

APPENDIX C: STATUTORY COMPLIANCE TABLE

Appendix C – Statutory Compliance Table

Statutory Reference	Consideration	Comment
Environmental Protection and Biodiversity Conservation Act 1999		
Section 136 General considerations	(1) <i>In deciding whether or not to approve the taking of an action, and what conditions to attach to an approval, the Minister must consider the following, so far as they are not inconsistent with any other requirement of this Subdivision:</i> (a) <i>matters relevant to any matter protected by a provision of Part 3 that the Minister has decided is a controlling provision for the action;</i> (b) <i>economic and social matters.</i> (2) <i>In considering those matters, the Minister must take into account:</i> (a) <i>The principles of ecologically sustainable development; and</i> (b) <i>The assessment report (if any) relating to the action.</i>	Vegetation removal is not sought under this application. The Site is biodiversity certified and located within 'urban capable' land. It remains consistent with the CPCP in place. Refer to Section 6.1.16
Section 139 Requirements for decisions about threatened species and endangered communities	(1) <i>In deciding whether or not to approve for the purposes of a subsection of section 18 or section 18A the taking of an action, and what conditions to attach to such an approval, the Minister must not act inconsistently with:</i> (a) <i>Australia's obligations under:</i> (i) <i>the Biodiversity Convention; or</i> (ii) <i>the Apia Convention; or</i> (iii) <i>CITES; or</i> (b) <i>a recovery plan or threat abatement plan.</i> (2) <i>If:</i> (a) <i>the Minister is considering whether to approve, for the purposes of a subsection of section 18 or section 18A, the taking of an action, and</i> (b) <i>the action has or will have, or is likely to have, a significant impact on a particular listed threatened species or a particular listed threatened ecological community;</i> <i>the Minister must, in deciding whether to so approve the taking of the action, have regard to any approved conservation advice for the species or community.</i>	Vegetation removal is not sought under this application. The Site is biodiversity certified and located within 'urban capable' land. It remains consistent with the CPCP in place. Refer to Section 4.1 and Section 6.1.16
Biodiversity Conservation Act 2006		
Section 7.9 – Biodiversity	This section applies to development for State significant development and requires any	The Site is biodiversity certified. A Biodiversity Letter has been prepared to demonstrate that

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assessment for State significant development or infrastructure	application to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values. The EIS must include the biodiversity assessment required by the environmental assessment requirements of the Planning Agency Head under the EP&A Act.	the Site remains consistent with the CPCP outcomes and that it will not have any significant impacts on biodiversity values as required within the SEARs issued for the development. Refer to Appendix V .
Environmental Planning and Assessment Act 1979		
Section 1.3 Objects of the Act	Relevant objects of the Act include: (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources. (b) to promote the supply, delivery and maintenance of housing including affordable housing, (e) to promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention, (i) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment. (g) to promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings, (k) to promote the orderly and economic use and development of land.	The proposed development is consistent with the objects of the EP&A Act for the following reasons: - The Proposal provides an important community benefit through the delivery of 120 affordable housing units which will be aimed at very low to moderate income earners within Campbelltown LGA. - The development provides a positive addition to the housing supply within Sydney and more importantly to the diversity of housing stock in the Glenfield Precinct through the delivery of affordable housing. - The development achieves and exceeds the requirements for a 4 star Green Star rating . ESD principles have been integrated as part of the design and operation of the building and outlined further within Section 6.1.15. - The development will provide for employment opportunities during the construction and operational phases of the development. - The development provides for the orderly use of land with the bulk earthworks, road network and other supporting infrastructure having been approved under the previous CDA to enable the Site to be readied for this development.
Section 4.15(1) Evaluation	Relevant matters for consideration include: - The provision of any EPI, draft EPI, DCP, planning agreement and Regulations that apply to the land (clause 4.15(1)(a)). - The significant likely impacts of the development (clause 4.15(1)(b)). - The suitability of the site for the development (clause 4.15(1)(c)) - Any submissions made (clause 4.15(1)(f)) - The public interest (clause 4.15(1)(e)).	Consideration of the matters outlined within the s4.15(1) of the EP&A Act have been addressed within this Statutory Compliance and within Section 7 (clause 4.15(1)(b) to clause 4.15(1)(e)).

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Section 4.24(2) Concept Development Applications	While any consent granted on the determination of a CDA remains in force, the determination of any further DA at the Site cannot be inconsistent with the consent.	The proposed affordable housing development remains consistent with the CDA approval. The development has been designed in accordance with the urban design report approved under the CDA and delivers an anticipated built form outcome over the Site.
Division 4.7 State Significant Development	Under Section 4.38, the consent authority may not grant consent if the development is wholly prohibited by an environmental planning instrument.	The development is consistent with the requirements of State Significant Development under Division 4.7. These provisions largely relate to legislative aspects of the assessment process. The proposed development is not prohibited by any environmental planning instrument and has been considered against the matters for consideration under Section 4.15(1)
Environmental Planning and Assessment Regulation 2021		
Section 26 – Information about affordable housing development	A development application for development to which SEPP (Housing) 2021 applies, must specify the name of the registered community housing provider who will manage the affordable housing	Landcom has undertaken a tender and will appoint the successful CHP shortly. The name of the registered community housing provider will be provided to DPHI once ratified by Landcom. Refer to Appendix G.
Section 35 – Additional requirements for DAs in certain areas	Section 35 outlines additional requirements for DAs in certain areas of Sydney. This includes applications for development consent located within the Glenfield Precinct which are required to be accompanied by an assessment of the consistency of the development with the Glenfield Place Strategy and Glenfield Precinct Structure Plan.	The strategy identifies that higher density developments are to be provided in proximity to Glenfield Railway Station including at the Site. It also identifies a need to provide 5% affordable housing. This application is consistent with these requirements as the development will be delivered as 100% affordable housing in walking distance to Glenfield Railway Station and the future town centre. The Site is located within the 'Station Character Area'. The design intent for the Site includes buildings up to 8 storeys in height which this application is consistent with. Refer to Section 2.2
Part 8 Infrastructure and environmental impact assessment	Part 8, Divisions 2 and 5 of the EP&A Regulation 2021 sets out procedures which relate to the preparation and submission of an EIS. This EIS has been prepared in accordance with Sections 190 and 192 of Division 5 which relate to the form and content of the EIS. Similarly, the EIS has addressed the principles of ecologically sustainable development through the precautionary principle, which assesses the threats of any serious and irreversible environmental damage within Section 6.1.15 .	This EIS has been prepared in accordance with the requirements of Part 8, Division 2 and 5 of the EP&A Regulations. It has also been prepared having regard to DPHI's State Significant Development Guidelines.

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State Environmental Planning Policy (Biodiversity and Conservation) 2021		
Chapter 2 – Koala habitat protection 2021		
4.8 Development assessment process	The council's determination of a DA must be consistent with the approved koala plan of management that applies to the land.	Campbelltown City Council has an approved Koala Plan of Management (2018) which applies to the Site. Vegetation removal is not proposed under this application and therefore there is no change to the consistency with the adopted Koala PoM.
Chapter 6 – Water Catchments, Part 6.1 Preliminary		
6.1	Land Application	This Chapter applies to the Site being located within the Georges River Catchment.
Chapter 6 – Water Catchments, Part 6.2 Development in Regulated Catchments		
6.6 - Water quality and quantity	Prior to granting development consent, the consent authority must consider: (a) whether the development will have a neutral or beneficial effect on the quality of water entering a waterway, (b) whether the development will have an adverse impact on water flow in a natural waterbody, (c) whether the development will increase the amount of stormwater run-off from a site, (d) whether the development will incorporate on-site stormwater retention, infiltration or reuse, (e) the impact of the development on the level and quality of the water table, (f) the cumulative environmental impact of the development on the regulated catchment, (g) whether the development makes adequate provision to protect the quality and quantity of ground water.	The development will have a neutral or beneficial effect on the quality of water entering the waterway with stormwater proposed to be filtered through the regional basin approved under the CDA. The development will not have an adverse impact on water flow in a natural waterbody. Sediment and erosion control measures will be in place during the construction process with water quality and quantity addressed through the provision of the regional detention basin to the north east of the Site. Refer to the Engineering Plans and Report at Appendix K.
6.7 - Aquatic ecology	In deciding whether to grant development consent the consent authority must consider: (a) whether the development will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation, (b) whether the development involves the clearing of riparian vegetation and,	There is not anticipated to be any adverse direct, indirect or cumulative adverse impacts on terrestrial, aquatic or migratory animals or vegetation. Safeguard measures will be in place for the duration of the construction works to address run-off with water quality and quantity addressed within the development and off-site within the regional basin. The development is not located in close proximity to any natural watercourse triggering

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	if so, whether the development will require— (i) a controlled activity approval under the Water Management Act 2000, or (ii) a permit under the Fisheries Management Act 1994, (c) whether the development will minimise or avoid— (i) the erosion of land abutting a natural waterbody, or (ii) the sedimentation of a natural waterbody, (d) whether the development will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area, (e) whether the development includes adequate safeguards and rehabilitation measures to protect aquatic ecology, (f) if the development site adjoins a natural waterbody—whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody.	the need for a Controlled Activity Approval or a permit under the Fisheries Management Act.
6.8 - Flooding	The consent authority must consider the likely impact of the development on periodic flooding that benefits wetlands and other riverine ecosystems.	The development is not located on flood liable land.
6.9 – Recreation and public access	The consent authority must consider: (a) the likely impact of the development on recreational land uses in the regulated catchment, and (b) whether the development will maintain or improve public access to and around foreshores without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation.	The development will not impact any current recreational land uses in the catchment or change any access to and from a natural waterbody for recreational purposes.
6.10 – Total catchment management	The consent authority must consult with the council of each adjacent or downstream local government area on which the development is likely to have an adverse environmental impact.	Consultation with adjoining Councils is not considered necessary as this development is not anticipated to have an impact downstream and/or within another LGA.

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State Environmental Planning Policy (Housing) 2021		
Chapter 2 – Affordable Housing		
Clause 13 Affordable housing – the Act s1.4(1)	This clause identifies that a household is taken to be a very low income household, low income household or moderate income household if— (a) the household— (i) has a gross income within the following ranges of percentages of the median household income for Greater Sydney or the Rest of NSW— (A) very low income household—less than 50%, (B) low income household—50–less than 80%, (C) moderate income household—80–120%, and (ii) pays no more than 30% of the gross income in rent, or (b) the household— (i) is eligible to occupy rental accommodation under the National Rental Affordability Scheme, and (ii) pays no more rent than the rent that would be charged if the household were to occupy rental accommodation under the Scheme.	Landcom are in the process of engaging and on-boarding a registered Community Housing Provider for this development. As part of the application process for future residents, applicants will be vetted to assess housing need based on their household income in accordance with this requirement to access affordable housing.
Clause 14 Need for affordable housing and imposition of conditions	This Clause identifies that there is a need for affordable housing within each area of the State.	This development will increase the housing supply and diversity within Campbelltown LGA where there is an identified need for affordable housing.
Division 1 In-fill affordable housing Clause 15A Objective of division	The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.	This application will meet the objectives of clause 15A as it provides for 120 affordable housing units which will be managed by a registered CHP.
Clause 15C Development to which division applies	This division applies to development that includes residential development if: (a) the development is permitted with consent under Chapter 3, Part 4 or another environmental planning instrument, and (b) the affordable housing component is at least 10%, and	The Site is zoned R4 High Density Residential under Campbelltown LEP 2015. Residential flat buildings are permitted with consent at the Site. The development will be 100% affordable housing which exceeds the minimum requirement for 10%.

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	(c) all or part of the development is carried out— (i) for development on land in the Six Cities Region, other than in the City of Shoalhaven local government area—in an accessible area, or (ii) for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone.	The development is located within land in the Six Cities Region and is classified as being within an accessible area. The Site is located approximately 360m walking distance from Glenfield Railway Station.
Clause 17 Additional floor space ratio for relevant authorities and registered community housing providers	This clause provides bonus provisions related to FSR where a development is carried out by 'relevant authorities' and registered CHPs.	This application does not seek to rely on the bonus provisions under clause 17.
Clause 18 Affordable housing requirements for additional building height	This clause applies to development that includes residential development which relies on the bonus provisions under clause 17 and provides an associated building height bonus.	This application does not seek to rely on the bonus provisions under clause 17.
Clause 19 non-discretionary development standards – the Act s4.15	Clause 19 outlines the non-discretionary developments standards, which if achieved, cannot be used to refuse an application. Notwithstanding, s4.15(3) of the Act does not prevent development consent being granted if a non-discretionary development standard is not complied with. (2) The following are non-discretionary development standards in relation to the residential development to which this division applies— (a) a minimum site area of 450m², (b) a minimum landscaped area that is the lesser of— (i) 35m² per dwelling, or (ii) 30% of the site area, (c) N/A. (d) N/A. (e) repealed (f) the following number of parking spaces for dwellings not used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces,	The development meets the following non-discretionary development standards as outlined below with the exception of landscaped area which is detailed below. - The Site area is 3,436m² and exceeds the minimum area. - In relation to landscaped area, the development provides 1,034m² equating to 30.1% of the Site and therefore satisfies the minimum landscaped area (30% being the lesser of the two requirements). - The units meet the minimum internal floor area as outlined within the ADG – refer to Appendix H. This includes a minimum area of 50m² for 1 bedroom units, 70m² for 2 bedroom units and 90m² for 3 bedroom units.

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	(ii) for each dwelling containing 2 bedrooms—at least 1 parking space, (iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces, (g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development, (h) N/A (i) N/A as clause 19(2)(g) applies.	
Clause 20 Design requirements	In accordance with clause 20(3) development consent must not be granted to development unless the consent authority has considered whether the design of the residential development is compatible with: (a) the desirable elements of the character of the local area, or (b) for precincts undergoing transition—the desired future character of the precinct.	The area is beginning to undergo transition having been purchased by Landcom from Department of Education. This development is consistent with the anticipated built form outcome for the Glenfield Precinct. Specifically this includes both the Glenfield Place Strategy and Structure Plan which anticipated higher density development up to 8 storeys and the approved Concept Development Application applying to the Site.
Clause 21 Must be used for affordable housing for at least 15 years	This clause requires affordable housing within a development under clause 16, 17 or 18 of the Housing SEPP to be managed by a registered community housing provider for a minimum period of 15 years commencing on the day the occupation certificate is issued.	Landcom confirms that the development will be managed by a registered community housing provider for affordable housing for a minimum period of 15 years – Appendix G .
Clause 22 Subdivision permitted with consent	This clause outlines that development may be subdivided with consent.	Subdivision is not proposed as part of this application.
Clause 22A	Development consent must not be granted to development unless: (a) the consent authority is satisfied the development will result in— (i) the following number of parking spaces for dwellings used for affordable housing— (A) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, (B) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, (C) for each dwelling containing at least 3 bedrooms—at least 1 parking space, and (b) the consent authority has considered the Guide to Transport Impact	The development provides for 61 car parking spaces with 60.4 spaces generated under Chapter 2 – In-fill Affordable Housing of the Housing SEPP. Further consideration of the rates generated under the GtTIA have been outlined within the Traffic Report. However, these rates are significantly higher than that triggered under the Housing SEPP car parking rates. Further, under the Planning Proposal currently being considered for Landcom's Glenfield West Precinct, maximum car parking rates are proposed. This includes the following maximum rates as set out below • Studio and 1 bed = 0.6 spaces per unit • 2 bed = 0.9 spaces per unit • 3+ bed = 1.4 spaces per unit

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	Assessment published by Transport for NSW on 4 November 2024.	Visitors = 0.2 spaces per unit. Based on the proposed development including 120 units, this would equate to a maximum car parking provision of 122.4 spaces. The proposal provides for 61 car parking spaces and satisfies this draft development standard being a maximum which cannot be exceeded.
Chapter 4 – Design of residential apartment development		
Clause 142 Aims of chapter	Relevant aims of this chapter include: a) to ensure residential apartment development contributes to the sustainable development of New South Wales by— (i) providing socially and environmentally sustainable housing, and (ii) being a long-term asset to the neighbourhood, and (iii) achieving the urban planning policies for local and regional areas, (b) to achieve better built form and aesthetics of buildings, streetscapes and public spaces, (c) to maximise the amenity, safety and security of the residents of residential apartment development and the community, (d) to better satisfy the increasing demand for residential apartment development, considering— (i) the changing social and demographic profile of the community, and (ii) the needs of a wide range of people, including persons with disability, children and seniors, (e) to contribute to the provision of a variety of dwelling types to meet population growth, (f) to support housing affordability, (g) to minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions,	The proposed development is consistent with the aims of Chapter 4. In particular, the development: - Contributes to the supply of housing consistent with the strategic policies for the State and district. - Achieves a high level of urban design within the building to positively contribute towards the evolving streetscape in Glenfield being the first built form development within the area. - Provides a community benefit through the delivery of 120 affordable housing units within an accessible area approximately 360m from Glenfield Railway Station. - Increases the housing diversity within the Campbelltown LGA for additional housing choice. - Achieves a high level of ESD within the design of the development.
Clause 147 Determination of development applications and modification	Development consent must not be granted unless the consent authority has considered: (a) the quality of the design of the development, evaluated in accordance with the design	Hills Thalys has prepared a response to the design principles contained within Schedule 9 of the Housing SEPP. This is provided within the Design Report at Appendix H.

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applications for residential apartment development	principles for residential apartment development set out in Schedule 9, (b) the Apartment Design Guide, (c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.	A compliance table against the provisions of the Apartment Design Guide has been undertaken within the Design Report at Appendix H. A response to the feedback received by the State Design Review Panel is contained within the Design Report at Appendix H. The SDRP were generally supportive of the Proposal.
Clause 148 Non-discretionary development standards for residential apartment development – the Act s4.15	The following are non-discretionary development standards that apply to residential apartment development: (a) the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide, (b) the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide, (c) the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.	The non-discretionary development standards relating to internal apartment area and ceiling heights have been achieved within the development. This includes: - A minimum area of 50m² for 1 bedroom units, 70m² for 2 bedroom units and 90m² for 3 bedroom units. - Habitable rooms have a minimum ceiling height of 2.7m and 2.4m in non-habitable rooms. Parking requirements within the ADG under Part 3J apply to Sites within 800m of a railway in Sydney and are set out in the Guide to Traffic Generating Development (now Guide to Traffic Impact Assessment) (GtTIA). Under the GtTIA, the development generates 122 car parking spaces. It is noted though that the car parking requirements under Chapter 2 and Chapter 4 are not consistent. Therefore, while the proposal does not meet the car parking non-discretionary standard under Chapter 4, the Proposal is considered acceptable in relation to parking as: - the non-discretionary car parking requirements are achieved under Chapter 2 of the Housing SEPP. - the development is located approximately 360m from Glenfield Railway Station providing excellent public transport links to key employment areas including Campbelltown, Liverpool and Sydney CBD. - the development will ultimately be within walking distance of a local town centre which will provide supporting retail needs inclusive of a supermarket. Additional shops are located within the existing Glenfield town centre on the eastern side of the railway station which is within walking distance of the Site.

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		the area will be connected by active transport linkages to support the reduction of private vehicle usage.
State Environmental Planning Policy (Resilience and Hazards) 2021		
Clause 4.6 – Contamination and remediation to be considered in determining development application	(1) A consent authority must not consent to the carrying out of any development on land unless: (a) it has considered whether the land is contaminated, and (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose. Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.	Site contamination was assessed under a previous application (Council reference DA 2713/2024/DA-CW). This application included remediation, earthworks and tree removal. A Detailed Site Investigation (DSI) report and Remediation Action Plan (RAP) were prepared which have now been approved by Council. These works will be undertaken across the Site to make the site suitable for future residential accommodation. Refer to Section 6.1.13. A copy of the DSI and RAP are provided at Appendix M and Appendix N.
State Environmental Planning Policy (Transport and Infrastructure) 2021		
Clause 2.98 – Development adjacent to rail corridors	Clause 2.98 – Development adjacent to rail corridors This clause applies to development on land that is in or adjacent to a rail corridor where the development: (a) is likely to have an adverse effect on rail safety, or (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or (c) involves the use of a crane in air space above any rail corridor, or (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.	<u>Clause 2.98</u> While the parent lot is adjacent to a rail corridor, the land that comprises the Site is setback around 175m from the rail corridor and will not result in any adverse impacts from the delivery of this project. <u>Clause 2.100</u> While the parent lot is adjacent to a rail corridor, the land that comprises the Site is setback around 175m from the rail corridor. Notwithstanding, the Acoustic Report has considered noise impacts associated with the railway corridor and concludes the development can be constructed using typical construction techniques as per the NCC and Category 1 or 2 NSW Department of Planning “Development

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Clause 2.100 Impact of rail noise or vibration on non-rail development	Clause 2.100 Impact of rail noise or vibration on non-rail development This clause applies to residential accommodate on land in or adjacent to a rail corridor that the consent authority considers is likely to be adversely affected by rail noise or vibration. Before determining an application, the consent authority must be satisfied that appropriate measures will be in place to ensure the nominated LAeq levels are not exceeded.	near Rail Corridors and Busy Roads – Interim Guideline”.
State Environmental Planning Policy (Sustainable Buildings) 2021		
Chapter 2 – Standards for residential development – BASIX	Schedule 1 sets out the standards that apply to BASIX developments including new residential buildings. Clause 2.1(5) states that development consent must not be granted unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.	Complies BASIX Certificates have been prepared in accordance with the standards under Schedule 1 of SEPP (Sustainable Buildings). A copy of the BASIX Certificates is attached at Appendix Q.
Campbelltown Local Environmental Plan 2015		
Clause 2.3 – Zone objectives and Land Use Table	The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.	The Site is zoned R4 High Density Residential with residential flat buildings permitted with consent. The development is consistent with the objectives for the zone in that it will: • provide for the housing needs of the community within a high density residential environment. • provide a variety of housing types within a high density residential environment. • encourage high density residential development in close proximity to centres and public transport hubs.
Clause 4.1C – Minimum qualifying site area and lot size for certain residential development in residential zones	The minimum lot size for a residential flat building within the R4 High Density Residential zone is 1,200m ² .	The Site has an area of 3,436m ² and exceeds this requirement.
Clause 4.3 – Height of Buildings	Clause 4.3(2) states that the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	The Site is mapped with a 28m maximum building height limit. The building measures 27.2m and complies with this control.

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Clause 4.4 – Floor Space Ratio	The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	The Site is mapped with a maximum FSR of part 1.6:1 and part 2.2:1. Notwithstanding, the Sydney Western City Planning Panel approved CDA 85/2025/DA-CD which allocated maximum FSRs to future lots including an FSR of 3.14:1 over the Site. In accordance with the EP&A Act, any future application is not to be inconsistent with a CDA while it applies over the land. The Proposal remains consistent with the CDA with a maximum FSR proposed of 2.8:1.
Clause 5.10 Heritage	Clause 5.10 requires the consent authority to consider the effect of the proposed development on the heritage significance of the heritage item(s) and/or area.	A Heritage Impact Statement has been prepared to consider the impacts of the proposed development on Hurlstone Agricultural High School being a heritage listed item. In summary it concludes the proposed development is an acceptable form of development from a heritage perspective and consistent with the controls and standard established under the CDA. Refer to Appendix Z .
Clause 6.2 Public Utility Infrastructure	Public utility infrastructure that is essential for the proposed development (water, sewerage and electricity) must be available or adequate arrangements have been made for that infrastructure to be made available.	As part of the CDA Stage 1 works, servicing will be provided to the Site to facilitate connections at the Site boundary. The broader delivery of services is not proposed under this application and instead will be completed under the CDA ahead of this application.
Clause 6.3 Development Control Plan	This clause requires land in an urban release area to have a Development Control Plan in place prior to development on the land. Any DCP is to consider the matters outlined within clause 6.3(3).	Instead of adopting a DCP, Landcom lodged a CDA which addressed each of the elements under clause 6.3(3). The CDA was approved on 26 th November 2025 by the Western City Planning Panel. The approval included an UDR to guide future development. This application is consistent with the approved UDR. Refer to Section 1.5.1 .
Clause 7.10 Essential services	Development consent must not be granted unless the following services that are essential for the development are available or that adequate arrangements have been made to make them available: • Water • Electricity • Disposal of sewage • Stormwater drainage or on-site conservation • Road and vehicular access • Telecommunication services • The supply of natural gas	Adequate arrangements have been made to ensure that essential services detailed within clause 7.10 will be made available for the future development. As part of the CDA Stage 1 works, servicing will be provided to the Site to facilitate connections at the Site boundary. The broader delivery of services is not proposed under this application and instead will be completed under the earlier CDA package of works. The approved CDA and Stage 1 will also deliver the regional stormwater basin to support this development, surrounding road network and vehicular access to the Site. These works are programmed to be complete by May 2027 which will be followed by lot registration.

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		To safeguard the project timing, it is proposed to enable early works consisting of below ground works (i.e. basement excavation, piling) concurrently with the CDA and Stage 1 works. The concurrent sequencing of these works do not impact the ability of satisfying clause 7.10. At lot registration all service connections and other supporting infrastructure will be delivered to support the above ground works and future built form. Gas is not proposed to be delivered to this Site in line with Landcom's sustainability objectives. This approach was previously accepted under the approval of the CDA.
Clause 7.13 Design Excellence	Clause 7.13(4) In considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters— (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain, (c) whether the development detrimentally impacts on view corridors, (d) how the development addresses the following matters— (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,	The Site is subject to clause 7.13 as it proposes a new building on land zoned R4 High Density Residential. The consent authority must consider whether the development exhibits design excellence as detailed under clause 7.13(4). Details responding to clause 7.13(4) are provided below and coupled by further detail within the Design Report (Appendix H) and the Landscaping Report (Appendix J) outlining how the high level of architectural design and integration of quality landscaping has been achieved. (a) The building has been designed by Hills Talis Architecture + Urban Projects. It provides for a coherent 8 storey street wall along Roy Watts Road and Water Street being the two key street frontages with both having an entrance lobby for residents addressing the street. Vehicle access and waste collection services have been discreetly located along the service lane to the west of the building. The development was considered by the State Design Review Panel and Landcom's Design Review Panel and highly commended on the architectural design as detailed in the Design Report (Appendix H). The building is comprised of a combination of concrete blades, vertical cladding and infill brick along the base being robust and durable materials. The development is based on natural earthy colours which have been woven into the design on select elevations and within balcony insets. The design integrates a high level of ESD to create a high quality residential environment which limits the on-going operational costs for the CHP through open walkways for ventilation and natural light.

Statutory Reference	Consideration	Comment
	(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.	This development will positively contribute to the streetscape and assist in setting a high standard of urban design within the Precinct for other developments to follow. (b) The development has been designed with a contiguous landscaped setback around the street frontages. This will link together with and help to extend, the public domain landscaping along the street frontages supporting large unimpeded tree growth which will act to both visually break up the building once mature and also act to cool the streets and building providing benefits to both pedestrians and future residents. Both the Roy Watts Road and Water Street elevations incorporate balconies with robust materials which limit the use of glazing. (c) The development will have no adverse impacts on existing view corridors. It is located within a greenfield site and isolated from other existing residential buildings on the western side of the railway line. The development sits below the maximum height of buildings identified for the Site and is located outside of the key view corridors from Macquarie Fields House (State Heritage listed item) which are located within the southern part of the Glenfield West Precinct. (d) See responses below: (i) The Site is zoned R4 High Density Residential and permits residential flat buildings with consent. Further the use of the building for affordable housing is consistent with the Housing SEPP being within a well located area close to public transport (Glenfield Station). (ii) The development sits to the north of Hurlstone Agricultural High School along Roy Watts Road. Roy Watts Road will be upgraded as part of the CDA and Stage 1 works approved by the Regional Panel which will provide a variable separation of up to 24m between properties. Further, the design of Roy Watts Road, provides a generous landscaped road verge which will enable suitable planting that will assist in providing visual separation between uses. The development has further considered the future surrounding uses particularly to the north where it is anticipated that this adjoining super lot will 'abut' the proposed building along Water Street as anticipated under the CDA to create a contiguous street wall alignment.

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		(iii) A draft ACHA has been prepared as part of the CDA which identified the Site as having low potential for Aboriginal archaeological with no further assessment required (Appendix Y). In relation to European Heritage, the Statement of Heritage Impact concludes that the design of the building is sympathetic to the heritage items in the vicinity including Hurlstone Agricultural High School and is outside of any significant views or vistas of these nearby heritage items (Appendix Z). (iv) The building has been purposely designed to line Roy Watts Road and Water Street to create a strong contiguous building alignment as anticipated under the CDA. On the western side, the building is broken up internally with a central 'finger' that extends out from the building fronting Water Street. This assists in reducing the bulk and mass of the building along the service laneway which will transition down to terrace housing to the west. Large pockets of deep soil zone are also provided centrally through the Site to break up the development with large tree species. (v) The building height along Roy Watts Road and Water Street achieve a consistent 8 storey scale delivering a strong urban street wall as intended under the CDA. This building height is consistent with what the future building height for the surrounding super lots. (vi) The building achieves a 4 star rating greatly exceeding the minimum 15 point target required and currently achieving a 28 point target. It limits the need for mechanical measures in the future operation of the building. This includes providing a high level of cross ventilation, addressing solar access taking into consideration the specific climatic nature of Western's Sydney hot conditions and therefore the consideration of solar access between 8:30am and 3pm and the inclusion of fans to cool units in summer. Further details on overshadowing impacts are provided within Section 6.1.7. (vii) ESD principles have been integrated as part of the design and operation of the building and are outlined within Section 6.1.15 demonstrating it achieves a high level of ESD.

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		(viii) The surrounding road network, vehicular access point and footpaths will be delivered under the CDA and Stage 1 works approved on 26 November 2025 by the Sydney Western City Planning Panel. Internally along the ground level, the design is permeable, with through connections for residents to access different areas and enter/exit the building onto the various surrounding streets. (ix) The public domain works / street verges will be delivered by Landcom under the CDA and Stage 1 works. Landcom will coordinate construction works to ensure there is no negative impact to the public domain works delivered around the Site during construction. Further public domain works will be delivered by Landcom beyond the Site to support the wider Glenfield West Precinct as part of the rezoning application. (x) The building is setback 3m to each street frontage which acts to extend the street verge planting area to enable larger tree species to grow within these areas. Where individual courtyards front the street, paving has been provided for direct access to these units and assist in activating the streetscape. (xi) A high quality landscaping design has been prepared by Sturt Noble Landscaping and Associates – see Appendix J. The landscaping design was underpinned by the designing with country process which identified the following key components:- gathering and viewing spaces, care of water, wayfinding and language along with vegetation and materiality. The design takes on board these principles through the integration of communal gathering spaces within the ground level and roof top communal open spaces, use of locally appropriate vegetation and by incorporating on-site ephemeral water gardens, water storage and overland flow connections to the swale within Water Avenue that ultimately connect to the creek in the north demonstrating a care of water.
Clause 8.4 Affordable Housing	This clause requires a minimum of 5% of the GFA of a building triggered under this clause to be provided for the purposes of affordable housing with each dwelling having a minimum of 50m ² .	This development will provide for 100% affordable housing delivering 120 units and satisfying this clause. Further, under the Planning Proposal, Landcom is seeking to increase the provision of affordable housing to 10% of the

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		Glenfield West Precinct and provide this housing within dedicated buildings rather than this housing being scattered throughout the Precinct which is the approach under clause 8.4 of the LEP. This is aimed at better managing this housing by CHPs and reducing financial costs. This development will ultimately contribute towards the overall delivery of affordable housing under the Planning Proposal.
Concept Development Application		
Building height	Maximum building height of 28m	The building measures 27.2m and complies with this development control.
Floor Space Ratio	Maximum FSR of 3.14:1	The FSR under this application is 2.8:1 being well below that permitted for this development lot of 3.14:1. This results in an overall GFA of 9,623sqm.
Setback	3m setback to all streets (east, west and south) Nil setback to north up to 40% of the boundary length. ADG building separation otherwise.	The building achieves the following setbacks: • Roy Watts Road – 3m • Water 'Badu' Avenue – 3m • Service Lane - 3m • Northern boundary – Nil setback along eastern boundary for a length of 12m (22%) and then steps back to 9m.
Deep Soil Zone	Min. 15% deep soil zone with a minimum 3m dimension (Design Report).	The development provides 865.3m ² (25%) deep soil zone with a minimum 3m dimension meetings the requirements specified under the CDA.
Vehicular access point	Vehicular access is restricted to the service laneway along the western boundary.	Vehicle access is proposed in line with the Urban Design Report and is proposed off the service laneway.