

Appendix C – Statutory Compliance Table

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
Environmental Planning and Assessment Act 1979			
Section 1.3	(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,	The proposed rezoning and development will benefit the social welfare of the community by providing high-quality affordable and market housing on the site. The EIRS includes thorough environmental, economic, and social assessments to inform the design of the proposed development and ensure its suitability for the site. Where appropriate, mitigation measures have been provided to manage the social and economic welfare of the community during construction and operational phases of the development.	Section 8
	(b) to promote the supply, delivery, and maintenance of housing, including affordable housing,	The proposed development will provide affordable housing as part of the project.	N/A
	(c) to promote productivity through the development and management of the State and its resources,	The proposal will deliver a development that will contribute to the productivity of Western Sydney and broader Sydney Region.	N/A
	(d) to protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats,	A Biodiversity Assessment has been prepared by Ecological to assess the potential biodiversity impacts of the proposed development. The site is identified as biodiversity certified in accordance with the South West Growth Centre Biodiversity Certification Order. Accordingly, the Biodiversity Certification indicates that development on the land is not likely to affect threatened species. This implies an assessment of biodiversity impacts is not required for the site.	Section 8 Appendix M
	(e) to promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness, and prevention,	The proposed design considered climate resilience and adaptation in the built form, landscape, and public domain.	Appendix V
	(f) to promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage,	The Proposal promotes the sustainable management of built and cultural heritage with respective impact assessments provided at Appendix Z and Appendix H .	Section 8 Appendix H Appendix Z
	(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,	The proposal delivers a built form that responds to the principles of the Leppington Town Centre, achieving the provision of significant density within close proximity to Leppington Train Station. The design and layout of the proposed development balance the provision of housing, communal and public open space and future demands of the site and surrounds.	Section 3 Appendix AA
	(h) to provide opportunities for participation in environmental planning and assessment,	Community and stakeholder engagement has been conducted during the preparation of this SSDA as detailed in the Engagement Report.	Section 7 Appendix U
	(i) to facilitate ecologically sustainable development by integrating relevant economic, environmental, and social considerations in decision-making about environmental planning and assessment,	The proposal addresses the principles of ESD, including the precautionary principle, intergenerational equity, conservation of biological and ecological integrity in accordance with the requirements of the Act. Specifically, an ESD report has been prepared by SLR which outlines the proposed developments pathway to Net Zero and includes a summary of initiatives that have been included within the design of the proposed development to maximise environmental performance and minimise operating costs.	Section 8 Appendix V

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	(j) to promote a proportionate and risk-based approach to environmental planning and assessment,	The proposal employs a risk-based approach to planning and assessment.	The EIS
	(k) to promote the orderly and economic use and development of land.	The proposed redevelopment of the site responds to the State's growing population and the need to construct more homes in accessible locations, in order to boost housing supply and improve affordability. The proposed development has been informed by a thorough site and local context analysis, environmental assessments, and assessment against strategic and statutory planning policies to promote the orderly and economic use and development of the land.	Section 2 Section 5
Section 4.15	Relevant environmental planning instruments: <i>State Environmental Planning Policy (Planning Systems) 2021</i> <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> <i>State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i> <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> <i>State Environmental Planning Policy (Industry and Employment) 2021</i> <i>State Environmental Planning Policy (Housing) 2021</i> <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> <i>Camden Local Environmental Plan 2010.</i>	See detail below under State Environmental Planning Policies (SEPPs).	Section 5 Appendix C
	Draft environmental planning instruments	This SSDA considers the planning proposal for the Leppington Town Centre that is currently under review by DPHI. The proposal includes updates to the <i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i> to reflect the proposed structure plan.	Appendix C Appendix D
	Relevant planning agreement or draft planning agreement	N/A	N/A
	<i>Environmental Planning and Assessment Regulation 2021</i> – Schedule 2	This EIS has been prepared in accordance with Schedule 2 of the Regulations.	N/A
	Development control plans: Camden Growth Centre Precincts Development Control Plan 2023 (DCP)	An assessment against the controls of the updated Camden Growth Centre Precincts DCP under the Leppington Town Centre planning proposal is provided at Appendix D .	Appendix D
	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	The likely impacts of the development including the environmental impacts on the natural and built environments, and social and economic impact on the locality are assessed in detail within the EIS.	Section 8
	The suitability of the site for the development	The suitability of the site for the proposed development is demonstrated in the EIS	Section 9
	Any submissions made	Submissions will be considered following exhibition of the application.	N/A
	The public interest	The proposed development is compliant with the relevant planning instruments and controls applying to the site. The proposal will not create any adverse social, economic, or environmental impacts which cannot be mitigated via the proposed mitigation measures in this application. On balance, the benefits of the development outweigh any adverse impacts and as such, the development is in the public interest.	Section 8
Environmental Planning and Assessment Regulation 2021			

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
Schedule 2	Schedule 2 of the Regulations provides that environmental assessment requirements will be issued by the Secretary with respect to the proposed EIS	This EIS has been prepared to address the requirements of Schedule 2 of the Regulations and SEARs.	Throughout EIS
Biodiversity Conservation Act 2016			
Section 7.14	The likely impact of the proposed development on biodiversity values as assessed in the Biodiversity Development Assessment Report (BDAR). The Minister for Planning may (but is not required to) further consider under that BC Act the likely impact of the proposed development on biodiversity values.	A Biodiversity Assessment has been prepared by EcoLogical to assess the potential biodiversity impacts of the proposed development. The site is identified as biodiversity certified in accordance with the South West Growth Centre Biodiversity Certification Order. Accordingly, the Biodiversity Certification indicates that development on the land is not likely to affect threatened species. This implies an assessment of biodiversity impacts is not required for the site.	Section 8 Appendix M
State Environmental Planning Policies			
<i>State Environmental Planning Policy (Planning Systems) 2021</i> (Planning Systems SEPP)	The proposed development qualifies as State Significant Development (SSD) in accordance with the Environmental Planning and Assessment (Housing Delivery Authority) Order 2024 (HDA Order), following the evaluation of an Expression of Interest (EOI) submitted to the HDA on 29th January 2025. On 17 March 2025, the Minister for Planning and Public Spaces (the Minister), in pursuance of section 4.36(3) of the Environment Planning and Assessment Act 1979 (EP&A Act), made an Order declaring the development on the site to be State significant development (SSD) for the purposes of the EP&A Act. Part 3 of the State Significant Development Declaration Order 2025 included the following Declaration of State Significant Development for the specified development on specified land declared SSD: (1) development specified in EOI application 234790 dated 28 January 2025 including development for the purposes of mixed-use development comprising commercial premises and residential accommodation with provision of affordable housing at 156-166 Rickard Road, Leppington, Lot 37/DP8979 and Lot 38A DP8979, The new State Significant Development (SSD) approval pathway will be available for new housing developments above an estimated development cost (EDC) of a60 million in Greater Sydney.	The proposed development has an EDC of \$932,862,093 (excluding GST) and hence is appropriately classified as SSD under the HDA Order.	Appendix S
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (R&H SEPP)	A consent authority must be 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 conducted. Section 4.6 of the SEPP provides a State-wide approach to the remediation of contaminated land. It requires a consent authority to assess the potential for land to be contaminated, and the works required to remediate the land to ensure it is suitable for its intended use.	A Preliminary Site Investigation (PSI) was prepared by Douglas Partners in support of the proposal. It assesses the potential presence of contamination at the site. It concluded the site is ultimately considered suitable for the residential uses from a contamination perspective, subject to further assessment in the form of intrusive investigation and remediation through future development on the site. Additionally, a Detailed Site Investigation (DSI) has been prepared by ECS. Excavation of 43 test pits were completed. The soil analysis indicated that all contaminants were under the site assessment criteria for sensitive land use. Based on the findings, ECS considers the site suitable for the development and sensitive land uses, subject to the implementation of the recommendations.	Section 8 Appendix R
<i>State Environmental Planning Policy (Industry and Employment) 2021</i>	Section 3.6 Granting consent to signage. A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied that the signage is consistent with the objectives of the Chapter and it satisfies the assessment criteria specified in Schedule 5.	The proposed signage strategy complies with Chapter 3 of the Industry and Employment SEPP for the reasons below: The signage is in keeping with the future character of the area and nature of the proposed development and is suitable given its location within a residential/mixed use area and will not detract from the amenity or visual quality of any sensitive areas,	Appendix B

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		- The signage does not block views or vistas, nor penetrates the skyline, - Where signage may contain illumination or lighting, it can be managed to ensure no adverse impacts, - The signage will not impede safety sightlines, and - Satisfies the criteria of Schedule 5 of the Industry and Employment SEPP, as demonstrated below.	
	<u>Schedule 5</u> 1 Character of the area - Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? - Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	Yes, the proposal is compatible with the existing and desired future character of the locality. Proposed signage integrates appropriately with the surrounding environment and does not adversely impact visual amenity.	
	2 Special Areas Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open spaces areas, waterways, rural landscapes, or residential areas?	No, the proposal will not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, conservation areas, open space areas, waterways, rural landscapes, or residential areas. The proposal is appropriately located and designed to avoid adverse visual impacts on surrounding land uses and sensitive environments.	
	3 Views and vistas - Does the proposal obscure or compromise important views? - Does the proposal dominate the skyline and reduce the quality of vistas? - Does the proposal respect the viewing rights of other advertisers?	No, the proposal does not obscure or compromise important views and will not dominate the skyline or reduce the quality of existing vistas. Its scale, location, and design are appropriate to the surrounding context and maintain the visual amenity of the area.	
	4 Streetscape, setting, and landscape. - Are the scale, proportion, and form of the proposal appropriate for the streetscape, setting, or landscape? - Does the proposal contribute to the visual interest of the streetscape, setting, or landscape? - Does the proposal reduce clutter by rationalising and simplifying existing advertising? - Does the proposal screen unsightliness? - Does the proposal protrude above buildings, structures or tree canopies in the area or locality? - Does the proposal require ongoing vegetation management?	Yes, the scale, proportion and form of the proposal are appropriate for the surrounding streetscape and setting and contribute positively to the visual interest of the area. The proposal does not create visual clutter and is consistent with existing advertising in the locality. The proposal will not adversely impact the visual amenity of the area. It does not protrude above surrounding buildings, structures or tree canopies and does not require ongoing vegetation management.	
	5 Site and building - Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? - Does the proposal respect key features of the site or building, or both? - Does the proposal show innovation and imagination in its relationship to the site or building, or both?	Yes, the proposal is compatible with the scale, proportion and characteristics of the site and building on which it is located. It respects the key features of the site and integrates appropriately with the proposed built form. The design demonstrates a considered and effective relationship with the site, contributing positively to the proposed development.	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP)	6 Associated devices and logos with advertisements and advertising structures Have any safety devices, platforms, lighting devices, or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Yes, any associated safety devices, platforms, lighting elements and logos have been designed as integral components of the signage and supporting structure, ensuring a cohesive appearance and minimising visual impacts.	
	7 Illumination - Would illumination result in unacceptable glare? - Would illumination affect safety for pedestrians, vehicles, or aircraft? - Would illumination detract from the amenity of any residence or other form of accommodation? - Can the intensity of the illumination be adjusted, if necessary? - Is the illumination subject to a curfew?	No, the proposed illumination will not result in unacceptable glare, adversely affect the safety of pedestrians, vehicles or aircraft, or detract from the amenity of nearby residences or other accommodation. The illumination is appropriately designed and can be adjusted as required to ensure compliance with relevant standards and maintain visual amenity.	
	8 Safety - Would the proposal reduce the safety for any public road? - Would the proposal reduce the safety for pedestrians or bicyclists? - Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No, the proposal will not reduce safety for any public road, pedestrians or bicyclists. It does not obstruct visibility, interfere with traffic operations, or obscure sightlines from public areas. The proposal has been designed and located to maintain safe movement and clear lines of sight for all road users, including pedestrians and children.	
	<u>Chapter 2 Infrastructure</u> Section 2.98: A consent authority must take into consideration any response from the rail authority for the rail corridor received within 21 days after the notice is given.	The proposed development requires referral to TfNSW.	Section 5
	Section 2.100: A consent authority must take into consideration potential adverse impacts to residential accommodation from rail noise or vibration.	Refer to the Noise and Vibration Report prepared by Acouras. The site is set back from the railway line and is separated by the commuter carpark. Given the site has no direct interface with the railway line, potential noise impacts are deemed to be appropriate and manageable for future residential development on site.	Section 8
	Section 2.119: Development with a frontage to a classified road requires the consent authority to be satisfied the matters listed have been addressed.	The site is adjacent to Rickard Road which is a classified road. Vehicular access to the site is proposed to be gained from surrounding local streets, which are not classified roads.	Section 3
	Section 2.122: Traffic generating development: A public authority, or person acting on behalf of a public authority, must not approve traffic-generating development without written notice of the intention to carry out the development to Transport for NSW (TfNSW) in relation to the development, and taken into consideration any response to the notice that is received from TfNSW within 21 days after the notice is given.	The proposal is seeking more than 300 dwellings which is the threshold under Schedule 3 of the SEPP. The project is therefore considered traffic generating under the Traffic and Infrastructure SEPP. The SSDA will be required to be referred to TfNSW for a response.	Section 5
	<u>Chapter 3 Educational Establishments and Child Care Facilities</u> Clause 3.22 This section applies to development for the purpose of a centre-based child care facility if— (a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the <u>Education and Care Services National Regulations</u> , or	The proposed design complies with indoor and outdoor compliances required.	Appendix B

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	(b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations. (2) The consent authority must not grant development consent to development to which this section applies except with the concurrence of the Regulatory Authority. (3) The consent authority must, within 7 days of receiving a development application for development to which this section applies— (a) forward a copy of the development application to the Regulatory Authority, and (b) notify the Regulatory Authority in writing of the basis on which the Authority's concurrence is required and of the date it received the development application. (4) In determining whether to grant or refuse concurrence, the Regulatory Authority is to consider any requirements applicable to the proposed development under the <u>Children (Education and Care Services) National Law (NSW)</u>. (5) The Regulatory Authority is to give written notice to the consent authority of the Authority's determination within 28 days after receiving a copy of the development application under subsection (3).		
	Clause 3.23 States that before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the <i>Child Care Planning Guideline</i> , in relation to the proposed development.	An assessment of the proposal against the requirements of Child Care Planning Guidelines has been undertaken and provided at the end of this table.	Below
	Clause 3.24 Centre based childcare facilities in certain zones The consent authority must consider the following matters before determining a development application for development for the purpose of a centre-based child care facility on land in a prescribed zone—	The site is not located adjacent to a prescribed zone, therefore this control is not applicable.	N/A
	Clause 3.25 centre-based childcare facility – floor space ratio (1) Development consent must not be granted for the purposes of a centre-based child care facility in Zone R2 Low Density Residential if the floor space ratio for the building on the site of the facility exceeds 0.5:1. (2) This section does not apply if another environmental planning instrument or a development control plan sets a maximum floor space ratio for the centre-based child care facility	Not applicable to the site as it is not located in the R2 zone.	N/A
	Clause 3.26 Centre-based child care facility—non-discretionary development standards The following are non-discretionary development standards for the purposes of section 4.15(2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility— (a) location—the development may be located at any distance from an existing or proposed early education and care facility, (b) indoor or outdoor space (i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the <u>Education and Care Services National Regulations</u> applies—the unencumbered area of indoor space and the	a. Noted. b. The total indoor area is 783, and outdoor play area is 525. c. Noted. d. Noted.	Appendix B

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	unencumbered area of outdoor space for the development complies with the requirements of those regulations, or (ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the <i>Children (Education and Care Services) Supplementary Provisions Regulation 2012</i> applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause, (c) site area and site dimensions—the development may be located on a site of any size and have any length of street frontage or any allotment depth, (d) colour of building materials or shade structures—the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area. (3) To remove doubt, this section does not prevent a consent authority from— (a) refusing a development application in relation to a matter not specified in subsection (2), or (b) granting development consent even though any standard specified in subsection (2) is not complied with.		
	Clause 3.27 Centre-based childcare facility – development control plan (1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility— (a) operational or management plans or arrangements (including hours of operation), (b) demonstrated need or demand for child care services, (c) proximity of facility to other early education and care facilities, (d) any matter relating to development for the purpose of a centre-based child care facility contained in— (i) the design principles set out in Part 2 of the <i>Child Care Planning Guideline</i>, or (ii) the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates). (2) This section applies regardless of when the development control plan was made.	Not applicable.	N/A
State Environmental Planning Policy (Housing) 2021	Chapter 4 of the Housing SEPP requires residential apartment development to be designed in accordance with the Apartment Design Guide (ADG). This chapter applies to development if: e. the development consists of— i. the erection of a new building, or ii. the substantial redevelopment or substantial refurbishment of an existing building, or iii. the conversion of an existing building, and	The development at the site has been prepared in accordance with the provisions of the Apartment Design Guide (ADG). An assessment of the relevant objectives of the ADG has been prepared by DKO.	Appendix I

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	f. the building is at least 3 storeys, not including underground car parking storeys, and the building contains at least 4 dwellings		
	144 Application of chapter This chapter applies to the following— (a) development for the purposes of residential flat buildings, (b) development for the purposes of shop top housing, (c) mixed use development with a residential accommodation component that does not include boarding houses or co-living housing unless a local environmental plan provides that mixed use development including boarding houses or co-living housing is residential apartment development for this chapter. (3) This chapter applies to development only if— (a) the development consists of— (i) the erection of a new building, or (ii) the substantial redevelopment or substantial refurbishment of an existing building, or (iii) the conversion of an existing building, and (b) the building is at least 3 storeys, not including underground car parking storeys, and (c) the building contains at least 4 dwellings.	The proposed development consists of development for the purposes of the erection of a new mixed use development with residential accommodation; therefore Chapter 4 applies.	
	Clause 147 within this chapter states the following: 1. Development consent must not be granted to residential apartment development unless the consent authority has considered the following— a. the quality of the design of the development, evaluated in accordance with the design 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. 2. The 14-day period referred to in subsection (1)(c) does not increase or otherwise affect the period in which a development application or modification application must be determined by the consent authority. 3. To avoid doubt, subsection (1)(b) does not require a consent authority to require compliance with design criteria specified in the Apartment Design Guide. 4. Subsection (1)(c) does not apply to State significant development	A compliance assessment of the proposed development against Schedule 9 of the Housing SEPP and the Apartment Design Guide (ADG) has been prepared by DKO.	Appendix I
	Clause 148 (2) includes the following non-discretionary development standards: 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, 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.	Car parking has been provided in accordance with the Housing SEPP requirements, as detailed in the Traffic Report, prepared by Varga Traffic, as well with the compliance assessment of the Apartment Design Guide, prepared by DKO. Secure bicycle parking as also been provided, parking areas are secured with electronic, automated doors, and all visual and environmental impacts of the parking facilities are minimised. As demonstrated in the ADG compliance assessment, the proposed development complies with the relevant design objectives.	Section 8

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	Clause 149 states a requirement, standard or control for residential apartment development that is specified in a development control plan and relates to the following matters has no effect if the Apartment Design Guide also specifies a requirement, standard or control in relation to the same matter: a. visual privacy, b. solar and daylight access, c. common circulation and spaces, d. apartment size and layout, e. ceiling heights, f. private open space and balconies, g. natural ventilation, h. storage.	Noted. A compliance assessment of the Apartment Design Guide has been prepared by DKO.	Appendix B
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021 (B&C SEPP)</i>	A permit cannot be granted to clear native vegetation in any non-rural area of the State that exceeds the biodiversity offsets scheme threshold.	The subject site is wholly biodiversity certified. The effect of granting certification is that any development or activity requiring consent (Under Part 4 and 5 of the EP&A Act) is automatically ‘development that is not likely to significantly affect threatened species’. This certification removes the need to address threatened species considerations or triggering the Biodiversity Offset Scheme (BOS) for Part 4 developments.	Section 8
<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	Chapter 2 of the SEPP provides standards for residential development – BASIX. It states assessment under Schedule 1 is required for BASIX development. Additionally, development consent must not be granted to development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.	The development is identified as BASIX development. Accordingly, a BASIX certificate has been prepared and is provided at. The embodied emissions have been quantified and provided.	Appendix L Appendix T
	Schedule 1 Standards for erection of BASIX buildings and change of use to BASIX buildings. Parts 1 Energy and Water Use apply to the development. Part 2 thermal performance	The ESD Report demonstrates these targets are met by the proposed development.	Section 8
	Chapter 3 Standards for non-residential development 3.1 Applications of the chapter <i>(1) This Chapter applies to development, other than development for the purposes of residential accommodation, which involves—</i> <i>(a) the erection of a new building, if the development has an estimated development cost of \$5 million or more, or</i> <i>(b) alterations, enlargement, or extension of an existing building, if the development has an estimated development cost of \$10 million or more.</i> Definitions <i>large commercial development means non-residential development that involves—</i> <i>(a) the erection of new prescribed office premises, prescribed hotel or motel accommodation or prescribed serviced apartments, or</i> <i>(b) alterations, enlargement or extension of prescribed office premises, prescribed hotel or motel accommodation or prescribed serviced apartments, if the development has an estimated development cost of \$10 million or more.</i>	The development comprises large commercial development given the proposed Hotel has over 100 rooms. Accordingly, the provisions of Section 3.3 apply. The development demonstrates its commitment to minimising emissions and reducing use of on-site fossil fuels. This contributes to the net zero goal, detailed in the ESD Report. Additionally, the development can achieve the standards for energy and water use specified in Schedule 3, which is 4 star NABERS energy rating and 3 star NABERS water rating. The ESD Report at Appendix V details the sustainable measures integrated into the design, including but not limited to: ▪ The proposed development will incorporate passive and active energy-saving measures such as operable windows to enhance natural ventilation through the apartments, where appropriate; ▪ Water efficient bathroom and kitchen fittings; ▪ Rainwater reuse for irrigation purposes; ▪ More than 80% of the predicted construction waste arising from the development will be recycled.	Section 8

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<i>prescribed hotel or motel accommodation</i> means hotel or motel accommodation with at least 100 rooms. 3.2 Development consent for non-residential development (1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following— (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials, (b) a reduction in peak demand for electricity, including through the use of energy efficient technology, (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design, (d) the generation and storage of renewable energy, (e) the metering and monitoring of energy consumption, (f) the minimisation of the consumption of potable water. (2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified. 3.3 Other considerations for large commercial development (1) In deciding whether to grant development consent to large commercial development, the consent authority must consider whether the development minimises the use of on-site fossil fuels, as part of the goal of achieving net zero emissions in New South Wales by 2050. (2) Development consent must not be granted to large commercial development unless the consent authority is satisfied the development is capable of achieving the standards for energy and water use specified in Schedule 3. Energy use The standard for energy use for development for the purposes of prescribed hotel or motel accommodation is a 4-star NABERS energy rating. Water use The standard for water use for large commercial development is a 3-star NABERS water rating. (3) For the purposes of subsection (2), development is capable of achieving a standard specified in Schedule 3 if there is a NABERS commitment agreement in place to achieve the standard.	The embodied emissions attributable to the development have been quantified at Appendix T.	
Draft Environmental Planning Instruments			
Not applicable.	N/A	N/A	N/A
Camden Local Environmental Plan 2010			

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Camden LEP	Camden Local Environmental Plan 2010	The SEARs do not require consideration to be given to the Camden LEP. It is noted that since the gazettal of the Precinct within the WPC SEPP, the LEP no longer applies to the site, and no further assessment is required.	N/A
State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (WPC SEPP)			
<i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (WPC SEPP)</i>	Section 3.21: Development applications in growth centres—matters for consideration until finalisation of precinct planning for land	The proposed development has considered the draft Leppington Town Centre Precinct Plan, as well as the Appendix 5 Camden Growth Centres Precinct Plan.	Throughout EIS Appendix C Appendix D
	Section 3.26: A consent authority must not grant consent to conducting development on land unless the consent authority has considered the impact of the proposed of development on flood behaviour and flood hazard.	The IWMP confirms the site is not flood affected and will not present an impact to the existing flood conditions.	Section 8 Appendix CC
	Section 3.30: Consent for clearing native vegetation is required.	The proposal is seeking consent for the removal of 112 trees located within the footprint of the development.	Section 8 Appendix I
WPC SEPP – Appendix 5 Camden Growth Centres Precinct Plan 2013			
To become WPC SEPP – ‘Appendix 16 Leppington Town Centre’ and ‘(draft) Leppington Town Centre Precinct Plan 2021’.			
Note Additions and changes to the current planning provisions are identified in red text or red headings in the case of new sections			
1.2 Aims of Precinct Plan	The aims of this Precinct Plan are as follows— - to make development controls that will ensure the creation of quality environments and good design outcomes, - to protect and enhance environmentally sensitive natural areas and cultural heritage, - to provide for recreational opportunities, - to provide for multifunctional and innovative development that encourages employment and economic growth, - to promote housing choice and affordability, - to provide for sustainable development, - to promote pedestrian and vehicle connectivity, - to minimise the impact on existing and future communities of the full range of risks posed by natural hazards such as bushfires and flooding.	The proposed development is consistent with the aims of the precinct plan as it: - Includes appropriate measures to protect and manage cultural heritage and biodiversity values. - Provides significant areas of the site as high-quality public open space. - Delivers a mixed-use development in close proximity to Leppington Train Station, generating construction and ongoing employment opportunities and supporting the function of the Leppington Town Centre. - Provides a diverse mix of housing typologies, in the form of apartment dwellings. - Incorporates through-site pedestrian and vehicle connections to be dedicated to Council, improving local connectivity; and - Is designed to ensure there are no adverse impacts on flooding behaviour or bushfire risk.	Throughout EIS
Zone Objectives and Land Use	The site is currently zoned B7 business park, but under the draft LTC controls, the site is zoned part R4 – High Density Residential, part B4 Mixed Use, with parts RE1 Public Recreation, and SP2 Infrastructure. The objectives of the identified land use zones are described below. B4 Mixed Use - 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.	The proposal contains an Environmental Impact and Rezoning Statement, providing justification for the proposed rezoning measures and the zoning required for the layout of the proposed development. The site is proposed to be rezoned to B4 Mixed Use.. The proposed development is consistent with the zone objectives as it: - Provides a mixture of residential apartments, hotel accommodation, and ground-floor retail, delivering activated uses at ground level. - Provides an internal street and open space network that encourages walking and cycling through the site and towards Leppington Train Station; and	Throughout EIS

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	- To promote a high standard of urban design and public amenity and convenient urban living. - To provide for residential and other accommodation that includes active non-residential uses at the street and lower levels of buildings. - To facilitate active retail, commercial, entertainment and community use at ground level of mixed-use developments. - To provide for residential development that contributes to the vitality of the local centre. - To ensure an appropriate transition from the centre core around the station and that residential accommodation does not detract from the primary function of the centre being to provide for retail, business, cultural, entertainment and community use.	Supports the vitality of Leppington Town Centre by providing high density, diverse residential development within close proximity to the centre while also providing an appropriate transition in use through the provision of commercial spaces.	
4.1 Minimum subdivision lot size 4.1A Minimum lot sizes for residential development in non-residential zones	- Objectives: - to establish minimum lot sizes for residential development in non-residential zones, - to ensure that residential development results in the efficient use of land and contributes to the supply of new housing in the Leppington Town Centre and South West Growth Centre, - to ensure that residential development has adequate usable areas for buildings and open space, - to ensure that high density residential and mixed-use development is compatible with the planned future character of the locality and surrounding residential areas. - This section applies to development on land for which no minimum lot size is shown on the Lot Size Map. - The minimum lot size for residential flat buildings or shop top housing development of more than 2 storeys is 1,500m². - This section does not apply to the land in Zone R3 Medium Density Residential or R4 High Density Residential.	The proposal includes the subdivision of the site to create 7 mixed-use lots and additional road corridors. All proposed new residential lots are in excess of 1,500m ² in size.	EIS
4.1B Residential density	The consent authority must not grant development consent to residential development on land for which a dwelling density range is shown on the Residential Density Map if the development will result in the density of dwellings on the land being less than the minimum density specified by the dwelling density range.	Not applicable.	N/A
4.3 Height of Buildings	The site is affected by a maximum building height of 65m	The proposal includes a concurrent rezoning application that seeks to amend the Height of Building map to apply a control of 96 across the site. The proposed development complies with the height limits established under the rezoning.	EIRS
4.4 Floor Space Ratio	The site is affected by an FSR control of 4.5:1	The proposal includes a concurrent rezoning application that seeks to amend the Floor Space Ratio map to apply a control of 6.77:1 across the site.	EIRS
4.6 Exceptions to development standards	Development consent may, subject to this section, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this section does not apply to a development standard that is expressly excluded from the operation of this section.	The proposed development does not seek to contravene any development standards of an environmental planning instrument.	N/A
	(1) The objectives of this section are as follows—		Section 3

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
4.7 Commercial and active uses floor space ratios in Zone B4	(a) ensure active uses are provided at the street and lower levels of buildings to encourage the presence and movement of people, (b) facilitate commercial premises and spaces in the B4 Mixed Use zone and promote the economic strength of mixed-use development to contribute to employment and cater for changes in market demand. (c) ensure capacity for a wide range of medical, cultural, entertainment, community, and indoor recreation activities, in addition to retail, business and office uses, appropriate to a strategic centre which serves the needs of the local and wider community. (d) to achieve an appropriate mix of residential and non-residential uses with a greater concentration of activity and commercial space in closer proximity to existing and planned transport, services, facilities, and public spaces. (2) This section applies to land in Zone B4 Mixed Use as identified on the Additional Local Provisions Area Map. (2) This section applies to land in Zone B4 Mixed Use as identified on the Commercial and Active Uses Floor Space map. (3) Any development on land to which this section applies containing residential accommodation or tourist and visitor accommodation must be mixed use development which also contains commercial and active uses. (4) Development consent must not be granted for development to which subsection (3) applies unless the commercial and active uses floor space ratio is at least the amount shown for the land on the Commercial and Active Uses Floor Space map.	The proposed development comprises of mixed uses, in the form of podium level commercial and retail land uses. The ground floor will deliver active uses at the building edges including shops, food and beverage, pub and other retail offerings in accordance with this control. Under the Commercial and Active Uses Floor Space Map, the site has a minimum floor space control of 0.8:1. The proposed non-residential GFA provided on site is 40,500m², which exceeds 0.8:1 of the GFA (approx. 1.25:1).	
5.1 Relevant acquisition authority	Identify if certain land is reserved to be acquired for certain public purposes. Land zoned SP2 Infrastructure marked "classified road" is designated to Transport for NSW.	The eastern (Rickard Road) and western boundary (Town Centre Street) are zoned SP2 Infrastructure and are to be acquired by TfNSW and Council, respectively.	EIRS
5.7 Preservation of trees or vegetation	The objective of this section is to preserve the amenity of the area through the preservation of trees and other vegetation. A person must not ringbark, cut down, top, lop, remove, injure, or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by— (a) development consent, or (b) a permit granted by the Council.	Arbor Express has prepared an Arboriculture Impact Assessment. The proposal seeks development consent to remove a total of 112 trees from the site.	Appendix H
5.10 Heritage Conservation	Development consent is required to: (a) <i>demolish or move any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)</i> (i) <i>a heritage item,</i> (ii) <i>an Aboriginal object,</i> (iii) <i>a building, work, relic, or tree within a heritage conservation area,</i> (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 to this Precinct Plan in relation to the item,	The site is not identified and does not contain any listed items of heritage significance, nor is it located within or adjacent to a heritage conservation area. The ACHA survey did not identify any Aboriginal sites or cultural materials within the site, combined with the sites prominent levels of disturbance recorded, it demonstrates low archaeological potential.	Appendix G

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged, or destroyed, (d) disturbing or excavating an Aboriginal place of heritage significance, (e) erecting a building on land— (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance, (f) subdividing land— (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.		
	(3) When consent not required However, development consent under this section is not required if— (a) the applicant has notified the consent authority of the proposed development, and the consent authority has advised the applicant in writing before any work is conducted that it is satisfied that the proposed development— (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree, or place within the heritage conservation area, and (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site, or heritage conservation area, or (b) the development is in a cemetery or burial ground and the proposed development— (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or (d) the development is exempt development		
	(4) Effect of proposed development on heritage significance The consent authority must, before granting consent under this section in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subsection applies regardless of whether a heritage management document is prepared under subsection (5) or a heritage conservation management plan is submitted under subsection (6)	The proposed development is not located on land subject to a Heritage Item or on adjacent property. The site is also not located within a heritage conservation area. Therefore, the proposed development will not impact upon the heritage significance of a heritage item.	N/A
	(5) Heritage assessment The consent authority may, before granting consent to any development— (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a		

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.		
	(6) Heritage conservation management plans The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this section.	Changes to a heritage item are not proposed as part of the proposed development.	N/A
	(7) Archaeological sites The consent authority must, before granting consent under this section to the conducting of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies)— (a) notify the Heritage Council of its intention to grant consent, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.	An Aboriginal Cultural Heritage Assessment (ACHA) report has been prepared by McCardle Cultural Heritage. No new sites were identified in the project area during the AHIMS survey undertaken due to the significantly high impacts from previous land uses across the project area.	Appendix G
	(8) Aboriginal places of heritage significance The consent authority must, before granting consent under this section to the conducting of development in an Aboriginal place of heritage significance— (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.	As above.	Appendix G
	(9) Demolition of nominated State heritage items The consent authority must, before granting consent under this section for the demolition of a nominated State heritage item— (a) notify the Heritage Council about the application, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.	No demolition of State heritage items is proposed as part of the proposal.	N/A
6.1 Public utility infrastructure	The consent authority must not grant development consent to development on land to which this Precinct Plan applies unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required. This includes: - the supply of water, - the supply of electricity, - the disposal and management of sewage.	An Infrastructure Assessment Report reviewing the capacity and availability of existing utility services at the site has been prepared by SL3 Consulting and is attached at. Having regard to the requirements of Clause 6.1 of the WPC-SEPP – Appendix 5 Camden Growth Centres Precinct Plan 2013, the assessment confirms that adequate arrangements have been made to ensure that essential public infrastructure required to service the proposed development will be available when required. Sydney Water servicing investigations have been undertaken through the formal Section 73 process, including lodgement of a Section 73 application (CASE225559) and the subsequent issue of a Notice of Requirements (NOR). The NOR confirms that the development can be serviced by the existing wastewater network through extension of the existing DN225 wastewater main, which ultimately connects to the Bringelly	Appendix BB

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		Creek Carrier. Sydney Water has accepted the proposed servicing strategy in principle and identified the specific augmentation works required to facilitate servicing of the development. Furthermore, an executed Developer Works Deed is in place committing the developer to the delivery of the identified water and wastewater infrastructure works in accordance with Sydney Water requirements. These arrangements provide a clear and deliverable pathway for the provision of sewerage and water services and demonstrate that the development is capable of being connected to the reticulated network when required. The proposed development will continue through the established Sydney Water approval process, including satisfaction of the NORD and the subsequent issue of a Section 73 Compliance Certificate prior to occupation. Accordingly, the consent authority can be satisfied that adequate arrangements exist for the provision of water supply and the disposal and management of sewage, and that the intent of Clause 6.1 is achieved by ensuring the development will not proceed to the point where essential public utility infrastructure is required unless that infrastructure is available. For electricity infrastructure, a Level 3 Accredited Service Provider has been engaged to undertake a feasibility assessment of the development's servicing requirements. This includes consultation with Endeavour Energy to assess network capacity, connection arrangements, substation requirements and infrastructure delivery timeframes. This work establishes a clear pathway for electrical servicing and confirms that suitable arrangements are in place to provide electricity to the development when required. Detailed servicing design and infrastructure delivery planning will occur during the post-approval detailed design phase. Where infrastructure upgrades are required, these will typically be delivered by the developer as part of subdivision and infrastructure works, in accordance with the requirements of the relevant utility authority.	
6.2 Development controls—native vegetation retention areas and riparian protection areas	This section seeks to prevent the clearing of certain native vegetation.	The site is not identified as being affected by the native vegetation or riparian protection area map.	N/A
6.5 Active Street Frontages	- The objective of this section is to promote continuous economic activity and uses that attract pedestrian movement along ground floor street frontages in the core area of Leppington Town Centre. - This section applies to land within the area identified as 'Centre Core' on the Commercial and Active Uses Floor Space map. - Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this section applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or a change of use. - Despite subsection (5), an active street frontage is not required for any part of a building that is used for any of the following— - entrances and lobbies (including as part of a mixed-use development), - access for fire services or other essential services, - vehicular access.	The site is located on the Commercial and Active Uses Floor Space map. The proposed development includes residential floor space and commercial floorspace in the form of a hotel and ground floor commercial/retail land uses, which will provide active street frontages.	Appendix B

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
6.6 Design Excellence	- The objective of this section is to deliver the highest standard of architectural, urban and landscape design. - This section applies to development on land within the Leppington Town Centre involving the erection of a new building or external alterations to an existing building that has, or will have, a height above ground level (existing) greater than 12 metres or 3 storeys. - Development consent must not be granted to development to which this section applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence. - In considering whether development to which this section applies exhibits design excellence, the consent authority must have regard to the following matters— - whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, - whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain, - whether the development will contribute to the resilience of outdoor public domain areas to urban heat by integration of trees, passive irrigation, and water features into the landscape, - whether the proposed development detrimentally impacts on view corridors, - how the proposed development addresses the following matters— - the suitability of the land for development, - the existing and proposed uses and use mix, - any heritage issues and streetscape constraints, - the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity, and urban form, - the bulk, massing, and modulation of buildings, - street frontage heights, - environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind solar reflectivity, heat re-emission and heat rejection, - the achievement of the principles of ecologically sustainable development, - pedestrian, cycle, vehicular and service access, and circulation requirements, including the permeability of any pedestrian network, - the impact on, and any proposed improvements to, the public domain, - the impact on any distinctive character area, - achieving appropriate interfaces at ground level between the building and the public domain, - excellence and integration of landscape design for the site and surrounds at street level, on roofs and terraces and on any green walls.	An assessment against the Housing Design Quality Principles set out in Schedule 9 of the Housing SEPP has been prepared by DKO in the Architectural Design Report. The proposal has been designed to deliver a high standard of architectural, urban and landscape design consistent with the objectives of the relevant legislation. Through an integrated design approach, the development responds to its strategic town centre location and the future vision of LTC. A high standard of architectural design is achieved through well-proportioned and slender tower forms, articulated façades and a carefully considered material palette that is appropriate to a high density, mixed-use setting in Western Sydney. The site layout and orientation maximises northern sun and passive daylighting to improve the amenity for residents, workers and visitors. Residential amenity is prioritised, expressed through façade modulation, balconies, and shading elements. Material selection, detailing, and colour are drawn from the Cumberland Plains context, providing durability, climatic responsiveness, and a coherent architectural identity across all the buildings. The towers are positioned to maintain appropriate separation distances, protect solar access, minimise overshadowing and avoid adverse impacts on adjacent properties and view corridors. Slender tower proportions, stepped massing, façade articulation reduce perceived bulk and ensure the buildings sit comfortably within the emerging high-density town centre context. The built form, siting and external appearance of the development contribute positively to the public domain. All street frontages are activated through commercial ground floor offerings, public plaza, landscaped public domain, visible and legible building entries, and passive surveillance from apartments. This design prioritises pedestrian amenity and the future green character of the Leppington Town Centre. Landscape design is fully integrated with the architecture and plays a significant role in achieving design excellence. Deep soil zones, linear parks, continuous street-edge planting and significant tree canopy contribute to urban heat mitigation, microclimate improvement, and long-term environmental performance. Landscaped communal spaces at ground level, along with upper podium levels, provide a diverse range of usable outdoor spaces for residents. These measures support resilience to urban heat through shade, evapotranspiration, and opportunities for passive irrigation. Environmental performance and ecologically sustainable development principles are embedded throughout the proposal. Passive solar design, elevated levels of natural ventilation, shading devices and efficient building services reduce energy demand and operational costs. The development demonstrates a clear and legible approach to access, circulation, and safety. Pedestrian, vehicle, and service movements are efficiently separated, with secure basement parking and direct lift access to all levels. Ground-level interfaces are well defined, with clear transitions between public, communal, and private spaces. Passive surveillance, visible entries, and CPTED principles contribute to a safe and welcoming environment for residents and the wider public domain.	Appendix I

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
6.7 Public realm excellence	1. The objective of this section is to encourage: (a) a high standard of urban and landscape design in public and semi-public spaces (b) large canopy tree plantings in continuous linear plazas and continuous linear parks within street setback areas. 2. This section applies to development on land within the 'public realm excellence area' on the Public Realm Excellence Area map involving the erection of a new building or external alterations to an existing building. 3. Consent must not be granted to development to which this section applies unless, in the opinion of the consent authority, the proposed development exhibits public realm excellence, considering the following matters— (a) whether the development will contribute to the public realm of the centre by provision of public access to, and public enjoyment of: (i) public and semi-public spaces such as through site-pedestrian links (ii) streetside linear plazas and streetside parks (iii) continuous colonnade edges to public squares and spaces, (b) whether the proposal has incorporated practical opportunities to provide continuous, legible, and convenient public access, as well as meeting and resting spaces, (c) whether the location, form, and landscape design of those spaces create a welcoming, comfortable place with a clear sense of public domain intended for both residents and the wider community, (d) whether a high standard of design, materials and detailing appropriate to the space and building interfaces with the space will be achieved, (e) whether the form and external appearance of the proposed development will improve the quality and amenity of the public realm, (f) whether the development will contribute to the resilience of the outdoor public realm to urban heat by measures such as integration of shade trees, passive irrigation, and water features into the landscape. 4. Development consent must not be granted for development on land within a linear plaza building line area, as shown on the public realm excellence map, except for the following— (a) development for the purposes of outdoor dining structures, shade structures, access stairs and ramps (within the public domain to gain access to a building façade/ building line and or to assist with level changes within the public domain), footpaths and paving, low retaining walls or fences (where seamless access from street cannot be achieved), landscaping works and structures, street furniture, outdoor play and recreation, public art, live performance space and mobile food carts and public utilities infrastructure. (b) the alteration or rebuilding of an existing building wholly or partly in the linear plaza area that improves public access and public experience of the space, (c) the erection of a building within the linear plaza area, if the levels, depth, or other exceptional features of the site make it appropriate to do so without compromising the objectives of this section.	The proposed development is located within the identified Public Realm Excellence Area and has been designed to deliver high-quality public and semi-public spaces consistent with the objectives of the Leppington Town Centre controls. The proposal demonstrates public realm excellence through an integrated approach to urban design, landscape, access, and environmental performance. - Architecture and landscape are integrated to create a cohesive, high-quality public domain outcome. - Landscaped setbacks, articulated ground-level interfaces, and clear pedestrian connections enhance the public realm. - Continuous deep soil zones are provided along the northern street frontage to support large canopy trees. - Linear landscaped areas reinforce the streetside plaza and park character of the town centre. - Clearly defined pedestrian entries and landscaped forecourts support public access and movement. - Landscaped setbacks and continuous planting zones contribute to streetside linear plaza and park outcomes. - Deep verandas, setbacks, and articulated building edges define and enhance public spaces at ground level. - Pedestrian paths are direct, visible, and connected to surrounding streets. - Seating and shaded landscaped areas provide opportunities for rest and informal gathering. - Durable, high-quality materials are used at building interfaces with public spaces. - Architectural and landscape detailing is coordinated for visual quality and longevity. - Removal of bulky podium elements allows landscape to dominate the ground plane. - Slender tower forms and articulated façades enhance streetscape amenity. - Large canopy trees shaded pedestrian areas, and landscaped setbacks mitigate urban heat. - Deep soil zones and passive irrigation opportunities support long-term microclimate performance. - No permanent buildings are proposed within the linear plaza building line area. Works are limited to landscaping, paving, seating, planting, and other permitted public domain elements.	Appendix I

Statutory Reference	Relevant Considerations	Relevance	Section in EIS						
	5. In this section— linear plaza building line area means the area between the linear plaza building line and the adjacent street as shown on the Public Realm Excellence Maphttps://www.planningportal.nsw.gov.au/publications/environmental-planning-instruments/huntershill-local-environmental-plan-2012. Low retaining walls or fences means retaining walls or fences which are not higher than one metre high, measured vertically at any point from the lower side ground level to the highest point of the structure. Public utilities infrastructure includes public utility undertakings (such as for the supply of water or energy) and telecommunications facilities.								
6.8 Low Carbon Buildings	1. The objectives of this section are as follows: (a) to encourage low carbon building design (form, layout, and services) in the Leppington Town Centre that minimises the consumption of energy, (b) to provide increased amenity to occupants over the long term, (c) to ensure the increase in gross floor area is compatible with surrounding buildings in terms of bulk, height, and amenity. 2. This section applies to development for the purposes of commercial premises, residential flat buildings, and mixed-use development that includes residential shop top housing apartments or serviced apartments in B3, B4, R3 and R4 zones. 3. The floor space ratio of a development to which this section applies may exceed the floor space ratio set by sections 4.4, 4.7 and 4.8 by an additional amount of up to: (a) 0.25:1 in R3 Medium Density Residential, R4 High Density Residential, B3 Commercial Core and B4 Mixed Use zones, but only if the consent authority is satisfied that the development will comprise low carbon buildings. 4. Despite clause 4.3, if the bonus floor space is approved in respect for this clause (cl.6.8) , the height of the building may exceed the maximum height shown for the land on the Height of Buildings Map. 5. Low carbon building means a building that: (a) In the case of the commercial premises part of any building used for the purposes in Column 1 of the table, do not exceed the estimated annual energy emissions Column 2 of the table: <table><tr><th>Column 1</th><th>Column 2</th></tr><tr><td>Retail premises and business premises (including as part of a mixed use development) – common areas only</td><td>< 52.8 kgCO2/m²/annum</td></tr><tr><td>Office premises (base building)</td><td>< 63.8 kgCO2/m²/annum</td></tr></table> (b) In the case of the residential or serviced apartments part of any building, achieve the higher BASIX Energy standards (shown Column 2) above the minimum standards provided by State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004, for the corresponding building height (shown Column 1)	Column 1	Column 2	Retail premises and business premises (including as part of a mixed use development) – common areas only	< 52.8 kgCO2/m²/annum	Office premises (base building)	< 63.8 kgCO2/m²/annum	The proposal is not seeking height or floor space ratio bonuses under Section 6.8. Despite this, high performance building measures have been integrated into the design, as detailed in the ESD Report in Appendix V.	Appendix V
Column 1	Column 2								
Retail premises and business premises (including as part of a mixed use development) – common areas only	< 52.8 kgCO2/m²/annum								
Office premises (base building)	< 63.8 kgCO2/m²/annum								

Statutory Reference	Relevant Considerations	Relevance	Section in EIS								
	<table><tr><th>Column 1</th><th>Column 2</th></tr><tr><td>Building Height</td><td>Points above minimum BASIX standard</td></tr><tr><td>11-15 storeys</td><td>+25</td></tr><tr><td>16+ storeys</td><td>+20</td></tr></table> 6. A report prepared by a suitably qualified and experienced consultant to the satisfaction of the Council must verifies that: (a) the necessary annual emissions intensity targets to meet the requirements under subsection (4) (a) at the time of application have been established and confirmed, and (b) the building will meet the annual energy performance targets established under subsection 4(a), has adequate allowance (including budget) in the design of the building and its services to meet these targets, and is committed to a post occupancy verification against the targets.	Column 1	Column 2	Building Height	Points above minimum BASIX standard	11-15 storeys	+25	16+ storeys	+20		
Column 1	Column 2										
Building Height	Points above minimum BASIX standard										
11-15 storeys	+25										
16+ storeys	+20										
6.9 Affordable Community Housing	1. This section applies to development for shop top housing or residential flat buildings where at least 3% of the total gross floor area of the development that is intended to be used for residential dwellings will be: (a) used for the purpose of affordable community housing in perpetuity, and (b) owned by a registered community housing provider or public housing provider. 2. The floor space ratio of a development to which this section applies may exceed the floor space ratio set by sections 4.4, 4.7 and 4.8 by an additional amount of up to: (a) 0.25:1 for land zoned R3 Medium Density Residential or R4 High Density Residential; or (b) 0.5:1 for land zoned B4 Mixed Use. 3. The amount of additional floor space permitted by subsection (2) is in addition to each other amount of additional floor space permitted by other sections in Part 6. 4. Despite clause 4.3, if the bonus floor space is approved in respect for this clause (cl.6.9) , the height of the building may exceed the maximum height shown for the land on the Height of Buildings Map. 5. Development consent must not be granted under this section unless the consent authority is satisfied that satisfactory arrangements have been made for the ownership of this affordable community housing component of the development to be transferred to a registered community housing provider or public housing provider. 6. Subsection (3) does not apply to development on land owned by the Land and Housing Corporation or to a development application made by, or on behalf of, a public authority.	The proposed development will provide affordable housing as part of the project which exceeds 3% of GFA.	Section 5 of EIRS								
6.10 Urban Heat	7. The objective of this section is to ensure new development incorporates effective planning and design to reduce the impacts of urban heat, to help the community survive heatwaves and thrive in a warmer climate. 8. This section applies to all developments in residential, business, industrial, recreation and special purpose zones within the Leppington Town Centre to which this Part applies.	An Ecologically Sustainable Development Report has been prepared by SLR. The proposed development contains the following ESD and energy efficiency features: - The incorporation of passive and energy saving measures such as of the proposed residential units being naturally cross-ventilated. - The design of the built form has been designed to maximise solar access of residential units.	Appendix V								

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	9. Before granting development consent, the consent authority must be satisfied that: (a) The development makes adequate allowance for green infrastructure, including an appropriate contribution to tree canopy cover targets adopted by Council. This means allowing for sufficient deep soil and plantable area to encourage root development and minimise conflicts with utilities, (b) Building roofs (other than green roofs) are designed as cool roofs, wherever they are not designed as green roofs or covered with solar panels, (c) Building exteriors are designed to minimise heat impacts in their immediate surroundings, particularly where people frequent these spaces. This includes solar radiation reflected from façades, heat absorbed and re-radiated from walls and heat ejected from heating, ventilation, and cooling systems, (d) Buildings are designed to achieve high passive thermal performance and reduce reliance on air conditioning to maintain comfortable and safe indoor conditions, even during heatwaves, (e) Public and private outdoor spaces that are accessible to residents, workers or the general public, including gardens, courtyards, parks, plazas, and streetscapes, are designed as cool spaces, (f) The development contributes, proportionate to its scale, to renewable energy supply and/or storage, which will reduce the peak demands on the grid during heatwaves, and (g) The development has access to an appropriate sustainable supply of non-potable water (e.g. rainwater, harvested stormwater, or recycled water) to enable irrigation for cooling, even at times when drinking water use is restricted. (h) The development or work has demonstrated that shade trees are to be retained where practical, unless an AQF Level 5 Arborist has determined that the tree should not be preserved as it is dead, dying or may present as a hazard to human health if retained. 10. In this section: (a) Green infrastructure includes all types of vegetation found in urban areas, including natives and exotic species, remnant and planted vegetation, trees, shrubs, grasses and groundcovers, vegetation in parks, streetscapes, public and private domain. It includes elements such as green walls and roofs, rain gardens, wetlands and swales, productive, ornamental, and native gardens, trees, turfed areas, bushland, and riparian vegetation. (b) Cool roofs use materials of high reflectivity (particularly in the infrared and near infrared spectrum) and/or high thermal emittance (they easily re-radiate any absorbed solar energy). (c) Passive thermal performance is achieved by designing with passive heating/cooling measures (such as orientation, natural ventilation, cool materials, external shading, glazing and appropriate use of thermal mass), to reduce the reliance on mechanical heating or cooling to maintain thermal comfort. (d) Cool spaces in the outdoor environment (in both the public and private domain, including parks, streetscapes, plazas/public squares, private gardens, courtyards, balconies, outdoor work areas) are designed to implement principles that maximise human thermal comfort in outdoor environments, including: (i) Maximising summer shading (e.g. via shade structures or tree canopy),	- LED energy-efficient lighting for all spaces. - Concrete slab construction for all floors, which has a high thermal mass capacity. - Centralised energy-efficient solar / heat pump hot water systems. - Gearless traction with variable voltage frequency motor lifts. - Individual 1-phase air-conditioning systems for all living areas and bedrooms with 4-star rating for heating and cooling requirements. - Dishwasher and clothes dryer units to be installed in each dwelling with an energy efficiency rating of at least 3 and 2 stars, respectively. - Provision of electric cooktops and ovens. - Water efficient bathroom and kitchen fittings and the consideration of rainwater reuse for irrigation purposes. - Low levels of volatile organic compounds paints and floor coverings and low formaldehyde wood products used where possible. - Equipping 10% of total car spaces with EV charging stations, distributed among visitor and occupant car spaces, with a commitment to providing provision for future installation of EV chargers in 100% of parking spaces. - Landscaped areas are provided throughout the communal areas of the proposed development. The proposed planting schedule provides added cooling during summer through leaf transpiration and wind amelioration. - Plant species within the proposed development will be predominately indigenous species that can require less water to reduce water use and maintenance requirements. - The ESD report recommends the installation of a solar PV system. - The proposed development will gain an average 7 NatHERS star rating; and - The proposed development will meet BASIX targets in water and energy.	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	(ii) Minimising heat reflected from building walls and façades into pedestrian gathering or circulation areas, (iii) Minimising heat input to pedestrian circulation areas from sources such as vehicles and building HVAC systems, (iv) Maximising the amount of water retained in the landscape, including both rainfall intercepted and retained in soils, and the use of irrigation (using sustainable water supplies such as rainwater, harvested stormwater, or recycled water) to maintain healthy vegetation and maximise evapotranspiration, (v) Incorporating evaporative cooling systems such as water features or misting fans to create particular cool zones, and vi) Using permeable paving where possible and prioritising the use of cool paving materials wherever glare is not a constraint and there are potential cooling benefits. (e) A tree which provides for canopy shading can be practically preserved when: (i) The tree and its canopy are located wholly within a landscaped area, or (ii) Techniques such as underboring or provision of root barriers around utilities, footings, or foundations can reduce or remove any potential damage to public utility undertakings, and buildings, or (iii) The position of driveways, hard surfaces and other paved areas can be practically displaced or removed entirely to avoid removal of existing trees. or (iv) The development has not demonstrated, by means of building plans, or flood mitigation works, that cutting or filling of the land is necessary, which would subsequently result in the removal of trees, or (v) Minor articulation of the built form, location of proposed lot boundaries, or minor variations to the street alignment or design can otherwise retain shade trees		

Child Care Planning Guideline

Matter for Consideration	Project	Complies
3.1 Site selection and location		
Objective: To ensure that appropriate zone considerations are assessed when selecting a site.	The existing and proposed land use zone both permit a Centre-Based Child Care Facility under the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (WPC SEPP). Childcare facilities are permissible in each zone and align with their objectives. The proposed childcare facility will form part of a vibrant mixed use precinct, located in the building podium. It will deliver a valuable offering to the residents within and in proximity to the Proposed Leppington Civic Centre.	Yes
Objective: To ensure that the site selected for a proposed childcare facility is suitable for the use.		
Objective: To ensure that sites for childcare facilities are appropriately located.		

Matter for Consideration	Project	Complies
Objective: To ensure that sites for childcare facilities do not incur risks from environmental, health or safety hazards.	The EIRS has prepared a series of technical assessments which confirm the proposed development, and specifically the childcare centre is appropriately designed to ensure environmental, health and safety risks are mitigated and managed.	Yes
3.2 Local character, streetscape, and the public domain interface		
Objective: To ensure that the childcare facility is compatible with the local character and surrounding streetscape.	The childcare centre will be located within the Level 1 building podium of the eastern block, which comprises a mix of uses including retail and residential apartment dwellings above. It will form part of a vibrant Civic Centre within the future Leppington Town Centre.	Yes
Objective: To ensure clear delineation between the childcare facility and the public spaces.	There is a clear delineation in the architectural plans between the childcare facility and public places. The north east corner of the building podium will be dedicated to the proposed childcare facility. The entrance \ to the childcare facility will be a dedicated entry and distinct from the building entrances and lobbies to the other proposed uses.	Yes
Objective: To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.	Not applicable – a front fence is not required / proposed.	N/A
3.3 Building orientation, envelope, design, and accessibility		
Objective: To respond to streetscape and site, while optimising solar access and opportunities for shade.	The proposed childcare centre will be located at the north east building corner of the podium. This is positioned in an optimal location to receive morning and midday solar access during winter, and the appropriate level of shading in summer. The childcare is oriented and designed to maximise solar access to the outdoor play area, as well as to the internal spaces. An outdoor play area is proposed on the balcony which will ensure child safety and privacy is achieved.	Yes
Objective: To ensure that the scale of the childcare facility is compatible with adjoining development and that the impact on adjoining buildings is minimised.	The proposed childcare centre will be located on Level 1 of the building podium and will not have any impact on adjoining buildings. It is situated beside retail offerings with a clear separate entry to delineate uses. The building is setback from Rickard Rd (east), and the future Byron Rd (north). The proposed built form, articulation and scale of development is appropriate for the site's existing and future context. It will positively contribute to the character of the LTC as discussed within the EIRS.	Yes
Objective: To ensure that setbacks from the boundary of a childcare facility are consistent with the predominant development within the immediate context.		
Objective: To ensure that the built form, articulation and scale of development relates to its context and buildings are well designed to contribute to an area's character.		
Objective: To ensure that buildings are designed to create safe environments for all users.	The proposed childcare facility has been designed to ensure the safety of future users.	Yes
Objective: To ensure that childcare facilities are designed to be accessible by all potential users.	The building and childcare facility has been designed to be accessible.	Yes.
3.4 Landscaping		
Objective: To provide landscape design that contributes to the streetscape and amenity.	Landscaping is integrated into the outdoor play area to enhance amenity and encourage connection to nature. The balcony will support landscape planting to positively contribute to amenity.	Yes.

Matter for Consideration	Project	Complies
3.5 Visual and acoustic privacy		
<i>Objective: To protect the privacy and security of children attending the facility.</i> <i>Objective: To minimise impacts on privacy of adjoining properties.</i> <i>Objective: To minimise the impact of childcare facilities on the acoustic privacy of neighbouring residential developments.</i>	The location of the Childcare facility is two storeys below the residential dwellings in the tower above. The provides adequate separation to ensure privacy for both inhabitants, as well as reduce potential acoustic impacts. The building and balcony facade will provide screening and protect the privacy of children using the outdoor play space. An acoustic assessment has been prepared and demonstrates the proposed childcare will not impact the acoustic privacy of the apartment residents or any neighbouring residential development.	Yes
3.6 Noise and air pollution		
<i>Objective: To ensure that outside noise levels on the facility are minimised to acceptable levels.</i>	A noise and vibration impact assessment considers the impact of external noise on the amenity of the proposed childcare facility. It concludes that, subject to the implementation of the proposed mitigation measures, the childcare centre will comply with the project internal noise levels.	Yes
<i>Objective: To ensure air quality is acceptable where childcare facilities are proposed close to external sources of air pollution such as major roads and industrial development.</i>	The site is not located adjacent to major roads or industrial development.	Yes.
3.7 Hours of operation		
<i>Objective: To minimise the impact of the childcare facility on the amenity of neighbouring residential developments.</i> <i>Hours of operation where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses.</i>	The proposed hours of operation are 07:00 – 18:00 Monday to Friday. These hours are indicative and will be confirmed with the operator.	Yes.
3.8 Traffic, parking, and pedestrian circulation		
<i>Objective: To provide parking that satisfies the needs of users and demand generated by the centre.</i>	Staff parking for the proposed childcare centre will be provided within the basement parking levels.	Yes
<i>Objective: To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.</i>	Vehicle access to the basement will be provided from the proposed local street as to avoid traffic conflicts on Rickard Road.	Yes
<i>Objective: To provide a safe and connected environment for pedestrians both on and around the site.</i>	A safe pedestrian environment is provided through the employment of separate pedestrian access and car parking. Pedestrians travelling from the carpark will have clear and safe circulation from the basement to the podium levels. It has been designed to ensure vehicles can enter and exit the basement parking safely and reduce conflicts between vehicles and pedestrians.	Yes
4.1 Indoor space requirements		

Matter for Consideration	Project	Complies
<i>Regulation 107</i> <i>Every child being educated and cared for within a facility must have a minimum of 3.25m2 of unencumbered indoor space.</i>	The architectural drawings demonstrate that total of 266sqm of indoor play areas is provided, which comply with the requirements of minimum 3.25sqm.	Yes
4.2 Laundry and hygiene facilities		
<i>Regulation 106</i> <i>There must be laundry facilities or access to laundry facilities; or other arrangements for dealing with soiled clothing, nappies, and linen, including hygienic facilities for storage prior to their disposal or laundering. The laundry and hygienic facilities must be located and maintained in a way that does not pose a risk to children.</i> <i>Childcare facilities must also comply with the requirements for laundry facilities that are contained in the National Construction Code.</i>	The laundry facility has been proposed within the childcare centre.	Yes
4.3 Toilet and hygiene facilities		
<i>Regulation 109</i> <i>A service must ensure that adequate, developmentally and age-appropriate toilet, washing and drying facilities are provided for use by children being educated and cared for by the service, and the location and design of the toilet, washing and drying facilities enable safe use and convenient access by the children.</i> <i>Childcare facilities must comply with the requirements for sanitary facilities that are contained in the National Construction Code.</i>	These requirements can be provided at a later stage. These are details which will be part of construction certificate phase.	Yes
4.4 Ventilation and natural light		
<i>Regulation 110</i> <i>Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and well-being of children.</i> <i>Childcare facilities must comply with the light and ventilation and minimum ceiling height requirements of the National Construction Code. Ceiling height requirements may be affected by the capacity of the facility.</i>	The childcare facility has been designed to ensure ventilation, natural light and internal thermal comfort is achieved for the amenity and wellbeing of children. It will be constructed in compliance with the requirements of the NCC.	Able to comply
4.5 Administrative space		
<i>Regulation 111</i> <i>A service must provide an adequate area or areas for the purposes of conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.</i>	Internal spaces are provided to support the administrative operations of the facility, including meetings and consultations.	Yes
4.6 Nappy change facilities		
<i>Regulation 112</i>	Nappy changing facilities are provided within the facility in accordance with this requirement.	Able to comply

Matter for Consideration	Project	Complies
Childcare facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing. All nappy changing facilities should be designed and located in an area that prevents unsupervised access by children. Childcare facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the National Construction Code.		
4.7 Premises designed to facilitate supervision		
Regulation 115 A centre-based service must ensure that the rooms and facilities within the premises (including toilets, nappy change facilities, indoor and outdoor activity rooms and play spaces) are designed to always facilitate the supervision of children, having regard to the need to maintain their rights and dignity. Childcare facilities must also comply with any requirements regarding the ability to facilitate supervision that is contained in the National Construction Code.	These are details which will be part of construction certificate phase and have been adopted at DA stage of planning.	Yes
4.8 Emergency and evacuation procedures		
Regulations 97 and 168 Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation. Regulation 97 sets out the detail for what those procedures must cover.	Refer to Emergency & Evacuation Management Plan	Yes
4.9 Outdoor space requirements		
Regulation 108 An education and care service premises must provide for every child being educated and cared for within the facility to have a minimum of 7.0 sqm of unencumbered outdoor space.	A total of 525 sqm of outdoor play area will be provided, which exceeds the minimum requirement (490 sqm).	Yes
4.10 Natural environment		
Regulation 113 The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment.	The outdoor play area is designed with high quality landscaping and planting to encourage nature play and engagement with the natural environment.	Yes
4.11 Shade		
Regulation 114 The approved provider of a centre-based service must ensure that outdoor spaces include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.	Shading is provided by the balcony and its upper level floor which covers the outdoor area. This provides a balance of adequate solar access and shade throughout the year. Solar access and shading details – Refer to Architectural Pack.	Yes

Matter for Consideration	Project	Complies
<i>Outdoor play areas should:</i> <i>have year-round solar access to at least 30 per cent of the ground area, with no more than 60 per cent of the outdoor space covered.</i> <i>provide shade in the form of trees or built shade structures giving protection from ultraviolet radiation to at least 30 per cent of the outdoor play area.</i> <i>have evenly distributed shade structures over different activity spaces.</i> <i>Shade structures should allow adults to view and access the children’s play areas, with a recommended head clearance of 2.1 metres.</i>		
4.12 Fencing		
<i>Regulation 104</i> <i>Any outdoor space used by children must be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.</i> <i>Childcare facilities must also comply with the requirements for fencing and protection of outdoor play spaces that are contained in the National Construction Code.</i>	A 1.5m balcony fence will be provided around the outdoor play area to ensure the safety and privacy of children.	Yes
4.13 Soil Assessment		
<i>Subclause (d) of regulation 25 requires an assessment of soil at a proposed site and in some cases, sites already in use for such purposes as part of an application for service approval. With every service application one of the following is required:</i> <i>a soil assessment for the site of the proposed education and care service premises</i> <i>if a soil assessment for the site of the proposed childcare facility has previously been undertaken, a statement to that effect specifying when the soil assessment was undertaken.</i> <i>a statement made by the applicant that states, to the best of the applicant’s knowledge, the site history does not indicate that the site is likely to be contaminated in a way that poses an unacceptable risk to the health of children.</i>	A PSI and DSI was completed to assess the potential for contamination. It highlighted no areas of environmental concern were identified and confirms the site is suitable for use as a mixed-use development, with childcare land uses.	Yes