 sq.m of floorspace (3.04:1).

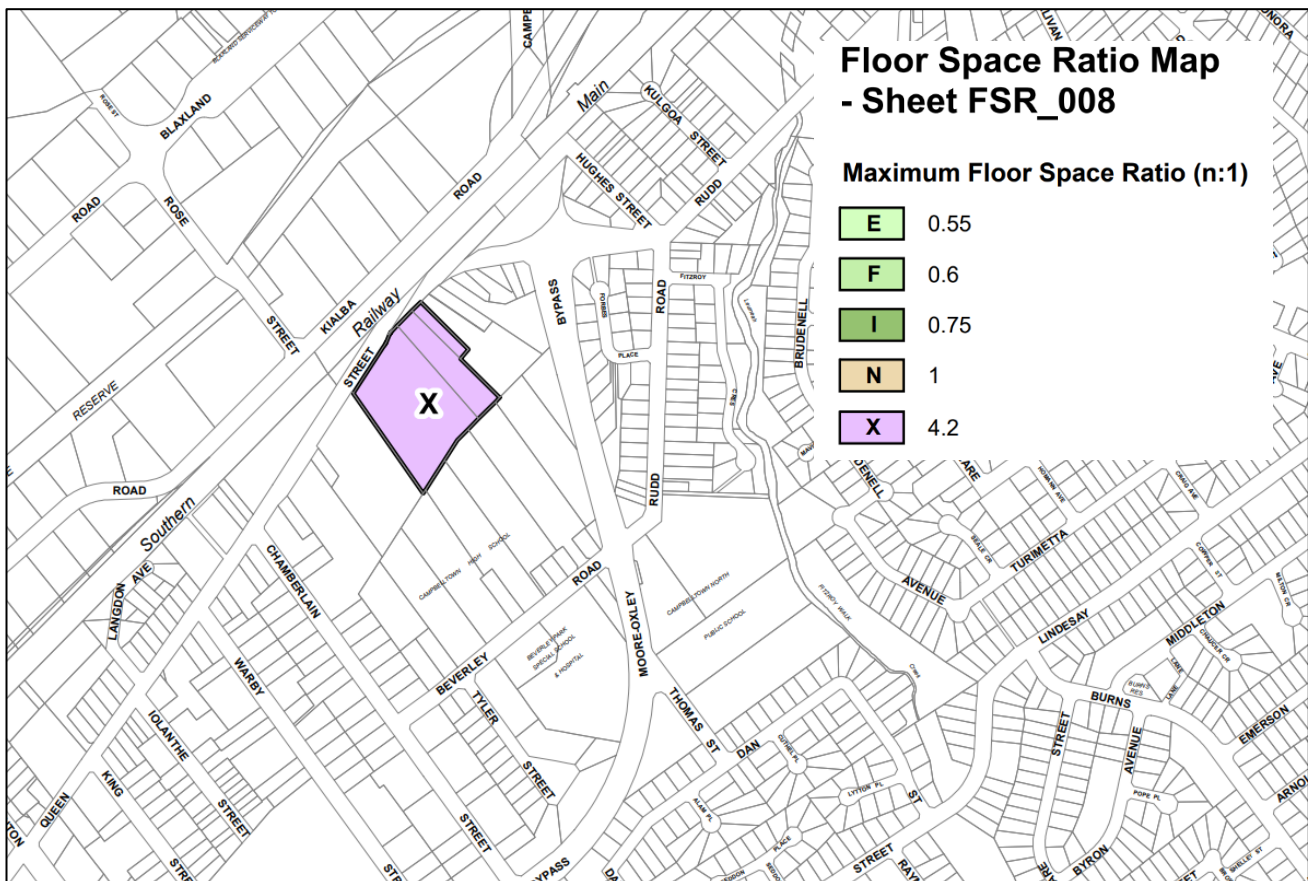


Figure 9: FSR Map

### 5.3.4 Heritage

Clause 5.10 requires assessment of Heritage Conservation.

22-32 Queen Street Campbelltown (the project site) adjoins the heritage item: The Warby Barn and Stables (the Warby site, Heritage Item 00497 on Schedule 5 of Campbelltown LEP 2015) which consists of two sandstone agricultural buildings that once formed part of the larger John Warby Estate. This site is listed on the State Heritage Register and is of considerable historic significance to the history of Campbelltown.

The site and the Heritage Item are shown in the Figure below:

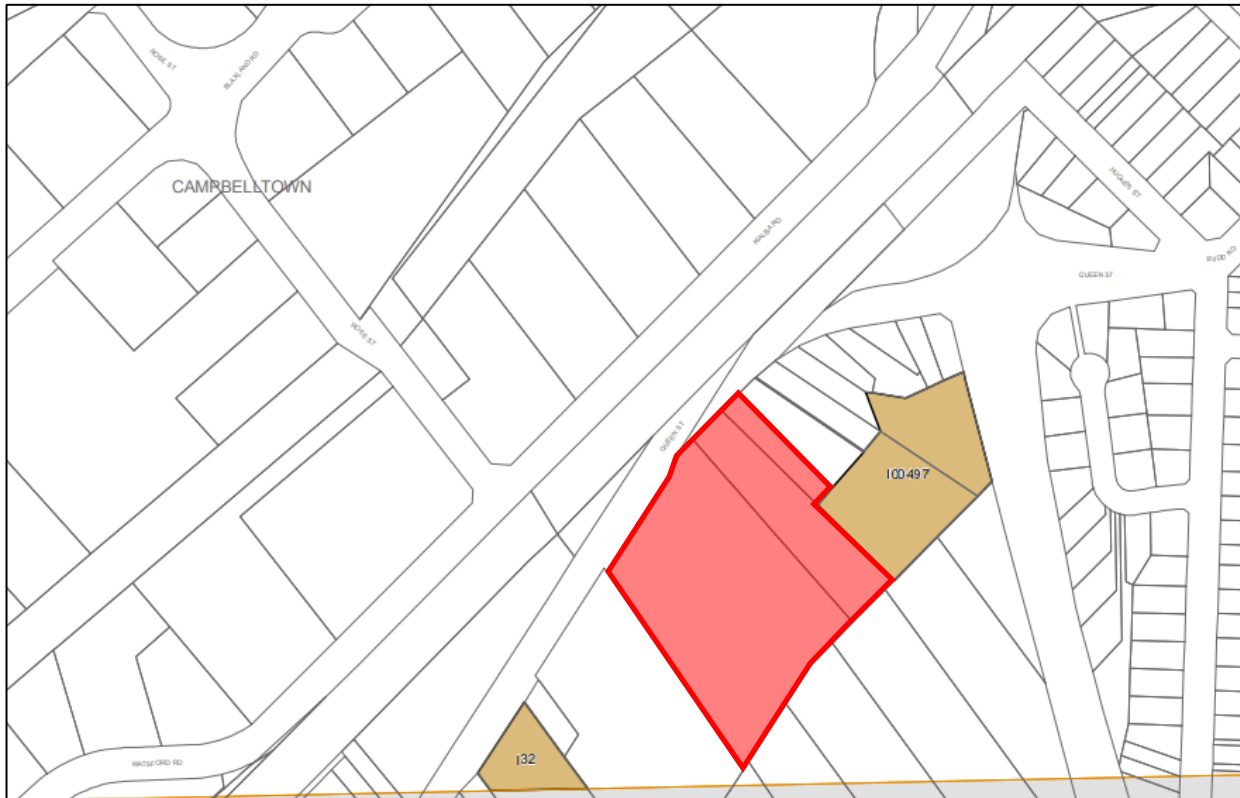


Figure 10: Heritage Map

Established in c.1816, the Warby site once held a homestead (long demolished), eventually known as Leumeah House, which was located in close proximity to the existing historic stables building. With the exception of the existing historic Barn, now part of a motel, there were no other buildings shown on the 1850s map on or in the vicinity of either the subject site or the historic Warby homestead group, Stables and Barn. The site is currently used as the Colonial Motor Inn and a garden centre, with the large wing behind the Barn dating from after 1972.

The figure below shows a close up from 1961 showing the close relationship of the historic homestead to the historic (surviving) Stables, in addition to the separate driveways from Queen Street to the historic Barn. The historic Barn was introduced between 1946 and 1956.



**Figure 11:** 1961 aerial view of the Warby homestead, Stables and Barn (source: GBA Heritage Peer Review)



**Photo 4 -** Former Warby homestead (Leumeah House) (source: GBA Heritage Peer Review)

Considerable work has been done on the heritage interface with the proposed development. This has resulted in a series of setbacks creating an area of open space and larger setbacks towards the north and the north-east. This has informed the DCP controls for the site, which comply.

### 5.3.5 Additional LEP Provisions

Assessment Criteria	Comment	Compliance
Clause 2.7 Demolition Requires Consent	Consent for the demolition of existing structures was issued on 10 March 2021 under application DA/1817/2020.	Yes
Clause 7.1 Earthworks	All earthworks are ancillary to the overall development	Yes
Clause 7.3 Riparian land and watercourses	The site is not identified on the <i>LEP Riparian Lands and Watercourses Map</i> .	N/A
Clause 7.4 Salinity	The subject site has been identified as containing moderate potential for Saline Soils. This has been studied in the geotechnical assessment attached to this application. It can be managed subject to appropriate recommendations.	N/A
Clause 7.7 Considerations for Development on Environmentally Constrained Land	The subject site is not identified as being environmentally constrained land under the Campbelltown LEP 2015 Environmental Constraints Map.	N/A
Clause 7.9 Mixed Use development in Zone B3 and Zone B4	The objective of this Clause is to “ <i>promote employment opportunities and mixed-use development in Zone B3 Commercial Core and Zone B4 Mixed Use</i> ”. The subject site is zoned B4 Mixed Use and therefore this clause applies.  In accordance with subclause (3) the proposal incorporates active street frontages and non-residential uses at ground level. The proposal complies with this clause.	Yes
Clause 7.10 Essential Services  (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation,	All services are currently available to the site and verification of capacity will be provided as part of the approvals process.  Traffic and Stormwater access is also available to the site, as required, and addressed in the specialist reports for each.	Yes



<p>(e) suitable road and vehicular access,                  (f) telecommunication services,                  (g) the supply of natural gas.</p>		
<p>Clause 7.13                  Design Excellence</p> <p>(d) how the development addresses the following matters—</p> <p>(i) the suitability of the land for development,                  (ii) existing and proposed uses,                  (iii) heritage issues and streetscape constraints,                  (iv) bulk, massing and modulation of buildings,                  (v) street frontage heights,                  (vi) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,                  (vii) the achievement of the principles of ecologically sustainable development,                  (viii) pedestrian, cycle, vehicular and service access, circulation and requirements,                  (ix) the impact on, and any proposed improvements to, the public domain,                  (x) the interface with the public domain,                  (xi) the quality and integration of landscape design.</p>	<p>Design excellence provisions apply. This will be assessed as part of the application.</p> <p>The peer review of the heritage report also can be considered in this review, given it supports the general building forms and the detailed design of the proposal.</p>	<p>Yes</p>
<p>Clause 7.18                  Restrictions on access to or from public roads</p>	<p>Additional access is proposed onto Queen Street. This is part of an integrated design for the site and is addressed by the Traffic Assessment attached to the report.</p> <p>The access is directly from the site to the public road and is at a location that is safe and appropriate. The impact on traffic flows is outlined in the Traffic Assessment and is appropriate for the street and its capacity, subject to recommendations.</p>	<p>Yes</p>
<p>Clause 7.20                  Terrestrial Biodiversity</p>	<p>The site is not identified as containing any biodiversity value under the LEP Terrestrial Biodiversity Map.</p>	<p>N/A</p>

Clause 7.25 Concurrence of Planning Secretary – 22, 24 and 32 Queen Street	The DCP has been prepared in accordance with this clause. Concurrence is required and will generally consider the issues relating to design excellence.	Yes Concurrence required
Clause 7.26 Exception to maximum height of buildings – 22, 24 and 32 Queen Street	Permissible height breaches are possible, however do not negate the need for a Clause 4.6 assessment to justify the encroachment of minor portions of the roof form and roof features.	Yes Refer to attached Clause 4.6 Request

**Table 8:** Additional LEP Provisions

## 5.4 Campbelltown (Sustainable City) DCP 2015

The site is subject to site specific DCP controls, contained in Part 14 of the DCP and applying to 22-32 Queen Street Campbelltown.

Campbelltown (Sustainable City) DCP 2015 Volume 1: Development Controls for All Types of Development		
Assessment Criteria	Comment	Compliance
Part 2: Requirements for all types of development		
2.2 Site analysis	Provided in the plans	Yes
2.3 Views and Vistas	The primary visual linkage is to the adjoining heritage item, Warby's Barn, located at the north-eastern corner of the site. The overall site design has been prepared having regard to this connection. No buildings have been located at this corner of the site, preserving a sense of separation and creating visual connections from new development towards the heritage item.	Yes
2.4 Sustainable building design	A BASIX certificate is attached outlining the initiatives for sustainability.	Yes
2.5 Landscaping 2.6 Weed Management	A landscaping plan is attached.  The overall concept aims to present open space and landscaping towards the NE corner of the site (open space not included in this application). Common open space areas are included at different levels of the buildings and on the roof tops.  Species selection and management plans will support weed management initiatives and plant maintenance.	Yes
2.7 Erosion and Sediment Control	Erosion and sediment control plans are submitted with the application. This matter has also been addressed in demolition plans and all construction management documentation.	Yes

2.8 Cut, Fill and Floor Levels	Details submitted in the plans.	Yes
2.9 Demolition	Consent for the demolition of existing structures was issued on 10 March 2021 under application DA/1817/2020.	Yes
2.10 Water Cycle Management	Stormwater plans are provided with the application. It has been prepared having regard to council's policies and requirements.	Yes
2.11 Heritage Conservation	Heritage has been well documented and is addressed in the attached Heritage Report.	Yes
2.12 Retaining Walls	Walls and basement areas are shown on the plans.	Yes
2.13 Security	CPTED principles are addressed in the site-specific DCP controls (later in this report) and a specific CPTED report is provided.	Yes
2.14 Risk Management	No significant natural or environmental constraints exist on the site. Appropriate studies are attached to manage soils and water discharge from the site.	Yes
2.15 Waste Management	A waste management plan is attached to the proposal. Waste and recycling areas are shown on the plans, with storage requirements noted.  Detailed calculations and storage capacity are illustrated in the report and on the plans.	Yes
2.16 Provision of Services	All essential services are available to the site and will be augmented as necessary.	Yes
2.21 Acoustic Privacy	An acoustic report is attached to the application detailing initiatives which assist in mitigating negative impacts.	Yes
<b>Part 2 Site Specific Requirements (Part 14)</b>		
14.1 Application	This Development Control Plan (DCP) applies to land at 22-32 Queen Street, Campbelltown	Noted
14.2 Vision and Development Objectives	A masterplan has been prepared for the site, which is the evolution of the Planning Proposal process finalised in 2021. The building footprints and proposed forms are consistent with the masterplan.	Yes
14.3 Development Objectives and Controls	The buildings are generally as per the masterplan, with some minor modifications that result from the natural resolution of the overall design. This resolution is usual as the SEPP 65 separation distances and internal designs are finalised.  The middle building along the southern boundary (Tower D) has a slightly different	Addressed in application

	<p>footprint than the masterplan. It is massed slightly more towards the south enabling the length towards the north to be reduced, which enables enhanced views towards the northeast from more dwellings within the property. It also increases building separation between the building towards the northern boundary.</p>	
<p><b>14.3.2 Building Separation and Setbacks</b></p> <p>1 Building setbacks should be provided in accordance with Table 14.1 and Figure 14.4, generally comprising:</p> <ul style="list-style-type: none"> <li>• A minimum 9 metre setback to the boundary with the heritage listed Warby’s barn and stable and minimum tower setback of 15 metres;</li> <li>• A minimum podium setback of 5 metres and tower setback of 8 metres to Queen Street;</li> <li>• A minimum separation of buildings facilitated by the main ‘eat street’ of 18 metres;</li> </ul> <p>2 Building separations are to be in accordance with the Apartment Design Guide and generally in accordance with Figure 14.4.</p>	<p>Building separations and setbacks are shown on the plans and on the elevations. These accord with the DCP controls, and larger ground level podium setbacks have been proposed to Queen Street, which is proposed at 6m (as per Figure 14.6 in the DCP).</p> <p>Building separations are generally in accordance with the DCP, as refined by the natural resolution of the building design.</p>	<p>Yes</p> <p>Where minor inconsistencies occur this is addressed in the application.</p>
<p><b>14.3.3 Maximum Building Heights</b></p> <p>1 Development must be consistent with the number of storeys identified in Figure 14.5.</p> <p>2 The maximum height for any building is 15 storeys.</p> <p>3 The retail/commercial level height should be a minimum of 5 metres in height.</p>	<p>The proposed buildings are in accordance with the number of storeys outlined in the DCP.</p> <p>A variation in height is proposed due to the activation of the roof terraces and lift overruns. Minor variations to the building forms are requested at certain points within the proposal.</p>	<p>Yes</p>
<p><b>14.3.4 Queen Street Interface</b></p> <p>1 Building setbacks to Queen Street should be provided in accordance with Figure 14.6 below, including:</p> <ul style="list-style-type: none"> <li>• A minimum podium setback of 5 metres;</li> <li>• A minimum ground floor setback of 6 metres; and</li> </ul>	<p>The setbacks comply with these controls, as shown on the plans.</p>	<p>Yes</p>

<ul style="list-style-type: none"> <li>• A minimum tower setback of 8 metres.</li> </ul>		
<p>14.3.5 Streetscape and Site Connectivity</p>	<p>New pedestrian connections are to be activated through the site, as per Figure 14.7. This is assisted by the appropriate activation of ground floor retail uses and the “eat street” vision proposed for the site.</p>	<p>Yes</p>
<p>14.3.6 Heritage Interface</p> <ol style="list-style-type: none"> <li>1 Respond to the axes of the Warby site (the configuration of the buildings and the entry drive).</li> <li>2 Respond to the alignment of the historic entry drive to the west and interpret this early drive in the internal road alignments/access ways in the Project site.</li> <li>3 Introduce a lower scale and open space along the Warby site property boundary.</li> <li>4 Concentrate taller buildings to the west and north, away from the Warby site and out of the principal view lines from the northeast.</li> <li>5 Integrate pedestrian access and landscaping into the heritage transition zone/ setback.</li> <li>6 Avoid visually overwhelming the Warby site by stepping away the massing of the new development from the shared property boundary.</li> <li>7 Avoid locating “back of house” services and carpark entries within the transition zone between the Warby site and the Project site.</li> </ol>	<p>The setbacks to the heritage precinct all comply with the DCP controls. The proposed development has been designed having regard to these controls, to ensure an appropriate interface between the two sites and supporting these desired outcomes.</p>	<p>Yes</p>
<p>14.3.7 Landscaping and Public Open Space</p> <ol style="list-style-type: none"> <li>1 Public open space is to be provided as identified by Figure 14.10 to a minimum of 4,000sq.m.</li> <li>2 A public domain plan is to be prepared and submitted to Council with a development application for the construction of public open space that illustrates the context, role and purpose of open space elements.</li> </ol>	<p>Landscaping and Public Open Space is to be the subject of a future development application. This will enable appropriate detail and connectivity to be provided. The child care centre will also be a part of a future application.</p>	<p>N/A</p>

<p>3 50% of the civic plaza is to receive a minimum of 3 hour direct solar access between 9 am and 2pm on 21 June.</p> <p>4 Public art should be incorporated into the design of the open space adjacent to the Warby barn and stables site that reinforces the significance of the heritage landscape.</p> <p>5 Maintain public access to the civic plaza.</p> <p>6 To ensure the civic/social infrastructure building is designed to respond to the public open space ensuring that the building does not undermine the integrity of the space and public access.</p> <p>7 Should social infrastructure uses such as child care be included, the design and interface is to be carefully considered to ensure the safety and protection of children and public access and usability of the open space.</p>		
<p>14.3.8 Circulation and Access</p> <p>1 Pedestrian linkages are to be secured and enhanced between Queen Street and the current high school grounds (future open space under the Campbelltown Precinct Plan); between the new civic plaza space and the heritage listed Warby’s barn and stables; and between the civic plaza and the high school.</p> <p>2 Vehicular circulation is to be in an anti-clockwise direction as indicated in Figure 14.11.</p> <p>3 Car parking and bicycle spaces are to be provided in accordance with the rates set out in table 14.2 below.</p> <p>4 Where possible, driveway crossovers should be limited to two cross-over for residential cars, and two for service vehicles across the development.</p> <p>5 There is to be no provision made for loading bays on the main street or Queen Street.</p> <p>6 Adequate ‘end-of-trip’ facilities are to be provided, including a change room</p>	<p>Pedestrian and vehicular access is provided throughout the site and shown on the plans. Parking and loading zones are located within the site and away from the Queen Street interface.</p> <p>Parking rates are outlined on the plans and supported by the Traffic and Parking Assessment. The parking provided complies with the minimum rates under the Campbelltown DCP.</p> <p>End of trip facilities are included on basement level 2 adjoining the commercial lobby.</p>	<p>Yes</p>

with showers, to encourage walking and cycling to work by retail and commercial staff.		
14.3.9 Crime Prevention Through Environmental Design (CPTED)	CPTED principles have been fully addressed in the relevant section within the SEE (Part 6). A separate report has also been attached.	Yes

**Table 9:** Campbelltown (Sustainable City) DCP Compliance Table



## 6. Likely Impact of the Development

Section 4.15(c)(1)(b) requires consideration of the likely impact of the development. Detailed impact analysis is set out below.

### 6.1.1 Accessibility

An Access and Adaptability Report has been prepared by Access Mobility Solutions in support of the development application and ensure compliance with relevant legislation and guidelines, including adaptable housing provisions, liveable housing provisions and the Building Code of Australia.

The Report concludes:

*“that the proposed Mixed-Use Development at No 22-32 Queen Street Campbelltown NSW 2560 will meet compliance with the access provisions and all access and adaptability requirements in accordance with the relevant Building Codes, Premises Standards, Australian Standards and Campbelltown City Council’s documents relating to the accessibility in housing and common areas, adaptable and manageable housing for people with disabilities.*

*However, more details are required at Construction Certificate stage outlining the requirements under the relevant Australian Standards for general requirements for disability access as well as Part D3 Access for People with Disabilities, Part E3 Lift Installations, Part F2 – Sanitary and other facilities of the current edition of the Building Code of Australia.*

The above matters will be further considered at Construction Certificate stage.

### 6.1.2 Acoustic and vibration

A noise and vibration assessment has been carried out. It conducted an external assessment of rail and traffic noise and makes recommendations accordingly. Recommendations are also prepared in relation to rail vibration impact. Noise measurements were carried out in accordance with appropriate AS requirements. Both passenger and freight train movements were calculated in the assessment.

Thickened glazing and acoustic seals are the primary mechanism of amelioration, and details are provided in the report. The masonry external walls and roof slabs are already sufficient in terms of performance. Air conditioners are also recommended in units where internal levels cannot be achieved with windows open (to meet Australia Standard 1668.2).

Tactile vibration levels are well below allowable levels, as noted in the assessment.

### 6.1.3 Biodiversity – Arboriculture and tree protection

An arborist’s report has been submitted with the application. This report considers 20 trees, 7 trees within the site and 13 trees in neighbouring properties with Trees 4, 5, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 & 20 to be

retained and protected and Trees A, B, C, 6, 7, 8 & 9 recommended to be removed. Basements and towers have been located away from tree preservation zones, as necessary. The report concludes:

*Seven (7) trees are nominated for removal and replacement with species in accordance with the associated Landscape documentation for the development. The thirteen (13) trees to be preserved will be retained and protected through the implementation of adequate measures for their integration into the development by the application of appropriate technology as detailed in this report. Where appropriate, the Landscape Plan will include planting with new trees including street tree/s.*

Appropriate tree protection measures are contained within the recommendations.

#### 6.1.4 Crime Prevention

The proposed development of the site seeks to provide a high level of casual surveillance and ultimately public safety within the surrounding area. The proposal is activating this locality with the town centre. The proposed redevelopment of the site will activate new streets (“eat street (RW01)” and RW02, and RW03) and bring natural security to all areas.

Crime Prevention through Environmental Design (CPTED) is a recognised model which provides that if development is appropriately designed it can reduce the likelihood of crimes being committed. By introducing CPTED measures within the design of the development, it is anticipated that this will assist in minimising the incidence of crime and contribute to perceptions of increased public safety. A specialist CPTED report has been submitted which provides specific details and illustrations supporting the measures adopted. A brief summary of the broad principles is outlined below:

**Surveillance:** This principle provides effective passive surveillance to public areas. This is achieved by:

- Activation of ground floor level with active commercial frontages;
- Have an active commercial area adjoining the open space;
- Placement of upper-level residential balconies towards the public areas;
- Providing a common open space area in the middle of the site;
- Providing public thoroughfares around the commercial areas within the site;
- Orienting buildings, windows, entrances and exits, car parks, rubbish bins, walkways, landscape trees and shrubs in a manner that will not obstruct opportunities for surveillance of public spaces;
- The placement of activities to maximise surveillance possibilities;
- Provide lighting for illumination of car parks, walkways, entrances, exits and related areas to promote a safe environment.

**Access Control:** This principle provides barriers which attract or restrict the movement of people which, in turn, minimises opportunities for crime and increases the effort required to commit crime. This is achieved by:

- Using footpaths, paved areas, lighting and landscaping to clearly guide the public to and from desired access points;
- Using fences and landscaping to prevent or discourage public access to unmonitored areas, particularly around the car park entry;
- Dedicated and secure lobby and entry areas with clear pathways and signage to entry.

**Territorial Reinforcement:** This principle provides that well-used places reduce opportunities for crime and increase risk to criminals. This is achieved by:

- Clear delineation between the new public streets and footpath verge and the private residential areas through the new footpaths and use of perimeter landscaping works;
- Enhancing the feeling of ownership by reinforcing spaces between buildings, courtyards and private walkways;
- Creating long, clear lines of sight between buildings;
- Design of space to allow for its continued use and intended purpose;
- Use of landscaping and pavement finishes, signage, screening and fences to define and outline ownership of space.

**Space Management:** This principle provides that spaces and activities which are appropriately utilised and well cared for reduces the risk of crime and antisocial behaviour. This is achieved by:

- Orientation entries towards open areas to discourage loitering or blind spots within the site;
- Deliberate allocation of recreational activities and balcony use to enhance surveillance and a sense of place;
- Creation of strong vistas through the site and well viewed courtyards for all areas outside of these strong vistas;
- Strong evidence of commercial entries, balconies, footpaths and long sight-lines within the site and around the entry to the basement.

The amenity, casual surveillance and ultimately public safety and sense of security within the site and surrounding area is appropriate for the proposed use. Refer to specialist report for specific detail.

### 6.1.5 Building and Sustainable Development

A BASIX assessment and a Section J report (Energy Efficiency Deemed-to-Satisfy (DTS) provisions, Volume1, National Construction Code (NCC) 2019 – COMMERCIAL) have been submitted with the application.

The building report makes a full assessment of all aspects of the building and concludes that:

*... such documentation achieves or is capable of full compliance under the specified Section J provisions, and where future proposed design element changes exceed maximum DTS allowance, a JV3 alternative solution pathway for a full NCC Section J compliance assessment must be under taken.*

Civil Engineering works have also been submitted with the suite of overall plans showing the location and scape of civil works.

### 6.1.6 Flooding and Stormwater

A specialist stormwater flood report has been prepared and this is to be read in conjunction with a Water Cycle Management Statement.

The site is affected by the 1% AEP flood. The flood study carried out by Council did not identify the flood risk level of the site. However, because the development ground floor level is above the 1% AEP floor level,

meaning the flood risk is considered 'Medium' for the purpose of this plan. The first-floor level is completely flood free. As such, the specialist reports conclude that the proposed development does not result in an unacceptable increase in risk to human life during an extreme flood event exceeding the 1% AEP.

In relation to overland flow the report concludes the following:

*Based on the results collected from DRAINS model, there is no overflow from the overland flow channel under 1% AEP flow conditions. The system shown on the stormwater drainage plans by SGC is able to cater for the overland runoff from the upstream properties.*

*It is our opinion that the proposed development 22-32 Queen Street, Campbelltown will minimise the impact of upstream runoff by constructing the overland flow path around the development as proposed. The development meets the requirements of Section 9.1 Direction which states that "A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas)".*

### 6.1.7 Geotechnical and Acid Sulphate Soils

A specialist geotechnical report has been prepared for the site. The report notes that the site is appropriate to be developed and that the following issues are the primary considerations:

- Soil salinity;
- Basement excavation and lateral deflections;
- Rock excavation;
- Foundation design for building loads.

Several recommendations are made within the report, which will be integrated into the construction documentation and any condition of consent:

- *Dilapidation surveys;*
- *Classification of all excavated material transported off site;*
- *Witnessing installation of support measures and proof-testing of anchors (if required);*
- *Geotechnical inspections of rock faces during excavation by an experienced geotechnical professional at depth intervals of no greater than 1.5m within high strength bedrock, if vertical cuts;*
- *Geotechnical inspections of all new footings by an experienced geotechnical professional before concrete or steel are placed to verify their bearing capacity and the in-situ nature of the founding strata; and*
- *Ongoing monitoring of groundwater inflows into the bulk excavation if encountered.*

The report did note that the soils were moderately saline to a depth of about 5m from the surface. The recommended soil management plan will address the issues of salinity and erosion (groundwater, surface flows, site drainage, siltation and sedimentation). The presence of salinity is not of a magnitude that it cannot be managed appropriately through construction.

A Preliminary Site Investigation has been prepared and is attached to the application. It is discussed in Section 5 per the provisions of the relevant SEPP. In summary, the report notes that the potential for contamination does exist on the site, particularly given the historic use of the site as a service station. It suggests that a Phase



2 investigation is appropriate following demolition and prior to development. This issue will be managed appropriately as per the Regulations and Guidelines.

### 6.1.8 Heritage

A formal heritage assessment is attached to the application. A heritage peer review (GBA Heritage) has also been presented, which supports the overall proposal in terms of heritage.

The need for a Heritage Assessment and Peer Review arises from the inclusion of the adjoining sites at 12-14 and 18-20 Queen Street, identified as Item 00497, Warby's Barn and Stables, on Schedule 5 of Campbelltown LEP 2015. They are also listed on the NSW State Heritage Register.

The heritage buildings, as viewed from the northern boundary of the subject, are shown in the photo below:



Photo 5 - Former Warby homestead (view from subject site)

The Peer Review report notes:

*Clauses 5.10(4) and (5) require the consent authority to consider the potential for adverse heritage impact on heritage items in the vicinity of a development site. Given the uplift in scale and height of the proposed buildings, the Heritage Peer Review will concentrate on the management of the new buildings*

*in their visual role as a backdrop to the small-scale heritage items that date from the early settlement of Campbelltown.*

Without going over all the established history of this site, the location of the park and building setbacks have been studied exhaustively in the Planning Proposal and the preparation of the DCP controls for the site. A detailed description of the issue has been provided elsewhere in this statement. The overall impact on the heritage item is appropriate within the emerging urban context of the area. The Peer Review endorses the current development project and the interface between the two sites.

### 6.1.9 Solar Analysis and Overshadowing

Solar access has an impact within the site and onto the southern properties. Solar access within the site is managed by the ADG compliance (noted elsewhere in this report) which ensure an appropriate level of amenity within the site. The two northern towers are sited to allow for adequate sunlight into the apartments in the southern towers, during the morning and the afternoon as well as at noon.

The properties to the south currently have low-rise commercial buildings and large on-ground carparking, as shown in the photo below.



Photo 6 – Adjoining southern neighbour (view from Queen Street)

The set of architectural plans include a “view from the sun” which allows the extent of shadow impact to be understood. The separation between towers on the site will enable future development to be designed accordingly for solar compliance.



### 6.1.10 Traffic Impact

A detailed Traffic and Parking assessment has been prepared for the site. Existing site access is via a signalized intersection of the DFO Factory Road and Queen Street. Queen Street is the main link to the railway station and is also a primary bus link serviced by Sydney Buses.

Key findings that arise from the assessment are:

- *SIDRA analysis of the existing peak hour traffic volumes shows that the right turn from Queen Street East to Campbelltown Road north and the through movement from Queen Street east are operating at Level of Service F as a result of existing capacity problems and background traffic growth. These lanes are not affected by development traffic. It is the responsibility of the RMS to upgrade this intersection on a Classified Main Road No 680 to improve the Level of Service and alleviate congestion.*
- *All of the other 5 intersections are providing a satisfactory Level of Service in the AM and PM peak hours with the exception of the left turn from Blaxland Road to Campbelltown Road which is operating at Level of Service E in the future AM peak hour.*
- *4 intersections which have all movements operating at a satisfactory Level of Service under existing peak hour traffic volumes have been modelled under future traffic volumes which include existing peak hour volumes plus development traffic generated by the compliant development.*
- *The provision of a Green Travel Plan will assist in reducing car dependency and offer travel by alternative travel modes such as cycling and walking.*
- *We support this development on Traffic and Parking Grounds.*

The required upgrade to the intersection on Classified Road No. 680 will need to be resolved with the concurrence of the RMS and the Department to ensure an appropriate Level of Service within the context of the redeveloping town centre.

### 6.1.11 Waste Management

An Operational Waste Management Plan is submitted with the proposal. The report summarises the overall proposal, as set out below.

One single waste chute will be installed with access on each residential level of each tower. Residents will wrap or bag their general waste before placing in the chute. The general waste will discharge from the chute into 1100L MGBs on 3-bin linear tracks in the residential waste collection rooms located on basement level 1. A separate cupboard for the storage of 240L MGBs will be provided next to each waste chute on each residential level for the storage of commingled recyclables.

Residential common areas such as lobbies, amenities and circulation areas will be supplied with suitably branded waste and recycling bins wherever considered appropriate. General waste and recycling receptacles should be placed in convenient locations. The building manager will monitor the fullness of these bins and empty into the main collection bins as required.

Loading areas and bulky items storage are shown on the plans.

The report sets out the detailed waste generation estimates for the residential uses and commercial suites and sets out the requirements for bin capacity.

### 6.1.12 Wind Impact

A specialist wind assessment has been prepared for the application. The report makes the following conclusions:

#### Existing Winds

*Existing street level wind conditions in the vicinity of the site could be close to the 16 m/s “walking comfort” criterion for some prevailing wind directions given the orientation of the site and the spacing of upstream shielding afforded to the site, by surrounding buildings and vegetation. It is expected this development will have no impact on streets and other public areas surrounding this development.*

#### Future Wind Environment

*In terms of the future wind environment with the proposed development, the following features of the development are noted as being of most significance:*

- *The winds along the surrounding footpaths should remain at similar levels through implementation of the existing landscaping plan and additional trees where specified.*
- *There may be some potential for wind channelling between buildings.*
- *Downwash winds could be present around the site. Provided awnings should help to mitigate this and are encouraged throughout the design.*
- *Additional wind mitigations are proposed for upper level balconies and upper communal open space areas.*

*Accordingly, it has been predicted that most ground levels wind speeds within public access areas surrounding the development should remain at their present levels or be reduced with the addition of the proposed development and its wind mitigation treatments.*

*The above analysis has been made on the basis of our best engineering judgment and on the experience gained from scale model wind tunnel testing and CFD analysis of a range of developments. The conclusions of this SLR report will be quantified using wind tunnel testing*

## 6.2 Suitability of the Site

Section 4.15(1)(c) requires consideration of the suitability of the site.

### 4.2.1 Proposal fits in the locality

The proposal supports the general vision for the locality, in that the area is being redeveloped as part of an emerging regional centre. The appropriateness of the development has been demonstrated in the recent approval of a planning proposal for the site.

The suitability of the site in terms of satisfying the Design Quality Principles of SEPP 65 is set out in the plans, ADG compliance table. Design Verification Statement attached.

#### 4.2.2 Site attributes conducive to development

The site is appropriate. This proposal generally accords with the primary controls for the development. This is evident in design and supported by specialist reports.

### 6.3 Submissions

The development application will be subject to notification and assessment under Section 4.15(c)(1)(d) of the Act.

### 6.4 The Public Interest

Section 4.15(1)(e) requires the public interest to be considered. At this stage there are no known issues of public interest relevant to this application at this stage. Pursuant to case law of *Ex Gratia P/L v Dungog Council* (NSWLEC 148), the question that needs to be answered is *“Whether the public advantages of the proposed development outweigh the public disadvantages of the proposed development”*.

The assessment of this application needs to give balanced consideration to the benefits of this proposal in the context. Density is an efficient use of newly-zoned urban land around a new centre. New local business and additional services which emerge as a result of population increases will benefit housing affordability. The new commercial and retail uses (and the “eat street” precinct) will be a major benefit to existing and new residents. The impact on the effectiveness of public transport is improved by increased density.

In broad terms, there are no unreasonable impacts that will result from the proposed development and the benefits outweigh any disadvantage and as such the proposed development will have an overall public benefit.

## 7. Conclusion

This application seeks approval for the construction of new residential flat buildings above basement parking, comprising 558 dwellings and ground-floor retail space. Note, consent for the demolition of existing structures was issued on 10 March 2021 under application DA/1817/2020.

The impacts have been outlined and well understood, as set out in the expert reports. The site is capable of being developed in the manner proposed. The proposed buildings generally comply with all relevant controls and provide a strong presentation to all street frontages. There remains a very minor breach in building height, which is addressed in the attached clause 4.6 report, which demonstrates that the impact is minor, and the overall outcome is in the public interest. Internally the site works well, and appropriate separation distances exist.

The project has been prepared having regard to design excellence principles and has a high degree of public access and street activation.

This project will assist in providing units in a future regional centre, providing homes that are close to employment, shops, recreational lands and transport. This represents an appropriate use of urban land within an international city. Early approvals also allow for the injection of private infrastructure to complement the government spending taking place in the broader area.

This project is commended to Council, on this basis.