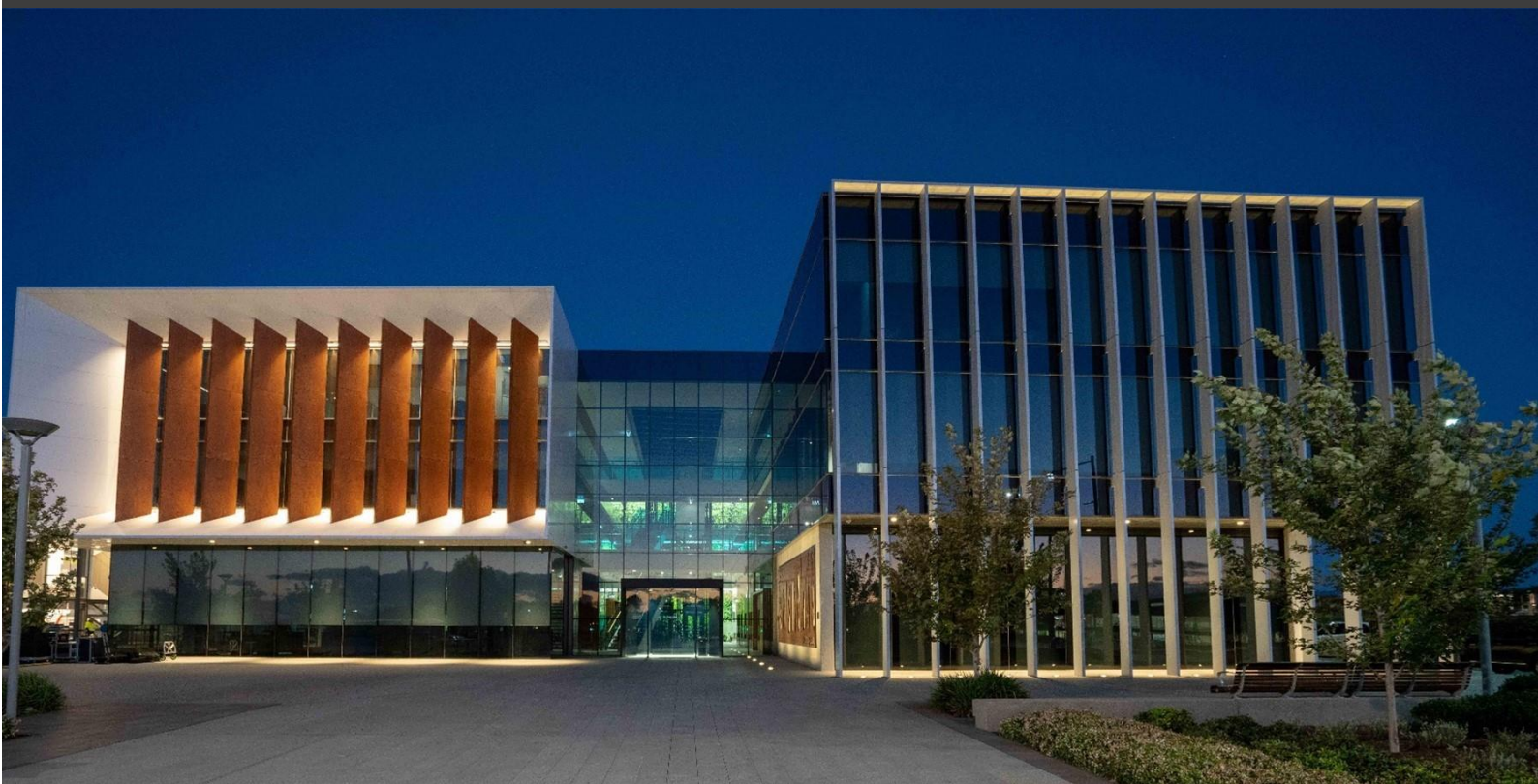


Business Paper

Camden Local Planning Panel
Electronic Determination

27 June 2023



camden
council

ORDER OF BUSINESS

CLPP01	DA/2021/1914/1 - Demolition Of Existing Structures, Tree Removal And Two Staged Construction Of A Four Level Self-Storage Facility, Car Parking, Landscaping, Signage, Drainage, Three Lot Subdivision, Indicative Road And Associated Site Works - 431 Bringelly Road, Leppington	6
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CLPP01

SUBJECT: DA/2021/1914/1 - DEMOLITION OF EXISTING STRUCTURES, TREE REMOVAL AND TWO STAGED CONSTRUCTION OF A FOUR LEVEL SELF-STORAGE FACILITY, CAR PARKING, LANDSCAPING, SIGNAGE, DRAINAGE, THREE LOT SUBDIVISION, INDICATIVE ROAD AND ASSOCIATED SITE WORKS - 431 BRINGELLY ROAD, LEPPINGTON

FROM: Manager Statutory Planning

EDMS #: 23/333784

DA Number:	DA/2021/1914/1
Development:	Demolition of existing structures, tree removal, two staged construction of a four level self-storage facility, car parking, landscaping, signage, drainage, three lot subdivision, indicative road and associated site works
Estimated Cost of Development:	\$12,263,614
Site Address(es):	431 Bringelly Road, Leppington Lot 13 DP 1204465
Applicant:	Ethos Urban
Owner(s):	Perpetual Trustee Company Limited
Number of Submissions:	Nil
Development Standard Contravention(s):	Floor Space Ratio > 10% Height of Building < 10%
Classification:	Integrated Development
Recommendation:	Approve with conditions.
Panel Referral Criteria:	Development standard contravention >10%
Report Prepared By:	Averil Flaman – Senior Town Planner

PURPOSE OF REPORT

The purpose of this report is to seek the Camden Local Planning Panel’s (the Panel’s) determination of a development application (DA) for the demolition of existing structures, tree removal, construction of a four level self-storage facility over two stages, car parking, landscaping, signage, drainage, three lot subdivision, indicative road and associated site works at 431 Bringelly Road, Leppington.

The Panel is to exercise Council’s consent authority functions for this DA as, pursuant to the Minister for Planning’s Section 9.1 Direction, the application proposes to contravene the floor space ratio development standard that applies to the site by more than 10%.

SUMMARY OF RECOMMENDATION

The Panel determine DA/2021/1914/1 for the abovementioned proposed development pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions attached to this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for demolition of existing structures, tree removal, construction of a four level self-storage facility over two stages, car parking, landscaping, signage, drainage, indicative road and three lot subdivision at 431 Bringelly Road, Leppington.

The application is proposed to be completed in two stages, with the first stage including the demolition of all existing structures on site, a three lot subdivision and construction of a four storey self-storage complex. The development will initially be accessed from Bringelly Road.

Stage two of the development will connect the site to the Leppington Indicative Layout Plan (ILP) roads at the rear of the development site, remove the access from Bringelly Road and embellish the rear building façade to address the new street frontage (i.e. ILP road).

The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2021*, relevant environmental planning instruments, development control plans and policies.

The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 14 January 2022 to 27 January 2022 and no submissions were received.

KEY PLANNING CONTROL VARIATIONS

Control	Proposed	Variation
13m maximum building height.	13.985m maximum building height.	0.985m (7.5%).
1:1 floor space ratio	Building GFA: 7,747m ² Site area 6,221m ² FSR:1.2:1	1,526m ² (24.5%)
26 car parking spaces required	13 spaces	13 spaces (50%)

AERIAL PHOTO



Figure 1 – Aerial image of site

THE SITE

The subject site is known as 431 Bringelly Road, Leppington and legally described as Lot 13 DP 1204465 and has an area of 19,500m². The site is trapezoidal in shape being 88.6m wide at the frontage and 45m wide at the rear and a depth of 291m. The site currently contains sheds, former dwelling foundations, concrete driveways and paths, a pool, fencing, a small dam and few trees mostly located at the boundaries. The site has a fall 3.5m fall from north-east to west.

The site is located on the western fringe of the Leppington Major Centre (as detailed in Schedule 2 Leppington Major Centre ILP) and is on the Rossmore boundary. The immediate surrounding area is yet to be developed, however the broader locality is starting to transform from former agricultural uses to industrial uses. To the north of the site and on the opposite side of Bringelly Road is Liverpool Local Government Area, which is also starting to transform from agricultural land to its zoned higher use. Directly opposite the site and within the Liverpool Local Government area is a service station.

The site has an Endeavour Energy transmission line easement traversing the site from the south-western corner of the site to the north-east of the site. The Leppington train line is located 55m south of the subject site. Approximately 360m east of the site is Eastwood Road.

ZONING PLAN

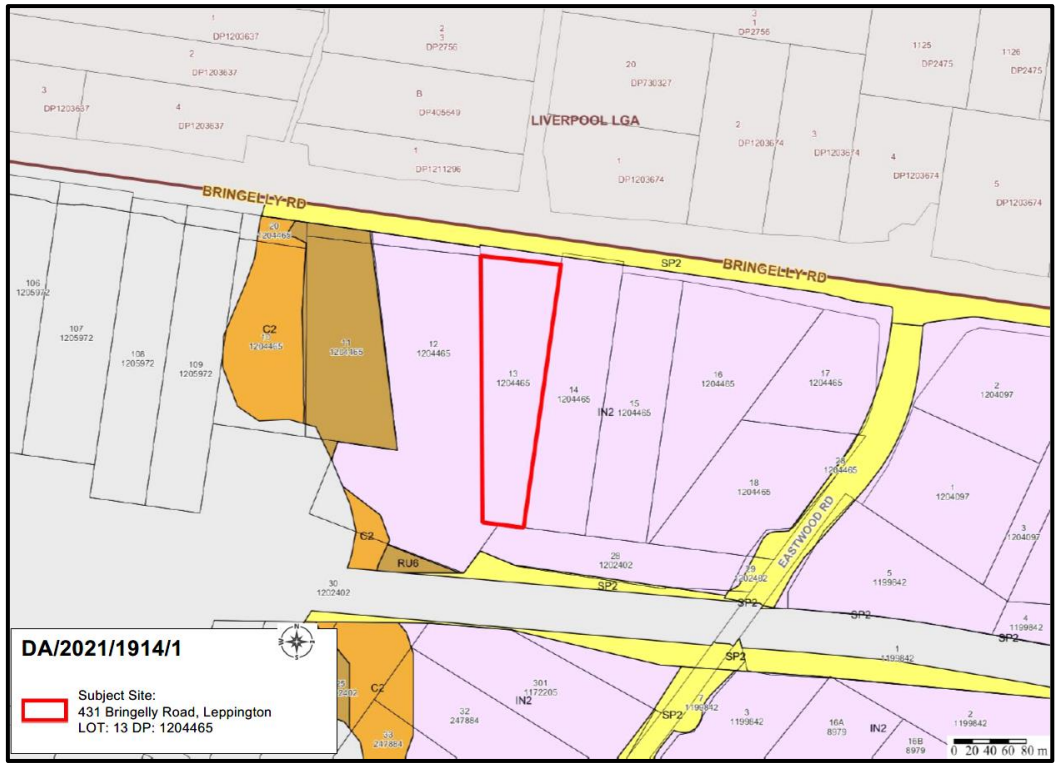


Figure 2 – Zoning plan

The site is zoned IN2 Light Industrial pursuant to State Environmental Planning Policy (Precincts – Western Parkland City) 2021, Appendix 5 Camden Growth Centres Precinct Plan. The site has a northern orientation with existing road frontage to Bringelly Road. The proposed development is permissible with consent.

AREA MASTER PLAN

The site is located within the future industrial precinct of the Leppington Austral Major Centres as depicted in Schedule 1 Austral & Leppington North Precincts, of the Camden Growth Centre Development Control Plan. The site contains a number of Indicative Layout Plan (ILP) Roads, south of the proposed development site as well as to the west and south of the site, as depicted in the plan provided below.

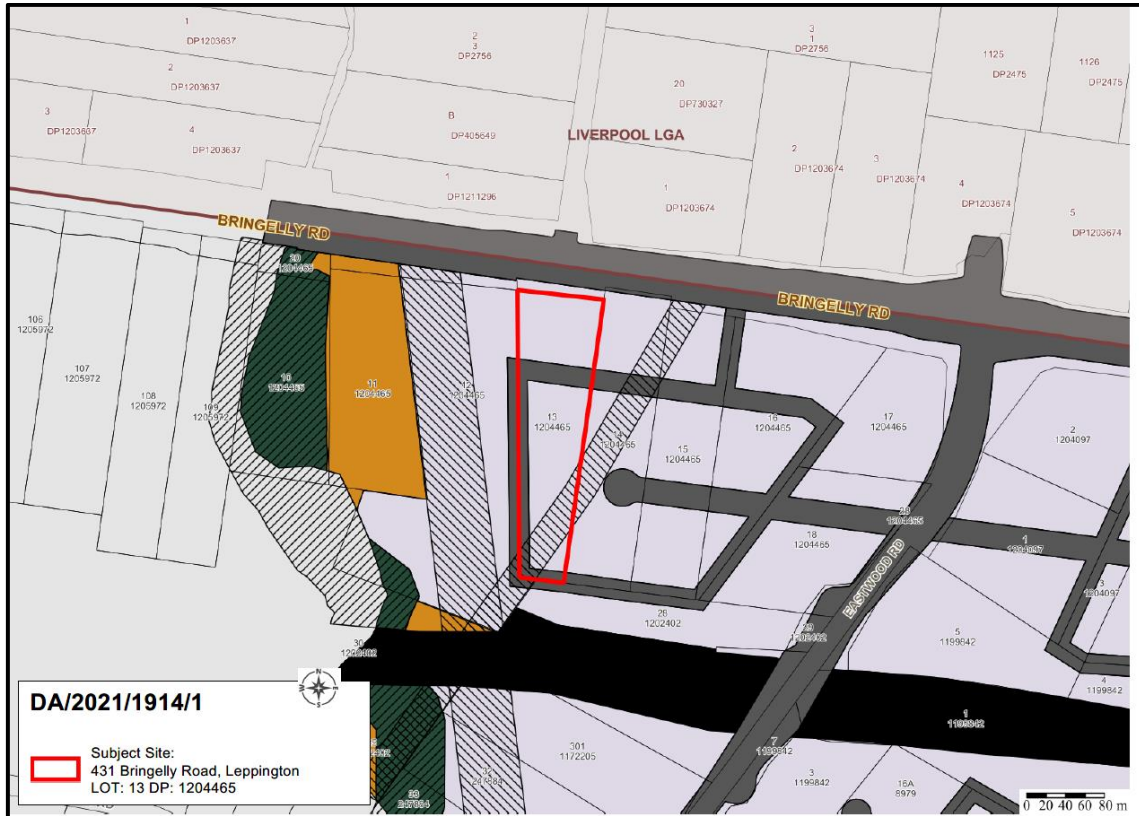


Figure 3 – Leppington ILP demonstrating existing easements and planned local roads

HISTORY

Complying Development Certificate (CDA/2021/1280/1) issued by a private certifier on 31 August 2021 approved the demolition of two dwellings.

Determination No. 2020/7/1, dated 7 September 2021, refused an application for the construction of a service station and food and drink premises, including two lot subdivision, earthworks, roadworks, servicing, car parking, landscaping and associated site works.

THE PROPOSAL

DA/2021/1914/1 is seeking approval for demolition of existing structures, tree removal and two staged construction of a four level self-storage facility, car parking, landscaping, signage, drainage construction, construction of 13 space car park, temporary pump out septic system, three lot subdivision, indicative road and associated site works.

The construction of the self storage facility is concentrated to the north of the site between Bringelly Road and the future ILP road dissecting the site. The proposed subdivision will separate the proposed building lot, the ILP road and create a residue lot at the rear.

The stages of the development are described below:

- Stage 1 includes the demolition of existing structures, site preparation works including earthworks and tree removal, construction and use of four storey self-

storage facility including 13 car parking spaces, landscaping, business identification signage, three lot subdivision and access to the site via Bringelly Road.

- Stage 2 of the development will occur once adjoining sites provide road connection from Eastwood Road and vehicular access can occur from Eastwood Road to the development site. Stage 2 will require the development to connect to the ILP road. The building is proposed to be modified to relocate the office to the south-west of the building to address the future main entrance to the site and to relocate the Pylon sign to ILP road entry. The Bringelly Road access will be decommissioned.

Access to Lots 132 and 133 will be via right of carriageway until such time as the ILP road is delivered.

The development of the remainder of the site will be subject to future development application and will only be possible once the ILP road has been constructed.

The proposed hours of operation of the reception office are 7.00am to 6.00pm, 7 days per week, with the remainder of the facility being open to customers 24 hours a day, 7 days a week.

ASSESSMENT

Environmental Planning and Assessment Act 1979 - Section 4.15(1)

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

(a)(i) the provisions of any environmental planning instrument

The environmental planning instruments that apply to the development are:

- State Environmental Planning Policy (Precincts - Western Parkland City) 2021.
- State Environmental Planning Policy (Transport and Infrastructure) 2021.
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- State Environmental Planning Policy (Industry and Employment) 2021.
- State Environmental Planning Policy (Biodiversity and Conservation) 2021.

State Environmental Planning Policy (Precincts - Western Parkland City) 2021 (Western Parkland City SEPP)

The Western Parkland City SEPP aims to co-ordinate the release of land for residential, employment and other urban development in the North West Growth Centre, the South West Growth Centre, the Wilton Growth Area and the Greater Macarthur Growth Area.

Site Zoning

The site is zoned IN2 Light Industrial pursuant to Appendix 5, Section 2.2 of the Western Parkland City SEPP.

Development Characterisation

The proposed development is characterised as 'self-storage units' which is a type of 'storage premises' as defined in the standard instrument and 'business identification signs' as defined within the Western Parkland City SEPP.

Permissibility

The proposed development is permissible with consent in the IN2 Light Industrial zone pursuant to the land use table in Appendix 5 of the Western Parkland City SEPP.

Planning Controls

An assessment table in which the development is considered against the Western Parkland City SEPP's planning controls is provided as an attachment to this report.

Proposed Contravention

The application proposes two development standard contraventions, being for Floor Space Ratio and Building Height. The two contraventions are assessed separately as follows.

Floor Space Ratio (FSR)

A maximum FSR of 1:1 is prescribed for the site. The proposed development has a FSR of 1.2:1.

Pursuant to Appendix 5, Section 4.6(3) of the Western Parkland City SEPP, the applicant has submitted a written request that justifies the contravention of the development standard. In summary, the applicant's written request provides the following justification for the contravention:

- the development is consistent with the objectives of the development standard in that the proposed development will result in a scale of development anticipated of future development within the IN2 Light Industrial zoning and the future intended development outcomes for the locality.
- Increased building setbacks and landscape buffering will mitigate visual amenity impacts within the public domain and for adjacent uses.
- The intensity of development is commensurate with, and can be accommodated on, the site without unreasonably impacting existing and planned development within the context of the future Leppington Major Centre.

A copy of the applicant's written request is provided as an attachment to this report.

Pursuant to Appendix 5, Section 4.6(4) of the Western Parkland City SEPP, Council staff are satisfied that:

- the applicant's written request has adequately addressed the matters required to be demonstrated by Appendix 5, Section 4.6(3) of the Western Parkland City SEPP, and

- the development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone in which the development is proposed to be carried out.

The development standard contravention is supported for the following reasons:

- the development is consistent with the objectives of the development standard:
 - (1) *The objective of this section is to control the bulk and scale of buildings by setting maximum floor space ratios for development.*

The presentation of the building to the public domain with increased setbacks; landscaping within these setbacks; and the cut of the site will reduce the perceived bulk of the development. The proposed development, being a self-storage premises, is also a low activity use ensuring the proposed contravention does not result in a use of excessive intensity.

It is assessed that the proposed development satisfies the objective of the standard.

Consequently, it is recommended that the Panel support the proposed contravention to the FSR development standard prescribed under the Western Parkland City SEPP.

Building Height

The building height development standard limits buildings to a maximum height of 13m above finished ground level. However, the proposed development has a maximum height of 13.985m above finished ground level. The contravention relates to a small portion of the parapet on the western side of the building and is shown on the proposed plans.

Pursuant to Appendix 5, Section 4.6(3) of the Western Parkland City SEPP, the applicant has submitted a written request that justifies the contravention of the development standard. In summary, the applicant's written request provides the following justification for the contravention:

- the development is consistent with the objectives of the development standard in that the proposed development, when viewed from most directions, remains below the maximum building height of 13m,
- the exceedance is predominantly on the western side of the building.
- due to the topography, the proposed cut of the site and the building setback distance, the proposed building will have no adverse visual impacts from the public domain or the adjoining developments.
- the extent of the building height exceedance is limited to the parapet, which has been included in the architectural design to facilitate concealment of roof mounted equipment and therefore contributing to the enhancement of the building design.
- the increased building setbacks and proposed landscaping within these setbacks will provide improved visual amenity to passing motorists and future adjoining development.

- the proposed development will positively contribute to a higher concentration of industrial related use in a convenient proximity to a major transport route.

A copy of the applicant's written request is provided as an attachment to this report.

Pursuant to Appendix 5, Section 4.6(4) of the Western Parkland City SEPP, Council staff are satisfied that:

- the applicant's written request has adequately addressed the matters required to be demonstrated by Appendix 5, Section 4.6(3) of the Western Parkland City SEPP, and
- the development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone in which the development is proposed to be carried out.

The development standard contravention is supported for the following reasons:

- the development is consistent with the objectives of the development standard:
 - (a) *to establish the maximum height of buildings,*

The Sydney Western City Planning Panel has approved a development application for the construction of a large industrial warehouse at 345-367 Bringelly Road, Leppington. The site is located approximately 580m east of the development site, with a maximum building height of 14.6m, being 1.6m above the building height development standard. The proposed development compares favourably to this nearby development.

The site is located within close proximity to Leppington Railway Station which is surrounded by sites with maximum building heights of 21-24m, therefore the proposed minor breach of building height in this location will not negatively impact the desired future character of this industrial centre.

- (b) *to minimise visual impact and protect the amenity of adjoining development and land in terms of solar access to buildings and open space,*

Bringelly Road is setback approximately 20m from the property boundary, with a large drainage swale separating Bringelly Road and the subject site. The proposed building has an 11.45m setback from the front boundary providing a minimum total setback between the road and the proposed building of 28.95m therefore the proposed building height exceedance will be imperceptible for motorists travelling along Bringelly Road.

The front setback of the building under Stage 2 will be 13.621m from the rear ILP road property boundary. The building has a substantial setback from this future frontage with landscaping proposed in this setback which will further assist in reducing any visual impact to the future ILP road public domain.

- (c) *to facilitate higher density development in and around commercial centres and major transport routes.*

The development site is located on a principal arterial road, the proposed building height exceedance will enable any roof mounted equipment to be screened from this road with the parapet, providing an improved building presentation to the existing and future road frontages.

Consequently, it is recommended that the Panel support the proposed contravention to the building height standard prescribed under the Western Parkland City SEPP.

The Panel may assume the concurrence of the Secretary pursuant to Planning Circular PS 20-002.

State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)

The Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State.

Referral to Endeavour Energy (Endeavour)

The DA was referred to Endeavour for comment pursuant to Section 2.48 of the Transport and Infrastructure SEPP.

Endeavour raised no objection to the development and recommended compliance with a number of technical guidelines and requirements. A condition requiring compliance with Endeavour's technical guidelines and requirements is recommended.

Referral to Transport for NSW (TfNSW)

The DA was referred to TfNSW for comment pursuant to Section 2.119 of the Transport and Infrastructure SEPP as, pursuant to Schedule 3 of the Transport and Infrastructure SEPP, the development is classed as an industrial development with a gross floor area greater than 5,000m² with access to a classified road.

TfNSW requested additional information including a redesign of the vehicular entry into the site from Bringelly Road; concerns with the relocation of the existing bus stop; and vehicular movement within the car park of the site.

At the request of TfNSW the applicant engaged an independent Road Safety Auditor to provide a Road Safety Audit (RSA) of the development to which a number of access arrangements to the site from Bringelly Road were proposed for TfNSW's consideration.

A re-referral request was submitted to TfNSW with the RSA options provided. TfNSW responded with a request for some minor amendments to one of the proposed options.

A re-referral request was submitted to TfNSW with the amended plans responding to the TfNSW amendments request, to which conditional concurrence was issued on 31 March 2023. Compliance with this concurrence forms part of the recommended conditions of consent.

State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)

The Resilience and Hazards SEPP regulates hazardous and offensive development and aims to ensure that the consent authority has sufficient information to assess whether or not development is hazardous or offensive. The Resilience and Hazards SEPP also provides a Statewide planning approach to the remediation of contaminated land.

Contaminated Land

Section 4.6 of the Resilience and Hazards SEPP requires the consent authority to consider if the site is contaminated. If the site is contaminated, the consent authority must be satisfied that it is suitable in its contaminated state for the development. If the site requires remediation, the consent authority must be satisfied that it will be remediated before the land is used for the development. Furthermore, the consent authority must consider a preliminary contamination investigation in certain circumstances.

The site has historically been used for market gardening from the 1950's to 1970's and then again in the early 1980's to early 2000's therefore a Preliminary Site Investigation with limited soil sampling report prepared by Geosyntec Consultants was submitted as part of the development application. The investigation of the site was limited to the northern portion of the site where the proposed self-storage facility will be located.

Council's Specialist Support Environmental Health Officer reviewed the report in conjunction with the preliminary site investigation report prepared by EP Risk Pty Ltd that was submitted with the previous DA lodged on the site (DA/2020/7/1). The sampling results in these reports indicate the risk of contamination is low.

Council staff are satisfied that the proposed commercial/industrial use of the site is suitable without the need for further investigation. However further investigation and sampling may be required for the future development of the remainder of the site (i.e. the rear residue lot).

A standard contingency condition is recommended that requires any contamination found during works (i.e. unexpected finds) to be managed with development consent obtained for remediation if required.

State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)

The Industry and Employment SEPP aims to ensure that signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

Section 3.6 of the Industry and Employment SEPP requires the consent authority to be satisfied that signage is consistent with the objectives as set out in Section 3.1(1)(a) of the SEPP and the assessment criteria specified in Schedule 5 of the SEPP.

Council staff are satisfied the signage is consistent with the objectives and the proposed signage is compatible with the desired future amenity and visual character of the area. The proposed signage will provide effective communication by displaying the development's name and directional signage. Schedule 5 assessment criteria has

been considered and Council staff are satisfied the signage is consistent with the criteria.

State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)

The development is satisfactory in terms of the matters for consideration in Chapter 6 of the Biodiversity and Conservation SEPP. There will be no unreasonable adverse impacts upon the Hawkesbury-Nepean Catchment as a result of the development.

(a)(ii) the provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)

Draft Environment State Environmental Planning Policy (Draft Environment SEPP)

The development is consistent with the Draft Environment SEPP in that there will be no unreasonable adverse impacts upon the Hawkesbury-Nepean Catchment as a result of it.

Draft Remediation of Land State Environmental Planning Policy (Draft Remediation of Land SEPP)

The development is consistent with the Draft Remediation of Land SEPP in that it is consistent with the Resilience and Hazards SEPP.

(a)(iii) the provisions of any development control plan

Camden Growth Centre Development Control Plan 2023 (Camden GC DCP)

An assessment table in which the development is considered against the Camden GC DCP is provided as an attachment to this report.

Proposed Variation – Car Parking

The applicant proposes a variation to Section 6.7.2 of the Camden GC DCP regarding off-street car parking provision.

The Camden GC DCP base car parking rates equate to 26 off-street car parking spaces being required for the development as shown below:

$$\text{Storage Premises} - 1 \text{ space per } 300\text{m}^2 = 7,747\text{m}^2 / 300 = 25.8$$

The applicant proposes 13 off-street car parking spaces, representing a 13 car space deficit.

A Transport Impact Assessment Report prepared by Stantec was submitted as part of the subject development application. This report provides an assessment of the Council car parking rate in comparison to the *Aurecon Self Storage Facility Traffic and Car Parking Study 2009* (Aurecon Report) that was commissioned by the *Self Storage Association of Australasia*. The Aurecon Report provides a comprehensive car parking

analysis of the car parking requirements of self-storage facilities and details the car parking requirements depending on the size of the operation.

The Aurecon Report details the requirement for 11 car parking spaces for a self-storage operation with a GFA between 6,000m² – 9,500m² to which the proposed development meets / exceeds.

Council's Traffic Engineer has assessed the applicant's parking submission and undertook an analysis of the car parking demands of the development (with consideration of the layout of the development). It is recommended that the reduced car parking rate be supported for the following reasons.

- Council's GC DCP car parking requirement groups warehouse development and storage development car parking rates together and is not specific to self-storage facilities.
- The Aurecon Report is a detailed and specialised analyses of car parking generation of self-storage facilities. The proposed car park is consistent with the outcomes of this study / report.
- The car parking arrangement proposed by this development is expected to appropriately cater for parking demand of the proposed self-storage facility.

Consequently, it is recommended that the Panel support this proposed variation to the Camden Growth Centre DCP.

(a)(iia) the provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

No relevant planning agreement or draft planning agreement exists or has been proposed as part of this DA.

(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The *Environmental Planning and Assessment Regulation 2021* prescribes several matters that are addressed in the conditions attached to this report.

(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

As demonstrated by the assessment, the development is unlikely to have any unreasonable adverse impacts on either the natural or built environments, or the social and economic conditions in the locality.

(c) the suitability of the site for the development

As demonstrated by the assessment, the site is considered to be suitable for the development.

(d) any submissions made in accordance with this Act or the regulations

The development application was publicly exhibited for a period of 14 days in accordance with the Camden Community Participation Plan 2021. The exhibition period was from 14 to 28 January 2022 and no submissions were received.

(e) the public interest

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2021*, environmental planning instruments, development control plans and policies. Based on the assessment, the development is consistent with the public interest.

EXTERNAL REFERRALS

The external referrals for this DA are summarised in the following table:

External Referral	Response
Transport for NSW	Concurrence received 31 March 2023
Endeavour Energy	No objection, conditions recommended
Camden Local Area Command	No objection, conditions recommended.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. The DA is recommended for approval subject to the conditions attached to this report.

RECOMMENDED

That the Panel:

- i. **Support the applicant’s written requests lodged pursuant to Appendix 5, Section 4.6(3) of State Environmental Planning Policy (Precincts - Western Parkland City) 2021 to the contraventions of the building height development standard in Section 4.3 and the floor space ratio development standard in Section 4.4 of State Environmental Planning Policy (Precincts - Western Parkland City) 2021; and**
- ii. **Approve DA/2021/1914/1 for the demolition of existing structures, tree removal, two staged construction of a four level self-storage facility, car parking, landscaping, signage, drainage, three lot subdivision, indicative road and associated site works at 431 Bringelly Road, Leppington subject to the conditions attached to this report for the following reasons:**
 - 1. **The Panel has considered the written requests to contravene State Environmental Planning Policy (Precincts - Western Parkland City) 2021 in relation to the height of buildings and floor space ratio development standards. The Panel considers that the written requests from the applicant adequately demonstrate that compliance with the**

development standards in Section 4.3 and 4.4 of State Environmental Planning Policy (Precincts - Western Parkland City) 2021 are unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standards. The Panel is also satisfied that the development will be in the public interest because it is consistent with the objectives of the development standards in Section 4.3 and 4.4 of State Environmental Planning Policy (Precincts - Western Parkland City) 2021 and the objectives for development within the IN2 Light Industrial zone.

2. The development is consistent with the objectives and controls of the applicable environmental planning instruments, being State Environmental Planning Policy (Precincts - Western Parkland City) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Industry and Employment) 2021 and State Environmental Planning Policy (Biodiversity and Conservation) 2021.
3. The development is consistent with the objectives of the Camden Growth Centre Development Control Plan 2023.
4. The development is considered to be of an appropriate scale and form for the site and the character of the locality.
5. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.
6. For the above reasons, the development is a suitable use of the site and its approval is in the public interest.

ATTACHMENTS

1. Recommended Conditions
2. Western Parkland City SEPP Assessment Table
3. Industry and Employment SEPP Assessment Table
4. Camden Growth Centres Precincts DCP Assessment Table
5. Clause 4.6 written request (Building Height)
6. Clause 4.6 written request (Floor Space Ratio)
7. Architectural plans

RECOMMENDED CONDITIONS

1.0 - General Conditions of Consent

The following conditions of consent are general conditions applying to the development.

- (1) **General Terms of Approval/Requirements of State Authorities** - The general terms of approval/requirements from state authorities shall be complied with prior to, during, and at the completion of the development.

The general terms of approval/requirements are:

1. Transport for NSW, dated 31 March 2023
2. Endeavour Energy, dated 29 December 2021

- (2) **Approved Plans and Documents** – The development must be carried out in accordance with the following plans and documents, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
A02.10 Rev E	Site Plan	BN Group	09/03/2023
A02.20 Rev P1	Ground Floor Plan Stage 1	BN Group	06/04/2023
A02.21 Rev D	First Floor Plan Stage 1	BN Group	09/03/2023
A02.22 Rev D	Second Floor Plan	BN Group	09/03/2023
A02.23 Rev D	Third Floor Plan	BN Group	09/03/2023
A02.25 Rev E	Roof/Site Plan Stage 1	BN Group	09/03/2023
A02.60 Rev P1	Ground Floor Plan Stage 2	BN Group	06/04/2023
A02.61 Rev D	First Floor Plan Stage 2	BN Group	09/03/2023
A02.65 Rev E	Roof/Site Plan Stage 2	BN Group	09/03/2023
A09.01 - A09.02 Rev P1	External Elevations Stage 1	BN Group	06/04/2023
A09.60 Rev F	External Elevations Stage 2	BN Group	09/03/2023
A09.61 Rev E	External Elevations Stage 2	BN Group	09/03/2023
A11.01 Rev F	Building Sections Stage 1	BN Group	09/03/2023
A11.60 Rev F	Building Sections Stage 2	BN Group	09/03/2023
A60.01 Rev E	Signs and Displays	BN Group	09/03/2023
2102478	Plan of Subdivision	Beveridge Williams	12/10/2022

CLPP01

Attachment 1

21-220-DAC000 Rev E	Cover Sheet and Locality Plan	AT & L	21/09/2022
21-880-DAC001 Rev C	General Notes	AT & L	04/05/2022
21-880-DAC002 Rev C	Existing Site Plan	AT & L	04/05/2022
21-880-DAC003 Rev E	General Arrangement Plan	AT & L	17/03/2022
21-880-DAC004 Rev F	Bulk Earthworks Plan Stage 1	AT & L	06/04/2022
21-880-SK02 Rev P1	Bulk Earthworks Plan Stage 1	AT & L	31/01/2023
21-880-DAC010 Rev F	Site Sections Sheet 1 Stage 1	AT & L	06/04/2023
21-880-DAC011 Rev C	Site Sections Sheet 2 Stage 1	AT & L	06/04/2023
21-880-DAC020 Rev I	Siteworks and Stormwater Drainage Plan Stage 1	AT & L	06/04/2023
21-880-DAC030 Rev G	Pavement Plan Stage 1	AT & L	06/04/2023
21-880-DAC040 Rev D	Stormwater Drainage Details Stage 1	AT & L	21/09/2022
21-880-DAC055 Rev F	Music Catchment Plan Stage 1	AT & L	17/03/2023
21/880/DAC060 Rev D	OSD Plan and Sections Stage 1	AT & L	21/09/2022
21-880-DAC065 Rev G	Sedimentation and Erosion Control Plan Stage 1	AT & L	06/04/2023
21-880-DAC070 Rev E	Retaining Wall Plan Stage 1	AT & L	17/03/2023
21-880-DAC071 to 21-880-DAC072 Rev C	Retaining Wall Elevations Sheet 1 - 2 Stage 1	AT & L	04/05/2022
21-880-DAC080 to 21-880-DAC083 Rev B	ILP Roads Preliminary – Siteworks and Stormwater Drainage Plan Sheet 1 to Sheet 4	AT & L	09/05/2022

Document Title	Prepared by	Date
Storage King, 431 Bringelly Road, Leppington - Noise Impact Assessment Issue 3	Pulse White Noise Acoustics Pty Ltd	03/12/2021
Preliminary Site Investigation with Limited Soil Sampling Revision 3	Geosyntec Consultants	24/11/2021
Waste Management Plan Ref: 21239	Dickens Solutions	November 2021
Arboricultural Impact Assessment	Arborlogix	10/03/2022
On-site Wastewater Report	Broadcrest Consulting Pty Ltd	November 2021

- (3) **Modified Documents and Plans** - The development must be modified as follows:
- a) Amended subdivision plan providing dimensions in accordance with 'Proposed Site Plan' Reference A02.10 Rev E. Lot 132 is required to demonstrate a minimum width of 20m.
 - b) Amended subdivision plans removing all references to 'Telecommunication Tower'.
 - c) Amended subdivision plan deleting the 3.5m wide 'proposed road widening' from the plan.
 - d) Amended plans demonstrating the proposed stockpile located on Lot 133 being appropriately vegetated as a means to prevent erosion and sediment control.
 - e) Amended subdivision plan removing any notation to 'no bond'.

Amended plans or documentation demonstrating compliance shall be provided to the certifier and Council prior to the issue of a Construction Certificate / Subdivision Works Certificate.

- (4) **National Construction Code - Building Code of Australia (BCA)** - All building work shall be carried out in accordance with the BCA as in force on the relevant date. In this condition the relevant date has the same meaning as in the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, section 19.
- (5) **Shoring and Adequacy of Adjoining Property** - If the approved development involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road rail corridor, the person having the benefit of the development consent must, at the person's own expense:
- a) protect and support the building, structure or work on adjoining land from possible damage from the excavation, and
 - b) if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land gives written consent to the condition not applying.

A copy of the written consent must be provided to the principal certifier prior to the excavation commencing.

- (6) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.
- (7) **Tree Removal** - Trees identified for removal, (including T25 and T26) in the Arboricultural Impact Assessment prepared by Arborlogix dated 10 March 2022 are approved for removal subject to the following conditions:
- a) Tree T27 must be retained and protected during construction activity.
 - b) Approved tree works must be undertaken in accordance with the relevant provisions of AS 4373 'Pruning of amenity trees' and must be carried out in accordance with the WorkCover NSW Code of Practice for the Amenity Tree Industry.
 - c) Approved tree work must only be carried out by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and must be supervised by AQF Level 5 in Arboriculture.
 - d) This consent does not grant access to adjoining land. The applicant must negotiate any tree related issues of access with adjoining property owners.
 - e) Green waste and or timber generated from the approved tree work must be recycled into mulch and reused on site or transferred to a designated facility for composting.
- (8) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this development consent.

The following procedures shall be strictly observed:

- a) no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval; and
- b) pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features, are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

- (9) **Outdoor Lighting** – The approved development must include lighting in all areas that complies with AS 1158 and AS 4282.
- (10) **Reflectivity** - The reflectivity of glass index for all glass used externally shall not exceed 20%.
- (11) **Roof Mounted Equipment** - All roof mounted equipment such as air conditioning units, etc., required to be installed shall be integrated into the overall design of the building and not appear visually prominent or dominant from any public view.
- (12) **Safer By Design** - The following safer-by-design features shall be incorporated into the approved development:
- a) A Closed Circuit Television System (CCTV) system and cameras compliant with Australian Standards AS4806:2006 installed by licensed, qualified security professionals, shall be installed around car parking areas and building entry points. and.
 - b) Security/surveillance Lighting shall be installed throughout the car park. Lighting must be installed to Australian Standards and not cause a nuisance to adjoining property owners.
 - c) Access to the site shall be conducted through a controlled security pass system.
- (13) **Noxious Weeds Management** - Weed dispersion must be minimised and weed infestations must be managed during all stages of the development. Any noxious or environmentally invasive weed infestations that occur during or after works must be fully and continuously suppressed and destroyed by appropriate means. New infestations must be reported to Council.

Pursuant to the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material to prevent the spread of all weeds to or from the property.

Earth moved containing noxious weed material must be disposed of at an approved waste management facility and be transported in compliance with the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*.

- (14) **Infrastructure in Road and Footpath Areas** – Infrastructure must not be removed and/or reconstructed without prior written approval from Council. Any costs incurred due to the relocation, restoration or reconstruction of pram ramps, footpath, light poles, kerb inlet pits, service provider pits, street trees or other infrastructure in the street footpath area for the proposed development shall be borne by the applicant, and not Council.

Note. The issue of this development consent does not imply concurrence or approval of any required public infrastructure work associated with the development.

- (15) **Graffiti Resistant Materials and Finishes** – Graffiti resistant materials and finishes must be used where possible.
- (16) **Connection to Sewer** – Lot 131 shall be connected to Sydney Water Reticulated Sewer at the earliest possible time, when connection becomes available. Once sewer connection is provided, the existing on-site sewage management system must be decommissioned.
- (17) **Access to Bringelly Road** – Vehicular access from the site to Bringelly Road is temporary. Stage 2 of the development must be enacted, and the ILP road constructed on Lot 132, as soon as road connection becomes available at 423 Bringelly Road (Lot 14 DP 1204465).
- (18) **Aboriginal Heritage Impact Permit (AHIP) Compliance** – Works shall be undertaken in accordance with the conditions of AHIP No. C0000436.
- (19) **Unexpected Aboriginal Archaeological Finds** - Any unexpected Aboriginal Archaeological finds discovered during excavation and outside of the area covered by AHIP C0000436 remain protected under the National Parks and Wildlife Act 1974 and shall be reported to Heritage NSW-DPC.

2.0 - Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Staging of Construction Works** - The development is to be completed in stages in accordance with the approved Staging Plan/s.

One Construction Certificate may be issued for all stages, or a single Construction Certificate may be issued with respect to each stage or a combination of stages.
- (2) **Performance Bond** - The applicant is to lodge a bond with Council to provide security for works undertaken within the existing public domain in accordance with Council's Development Infrastructure Bonds Policy.

Note. Fees are payable for the lodgement and refund of the bond.
- (3) **Construction Certificate** - The following information must be provided to the certifier with the Construction Certificate application / Subdivision Works Certificate application:
 - a) Channel A and Channel B as defined by sheet 21-880-DAC020 must be designed to ensure a minimum of 300mm freeboard is maintained through the entire length of the concrete open channels.
- (4) **Structural Engineer's Certificate** - A certificate must be prepared by a practising structural engineer certifying that the building design is capable of withstanding the effects of water and water pressure due to flooding. Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

- (5) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the accredited certifier.
- (6) **Driveway Gradients and Design** – The design of all driveways shall comply with AS 2890.1-2004 'Off street car parking' and:
- a) the driveway shall comply with Council's Access Driveway Specifications; <https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/Development-Guidelines-and-policies/Access-Driveways-Specifications-and-Drawings.pdf>
 - b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
 - c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and
 - d) a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.

Details demonstrating compliance shall be provided to the accredited certifier prior to issue of a Construction Certificate.

- (7) **External Walls and Cladding Flammability** – The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate the accredited certifier must:
- a) be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
 - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as proposed.
- (8) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.

A stormwater plan is to be submitted to the certifier prior to the augmentation of the existing drainage system to accommodate drainage from the approved development and to protect other property to the satisfaction of the certifier.

Note. Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.

- (9) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.

A detailed on-site detention and water quality report reflecting the Construction Certificate plans shall be provided to the certifier with the Construction Certificate application.

- (10) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book'). Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.

- (11) **Works in Road Reserves** - Where any works are proposed in a public road reservation, a Road Opening Permit shall be obtained from Council in accordance with Section 138 of the *Roads Act 1993*.

- (12) **Car Park Noise Control** – All off-street (including basement) car parks must have a coved finish with Slabseal 2000 SR sealant (or similar equivalent product) applied to the concrete floor. The coved finish and sealant must be suitably maintained on the floor of all car parks at all times to a standard that eliminates tyre squeal noise from being audible.

Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

- (13) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Appendix B of Camden Development Control Plan 2019. Details demonstrating compliance must be provided to the certifier.

The detailed landscape plan must also include:

- Increase the tree planting density on the northern and southern boundary landscaped areas by planting an additional four (4) *Corymbia maculata* at each location.
- Increase the width of the landscape strip along western boundary to ensure actual landscape medium areas is minimum 1.0m wide.

- (14) **Approval to install – Local Government Act 1993** – All wastewater generated by the approved development must be connected to an on-site sewage management system approved by Council. An 'Approval to Install a Sewage Management System' under Section 68 of the *Local Government Act 1993* shall be obtained from Council.

- (15) **Tree Survey Plan and Hollow Bearing Trees/Active Nests** - A tree survey plan to identify the location, type and condition of existing trees proposed to be removed, including whether tree hollows or active nests are present, must be prepared. If tree hollows and/or active nests are present, a nest box installation and active nest relocation plan must be prepared in addition to the tree survey plan.

The nest box installation and active nest relocation plan shall provide fauna with short-term habitat requirements during vegetation clearance and bushland restoration works. Each individual tree hollow must be replaced at a minimum 1:1 ratio with nest boxes.

All hollow-bearing and active nest trees removed from the site are to be inspected prior to removal. Measures must be taken to ensure that fauna inhabiting tree hollows or active nests are treated humanely and relocated before development activities commence consistent with the *National Parks and Wildlife Act 1974*. A suitably qualified and experienced ecologist or wildlife carer must be present throughout vegetation clearing activities to relocate fauna, or take fauna into care where appropriate (i.e. juvenile or nocturnal fauna).

- (16) **Fibre-Ready Facilities/Telecommunications Infrastructure** – Documentary evidence must be provided to the certifier demonstrating that satisfactory arrangements have been made for:
 - a) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The carrier must confirm in writing that they are satisfied that the fibre-ready facilities are fit for purpose; and
 - b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

This condition does not apply where an applicable exemption exists under Commonwealth law. Documentary evidence of any exemption relied upon must be provided to the certifier.

- (17) **Section 7.11 Contributions – Works In Kind** - Section 7.11 contributions may be offset by the value of land and/or works as part of a 'Works in Kind' agreement with Council. Works in kind to be carried out shall be agreed to by Council in writing prior to the payment of the contributions and issue of a construction certificate (related to the works in kind). All such agreements shall be in accordance with Council's Works In Kind Policy.
- (18) **Damages Bond** - The applicant is to lodge a bond with Council to ensure any damage to existing public infrastructure is rectified in accordance with Council's Development Infrastructure Bonds Policy.

Note. A fee is payable for the lodgement of the bond.

- (19) **Section 7.11 Contributions – Monetary (Leppington North Precinct)** - A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services and amounts detailed below.

Plan Name	Contribution Type	Indexed Rate	Amount Payable
Camden Growth Areas Contributions Plan (Leppington North Precinct (LNP)) - Essential Infrastructure	Open Space & Recreation – Land	\$3,709 per 100m ² of non-residential gfa	\$29,286.00

Camden Growth Areas Contributions Plan (LNP) - Essential Infrastructure	Open Space & Recreation - Works	\$1,078 per 100m ² of non-residential gfa		\$8,512.00
Camden Growth Areas Contributions Plan (LNP) - Essential Infrastructure	Roads Land	\$234,688 per developable hectare	net	\$145,999.00
Camden Growth Areas Contributions Plan (LNP) - Essential Infrastructure	Roads Works	\$190,700 per developable hectare	net	\$118,634.00
Camden Growth Areas Contributions Plan (LNP) - Essential Infrastructure	Drainage Land	\$223,156 per developable hectare	net	\$138,825.00
Camden Growth Areas Contributions Plan (LNP) - Essential Infrastructure	Drainage Works	\$96,422 per developable hectare	net	\$59,984.00
Camden Growth Areas Contributions Plan (LNP) - Essential Infrastructure	Plan Administration Allowance	\$5,844 per developable hectare	net	\$3,636.00
Total Contributions Essential Infrastructure				\$504,876.00
Total Contributions				\$504,876.00

A copy of the Camden Growth Areas Contributions Plan may be inspected at Council's Camden office at 70 Central Avenue Oran Park or can be accessed on Council's website at www.camden.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the applicable Index.

- (20) **Long Service Levy** - In accordance with the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council. This applies to building and construction works with a cost of \$250,000 or more.

3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the certifier.
- (2) **Notice of Principal Certifier** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*. The notice shall include:
 - a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the principal certifier, and of the person by whom the principal certifier was appointed;
 - e) the certifier's registration number, and a statement signed by the certifier consenting to being appointed as principal certifier; and
 - f) a telephone number on which the principal certifier may be contacted for business purposes.
- (3) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*. The notice shall include:
 - a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;
 - d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the principal certifier (only where no principal certifier is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
 - f) the date on which the work is intended to commence.
- (4) **Construction Certificate Required** - In accordance with the requirements of the *EP&A Act 1979*, building or subdivision works approved by this consent shall not commence until the following has been satisfied:
 - a) a Construction Certificate has been issued by a certifier;

- b) a principal certifier has been appointed by the person having benefit of the development consent;
 - c) if Council is not the principal certifier, Council is notified of the appointed principal certifier at least two (2) days before building work commences;
 - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
 - e) the principal certifier is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (5) **Sign of Principal Certifier and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited,
 - b) the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c) the name, address and telephone number of the principal certifier for the work.
- The sign must be maintained while the work is being carried out and removed when the work has been completed.
- (6) **Site is to be Secured** - The site shall be secured and fenced.
- (7) **Demolition Work** - Consent is granted for the demolition of Concrete Footings, concrete driveways, concrete paths, swimming pool, shedding, fencing currently existing on the property, subject to compliance with the following conditions:
- a) The developer shall notify adjoining residents of demolition works seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite, the demolition site;
 - b) Prior to demolition, the applicant shall erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address;
 - c) Prior to demolition, the applicant shall erect a 1.8m high temporary fence and hoarding between the work site and any public property (footpaths, roads, reserves etc). Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when work is not in progress or when the site is otherwise unoccupied;
 - d) Prior to demolition, all services (such as sewer, telephone, gas, water and electricity) must be disconnected. The developer must consult with the relevant service authorities regarding their requirements for the disconnection of services;

- e) Suitable erosion and sediment control measures in accordance with an approved erosion and sediment control plan shall be installed prior to the commencement of demolition works and shall be maintained at all times;
 - f) A Work Plan prepared by a suitably qualified person in accordance with AS 2601 'Demolition of Structures' shall be provided to the principal certifier for approval prior to demolition works commencing. The Work Plan shall identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials;
 - g) If the property was built prior to 1987, an asbestos survey shall be carried out by a suitably qualified person prior to demolition. If asbestos is found, a WorkCover Authority licensed contractor shall remove all asbestos in accordance with the requirements of the WorkCover Authority, including notification of adjoining neighbours of asbestos removal. All asbestos material must be disposed of at a facility licenced to accept asbestos. Tipping receipts for the disposal of the asbestos must be retained.
 - h) The burning of any demolished material on site is not permitted and offenders will be prosecuted; and
 - i) Care shall be taken during demolition to ensure that existing services on the site (i.e. sewer, electricity, gas, phone, etc) are not damaged. Any damage caused to existing services is to be repaired by the relevant authority at the expense of the applicant.
- (8) **Sydney Water Approval** – The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to www.sydneywater.com/tapin to apply.

A copy of the approval receipt from Sydney Water must be submitted to the principal certifier.

- (9) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.
- (10) **Dilapidation Report – Adjoining Property** – A dilapidation report prepared by a suitably qualified person, including a photographic survey of the following adjoining properties shall be prepared.
- a) 441 Bringelly Road, Leppington (Lot 12 DP 1204465)

All costs incurred in preparing the dilapidation report and complying with the conditions it imposes shall be borne by the applicant.

In the event that access for undertaking the dilapidation report is denied by an adjoining owner, the applicant shall demonstrate in writing that all reasonable steps have been taken to obtain access to and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence shall be obtained from the principal certifier in such circumstances.

- (11) **Dilapidation Report – Council Property** - A dilapidation report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the site shall be prepared. The report must be submitted to the principal certifier and Council at least 2 days prior to the commencement of works.

Should any public property or the environment sustain damage during the course of and as a result of construction, or if the construction works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the applicant's damages bond.

- (12) **Traffic Management Plan** - A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. The plan must be submitted to the principal certifier.
- (13) **Hazardous Building Materials Assessment** - A hazardous building material assessment shall be undertaken on all buildings and structures to be demolished that identifies all hazardous components on site. A HBMA report shall be provided to the principal certifier and Council.

Once hazardous components are identified, all demolition works that involve the demolition and removal of the hazardous materials shall ensure that all site personnel are protected from risk of exposure in accordance with relevant SafeWork NSW and NSW Demolition Guidelines. Premises and occupants on adjoining land shall also be protected from exposure to any hazardous materials.

- (14) **Construction Management Plan** - A construction management plan that includes dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the principal certifier.
- (15) **Environmental Management Plan** - An environmental management plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the principal certifier.

The EMP shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment are not unacceptably impacted upon by the proposal. The EMP shall include but not be necessarily limited to the following measures:

- a) measures to control noise emissions from the site;
- b) measures to suppress odours and dust emissions;
- c) soil and sediment control measures;
- d) measures to control air emissions that includes odour;
- e) measures and procedures for the removal of hazardous materials that includes waste and their disposal;
- f) any other recognised environmental impact;
- g) work, health and safety; and

- h) community consultation.
- (16) **Construction Noise Management Plan** – A construction noise management plan shall be provided to the principal certifier and include the following:
- a) noise mitigation measures;
 - b) noise and/or vibration monitoring;
 - c) use of respite periods;
 - d) complaints handling; and
 - e) community liaison and consultation.

- (17) **Protection of Existing Street Trees** - No existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation shall be disturbed, relocated, removed or damaged during earthworks, demolition, excavation (including any driveway installation), construction, maintenance and/or establishment works applicable to this consent, without Council agreement and/or consent.

The protection methods for existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation during all works approved by this development consent shall be installed in accordance with AS 4970-2009 Protection of Trees on Development Sites.

- (18) **Protection of Trees to be Retained** - Protection of trees to be retained shall be in accordance with Council's Engineering Specifications. The area beneath the canopies of the tree(s) to be retained shall be fenced. Tree protection signage is required to be attached to each tree protection zone, and displayed in a prominent position.
- (19) **Decommissioning of On-Site Sewerage Management** - Written confirmation verifying that the existing on-site sewerage management facility has been decommissioned in accordance with the following, shall be provided to the principal certifier and Council:

Option 1: (Removal of system from site)

That the septic tank, disposal field and all associated drainage shall be decommissioned in accordance with the following:

- a) The septic tank/holding well and grease trap shall be emptied by a liquid wastewater contractor and the contents disposed of at an approved wastewater depot. A copy of the receipt is to be provided to Council;
- b) The sides, lid, baffle (if fitted) and square junctions of the tank should be hosed down as the waste is being removed; and
- c) The inlets and outlets should be plugged and the tank should then be filled with clean water and disinfected to a minimum level of 5mg/l of free residual chlorine, with a one half hour contact time. The lid should be exposed to the chlorine solution. The chlorine should be allowed to dissipate naturally and not be neutralised. The contents of the tank/ and or well shall then be emptied by a liquid wastewater contractor.

The septic tank and any associated drainage and disposal field including materials and drainage pipes used in the construction and connection of the existing redundant transpiration beds/ absorption trenches/ irrigation fields shall be removed and disposed of at a suitably licensed landfill site. (i.e. aggregates, rubble, sand, concrete slabs and the like) A copy of the receipt for disposal of the waste materials shall be provided to Council.

The tank excavation /transpiration beds/ absorption trenches are to be backfilled with clean filling material and finished to the surrounding ground level.

Option 2: (decommissioning on site)

The septic tank system shall be de-commissioned in the following manner:

- a) The septic tank/holding well and grease trap shall be emptied by a liquid wastewater contractor and the contents disposed of at an approved wastewater depot. A copy of the receipt is to be provided to Council;
- b) the septic tank and holding well shall be thoroughly dusted with commercial grade agricultural lime;
- c) the base(s) of the tank(s) is to be punctured (to prevent future holding of water), the lids broken in and the top edges broken down 300mm below ground level; and
- d) the tanks are to be backfilled with clean filling material and finished to the surrounding ground level.

4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Work Hours** - All work (including delivery of materials) shall be:
 - restricted to between the hours of 7am to 5pm Monday to Saturday (inclusive), and
 - not carried out on Sundays or public holidays,
 unless approved in writing by Council.
- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Excavations and Backfilling** - All excavations and backfilling associated with the approved development must be executed safely and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road rail corridor, the person causing the excavation must:

- a) protect and support the building, structure or work on adjoining land from possible damage from the excavation,
- b) if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation, and
- c) give at least 7 days notice of the intention to excavate to the owner of the adjoining land before excavating.

The above requirements do not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land gives written consent to the requirements not applying.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact 'Dial Before You Dig' prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

- (4) **Site Management** - The following practices are to be implemented during construction:

- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
- b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
- c) waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;
- d) a waste storage area shall be located on the site;
- e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);
- f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
 - i) be a standard flushing toilet connected to a public sewer; or
 - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
 - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.

- (5) **Finished Floor Level** - A survey report prepared by a registered land surveyor confirming that the finished floor level complies with the approved plans or floor levels specified by the development consent, shall be provided to principal certifier prior to the development proceeding beyond floor level stage.

- (6) **Building Height** - A survey report prepared by a registered land surveyor confirming that the building height complies with the approved plans or as specified by the development consent, shall be provided to the principal certifier prior to the development proceeding beyond frame stage.
- (7) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the principal certifier prior to the pouring of concrete.
- (8) **Traffic Management Plan Implementation** - All traffic management procedures and systems identified in the approved traffic management plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (9) **Site Signage** - A sign shall be erected at all entrances to the site and be maintained until the development has been completed. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:
- "WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution."*
- The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.
- (10) **Seal Up Existing Redundant Laybacks** – All existing redundant laybacks must be sealed up to match the existing concrete gutter on the road.
- (11) **Vehicles Leaving the Site** - The construction supervisor must ensure that:
- all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
 - the wheels of vehicles leaving the site:
 - do not track soil and other waste material onto any public road adjoining the site; and
 - fully traverse the site's stabilised access point.
- (12) **Fill Compaction** - All fill must be compacted in accordance with Camden Council's current Engineering Design Specifications.
- (13) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines 2014 (refer to: www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm)

Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.

- (14) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (15) **Noise During Work** - Noise levels emitted during works must comply with:
- (a) Construction period of 4 weeks and under:
- The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).
- (b) Construction period greater than 4 weeks and not exceeding 26 weeks:
- The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).
- (c) Construction period greater than 26 weeks:
- The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 5 dB(A).

Alternatively, noise levels emitted during works shall be restricted to comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.

- (16) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (17) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (18) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Council officers on request and be provided to the Council at the completion of the development.
- (19) **Fill Material (VENM)** - Prior to the importation and/or placement of any fill material on the subject site, an assessment report and sampling location plan for such material must be provided to and approved by the principal certifier.

The assessment report and associated sampling location plan must:

- a) be prepared by a contaminated land specialist; and

- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics; and
- c) be prepared in accordance with;
 - Virgin Excavated Natural Material (VENM):
 - i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity;" and
 - ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Third Edition) - Soil Investigation Levels for Urban Development Sites in NSW."
- d) confirm that the fill material;
 - i) provides no unacceptable risk to human health and the environment;
 - ii) is free of contaminants;
 - iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
 - iv) is suitable for its intended purpose and land use; and
 - v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m³ - 3 sampling locations; and
- f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for contamination and salinity must be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m ³)
Virgin Excavated Natural Material	1 (see Note)	1000 or part thereof

Note – Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (20) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.

- (21) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).

Soil erosion and sediment control measures shall only be removed upon completion of the works when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

- (22) **Construction Noise Management Plan** - All operations must be carried out in accordance with the construction noise control measures contained in section 8 of the noise impact assessment prepared by Pulse White Noise Acoustics , report reference 210486 version 3 dated 3 December 2021, including:

- a) noise mitigation measures;
- b) noise and/or vibration monitoring;
- c) use of respite periods;
- d) complaints handling; and
- e) community liaison and consultation

- (23) **Protection for Existing Trees** – The protection of existing trees (on-site and street trees) must be carried out as specified by AS 4970 Protection of Trees on Development Sites.

- (24) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a certified contaminated land consultant has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

- (25) **Relics Discovery During Works** – If any relic surviving from the past is uncovered during the work that could have historical significance (but is not an aboriginal object):

- all work must stop immediately in that area;
- Heritage NSW must be advised of the discovery in writing in accordance with Section 146 of the *Heritage Act 1977*, and
- any requirements of Heritage NSW must be implemented.

- (27) **Aboriginal Objects Discovered During Works** – If any Aboriginal object (including evidence of habitation or remains) is discovered during the work:

- all excavation or disturbance of the area must stop immediately in that area,

- Heritage NSW must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*, and
 - any requirements of Heritage NSW must be implemented.
- (28) **Salinity Management Plan – Growth Centre DCP** - All proposed earthworks, landscaping, buildings and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with, Appendix B, Section 3 - Salinity Management Guidelines, of the Camden Growth Centre Precincts Development Control Plan.
- (29) **Acoustic Barrier** - A 2.5m high fence /acoustic barrier is to be installed along the western boundary of the development in accordance with figure 9 of the *Noise Impact Assessment prepared by Pulse White Noise Acoustics, report reference 210486 version 3 dated 3 December 2021* . The barrier is to be of solid construction that is at least 20mm thick and 10Kg/m² density with no gaps or perforations. The barrier is to provide a rw of at least 20 dBA.

Note the barrier must be in place at all times whilst there is residential premises on the adjoining property.

5.0 - Prior to Issue of an Occupation Certificate

An Occupation Certificate shall be obtained prior to any use or occupation of the development. The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the principal certifier in accordance with the requirements of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.
- (2) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the principal certifier.
- (3) **Building Height** - A registered surveyor shall certify that the maximum height of the building is consistent with the height in the approved plans and this consent. The certification/verification shall be provided to the satisfaction of the principal certifier.
- (4) **Registration of Land** - Documentary evidence shall be provided to the principal certifier confirming registration of the approved allotments with NSW Land Registry Services.
- (5) **Compliance with Acoustic Requirements** - Documentary evidence shall be provided to the principal certifier confirming the building/s has been constructed in accordance with the approved acoustic report Noise Impact Assessment prepared by Pulse White Noise Acoustics, report reference 210486 version 3 dated 3 December 2021.
- (6) **Driveway Crossing Construction** – A footpath crossing (where required) and a driveway crossing shall be constructed in accordance with this development consent and the driveway crossing approval prior to use or occupation of the development.
- (7) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the principal certifier:

- a) Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development;
- b) Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

The assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to www.sydneywater.com.au/section73 or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

- (8) **External Walls and Cladding Flammability** – The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of an Occupation Certificate principal certifier must:
 - a) be satisfied that suitable evidence is provided to demonstrate that the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
 - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as built.
- (9) **Stormwater – Plan of Management (POM)** - The registered proprietor of the land shall prepare a Plan of Management (POM) for the on-site detention facilities. The POM shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM shall be provided to the principal certifier for approval.
- (10) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.
- (11) **Waste Management Plan** - The principal certifier shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (12) **Waste Collection Contract** - The building owner shall ensure that there is a contract with a licensed contractor for the removal of all waste. A copy of the contract is to be held on the premises at all times.
- (13) **Acoustic Compliance Report** – A report shall be prepared by an independent acoustic consultant and be submitted to the principal certifier certifying that noise levels from mechanical plant will comply with the following criteria when measured at the property boundary.
 - 45 dB(A) 7am – 6pm;
 - 45 dB(A) 6pm – 10pm; and

- 39 dB(A) 10pm – 7am.

All noise attenuation materials and structures used for the mitigation and control of noise must be compliant with the conditions of this development consent.

For any non-compliance, the report must make recommendations for compliance or further attenuation of noise sources and these recommendations will be enforced by Council at the cost of the owner/occupier.

The owner/occupier must then provide a supplementary acoustic report to the principal certifier certifying that all compliance works have been completed and that noise levels comply with the above criteria.

- (14) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this development consent.
- (15) **Inspection of Existing Street Trees** – All existing street trees must be inspected by Council to ensure that they are undamaged and in a healthy condition.
- (16) **Operation of On-Site Sewerage Management** - An 'Approval to Operate' a Sewage Management System' under Section 68 of the *Local Government Act 1993* must be obtained from Council.
- (17) **Contributions Payment Evidence** – A document from Council certifying that the payment of Section 7.11 contributions:

- is not required at any time before the issue of an occupation certificate, or
- is required and the requirement has been met,

must be submitted to the certifier.

An occupation certificate must not be issued unless the certifier has received a copy of the document and has confirmed with Council that:

- Council issued the document, and
- no contributions or levies have been required since the document was issued.

- (18) **Special Infrastructure Contribution Payment Evidence** - A document from the Planning Secretary certifying that the payment of a special infrastructure contribution:

- is not required at any time before the issue of an occupation certificate, or
- is required and the requirement has been met,

must be submitted to the certifier.

An occupation certificate must not be issued unless the certifier has received a copy of the document and has confirmed with the Planning Secretary that:

- the Planning Secretary issued the document, and

- no contributions or levies have been required since the document was issued.
- (19) **Positive Covenant – Water Quality Facility** - The registered proprietor(s) of the burdened lots covenant with the council that they will maintain and repair the structure and works in the land in accordance with the following terms and conditions:
- a) The registered proprietor(s) will:
 - i) Keep the structure and works clean and free from silt, rubbish and debris;
 - ii) Maintain and repair at the sole expense of the registered proprietor(s) the whole of the structure and works so that it functions in a safe and efficient manner.
 - b) For the purpose of ensuring observance of the covenant the Council may by its servants or agents at any reasonable time of the day upon giving to the person against whom the covenant is enforceable not less than two days notice (but at any time without notice in the case of an emergency) enter the land and view the condition of the land and the state of construction maintenance or repair of the structure and works on the land.
 - c) By written notice the Council may require the registered proprietor(s) to attend to any matter and to carry out such work within such time as the council may require to ensure the proper and efficient performance of the structure and works and to that extent section 88F(2)(a) of the Act is hereby agreed to be amended accordingly.
 - d) Pursuant to section 88F(3) of the Act the authority shall have the following additional powers pursuant to this covenant:
 - i) In the event that the registered proprietor(s) fails to comply with the terms of any written notice issued by the Council as set out above the Council or its authorised agents may enter the land with all necessary equipment and carry out and work which the council in its discretion considers reasonable to comply with the said notice referred to in (c) hereof:
 - ii) The Council may recover from the registered proprietor(s) in a Court of competent jurisdiction:
 - a) Any expense reasonably incurred by it in exercising its powers under subparagraph [d, i)] hereof. Such expense shall include reasonable wages for the Council's own employees engaged in effecting the said work, supervising the said work and administering the said work together with costs, reasonably estimated by the Council, for the use of machinery, tools and equipment in conjunction with the said work;
 - b) Legal costs on an indemnity basis for issue of the said notice and recovery of the said costs and expenses together with the costs and expenses of registration of a covenant charge pursuant to section 88F of the Act, or providing any certificate required pursuant to section 88G of the Act, or obtaining any injunction pursuant to section 88H of the Act.
 - e) This covenant shall bind all persons who claim under the registered proprietor(s) as stipulated in section 88E(5) of the Act.

For the purpose of this covenant:

Structure and works shall mean the stormwater drainage system constructed on the land including all roof gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins, and surface designed to control stormwater on the land.

- (20) **Works As Executed Plan** - Works As Executed Plans shall be prepared and provided in accordance with Council's Engineering Specifications.

Digital data must be in AutoCAD .dwg or .dxf format, and the data projection coordinate must be in (GDA94.MGA zone 56).

The work-as-executed survey of the on-site detention facility shall be undertaken by a registered surveyor, and shall confirm that all components have been installed and that the volume of storage has been achieved.

- (21) **Requirement for Completion of Subdivision** – The subdivision of the development must be registered, with Lot 132 dedicated to Council (as indicated in the approved plans), prior to the issue of the Occupation Certificate.
- (22) **Driveway Construction** – To ensure vehicular access can be provided in accordance with the requirements of condition 7.0(11)(a) of this consent driveway construction and vehicular access is to be provided from Lot 131 to Lot 132 under stage 1 of the development, including any required gates in this location.

6.0 - Ongoing Use

The following conditions of consent are operational conditions applying to the development.

- (1) **Number of Employees** - The number of people working on the premises shall not exceed two employees at any given time.
- (2) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.
- (3) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.
- (4) **Hours of Operation** - The property is only to be open for business and used for the purpose approved within the following hours:

Day	Hours of Operation
Monday to Sunday and Public Holidays	24 Hours

- (5) **Storage or Hazardous Goods** - Dangerous and hazardous goods shall be stored in accordance with NSW WorkCover Authority requirements, dependant on the quantities stored. Any flammable or combustible liquids shall be stored in accordance with AS 1940 'The Storage and Handling of Flammable and Combustible Liquids'.

Hazardous and/or industrial waste arising from the use shall be removed and/or transported in accordance with the requirements of the EPA and the NSW WorkCover Authority.

- (6) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.

The loading dock (if provided) shall be used for loading and unloading operations in connection with the approved use.

- (7) **Parking – Signage (Loading docks)** - Proposed parking areas, service bays, truck docks, driveways and turning areas shall be maintained clear of obstructions and be used exclusively for purposes of car parking, loading/ unloading, and vehicle access respectively for the life of the development. Under no circumstances are such areas to be used for the storage of goods or waste materials.
- (8) **Prohibition of Wrecking** - Dismantling or wrecking of vehicles shall not be carried out on the premises.
- (9) **Approved Signage Maintenance** - The approved sign(s) shall be maintained in a presentable and satisfactory state of repair. Where illumination has been approved, the level of illumination and/or lighting intensity used to illuminate the sign/s shall comply with AS 1158 and AS 4282.
- (10) **Signage Illumination Curfew** – To ensure signage illumination does not cause a nuisance to residential neighbours, all wall mounted signage must not be illuminated between the hours of 10pm and 7am.
- (11) **Driveways to be Maintained** - All access crossings and driveways shall be maintained in good order for the life of the development.
- (12) **Parking Areas to be Kept Clear** - At all times, the loading docks, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.
- (13) **Liquid Spills** - Sufficient supplies of appropriate absorbent materials and other spill prevention and clean-up materials shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods, by placing absorbent material on the spill and sweeping or shovelling the material into a secure bin. Materials used to clean up shall be disposed of to an appropriately licensed waste facility.
- (14) **Storage of goods** - The storage of goods and materials shall be confined within the building. At no time shall goods, materials or advertising signs be displayed or placed within the designated car parking spaces, landscaped areas or road reserve.
- (15) **Amenity** - The approved development shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations or residential/business premises.
- (16) **Offensive Noise and Noise Compliance** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*. Noise must also comply with the NSW Noise Policy for Industry 2017.
- (17) **No Waste to Be Stored Outside of the Site** – No waste is to be placed on any public land (eg. footpaths, roadways, plazas, reserves, etc.) or any other properties at any time.
- (18) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan for the life of the development.
- (19) **Landscaping Maintenance Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.

The 12 month maintenance and establishment period includes the applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations, plantings, lawn and hardscape elements including paths, walls, bins, seats, BBQs, shelters, playground equipment and soft fall treatments.

The date of practical completion is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

At the completion of the 12 month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards, etc) shall be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth.

At the completion of the maintenance and establishment period, the landscaping works shall comply with the approved landscape plans and all improvements be in full working order.

- (20) **Acoustic Barrier** - The 2.5m acoustic barrier constructed along the western boundary is to remain in place at all times whilst there is residential premises on the adjoining property to the west of the site.

7.0 - Prior to Issue of a Subdivision Certificate

The following conditions of consent shall be complied with prior to the issue of a Subdivision Certificate.

- (1) **Requirement for a Subdivision Certificate** - The application for a subdivision certificate(s) shall be made in accordance with the requirements of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
- (2) **Show Easements/ Restrictions On The Plan Of Subdivision** - The developer must acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.
- (3) **Burdened Lots To Be Identified** - Any lots subsequently identified during the subdivision as requiring restrictions shall also be suitably burdened.
- (4) **Subdivision Certificate** - The issue of a Subdivision Certificate is not to occur until all relevant conditions of this development consent have been satisfactorily addressed and all engineering works are complete (where the subdivision involves engineering works), unless otherwise approved in writing by the principal certifier.
- (5) **Fill Plan** - A fill plan shall be provided to the principal certifier prior to the issue of any Subdivision certificate. The plan must show (where applicable):
 - a) lot boundaries;
 - b) road/drainage/public reserves;
 - c) street names;
 - d) final fill contours and boundaries; and
 - e) depth in filling in maximum 0.5m Increments

The plan is to be provided electronically in portable document format (.PDF).

- (6) **Incomplete Works Bond** - Where there are incomplete works, the applicant is to lodge a bond with Council to cover the cost of the incomplete works in accordance with Council's Development Infrastructure Bonds Policy.

Note. Fees are payable for the lodgement and refund of the bond.

- (7) **Surveyor's Report** - Prior to the issue of the Subdivision Certificate a certificate from a registered surveyor must be provided to the principal certifier, certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.

- (8) **Electricity Notice of Arrangement** - A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy must be submitted to the principal certifier (Council). The arrangement must include the provision of street lighting in accordance with the electrical design approved by Council.

- (9) **Soil Classification** - A soil classification report prepared by a suitably qualified person in accordance with AS 2870 'Residential Slabs and Footings', detailing the general classification of soil type generally found within the subdivision, shall be provided to the principal certifier. A classification shall be provided for each lot within the subdivision. The soil classification report shall also be provided to Council.

- (10) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the principal certifier:

- a) Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development;
- b) Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

The assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to www.sydneywater.com.au/section73 or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

- (11) **Section 88B Instrument** - The applicant must prepare a Section 88B Instrument for approval by the principal certifier which incorporates the following easements, positive covenants and restrictions to user where necessary:

- a) Temporary right of carriageway and services over the frontage lot (Lot 131) in favour of the rear lot (Lot 132 and 133) (such restriction to be extinguished whereby the benefitting lot acquires a frontage to a constructed public road).
- b) A restriction as to user shall be created over Lot 133 indicating that it is a residue lot and that no further development will be permitted on the lot until such time

that satisfactory arrangements have been approved by Camden Council. These arrangements include the construction of the road reserve within Lot 132, services (water, sewer, electricity, telecommunications) and any outstanding contributions.

- c) A restriction on Lot 131 requiring the site be connected to reticulated sewer when the infrastructure becomes available.
 - d) Retaining wall, positive covenant, and restriction to user
- (13) **Completion of Landscape Works** – All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this development consent.

Certification for compliance with AS2303-2018 – Tree Stock for Landscape Use from the grower/supplier of the trees must be provided to the principal certifier.

- (14) **Locks to Access Gates** - All gates and removable bollards that provide restricted access to Council reserves and other public property shall be fitted with a padlock, which is required to be master keyed to Council's requirements. The supply of the padlocks is at the applicant's cost.
- (15) **Special Infrastructure Contribution** - A special infrastructure contribution (SIC) is to be made in accordance with the Environment Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).

Evidence of payment of the SIC shall be provided to Council and the certifier.

Alternatively, the applicant must obtain written confirmation from the Department of Planning and Environment that the SIC is not required to be paid for the approved development.

More information

A request for assessment by the Department of Planning and Environment of the amount of the special infrastructure contribution that is required under this condition can be made through the NSW Planning Portal (<https://www.planningportal.nsw.gov.au/special-infrastructurecontributions-online-service>). Please refer enquiries to SICContributions@planning.nsw.gov.au.

- (16) **Section 7.11 Contributions – Monetary (Leppington North Precinct)** - A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services and amounts detailed in condition 2.0(19) must be paid before the release of any subdivision certificate.
- (17) **Incomplete Works Bond – Construction of Road Reserve Lot 132** - An incomplete works bond must be lodged (in accordance with Council's Development Infrastructure Bond Policy) with Council to cover the cost of the full construction of the road reserve within Lot 132.

Note: Fees are payable for the lodgement and refund of the bond

**State Environmental Planning Policy Western Parkland City (2021)
Assessment Tables**

State Environmental Planning Policy Western Parkland City (2021)			
Clause	Standard	Assessment	Complies
2.6 Subdivision – Consent requirements	Subdivision is permissible with development consent.	The proposed development is seeking consent for the subdivision of land.	Yes
2.7 Demolition	Demolition work is permissible with development consent	Demolition approval is sought as part of this application.	Yes
4.1 Minimum subdivision lot size	The minimum lot size for subdivision is required to be carried out in accordance with the Minimum Lot Size Map.	The site has no applicable minimum lot size.	Yes
4.3 Height of buildings	The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	A maximum height of 13 metres applies to the subject site. The proposed development has a maximum height of 13.985m being a 7.5% variation to the development standard.	No – subject to a Clause 4.6 written request.
4.4 Floor space ratio	The floor space ratio for a building on any land is not to exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map.	A maximum FSR of 1:1 applies to the site. The proposed development has an FSR of 1.2:1 being a 24.5% variation to the development standard.	No – subject to a Clause 4.6 written request.
4.6 Exceptions to development standards	Development consent may be granted even though the development would contravene a development standard imposed by this and other environmental planning instruments.	There are two proposed development standard contraventions, namely: <u>FSR</u> An FSR of 1:1 applies to the site. The proposed development has a site area of 6,221m ² and a gross floor area of 7,747m ² resulting in a FSR of 1.2:1 representing a 1,526m ² or 24.5% variation. <u>Building Height</u> A maximum building height of 13 metres applies to the site. The development has a maximum height of 13.985m representing 985mm or 7.5% variation.	No – subject to a Clause 4.6 written request. Refer to discussion in main body of report.
5.9 Preservation of trees or vegetation	A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or	The development site is bio-certified and the application is seeking consent for the removal of 24 trees located	Yes

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	<p>other vegetation to which any such development control plan applies without the authority conferred by —</p> <p>(a) development consent, or</p> <p>(b) a permit granted by the Council.</p>	<p>within the northern portion of the development site and one tree identified as Tree 15 proposed for removal on adjoining site at 423 Bringelly Road located on the eastern boundary of the subject site (to which landowners consent has been provided).</p> <p>Three trees located on the western boundary, located within proposed lot 13 part B are proposed to be retained at this time, until such time as the works to the ILP road proceed.</p> <p>An Arboricultural Impact Assessment report has been provided in support of the application.</p> <p>The Arboricultural assessment recommends the replacement of the trees required for removal as part of the proposal. A detailed landscape plan has been provided detailing a minimum of 31 trees proposed to be planted as part of the landscaping of the site, which include:</p> <ul style="list-style-type: none"> 7 x Sydney Red Gums 3 x Illawarra flame trees 5 x Spotted gum 5 x Tuckeroo 5 x Watergum 4 x Christmas bush 5 x Coastal Banksia <p>Conditions of consent are recommended requiring a Tree Survey Plan and Hollow Bearing Trees/Active Nests, and the ongoing maintenance of proposed trees and landscaping.</p>	
<p>5.10 Heritage Conservation</p>	<p>The consent authority must consider the effect of the proposed development on the heritage significance of the place of any Aboriginal object known or</p>	<p>The Aboriginal Cultural Heritage Assessment report details there is an existing AHIP applicable to the northern portion of the</p>	<p>Yes</p>

	<p>reasonably likely to be located at the place by means of adequate investigation and assessment.</p>	<p>development site being C0000436. The investigation identified a subsequent area of potential archaeological significance as BR-PAD-2020-01(AHIMS ID #45-5-5482). The recommendations of the report detail works may proceed with caution outside of the extent of BR-PAD-2020-01 and AHIP no. C0000436. As no aboriginal objects are recorded within the proposed development footprint an AHIP is not required, however should the proposed development location be altered, this may trigger the requirement for further investigation and an AHIP. A condition of consent is recommended should unexpected finds be discovered during excavation and to require further investigation of Lot 133 for future development of the site.</p>	
<p>6.1 Public utility infrastructure</p>	<p>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.</p>	<p>A connection offer from Endeavour Energy has been provided. The site is currently serviced by Sydney Water for potable water however sewer is currently not available. Advice from Sydney Water has been provided detailing future sewer servicing of the site is expected to become available after 2028. Interim arrangements are proposed to service the site via a pump-out effluent system. The proposed ongoing operational use of the site includes two (2) full-time employees with customer visits expected to be short-term and infrequent. In this regard it is considered adequate arrangement have been made to service the development in the interim until such time as sewer connection becomes available. Conditions of</p>	<p>Yes</p>

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		consent are recommended in this regard.	
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State Environmental Planning Policy (Industry and Employment) 2021 Schedule 5 Assessment Criteria			
Clause	Requirement	Provided	Compliance
1 Character of the area	<ul style="list-style-type: none"> • Is the proposal compatible with the existing or desired future character of the area of 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. 	<p>The proposed signage is compatible with the desired future character of the area.</p> <p>The proposal demonstrates a consistent theme throughout the signage for the site which is the desired outcome</p>	Yes.
2 Special areas	<ul style="list-style-type: none"> • Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? 	<p>The site is located approximately 200m east of a protected riparian corridor. The proposed signage will not detract from this area.</p> <p>The site is located opposite an existing service station and to the north-west is land zoned for Low Density Residential development (however is separated by Bringelly Road, being a four laned road with 10m wide vegetated median).</p> <p>The Storage King Signage is proposed to have the lettering internally illuminated to which conditions of consent are recommended to ensure illumination will not cause a nuisance.</p> <p>Subject to recommended conditions, the proposed signage will have no impact on the residentially zoned land due to the landscaping proposed in the front setback and the vegetated road median and a minimum separation distance of over 60m.</p>	Yes
3 Views and vistas	<ul style="list-style-type: none"> • 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? 	<p>The proposed signage will not compromise or obscure any views. The signage will not dominate the skyline.</p>	Yes

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State Environmental Planning Policy (Industry and Employment) 2021 Schedule 5 Assessment Criteria			
Clause	Requirement	Provided	Compliance
4 Streetscape, setting or landscape	<ul style="list-style-type: none"> • Is 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? 	The proposed scale of the signage is proportionate and considered appropriate for the locality. The signage will contribute to the visual interest of the locality without providing visual clutter.	Yes
5 Site and building	<ul style="list-style-type: none"> • 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 important 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? 	The proposed signage is compatible in scale and design for the proposed building and the future desired character of the area.	Yes
6 Associated devices and logos with advertisements and advertising structures	<ul style="list-style-type: none"> • 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? 	Conditions of consent are recommended to meet this requirement.	Yes
7 Illumination	<ul style="list-style-type: none"> • Would illumination result in unacceptable glare? 	Conditions of consent outlining illumination requirements for signage are recommended.	Yes

State Environmental Planning Policy (Industry and Employment) 2021 Schedule 5 Assessment Criteria			
Clause	Requirement	Provided	Compliance
	<ul style="list-style-type: none"> • 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? 	<p>Illumination will not detract from the amenity of the area.</p> <p>Illumination curfew is recommended for all building mounted signage (from 10pm to 7am) to ensure any potential impact to residential areas or protected riparian areas are limited.</p>	
8 Safety	<ul style="list-style-type: none"> • 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? 	<p>Conditions of consent are recommended to ensure signage is attached in accordance with Australian Standards.</p>	Yes

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Camden Growth Centres Precincts Development Control Plan			
Clause	Control	Assessment	Complies
2.2 The Indicative Layout Plan	<p>All development applications are to be generally in accordance with the Indicative Layout Plan (ILP).</p> <p>Any proposed variations to the general arrangement of the Indicative Layout Plan must be demonstrated by the applicant, to Council's satisfaction, to be consistent with the Precinct Planning vision in the relevant Precinct Schedule.</p>	<p>Under the ILP the site is envisaged to have a number of roads dissecting the rear portion of the site. The ILP roads will ultimately provide the site with an alternate local street connection to Eastwood Road, and a Bringelly Road connection west of the existing Eastwood Road connection. It is envisaged that primary access to this site, and the other industrial zoned sites in this area will be accessed from the ILP roads removing individual site access from Bringelly Road.</p> <p>The subject application is the first development proposal Council has received for re-development of land in accordance with the SEPP (Precincts - Western Parkland City) in this location, therefore the construction of the portion of ILP roads for this site would provide no vehicular connection as intended by the ILP.</p> <p>The applicant has provided plans demonstrating how the ILP road could connect to the site from Eastwood Road, demonstrating road connection can be facilitated with the levels of the proposed self-storage development.</p> <p>In this regard the proposed subdivision of the site to facilitate the main dissecting ILP road is proposed to be dedicated to Council for the purpose of the future construction of the ILP road. It is noted the proposed location of this section of ILP road is proposed to be slightly realigned and located approximately 4.6m south of the ILP location, which ultimately will result in all parcels of land between this</p>	Yes

		<p>site and Eastwood Road, having an increased lot depth between the Bringelly Road frontage and the future ILP road frontage. The subdivision and dedication of the future ILP road land will provide surety for the future delivery of the ILP road fulfilling the intent of the ILP.</p> <p>A right of carriageway easement is proposed through the development site from Bringelly Road to proposed Lot 132 and Lot 133, until such time as the ILP road is constructed and access can be obtained from the ILP road frontage.</p> <p>A restriction on title is proposed for proposed Lot 133 to restrict any future development of this site until such time as the ILP roads can be constructed to ensure the construction of the ILP road in this location occurs.</p> <p>The dedication of the land for the construction of the future ILP road will enable the development of the site now while ensuring the delivery of the ILP road in the future.</p> <p>The proposed subdivision of the site will enable the site to be developed for its intended use now and into the future.</p>	
2.3.1 Flooding	The subdivision layout is to ensure that the ability to develop land, including adjoining properties, is not adversely impacted, with regard to the 1% Annual Exceedance Probability (AEP) flood extent	This has been assessed by Council's Infrastructure Planning Engineer and Land Development Engineer who have deemed that adjoining sites will not be adversely impacted with respect to flooding and the proposed development site will be sufficiently in excess of the flood planning level applicable to the site.	Yes
2.3.2 Water cycle management	Management of 'minor' flows and 'major' flows within subdivisions and development sites is to be in	This has been assessed by Council's Infrastructure Planning Engineer and Land Development Engineer who	Yes

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	accordance with Council's Engineering Specification.	raise no objection to the development subject to the imposition of appropriate conditions.	
	All new development is to be connected, via the network described in control 1 above, to the Council's trunk drainage system shown on the Key elements of the water cycle management and ecology strategy figure, in the relevant Precinct Schedule.	This has been satisfactorily addressed in the engineering plans and suitable conditions are included in the recommendation.	Yes
2.3.3 Salinity and soil management	Development applications, that include earthworks, on land with a low, or moderate to high risk of salinity (identified in the Areas of potential salinity risk map), are to be accompanied by information detailing how the design and construction of the proposed subdivision intends to address salinity issues.	A salinity management plan has been submitted with this DA and reviewed by Council's SSEHO and is considered satisfactory. Whilst the report provided includes limited site investigation and basic management strategies, it is recommended any development undertaken include the salinity control measure contained in the Growth Centres DCP to ensure that it is of suitable construction to address a potentially harsher environment than what was identified in this limited investigation. The site investigation was limited to the northern development portion of the site, therefore further investigation will be required prior to the development of the remainder of the site. Conditions of consent are recommended.	Yes
	Salinity and sodicity management related to Appendix B is to complement WSUD strategies, improving or at least maintaining the current condition, without detriment to the waterway environment.	As above.	Yes
	All development must incorporate soil conservation measures to minimise soil erosion and siltation during construction and following completion of development.	A soil erosion and sediment control plan has been submitted with this DA and is considered satisfactory. Conditions of consent have been recommended in this regard.	Yes
	Salinity shall be considered during the planning, design	As above.	Yes

	and carrying out of earthworks, rehabilitation works and during the siting, design and construction of all development including infrastructure		
2.3.4 Aboriginal and European heritage	Development applications must identify any areas of Aboriginal heritage value that are within or adjoining the area of the proposed development,	This has been addressed in Section 5.10 of the attached SEPP Western Parkland City (2021) Assessment Table.	Yes
	Applications for subdivision and building on the properties identified on the European cultural heritage sites figure, in the relevant Precinct's Schedule, are to be accompanied by a Heritage Management Document.	The road reserve at the front of the site is considered a locally significant heritage item identified as I17 in the SEPP. The item is described as Bringelly Road – cultural landscape. The proposed development will improve the frontage of the site by relocating one driveway crossover and deleting the second. The existing driveway crossovers are 13.5m and 5.5m wide respectively, which will be replaced by a single 9m wide driveway crossover which will improve the street presence of the site.	Yes
2.3.5 Native vegetation and ecology	Native trees and other vegetation are to be retained where possible by careful planning of development to incorporate trees into areas such as road reserves and private or communal open space.	This has been addressed in Section 5.9 of the attached SEPP Western Parkland City (2021) Assessment Table	Yes
	All existing indigenous trees shall be retained or replaced where removal is unavoidable. Where approval is given to remove trees, appropriate replacement planting using similar species will be required.	As above	Yes
	The design of a development should demonstrate that existing street trees will be retained to the greatest practical extent.	There are no existing street trees.	N/A
	The design and location of access driveways should wherever possible be located to avoid or minimise removal of existing street trees.	There are no existing street trees.	N/A

	<p>Where practical, prior to development commencing, applicants are to:</p> <ul style="list-style-type: none"> provide for the appropriate re-use of native plants and topsoil that contains known or potential native seed bank; and relocate native animals from development sites. Applicants must refer to OEH's Policy on the Translocation of Threatened Fauna in NSW. 	A condition of consent has been recommended having regard to the relocation of wildlife.	Yes
	Development on land that adjoins land zoned E2 Environmental Conservation is to ensure that there are no significant detrimental impacts to the native vegetation and ecological values of the E2 zone.	The subject site does not adjoin E2 Environmental Conservation zoned land.	N/A
	All subdivision design and bulk earthworks are to consider the need to minimise weed dispersion and to eradicate weeds on site.	A noxious weeds management condition has been recommended to address this.	Yes
	A landscape plan is to be submitted with all subdivision development applications.	A landscape plan has been provided as part of the subject application that proposes the planting of 31 trees and 227 shrubs throughout the northern portion of the development site. The landscape plan is considered satisfactory.	Yes
2.3.6 Bushfire hazard management	Reference is to be made to Planning for Bushfire Protection 2019 in subdivision planning and design and development is to be consistent with Planning for Bushfire Protection 2019.	A small portion of the rear of the site is located within the bushfire buffer. Bushfire affectation will require further consideration with future development applications.	N/A
2.3.7 Site contamination	All investigation, reporting and identified remediation works must be in accordance with the NSW EPA's (now Office of Environment and Heritage) Guidelines for Consultants Reporting on Contaminated Sites and SEPP 55 – Contaminated	The site is not suspected to have any potential contamination risk as detailed in Schedule One – Austral and Leppington North Precincts DCP, Figure 2-8 Potential Contamination Risk Ranking. A contamination investigation has been conducted as part of the application. The	Yes

	Land and relevant Council Policies.	investigation, and previous investigations on site, conclude the site is suitable for proposed industrial/commercial use. It should be noted the investigation has been limited to the extent of proposed building works, in this regard, should the proposed development area be amended further contamination investigation maybe required. Equally any future development to the rear of the site will require further investigation.	
2.3.8 Development on and adjacent to electricity and gas easements	Where development is proposed on land containing or adjacent to easements, applicants are to consult with the organisation responsible for management of the easement as part of the process of preparing subdivision or other development plans. Any written requirements of the infrastructure organisation are to be submitted with the Development Application, and the Development Application documentation is to demonstrate how the requirements have been addressed in the design.	This application was referred to Endeavour Energy as the subject site contains an Endeavour Energy easement. Endeavour Energy have reviewed the proposal and raise no objections, subject to conditions which will be attached as part of this consent.	Yes
	Earthworks (excavation or filling) and landscaping within easements are subject to conditions and requirements of the infrastructure organisation.	See comments above.	Yes
	Subdivision of easements is to be minimised.	The proposed subdivision will not dissect the existing easement.	Yes
	Requirements of the infrastructure organisation in relation to access to easements for inspections and maintenance are to be addressed in the design of the development. Access to the easement from public land (eg. roads, open space or drainage land) is preferable.	Existing easement restrictions will be maintained. A right of carriageway easement will be provided from Bringelly Road through the northern development site through to the lot at the rear.	Yes

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2.3.9 Noise	Development Applications must be accompanied by an acoustic report where the development is in a location, shown on the Potential noise attenuation measures figure in the relevant Precinct Schedule	The application was accompanied by an acoustic assessment report prepared by Pulse White Acoustics. The report identifies the nearest residential receiver as 441 Bringelly Road which is to the west of the Stage 1 development entry to the site. The report notes that whilst 441 Bringelly Road is currently residential, the property has been rezoned for industrial land use and is currently for sale and likely to be redeveloped in the near future. Notwithstanding the above the report includes an assessment of the receiver as both a residential and commercial receiver and provides attenuation measures for both uses. The report identifies the requirement for a 2.5m high acoustic barrier be constructed along the boundary whilst there is residential premises adjoining the property to the west of the site. Council's Specialist Support Environmental Health Officer has reviewed the report, concurs with its conclusions and has recommended a number of recommended conditions of consent.	Yes
2.3.10 Odour assessment and control	Where land is deemed by Council to be affected by an odour source Council will consider whether the type of development in this area is appropriate and will also consider the need for the applicant to provide additional supporting information with the development application.	The land is zoned for industrial purposes and an odour assessment is not considered to be warranted in this instance.	N/A
2.3.11 Air quality	For industrial / employment developments, the emission of all air impurities is to be strictly controlled in accordance with the Protection of the Environment Operations (Clean Air) Regulation 2002 and must not exceed the prescribed	The proposed development and use of the land for self-storage purposes is not expected to have any significant impact on air quality in the locality.	Yes

	standard concentration and emission rates.		
	Implement effective site controls during and after demolition and construction to ensure that development does not contribute to increased air pollution.	Conditions of consent are recommended in this regard.	Yes
2.4 Demolition	All demotion must comply with the relevant Australian Standards, and relevant legislation.	Demolition of all existing structures including concrete dwelling foundations, outbuildings, concrete driveways and paths, swimming pool etc is proposed. A Waste Management Plan has been submitted with the application to Council's satisfaction. Conditions of consent are recommended to ensure compliance.	Yes
2.5 Crime Prevention through Environmental Design	The design of all development is to enhance public surveillance of public streets and open space/conservation areas Developments are to avoid creating areas for concealment and blank walls facing the street. All developments are to incorporate the principles of Crime Prevention Through Environmental Design (CPTED)	The application was referred to NSW Police for their CPTED evaluation of the development proposal. The referral response indicated the proposal was identified as having a low crime risk. Conditions of consent are recommended regarding lighting and security thought the site. The advice provided by NSW Police is attached as an advisory note on this consent.	Yes
2.6 Earthworks	Subdivision and building work is to be designed to respond to the natural topography of the site wherever possible, minimising the extent of cut and fill both during subdivision and when buildings are constructed.	The extent of cut and fill has been minimised, noting there is significant level change across the entire land parcel and establishing a level building platform is crucial to development of the site for industrial purposes. A maximum cut of 3m concentrated to the eastern portion of the site is proposed, while approximately 500mm of fill will be required along the south-western portion of the site. Suitably placed retaining walls will ensure all cut/fill of the site is appropriately contained within the site. Conditions of consent are recommended in this regard.	Yes

3.4 Construction Environmental Management	A Construction Environmental Management Plan (CEMP) is to be submitted to Council or the accredited certifier	A condition of consent has been recommended requiring the submission of a CEMP to the certifier prior to the commencement of works	Yes
6.2 Subdivision	Subdivided lots should be regular in shape and enable a diverse range of future developments. Residue lots must be capable of compliance with DCP controls. Site level relationship between the lots is to be demonstrated. Lot drainage should be considered	Proposed Lot 132 has been designed in conjunction with the proposed ILP Road, while proposed Lot 133 will be of sufficient size and dimension to support the further development of the site. The site levels of proposed Lot 131 have been designed to achieve suitable vehicular access from Bringelly Road and the future ILP road. Civil design plans have been provided for the future ILP road throughout the rear of this site which demonstrate the proposed levels would enable the construction of the ILP road connecting to Eastwood Road to the east. Proposed Lot 133 will not have a road frontage until such time as the ILP road over proposed Lot 132 is developed. In the interim a right of carriageway is proposed to be established from Bringelly Road over Lot 131 & 132 to provide access.	Yes
6.3 Landscape Design	A landscape plan must be prepared for all new industrial subdivisions and new buildings prepared in accordance with the requirements of sub-clause of 6.3.2,	A landscape plan accompanied the DA and has been reviewed/endorsed by Council's Landscape Officer. Conditions of consent are recommended to further enhance the proposed landscape outcomes for the site.	Yes
	Landscaping of car parking areas is to meet minimum standards in terms of large canopy tree planting, soil planting depth and raised kerb barriers.	The landscaping of the car parking areas generally satisfy the design requirements of the DCP. Conditions of consent are recommended.	Yes

	Development for industries or light industries with a floor area >500m ² are to be provided with a communal area for employees.	Given there is only two full time employees proposed to operate the site, it is considered the site provides sufficient landscaped areas to achieve this function.	Yes
6.4 – Built Form and Streetscape	All buildings are to be setback a minimum of 7.0 metres from the front boundary (unless otherwise specified in the Precinct Schedule). In this instance, a 4.0 metre setback is required to Bringelly Road	The proposed development provides a minimum front building setback of 11.45m metres to Bringelly Road and 13.621m setback to the ILP Road boundary applicable for Stage 2 of the development.	Yes
	All setbacks should be landscaped and maintained in accordance with the landscape provisions in Clause 6.3.	The proposed development includes a 4.5m wide landscaping strip across the Bringelly Road frontage and a minimum 2.4m wide landscape strip is proposed across the entire of the ILP road frontage.	Yes
	Blank facades facing the primary street frontage is not permitted. Built form and architecture of buildings located at street corners should respond positively and emphasise the corner.	The development has been designed to address the street frontage and provide a street presence to the vehicular entry of the site. Business identification signage, projecting and recessing architectural features, a variety of building colour, finishes and glazing are proposed to provide visual interest and address the street frontage.	Yes
	The layout and orientation of buildings should minimise lengthy or deep areas of car parking along the street front.	The car park is provided along the western boundary of the site, with landscaping at the end of the aisle at both the Bringelly Road entry and ILP Road entry with hedging proposed along the length of the western boundary, providing suitable landscaping screening to the car parking area.	Yes
	Building facades should articulated by elements such as external structures, finishes, etchings, recessed patterns, decorative features textures and colours.	The development provides sufficient articulation to facades and includes a mix of colours and finishes to provide a visually interesting façade.	Yes
	Locate offices and highlighting entries within front facades.	Stage 1 includes the office on the ground floor of the Bringelly Road frontage providing glazing decorative	Yes

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		bulkhead and other features to indicate the main building entry. Stage 2 proposes the repositioning of the main office/showroom from the north-west building elevation to the south-west building elevation which will occur upon the future delivery of the rear ILP road (which will then provide vehicular access to the development).	
	Buildings with dual street frontages should be designed to ensure that the building addresses both primary and secondary street frontages with distinctive architectural elements to provide interest and varied facades.	The building has been designed to address both Bringelly Road and the future ILP road at the rear under Stage 2 of the development.	Yes
	The location of roller shutters, loading docks and other building openings should be so that they do not detract from the overall appearance of the building. Where possible, roller shutters and the like should not be located on the street frontage.	The building has been appropriately architecturally designed to provide a positive street presence and clearly identify the building entry point in both Stage 1 and Stage 2. The roller doors have been integrated into the building design.	Yes
	Roof design should be visually interesting and provide for natural lighting and be compatible with the overall building design.	The roof is a parapet design to conceal roof mounted equipment from view.	Yes
	External finishes should be constructed of durable, high quality and low maintenance materials with a combination of materials and/or colours.	It is considered that the external treatment provides a suitable mix of colour and variety of material to satisfy this aspect of the DCP.	Yes
	Building entries should be clearly visible, well sign posted and lit. Architectural features are to be provided at ground level giving an entrance element of the building and addressing the primary street frontage.	The development has been designed to address both street frontages through the use of external colours and finishes, the use of the feature bulkhead/awning, glazing and the positioning of the entrance is achieved under Stage 1 and relocated in Stage 2 of the development.	Yes
	Industrial development adjacent to residential zone land is to be designed so that heavy vehicle entry and exit	Entry to the site under Stage 1 will be from Bringelly Road, until such time as the ILP road is constructed at the rear. Stage 2 will require the	Yes

	points are from side street or the rear.	Bringelly Road entry to be removed and access to the site to be from the ILP road.	
	Customer and visitor car parking spaces at the front of the property should be located behind a landscaped zone a minimum of 5 metres in depth.	The car park has a landscape zone at both the Bringelly Road entry and ILP road entry to the site.	Yes
	Noisy aspects associated with development should be located and screened away from residential zoned land and preferably behind buildings	The neighbouring properties are zoned IN2, with the neighbouring site to the east being a vacant lot, the site to the west is currently a residential dwelling. The car park for the development is proposed along the western boundary. An acoustic attenuation fence is proposed to be constructed along the western boundary whilst the neighbouring property is being used for residential purposes. Conditions of consent are recommended in this regard.	Yes
	Where located in proximity to residential areas, an acoustic assessment undertaken by a qualified acoustic consultant shall be submitted with the DA.	An acoustic assessment accompanied the DA. A review of the acoustic aspects of the development is discussed in Section 2.3.9 of this assessment table above. Subject to conditions, the proposal is found to comply with the requirements of the Industrial Noise Policy.	Yes
6.5 Ecologically Sustainable Development	Development Applications involving any landfill/excavation activities must provide an Earthworks Plan that demonstrates how the subject site and land that shares the same drainage catchment may be developed in accordance with this DCP and the Precinct Water Cycle Management Strategy	Council's Engineers have reviewed this proposal and are satisfied that this site be developed in accordance with this DCP and the Precinct Water Cycle Management Strategy.	Yes
Water Cycle Management	On site detention (OSD) of stormwater is required for all development on land to which this part of the DCP applies. The on-site detention system is to have a capacity sufficient to detain stormwater to meet the objectives of the Precinct Water Cycle Management Strategy and Council's Engineering Specifications	Engineering details accompanied the DA demonstrating compliance with the Water Cycle Management Plan for the precinct and the Council's Engineering Specification. Council's engineering professionals have reviewed the documentation and raised no objection subject to the	Yes

		imposition of recommended conditions.	
6.6.1 Fencing	Front and side boundary fencing forward of the building shall consist of open palisade style fencing. Side fencing behind the building line may consist of chain wire mesh or similar open style fencing with dark green or black plastic coating. Fencing must not exceed 2.1 metres in height.	2.1m high black palisade fencing is proposed around the property boundary. Automatic gates are proposed to be located inside the property to provide restricted access to patrons.	Yes
6.6.2 Signage and Lighting	To ensure that signage and lighting supports the visual appearance of the building and the visual appeal of the zone.	<p>The proposal seeks approval for one business identification pylon sign under Stage 1 at the Bringelly Road front entry and relocation of the pylon sign under Stage 2 to the ILP road frontage.</p> <p>The proposed signage is consistent with the requirements of the DCP and the SEPP.</p> <p>Some signage illumination is included as part of the proposal. Conditions of consent are recommended to address this matter</p> <p>An assessment of the proposed signage is provided against the provisions of Schedule 5 of the SEPP Industry and Employment – Advertising and Signage.</p>	Yes
	Business identification signs should be attached to the building to complement the architecture of the building. Free standing signs are to be integrated with the landscape design.	<p>One pylon sign measuring 6m (height) x 1.65m (width) is proposed. The pylon sign is integrated with the landscape design and provides directional signage to the entry.</p> <p>All wall mounted signage and corporate logos are <10% of each façade displayed.</p>	Yes
	Directional signs for car parking areas, loading and delivery areas should be located close to the main access to the site and be consistent in scale, type and colour across the entire site.	Directional signage is incorporated as part of the pylon entry sign. Directional arrows are provided throughout the vehicular circulation space around the building.	Yes

	Signage is only to display corporate logos and company name and is to occupy no more than 10% of any façade or wall of the building.	As above	Yes
	All lighting must comply with AS 1158 and AS 4282	Addressed by way of recommended condition.	Yes
6.7.1 Vehicular Access	Applicants are required to submit plans and details of proposed vehicular access and circulation for Council's approval with the Development Application.	Vehicular access has been demonstrated under both stages of development. Concurrence has been received from TfNSW to provide temporary access to the site from Bringelly Road until such time as the ILP road has been constructed.	Yes
	Adequate vehicular entrance to and exit from the development is to be provided and designed in order to provide safety for pedestrians and vehicles using the site and adjacent roadways	Vehicular access and swept path analysis has been assessed as part of the application. Council's Traffic Engineer reviewed the location of the entry and exit points and is satisfied the proposal meets the relevant legislative requirements.	Yes
	Vehicular ingress and egress to the site must be in a forward direction at all times.	A condition of consent has been recommended to ensure ingress and egress is in a forward direction.	Yes
	Driveway crossovers accesses by heavy vehicles should be a minimum of 9m wide, when measured at the kerb alignment.	Driveway crossovers are a minimum of 9 metres in width for Stage 1 and 2	Yes
	Turning circles will not be permitted to encroach upon any building.	Swept path analysis indicates appropriate vehicular manoeuvrability throughout the site, to which turning circles are not required as vehicular access can be achieved around the entirety of the building.	Yes
	Adequate space is to be provided within the site for the loading, unloading and fuelling (if applicable) of vehicles. These areas are to be screened from the road.	Dedicated loading bays are identified on the plan for vehicles of varying size including 4 MRV loading bays, and 3 HRV loading bays throughout the development.	Yes
	All parking areas and access roadways must be provided with a drainage system comprising surface inlet pits. Details of pipe sizes (with calculations) and drainage	Engineering details have accompanied the development application and have been assessed by Council's Development Engineers who have raised no objection to the	Yes

		layouts (including discharge points) must be submitted with the Development Application.	engineering design subject to the imposition of a number of standard conditions.	
6.7.2	Car Parking	Car parking must be provided to comply with Table 6-2 (unless otherwise specified in the relevant Precinct Schedule). Table 6-2 of the DCP states that car parking for Storage Premises, including office space up to 20% of the total GFA be provided at a rate of 1 space per 300 square metres.	A car parking variation has been requested and addressed in the main body of the planning assessment report.	No – variation requested.
6.8	Waste Management	Details of proposed waste management are to be provided as part of all development applications for new buildings and for applications proposing a change of use of a building. For larger developments Council may require a Waste Management Plan to be prepared.	A Waste Management Plan, prepared was submitted as part of the subject development application.	Yes

Schedule 2 - Leppington Major Centre				
Clause	Control	Assessment	Compliance	
3.1	The Indicative Layout Plan	All development applications are to be generally in accordance with the Indicative Layout Plan. Any proposed variations to the general arrangement of the Indicative Layout Plan must be demonstrated by the applicant, to Council's satisfaction, to be consistent with the Precinct Planning vision in the relevant Precinct Schedule.	Other than an adjustment to the positioning of the ILP road traversing the site, the application does not propose any variations to the ILP. The road realignment does not impact on the delivery of the road / development on adjoining sites and will arguably provide an improved depth for lots for those fronting Bringelly Road. Subdivision of the site is proposed with dedication of proposed Lot 132 to Council to ensure future ILP road construction. It is considered by subdividing the land and dedicating lot 132 to Council, Council can ensure the ultimate delivery of the ILP road corridor and therefore	Yes

		enable delivery of the planning vision for the area.	
3.3 Road hierarchy and circulation	The locations of streets are to be as shown on the Indicative Layout Plan.	Lot 132 will be a minimum of 20m wide in accordance with the Leppington Major Centres Road hierarchy plan.	Yes
5.1 – Building Envelope and Setbacks	Buildings are to be orientated towards major roads Service bays and loading docks are to be orientated towards service lanes or where not possible screened from view from the street.	The building has been designed to address Bringelly Road and as part of Stage 2 of the development, the building will also address the ILP road. The car park has been designed along the western boundary with a loading bay located along the Bringelly Road frontage. It is considered there is adequate landscape screening to this frontage to obscure the loading area from view from the public domain.	Yes
5.2 – Façade Design	Much of these relevant controls are similar to the controls contained within the Growth Centres SEPP.	See earlier assessment in Growth Centres DCP table above.	Yes
5.3 Landscaping	Much of these relevant controls are similar to the controls contained within the Growth Centres SEPP.	See earlier assessment in Growth Centres DCP table above.	Yes
5.5 – Parking, Loading and Access	Much of these relevant controls are similar to the controls contained within the Growth Centres SEPP.	See earlier assessment in Growth Centres DCP table above.	Yes
5.6 Development and use of flood prone land	Development affected by the 100 year ARI flood extent is required to be designed in accordance with the requirements of the DCP.	The site is not mapped as being flood affected.	Yes
5.8 Staging of development	Development in the early stages of growth in the centre should be designed, oriented and located to comply with the relevant controls in this schedule, or to not preclude future development from complying with the controls and Planning Principles.	This development has been designed, sited and assessed to ensure compliance with the DCP under proposed Stage 1 and 2 of the development. The proposed development will enable development of the site for its intended purpose now and into the future.	Yes
	Early development in the centre is to consider the	The proposal has been designed in two stages to	Yes

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Attachment 4

	<p>layout, orientation and scale of future stages of development that may occur and whether the proposed development will enable future stages of development to occur.</p> <p>Council may require the applicant to submit concept plans showing how the proposed development would integrate with potential future stages of development on the land or on adjoining land, in a manner that is consistent with the controls in this Schedule.</p>	<p>address the principal road frontage being Bringelly Road and has been designed to be modified in the future to appropriately address the ILP road frontage in the future. Vehicular and pedestrian circulation of the site has also been considered for Stages 1 and 2 to ensure seamless transition of access to the site under both stages of development.</p> <p>The applicant has provided ILP road design plans that demonstrate the proposed levels of the site can integrate into the ILP road when constructed and will be able to provide connection into the established Eastwood Road.</p>	
	<p>Council may consider amendments to the locations of roads as shown on the Indicative Layout Plan, where necessary to maximise the development potential of land or to ensure that appropriate access is provided.</p>	<p>The proposed development includes a slight variation of the ILP road which traverses the centre of the site. The application proposes to push the existing location of the ILP road 4.6m south of its planned/identified location.</p> <p>The proposed relocation of the ILP road is considered generally in accordance with the ILP and will provide a benefit to the lots between the subject site and Eastwood Road, with a Bringelly Road frontage as additional lot depth will be achieved.</p> <p>Currently there are no development applications before Council and no previously approved development applications between the subject site and Eastwood Road that would be negatively affected or impacted by the slight relocation of the ILP</p>	Yes

		road and therefore the proposed slight relocation is supported.	
	<p>Potential staging of development in Leppington major Centre based on factors like water, sewer and electricity servicing, development of the road network and demand for different types of development is to consider the requirements as described above to ensure the development contributes to the orderly and efficient development of the centre.</p>	<p>The development site is demonstrated on this plan as being in the 'Long Term' stage of development. The applicant has been able to sufficiently demonstrate the site can be serviced in the interim and long term.</p> <p>Potable water is available to the site, Endeavor Energy has provided an offer of connection for the proposed development.</p> <p>Sydney Water have provided a servicing feasibility letter indicating sewer is anticipated to be available to site after 2028. In the interim the applicant proposes the installation of a pump-out sewage management system on site to service the development. The use of pump out effluent management systems for new development is generally not supported by Council. However, given the applicant has obtained a Sydney Water feasibility letter detailing sewer will become available after 2028, and noting the limited number of staff to manage the development (2 full-time staff) and the nature of the use (low intensity / infrequent visitors), the proposed temporary use of the septic system is supported.</p> <p>A condition of consent is recommended requiring the development connect to sewer as soon as it becomes available to the site.</p> <p>The applicant has been able to sufficiently</p>	Yes

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Attachment 4

		<p>demonstrate an ILP road design for the rear of the site and has agreed to dedicate lot 132 to Council for the purpose of a future road reserve.</p> <p>TfNSW have provided concurrence for the temporary access to the site from Bringelly Road. The Bringelly Road access is required to be removed at a time when access to the site can be obtained from the ILP road. The application includes Stage 2 of the development which demolishes vehicular access to Bringelly Road and provides access to the site from the ILP road.</p> <p>In this instance, the applicant has been able to sufficiently demonstrate adequate servicing of the lot for the purpose of the proposed development.</p>	
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**ETHOS
URBAN**

Clause 4.6 Variation Request Report – Building Height

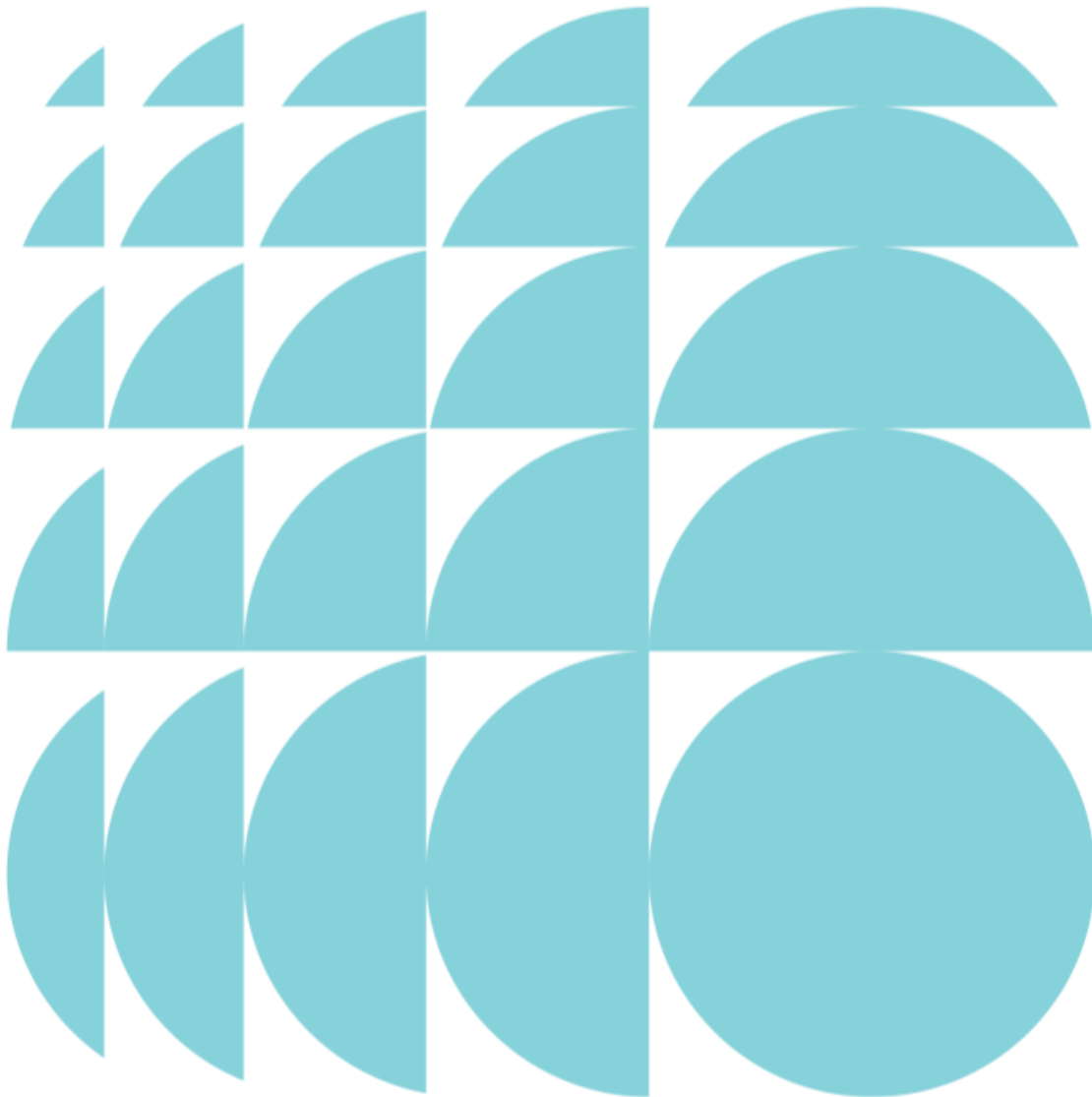
431 Bringelly Road, Leppington

Submitted to Camden Council

On behalf of Abacus Property Group

09 March 2023 | [7210335](#)

CLPP01



Attachment 5

CONTACT

Angus Halligan	Director	AHalligan@ethosurban.com	0405 909 726
Morgan Randle	Principal	MRandle@ethosurban.com	0416 532 626

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This document has been prepared by:



Morgan Randle

This document has been prepared by:



Angus Halligan

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Ethos Urban Pty Ltd
 ABN 13 615 087 931.
www.ethosurban.com
 173 Sussex Street, Sydney
 NSW 2000 t 61 2 9956 6952

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1.0 Introduction

This Clause 4.6 variation request has been prepared by Ethos Urban on behalf of Abacus Property Group. It is submitted to the Camden Council (Council) in support of a development application (DA) for a storage premises at 431 Bringelly Road, Leppington (site).

Appendix 5, Clause 4.6 of the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* enables Council to grant consent for development even though the development contravenes a development standard.

The Clause aims to provide an appropriate degree of flexibility in applying certain development standards to achieve better outcomes for and from development.

This Clause 4.6 variation request relates to the height of buildings development standard under Clause 4.3 of the SEPP (Precincts – Western Parkland City) and should be read in conjunction with the DA package.

Clause 4.6 requires that a consent authority be satisfied of the following matters before granting consent to a development that contravenes a development standard:

- That the applicant's written request has adequately addressed that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case: cl. 4.6(4)(a)(i);
- That the applicant's written request has adequately addressed that there are sufficient environmental planning grounds to justify contravening the development standard: cl. 4.6(4)(a)(i); and
- That the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out: cl. 4.6(4)(a)(ii).

The consent authority's satisfaction in respect of those matters must be informed by the objectives of Clause 4.6, which are to provide an appropriate degree of flexibility in the application of the relevant controls and that there are sufficient environmental planning grounds to justify the contravention of the development standard.

The Land and Environment Court has established a set of factors to guide assessment of whether a variation to development standards should be approved. The original approach was set out in the judgment of Justice Lloyd in *Winten Property Group Ltd v North Sydney Council [2001] 130 LGERA 79* at 89 in relation to variations lodged under State Environmental Planning Policy 1 – Development Standards (SEPP 1). This approach was later rephrased by Chief Justice Preston, in the decision of *Wehbe v Pittwater Council [2007] NSWLEC 827* (Wehbe).

While these cases referred to the former SEPP 1, the analysis remains relevant to the application of Clause 4.6(3)(a). Further guidance on Clause 4.6 of the Standard Instrument has been provided by the Land and Environment Court in a number of decisions, including:

- *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118;*
- *Turland v Wingecarribee Shire Council [2018] NSWLEC 1511;*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009;*
- *Micaul Holdings Pty Limited v Randwick City Council [2015] NSWLEC 1386;* and
- *Moskovich v Waverley Council [2016] NSWLEC 1015.*

This Clause 4.6 variation request demonstrates that compliance with the height of buildings development standard is unreasonable and unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravention of the standard.

This Clause 4.6 variation request demonstrates that, notwithstanding the variation from the development standard, the proposed development:

- Achieves the objectives of the SEPP (Precincts – Western Parkland City) height of buildings development standard.
- Achieves the objectives of the SEPP (Precincts – Western Parkland City) IN2 Light Industrial land use zone.
- Is of a height that is consistent with the future industrial development expectation of the area.
- Results in a superior design outcome through the screening of plant and equipment.

- Mitigates and potential adverse impacts on the adjoining area through the incorporation of setbacks and landscaping.

In addition, the consent authority can be satisfied that the proposal is in the public interest because it is consistent with the objectives of the height control and the IN2 Light Industrial zone. In this regard, the proposal will contribute to the local community by providing additional services, it will not have adverse impacts to the surrounding area and it will help establish the Leppington Major Centre.

In accordance with the SEPP (Precincts – Western Parkland City) requirements, this Clause 4.6 variation request:

- identifies the development standard to be varied (**Section 3.1**);
- identifies the variation sought (**Section 3.2**);
- establishes that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case (**Section 4.1**);
- demonstrates there are sufficient environmental planning grounds to justify the contravention (**Section 4.2**);
- provides a written request has adequately addressed the matters required to be demonstrated by subclause (3) of Clause 4.6 (**Section 4.3**);
- demonstrates that the proposed variation is in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out (**Section 4.4**); and
- provides an assessment of the matters the Secretary is required to consider before providing concurrence (**Section 4.5**).

2.0 Site Overview

2.1 Site Location and Context

The site is located in Leppington, in Sydney's outer west, approximately 38 kilometres south-west of Sydney CBD. Leppington is a rural and low density residential area. It is experiencing a rapid in transition toward becoming an urbanised outer suburb of Sydney with increased residential and commercial development taking place.

The site has an 87 metres wide frontage to Bringelly Road. It is approximately 2 kilometres to Leppington Railway Station by road.

The site's locational context is shown at **Figure 1**.

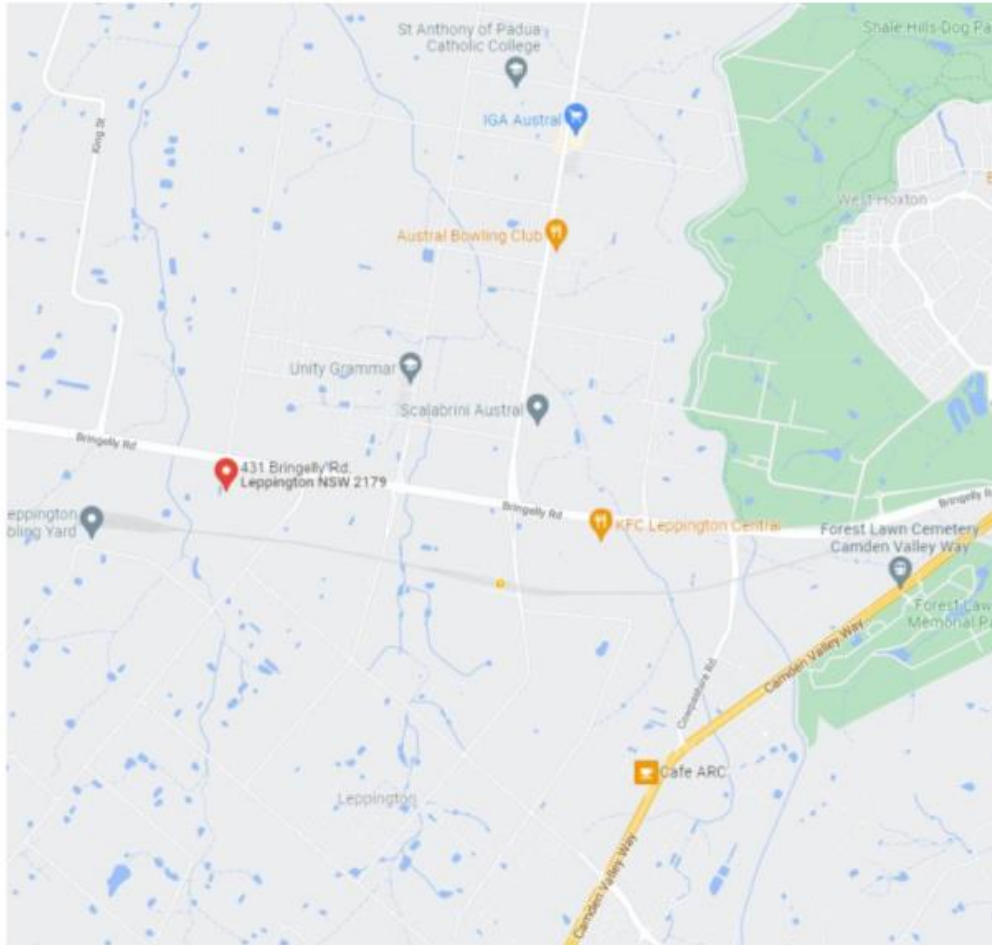


Figure 1 Context Map

Source: Google Maps, 2021

2.2 Site Description

The site is at 431 Bringelly Road, Leppington and is legally described as Lot 13 in DP1204465. It is irregular in shape with the approximate dimensions of 87m (wide) by 290m (deep). The site has an area of 1.947ha.

An aerial photo of the site is shown at **Figure 2** below.



Figure 2 Site Map
Source: Nearmap and Ethos Urban

3.0 Development Standard to be Varied

3.1 Height of Buildings Development Standard

This Clause 4.6 variation request seeks to justify contravention of the height of buildings development standard set out in Clause 4.3 of the SEPP (Precincts – Western Parkland City). Clause 4.3 provides that:

- (1) *The objectives of this clause are as follows:*
 - (a) *to establish the maximum height of buildings,*
 - (b) *to minimise visual impact and protect the amenity of adjoining development and land in terms of solar access to buildings and open space,*
 - (c) *to facilitate higher density development in and around commercial centre and major transport routes.*
- (2) *The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.*

An excerpt of the Height of Buildings Map, identifying the maximum building height applying to the site is shown in **Figure 3**. The maximum building height applying to the site is 13 metres.



Figure 3 Excerpt of Height of Buildings Map

Source: State Environmental Planning Policy (Sydney Growth Region Growth Centres) 2006

3.2 Extent and Nature of the Variation Sought

It is noted under the Chapter 3 of the SEPP (Precincts – Western Parkland City) for Sydney region growth centres, Claus3 3(1) states:

Words used in this Chapter have the same meaning as in the Standard Instrument, unless otherwise defined in this Chapter.

With no separate definition provided, under the Standard Instrument Local Environmental Plan, the definition of building height (or height of a building) means:

- (a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or
 - (b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,
- including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

As outlined in the SEE and illustrated on the Updated Plans (Attachment A) and Figures 4 and 5, the proposal comprises of a four (4) storey storage premises (self-storage facility) with a structure height of 13.890m.

Due to the topography of the site, this results in a building height above existing ground level of 13.985m (at the south-western parapet).

This Clause 4.6 variation request seeks to vary the building height up to 13.985m which is 0.985m, or a variation of 7.5% above the 13m maximum prescribed for the site by the SEPP (Precincts – Western Parkland City).

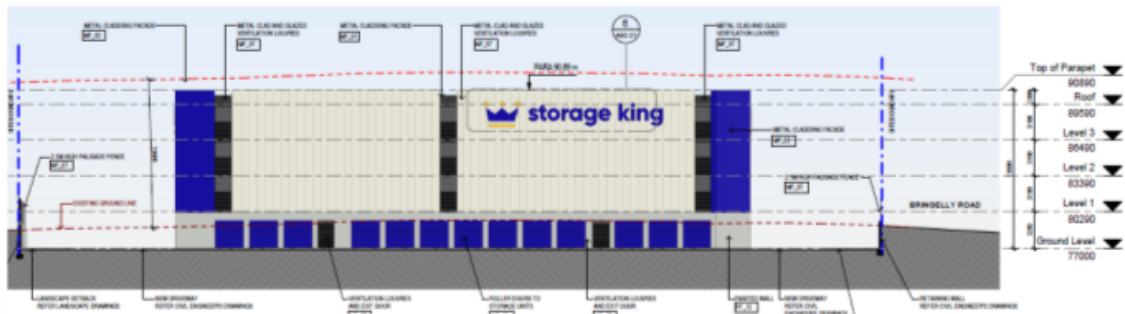


Figure 4 East Elevation

Source: BN Group

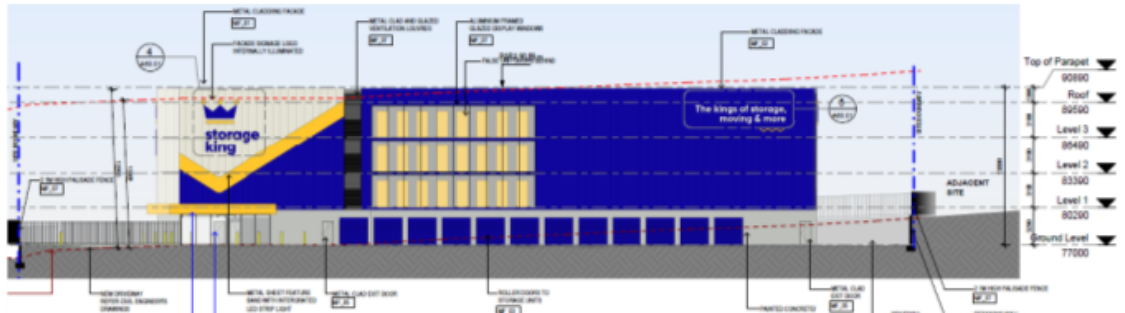


Figure 5 South Elevation

Source: BN Group



Figure 6 Axonometric View A – Height Limit
Source: BN Group



Figure 7 Axonometric View B – Height Limit
Source: BN Group

4.0 Justification for Contravention of the Development Standard

Appendix 5, Clause 4.6 of the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* enables Council to grant consent for development even though the development contravenes a development standard.

4.6 Exceptions to development standards

- (3) *Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

Further, Clause 4.6(4)(a) of the SEPP (Precincts – Western Parkland City). provides that:

- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
- (a) *the consent authority is satisfied that:*
 - (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - (b) *the concurrence of the Director-General has been obtained.*

Therefore, Clause 4.6 requires a consent authority be satisfied of three matters before granting consent to a development that contravenes a development standard:

- that the applicant has adequately demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case;
- that the applicant has adequately demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard; and
- that the proposal will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

The consent authority's satisfaction of those matters must be informed by the objective of providing flexibility in the application of the relevant control to achieve better outcomes for and from the development in question.

Assistance on the approach to justifying a contravention to a development standard is also to be taken from the applicable decisions of the NSW Land and Environment Court and the NSW Court of Appeal in:

1. *Wehbe v Pittwater Council [2007] NSW LEC 827;*
2. *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009;*
3. *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118 (Initial Action);*
4. *Baron Corporation Pty Ltd v The Council of the City of Sydney [2018] NSWLEC 1552 (Baron Corporation); and*
5. *Al Maha Pty Ltd v Huajun Investments Pty Ltd [2018] NSWCA 245 (Al Maha).*

The relevant matters contained in Clause 4.6 of the Growth Centre SEPP, with respect to the height of buildings development standard, are each addressed below, including with regard to these decisions.

Role of the consent authority

The role of the consent authority in considering a request for a Clause 4.6 variation has been explained by the NSW Court of Appeal in *Initial Action* and in *Al Maha* to require that the consent authority needs to be satisfied in relation to two matters:

- That the applicant's request has adequately addressed the matters in Clause 4.6(4)(a)(i); and
- That the proposed development will be in the public interest because of its consistency with the objectives of the development standard and the zone objectives.

The consent authority is required to form these two opinions first before it considers the merits of the DA and it can only consider the merits of the DA if it forms the required satisfaction in relation to the matters. In particular, the consent authority needs to be satisfied that there are proper planning grounds to grant consent and that the contravention of the standard is justified. This report provides the basis for the consent authority to reach this level of satisfaction.

Accordingly, the relevant matters contained in Clause 4.6 of the SEPP (Precincts – Western Parkland City), with respect to the maximum building height development standard, are each addressed below, including with regard to the above decisions.

4.1 Clause 4.6(3)(a): Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

In *Wehbe*, Preston CJ of the Land and Environment Court provided relevant assistance by identifying five traditional ways in which a variation to a development standard had been shown as unreasonable or unnecessary. However, it was not suggested that those types of ways were a closed class.

While *Wehbe* related to objections made pursuant to *State Environmental Planning Policy No. 1 – Development Standards* (SEPP 1), the analysis can be of assistance to variations made under Clause 4.6 where subclause 4.6(3)(a) uses the same language as Clause 6 of SEPP 1 (see *Four2Five* at [61] and [62]).

As the language used in subclause 4.6(3)(a) of the Growth Centre SEPP is the same as the language used in Clause 6 of SEPP 1, the principles contained in *Wehbe* are of assistance to this Clause 4.6 variation request.

The five methods outlined in *Wehbe* include:

- The objectives of the standard are achieved notwithstanding non-compliance with the standard (**First Method**).
- The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary (**Second Method**).
- The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable (**Third Method**).
- The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable (**Fourth Method**).
- The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone (**Fifth Method**).

Of particular assistance in this matter, in establishing that compliance with a development standard is unreasonable or unnecessary, is the **First Method**.

4.1.1 The objectives of the standard are achieved notwithstanding non-compliance with the standard (First Method)

The objectives of the building height development standard contained in Appendix 5, Clause 4.3 of the SEPP (Precincts – Western Parkland City) are:

- (a) to establish the maximum height of buildings,

(b) to minimise visual impact and protect the amenity of adjoining development and land in terms of solar access to buildings and open space,

(c) to facilitate higher density development in and around commercial centres and major transport routes.

4.1.1.1 Consistency with the objectives of clause 4.3 under the Growth Centre SEPP

The following sections demonstrate that the objectives (as presented in Section 4.1.1 immediately above) are achieved notwithstanding the non-compliance.

Objective (a): to establish the maximum height of buildings

This objective seeks to establish the maximum height of buildings, which is 13m (see Figure 3 above). The proposal has a building height above existing ground level of 13.890m (at the southern-western parapet). Importantly, when viewed from some directions, such as the east (see Figure 6 below), the proposal will remain below the 13m maximum height limit.

Therefore, although the proposal exceeds the maximum building height in some locations, it will still appear below 13m helping to establish the height prescribed by the SEPP (Precincts – Western Parkland City).

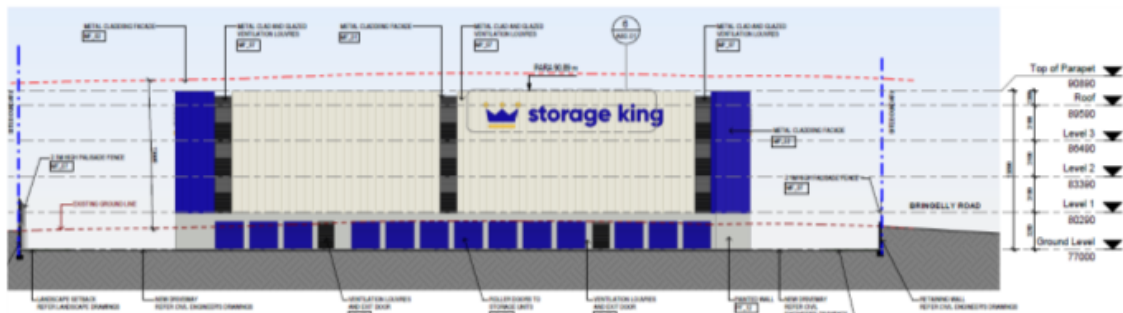


Figure 8 East Elevation

Source: BN Group

Objective (b): to minimise visual impact and protect the amenity of adjoining development and land in terms of solar access to buildings and open space.

A key design feature of the proposal is the parapet that extends above the external walls of the building. The extended parapet is incorporated into the design to screen all building services (air conditioners etc.) which would otherwise be visible to passing traffic and adjoining properties. As shown in Figure 7 below, the proposal would comply with the 13m maximum building height if the parapet were excluded, however, this would result in an inferior design outcome and would adversely impact the visual amenity of neighbouring uses and motorists.

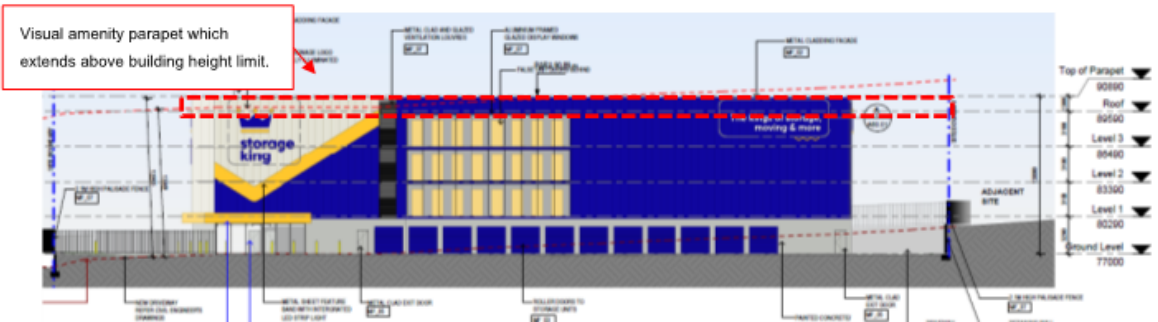


Figure 9 South Elevation

Source: BN Group

In addition to the design intent of the parapet, the proposal will protect the amenity of adjoining uses by incorporating landscaping and substantial setbacks from each boundary, which includes the following:

- A **front setback** of 11.5m, including a 4.5m wide landscape area.
- An **eastern setback** of 8.575m – 10.043m, including a 1.5m wide landscape area.
- A **southern setback** from the future indicative layout plan (ILP) road of 12.365m, including a minimum 2.4m wide landscape area.
- A **western setback** of 14.668m, including a 6.4m wide landscape area.

The setbacks will contain shadow within the site during critical hours and the landscaping will visually screen the building, minimising any potential adverse amenity impacts on adjoining premises.

Also of relevance is the sites context and anticipated adjoining uses. The site sits within precinct planning controls of the Camden Growth Centre Precinct Development Control Plan 2017 (Camden Growth Centre DCP) and is identified as a part of the future Leppington Major Centre. Within this future major centre, the site is within the Light Industrial zone. The location of the site in the context of the wider Leppington Major Centre is depicted in **Figure 8** below.

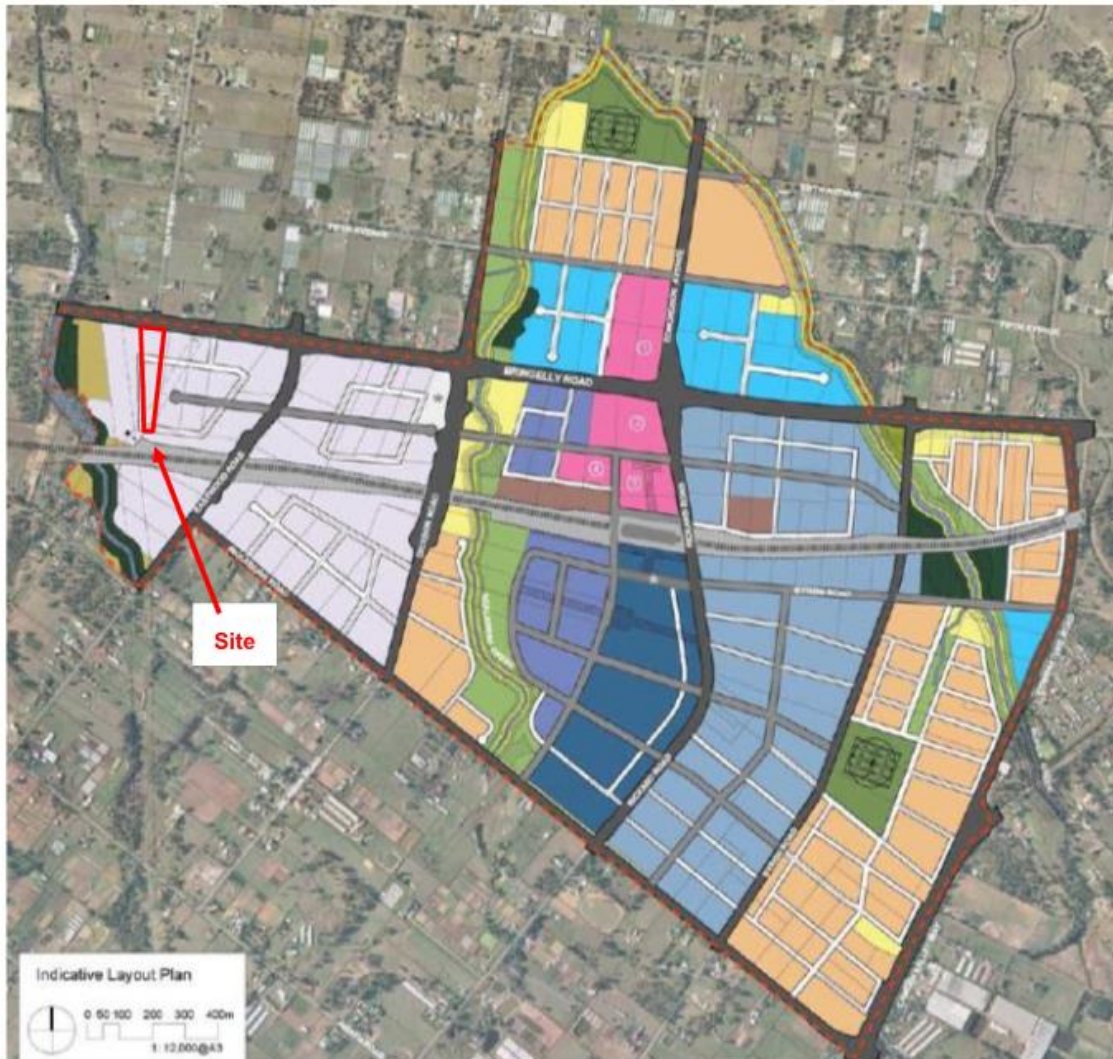


Figure 10 Leppington Major Centre Indicative Layout Plan and Zoning

Camden Growth Centre Precinct DCP 2017, Schedule 2

The Camden Growth Centre DCP also sets out an Indicative Layout Plan (ILP) of new roads in the locality. Of these new roads, two are proposed to traverse the rear of the site. As illustrated in **Figure 8** the site will be surrounded by

other industrial uses in the future. Generally, there are lower amenity expectations within industrial areas and therefore, any potential impacts on adjoining uses will be further diluted.

Across the road, the site sits opposite a recently constructed service station (see Figure 9), further reducing any potential for impacts on amenity due to height.



Figure 11 Site Map
Source: Neamap and Ethos Urban

Objective (c): to facilitate higher density development in and around commercial centres and major transport routes.

The proposal is for a storage premises (self-storage facility) and therefore does not contribute to residential density. Notwithstanding, the proposed height does allow for a higher concentration of an industrial related use in convenient proximity to a Bringelly Road (a major transport route).

4.1.2 Conclusion on Clause 4.6(3)(a)

Strict compliance with maximum building height prescribed under Clause 4.3 of the Growth Centre SEPP is considered unreasonable and unnecessary in the specific circumstances for the following reasons:

- The underlying objectives of the standard are achieved, notwithstanding the non-compliance with the numerical control.
- The proposed height allows for a design response that screens building plant and equipment and improves the visual appearance of the building.

- The proposal is appropriately setback and buffered by landscaping, mitigating any potential impacts on amenity of adjacent uses.
- The proposal delivers a design response expected within an industrial area.

4.2 Clause 4.6(3)(b): Environmental planning grounds to justify contravening the development standard

Clause 4.6(3)(b) of the SEPP (Precincts – Western Parkland City) requires the contravention of the development standard to be justified by demonstrating there are sufficient environmental planning grounds to justify the contravention. The focus is on the aspect of the development that contravenes the development standard, not the development as a whole.

Therefore, the environmental planning grounds advanced in the written request must justify the contravention of the development standard and not simply promote the benefits of carrying out the development as a whole (Initial Action at [24]). Further, compliance with other planning instruments does not justify non-compliance with the development standard and is not sufficient environmental planning grounds to justify contravening the development standard (Baron Corporation at [58]).

In *Four2Five*, the Court found that the environmental planning grounds advanced by the applicant in a Clause 4.6 variation request must be particular to the circumstances of the proposed development on that Site at [60].

There are sufficient environmental planning grounds to justify contravention of the maximum building height development standard in this specific instance, as described below.

4.2.1 Ground 1: Suitability of height in local context

As outlined within **section 4.1.1.1** above, the site is located within the IN2 Light Industrial zone under the SEPP (Precincts – Western Parkland City) and the Light Industrial area of the Austral & Leppington North Precincts ILP. Furthermore, the site is surrounded by adjoining by other sites within the Light industrial and separated from the Low Density Residential area to the north by Bringelly Road (a classified road). The proposal, varies in height 13.985m is a minor departure from the prescribed height of 13m and is appropriate for a future industrial area that will be well setback from residential development.

4.2.2 Ground 2: Mitigation of adverse impacts

As outlined within **section 4.1.1.1** above the proposal has been designed to mitigate any potential impacts that may arise from the additional building height. Specifically, the following design responses have been incorporated:

- A **front setback** of 11.5m, including a 4.5m wide landscape area.
- An **eastern setback** of 8.575m – 10.043m, including a 1.5m wide landscape area.
- A **southern setback** from the future indicative layout plan (ILP) road of 12.365m, including a minimum 2.4m wide landscape area.
- A **western setback** of 14.668m, including a 6.4m wide landscape area.

The combination of setbacks in addition to landscape buffering ensures the building bulk is reduced at site boundaries and prevents any potential shadow impacts.

4.2.3 Ground 3: Response to topography

The proposal sits within a portion of the site with varying topography. To achieve a flat building pad across the site some earthworks are required. In most cases, such as on the eastern side, this allows the proposal to remain under the 13m prescribed limit. However, due to the topography of the site, a consistent building pad level results in the prescribed height limit being exceeded. To achieve the GFA required for a viable self-storage facility the proposal exceeds the prescribed building height due to the sites topography.

4.2.4 Ground 4: Suitable visual appearance

The site's topography also benefits the proposal because the required earthwork results in some portions of the building remaining below the prescribed 13m height limit. This is most evident at the eastern elevation where the

building has a height as low as 12.3m. This results in the building appearing below 13m in height from the eastern adjoining site and from the perspective of motorists / pedestrians traveling along Bringelly Road and the future ILP road.

4.2.5 Ground 4: Superior design response

As outlined in **section 4.1.1.1** above, the proposal exceeds the prescribed building height primarily because of the parapet which extends above the walls of the building. The parapet is a key design feature used to screen plant and equipment which is fitted to the roof. Removal of the parapet would result in an inferior design outcome for the proposal and increase visual amenity impacts.

4.2.6 Conclusion on Clause 4.6(3)(b)

Overall, there are significant environmental benefits of the proposed development, notwithstanding the proposed variation to the maximum building height, including:

- The building and height are suitable for the future intent industrial character of the area.
- The proposal includes generous setbacks and landscape mitigating any potential adverse impacts due to building height.
- The building height is in response to topography of the site.
- The proposal appears to be under 13m in height on eastern approaches from Bringelly Road and the future ILP road.
- The exceedance in height is attributed to the building's parapet, which has been included to improve the visual amenity of the proposal.

4.3 Clause 4.6(4)(a)(i): The applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3)

This written request adequately and comprehensively addresses the matters required to be demonstrated by subclause (3).

4.4 Clause 4.6(4)(a)(ii): In the public interest because it is consistent with the objectives of the zone and development standard

In *Initial Action* at [27], it was held that it is the proposed development's consistency with the objectives of the development standard and the objectives of the zone that make the proposed development in the public interest. This is discussed further in the sections below.

4.4.1 Consistency with objectives of the development standard

The proposed development is consistent with the objectives of the height of buildings development standard, for the reasons discussed in **Section 4.1.2** and **Section 4.1.2** of this report.

4.4.2 Consistency with objectives of the zone

The proposed development is consistent with the objectives for the IN2 – Light Industrial zone for the following reasons:

- It directly supports the provision of light industrial, warehouse and related land uses (e.g. storage premises).
- It will facilitate employment through construction and ongoing employment through a permanent workforce of storage works and maintenance professionals.
- It mitigates and potential adverse impacts through operation, setbacks and landscaping.
- It will provide a secure storage service for local residents and the local workforce.

4.4.3 Consistency with the Objects of the Environmental Planning and Assessment Act 1979

In *Initial Action*, the Court stated that the phrase “environmental planning grounds” is not defined but would refer grounds that relate to the subject matter, scope and purpose of the EP&A Act, including the objects in section 1.3 of the Act. While this does not necessarily require that the proposal should be consistent with the objects of the Act, nevertheless, in **Table 1** we consider how the proposal is consistent with each object, notwithstanding the proposed variation of the height development standard.

Table 1 Assessment of proposed development against the Objects of the EP&A Act

Object	Comment
(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 form, inclusive of height variation, will promote the economic and social welfare of the community through the introduction of an economically viable development. The proposal will contribute to job creation and will provide an important service to the community.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposed form, inclusive of height variation will facilitate ecologically sustainable development by facilitating construction of a storage premises which contributes to the local economy, delivers a need for the community whilst not having an adverse impact on the environment.
(c) to promote the orderly and economic use and development of land,	The proposed form, inclusive of the height variation facilitates the orderly development of the local area in line with the intent of the SEPP (Precincts – Western Parkland City) and Camden Growth Centre DCP.
(d) to promote the delivery and maintenance of affordable housing,	The proposed form, inclusive of the height variation will provide a storage service to residents, placing less reliance on private dwellings. This in turn provides greater housing choice for residents.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposal will have no impact on threatened species or ecological communities. The potential to enhance existing habitat is facilitated through the landscape concept.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposal will not impact any areas of known heritage, cultural or archaeological importance. An Aboriginal Heritage Letter of Advice has been prepared. Items of archaeological importance are not thought to occur in the development footprint.
(g) to promote good design and amenity of the built environment,	The proposed form, inclusive of the height variation helps to achieve high design quality by screening plant and equipment on the roof of the building. Setbacks and landscaping are incorporated into the proposal to mitigate any potential impacts on amenity.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The proposed development will comply with all relevant BCA codes and will promote the health and safety of occupants.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	This object is not directly relevant to this proposed development.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The proposed development will be publicly notified in accordance with the requirements of Council's DCP.

4.5 Other Matters for Consideration

Under Clause 4.6(4)(b) of the SEPP (Precincts – Western Parkland City), the Planning Secretary's concurrence is required prior to any variation being granted. Under Clause 4.6(5), in deciding whether to grant concurrence, the Planning Secretary must consider the following matters:

- (5) *In deciding whether to grant concurrence, the Planning Secretary must consider:*
- (a) *whether contravention of the development standard raises any matter of significance for State environmental planning, and*
 - (b) *the public benefit of maintaining the development standard, and*
 - (c) *any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.*

4.5.1 Clause 4.6(5)(a): Whether contravention of the development standard raises any matter of significance for State environmental planning

The variation of the height of buildings development standard results in a building which is 1.885m above the prescribe height. It will not raise any matter which could be deemed to have State significance.

4.5.2 Clause 4.6(5)(b): The public benefit of maintaining the development standard

As demonstrated above, there is no public benefit in maintaining the development standard. In this instance the proposed building height will allow for a superior design outcome without impacting on the amenity of the area.

4.5.3 Clause 5.6(5)(c): Any other matters required to be taken into consideration by the Planning Secretary D before granting concurrence.

We are not aware of any other matters that the Planning Secretary (or the consent authority) is required to consider before granting concurrence.

5.0 Conclusion

The assessment above demonstrates that compliance with the height of buildings development standard contained in Clause 4.3 of the SEPP (Precincts – Western Parkland City) is unreasonable and unnecessary in the circumstances of the case and that the justification is well founded.

The variation allows for the orderly and economic use of the land in an appropriate manner, whilst allowing for a better outcome in planning terms.

This Clause 4.6 variation demonstrates that, notwithstanding the non-compliance with the height of building development standard, the proposal:

- Achieves the objectives of the SEPP (Precincts – Western Parkland City) height of buildings development standard.
- Achieves the objectives of the SEPP (Precincts – Western Parkland City) IN2 Light Industrial land use zone.
- Is of a height that is consistent with the future industrial development expectation of the area.
- Results in a superior design outcome through the screening of plant and equipment.
- Mitigates and potential adverse impacts on the adjoining area through the incorporation of setbacks and landscaping.

Therefore, the DA may be approved with the variation as proposed in accordance with the flexibility allowed under the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* (Appendix 5 – Camden Growth Centres Precinct Plan – Clause 4.6).

CLPP01

ETHOS URBAN

Clause 4.6 Variation Request Report – Floor Space Ratio

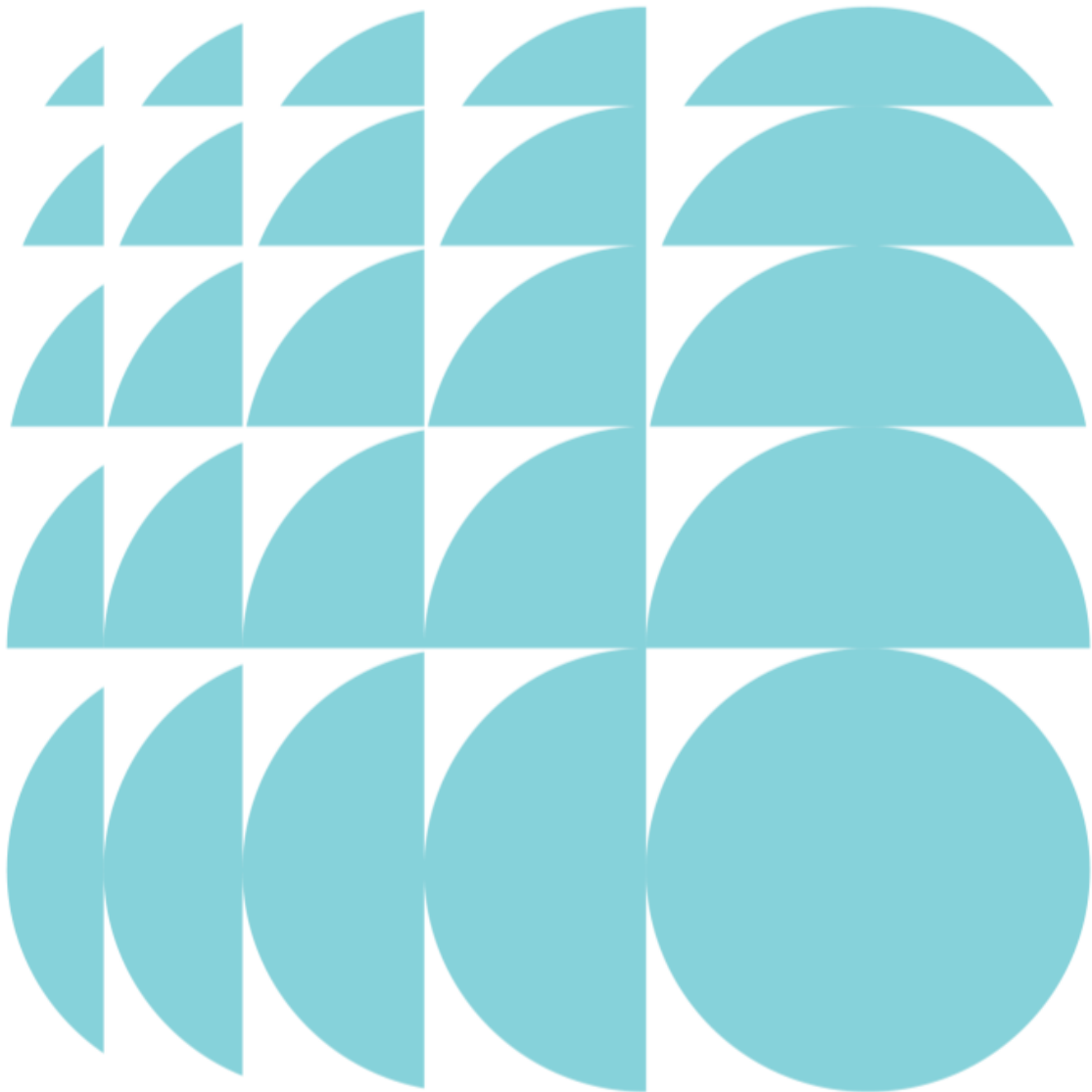
431 Bringelly Road, Leppington

Submitted to Camden Council

On behalf of Abacus Property Group

01 February 2023 | [7210335](#)

Attachment 6



CONTACT

Angus Halligan	Director	AHalligan@ethosurban.com	0405 909 726
Morgan Randle	Principal	MRandle@ethosurban.com	0416 532 626

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This document has been prepared by:



Morgan Randle

This document has been prepared by:



Angus Halligan

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Ethos Urban Pty Ltd
 ABN 13 615 087 931.
www.ethosurban.com
 173 Sussex Street, Sydney
 NSW 2000 t 61 2 9956 6952

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1.0 Introduction

This Clause 4.6 variation request has been prepared by Ethos Urban on behalf of Abacus Property Group. It is submitted to the Camden Council (Council) in support of a development application (DA) for a storage premises at 431 Bringelly Road, Leppington (site).

Appendix 5, Clause 4.6 of the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* enables Council to grant consent for development even though the development contravenes a development standard.

The Clause aims to provide an appropriate degree of flexibility in applying certain development standards to achieve better outcomes for and from development.

This Clause 4.6 variation request relates to the Floor Space Ratio development standard under Clause 4.4 of the SEPP (Precincts – Western Parkland City) and should be read in conjunction with the DA package.

Clause 4.6 requires that a consent authority be satisfied of the following matters before granting consent to a development that contravenes a development standard:

- That the applicant's written request has adequately addressed that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case: cl. 4.6(4)(a)(i);
- That the applicant's written request has adequately addressed that there are sufficient environmental planning grounds to justify contravening the development standard: cl. 4.6(4)(a)(i); and
- That the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out: cl. 4.6(4)(a)(ii).

The consent authority's satisfaction in respect of those matters must be informed by the objectives of Clause 4.6, which are to provide an appropriate degree of flexibility in the application of the relevant controls and that there are sufficient environmental planning grounds to justify the contravention of the development standard.

The Land and Environment Court has established a set of factors to guide assessment of whether a variation to development standards should be approved. The original approach was set out in the judgment of Justice Lloyd in *Winten Property Group Ltd v North Sydney Council [2001] 130 LGERA 79* at 89 in relation to variations lodged under State Environmental Planning Policy 1 – Development Standards (SEPP 1). This approach was later rephrased by Chief Justice Preston, in the decision of *Wehbe v Pittwater Council [2007] NSWLEC 827* (Wehbe).

While these cases referred to the former SEPP 1, the analysis remains relevant to the application of Clause 4.6(3)(a). Further guidance on Clause 4.6 of the Standard Instrument has been provided by the Land and Environment Court in a number of decisions, including:

- *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118;*
- *Turland v Wingecarribee Shire Council [2018] NSWLEC 1511;*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009;*
- *Micaul Holdings Pty Limited v Randwick City Council [2015] NSWLEC 1386;* and
- *Moskovich v Waverley Council [2016] NSWLEC 1015.*

This Clause 4.6 variation request demonstrates that compliance with the floor space ratio development standard is unreasonable and unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravention of the standard.

This Clause 4.6 variation request demonstrates that, notwithstanding the variation from the development standard, the proposed development:

- Achieves the objectives of the SEPP (Precincts – Western Parkland City) floor space ratio development standard.
- Achieves the objectives of the SEPP (Precincts – Western Parkland City) IN2 Light Industrial land use zone.
- Is of an appropriate density, built form and land use intensity that is consistent with the future industrial development expectation of the area.

- Mitigates and potential adverse impacts on the adjoining area through the incorporation of setbacks and landscaping.

In addition, the consent authority can be satisfied that the proposal is in the public interest because it is consistent with the objectives of the floor space ratio control and the IN2 Light Industrial zone. In this regard, the proposal will contribute to the local community by providing additional services, it will not have adverse impacts to the surrounding area and it will help establish the Leppington Major Centre.

In accordance with the SEPP (Precincts – Western Parkland City) requirements, this Clause 4.6 variation request:

- identifies the development standard to be varied (**Section 3.1**);
- identifies the variation sought (**Section 3.2**);
- establishes that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case (**Section 4.1**);
- demonstrates there are sufficient environmental planning grounds to justify the contravention (**Section 4.2**);
- provides a written request has adequately addressed the matters required to be demonstrated by subclause (3) of Clause 4.6 (**Section 4.3**);
- demonstrates that the proposed variation is in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out (**Section 4.4**); and
- provides an assessment of the matters the Secretary is required to consider before providing concurrence (**Section 4.5**).

2.0 Site Overview

2.1 Site Location and Context

The site is located in Leppington, in Sydney's outer west, approximately 38 kilometres south-west of Sydney CBD. Leppington is a rural and low density residential area. It is experiencing a rapid in transition toward becoming an urbanised outer suburb of Sydney with increased residential and commercial development taking place.

The site has an 87 metres wide frontage to Bringelly Road. It is approximately 2 kilometres to Leppington Railway Station by road.

The site's locational context is shown at **Figure 1**.

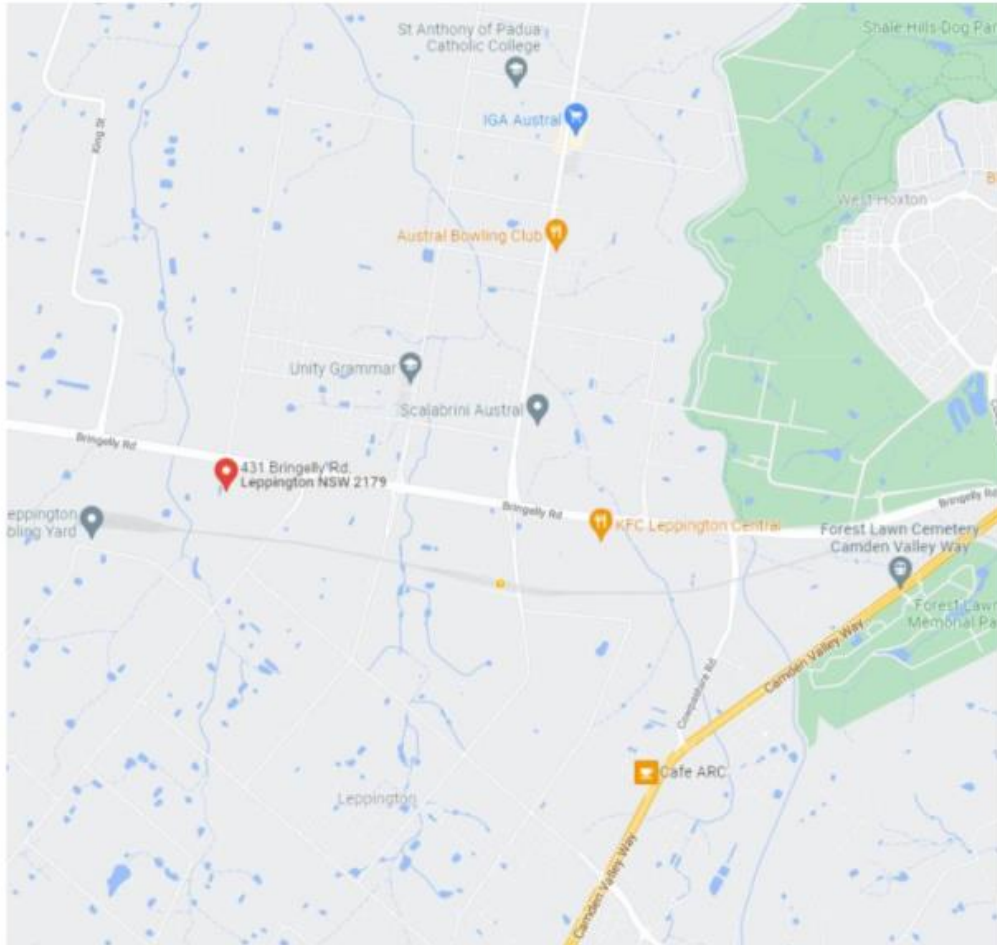


Figure 1 Context Map

Source: Google Maps, 2021

2.2 Site Description

The site is at 431 Bringelly Road, Leppington and is legally described as Lot 13 in DP1204465. It is irregular in shape with the approximate dimensions of 87m (wide) by 290m (deep). The site has an area of 1.947ha.

An aerial photo of the site is shown at **Figure 2** below.



Figure 2 Site Map

Source: Nearmap and Ethos Urban

At the request of Camden Council to enable the future Indicative Layout Plan (ILP) Road, the proposal seeks to subdivide the subject site in accordance with **Figure 3** below.

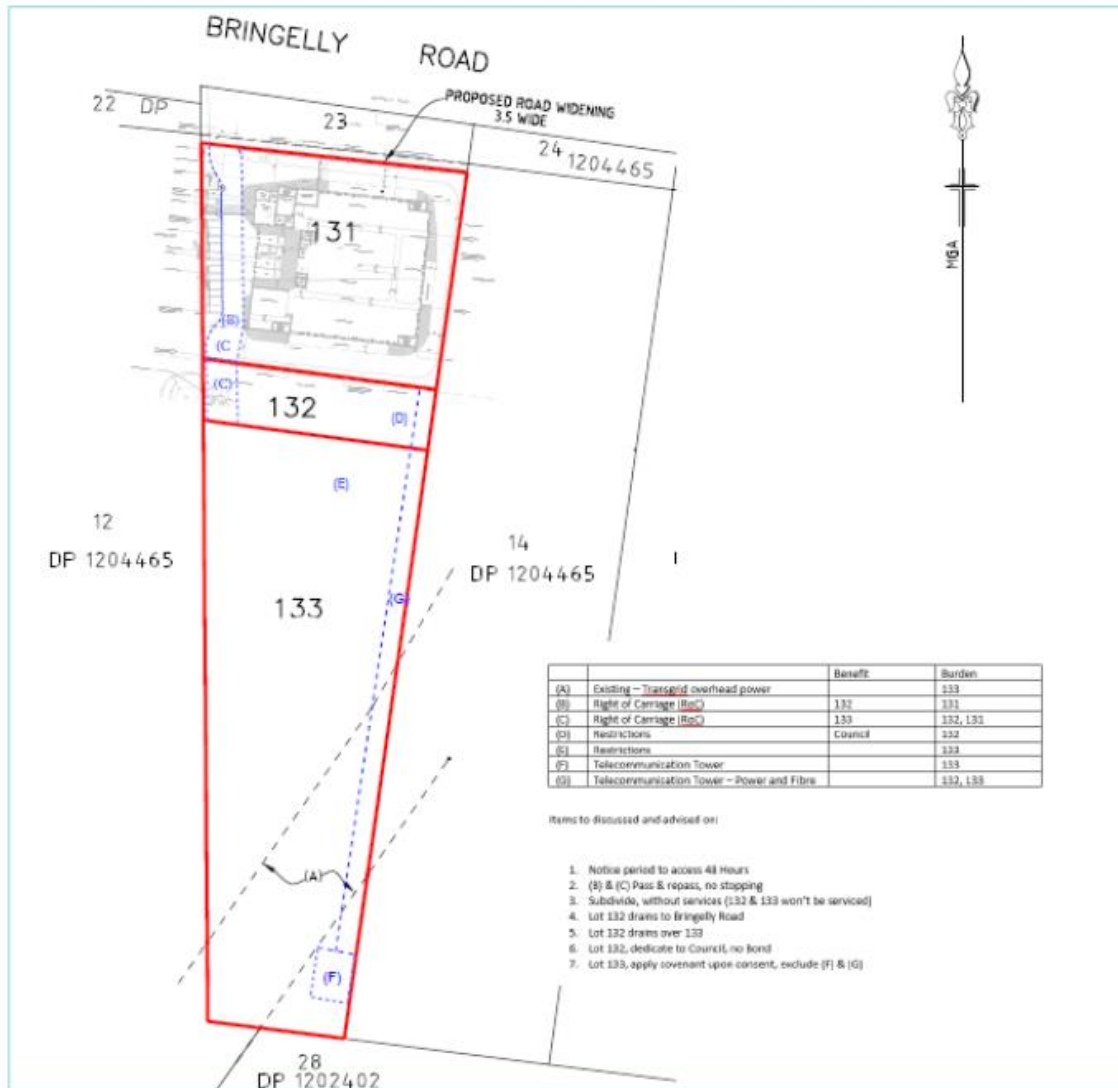


Figure 3 Plan of Proposed Subdivision

Source: Neamap and Ethos Urban

As shown in **Figure 4** below, Abacus recognises that the ILP Road runs through the site (Lot 13, DP 1204465), which has been identified for Light Industrial use within the Leppington North Precinct.

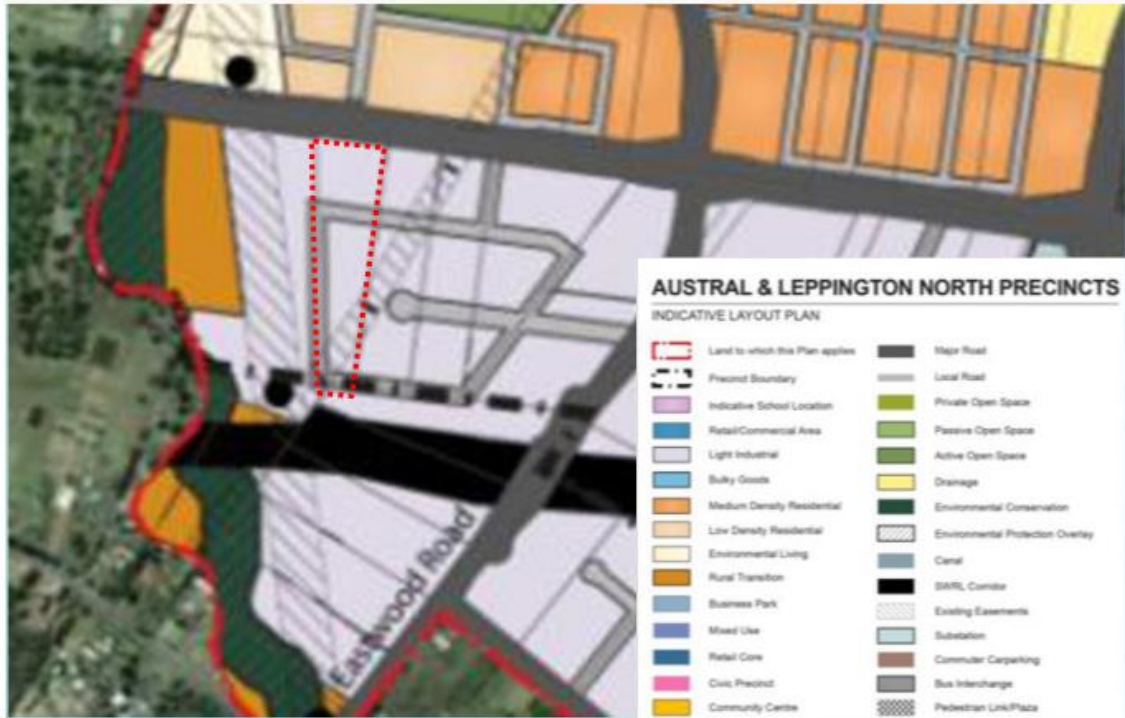


Figure 4: Indicative Layout Plan – Austral and Leppington North Precincts

Source: Schedule 1 Austral and Leppington North Precincts (Liverpool Growth Centre Precincts Development Control Plan)

Abacus remains committed to the delivery of the ILP Road and the vision of the Leppington North Precinct and has incorporated the subdivision of the site (one (1) into three (3) lots) as part of the current application (DA/2021/1914/1).

As demonstrated at **Figure 3**, the proposed subdivision has created lot fronting Bringelly Road with a site area of 6,221m². As identified in the Updated Architectural Drawings (**Attachment A**), the proposal seeks approval for a Gross Floor Area of 7,747m² which as a result of the proposed subdivision will result in a FSR of 1.2:1 (variation of 24.5% or 1,526m² above the nominated FSR of 1:1).

3.0 Development Standard to be Varied

3.1 Floor Space Ratio Development Standard

This Clause 4.6 variation request seeks to justify contravention of the floor space ratio development standard set out in Clause 4.4 of the SEPP (Precincts – Western Parkland City). Clause 4.4 provides that:

- (1) *The objective of this section is to control the bulk and scale of buildings by setting maximum floor space ratios for development.*
- (2) *The floor space ratio for a building on any land is not to exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map.*

In review of the Floor Space Ratio Map, the site is identified with a maximum floor space ratio of 1:

3.2 Extent and Nature of the Variation Sought

As identified in the Updated Architectural Drawings (**Attachment A**), the proposal seeks approval for a Gross Floor Area of 7,747m² which as a result of the proposed subdivision will result in a FSR of 1.2:1 (variation of 24.5% or 1,526m² above the nominated FSR of 1:1).

It is noted under the Chapter 3 of the SEPP (Precincts – Western Parkland City) for Sydney region growth centres, Claus3 3(1) states:

Words used in this Chapter have the same meaning as in the Standard Instrument, unless otherwise defined in this Chapter.

With no separate definition provided, under the *Standard Instrument Local Environmental Plan*, the definition of floor space ratio) means:

The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

As illustrated on the Updated Architectural Plans (**Attachment A**) and **Figures 4 and 5**, the proposal comprises of a four (4) storey storage premises (self-storage facility) with a total gross floor area of 7,747m²

This Clause 4.6 variation request seeks to vary the floor space ratio by 0.2:1 which is 1,526m², or a variation of 24.5% above the 1:1 maximum prescribed for the site by the SEPP (Precincts – Western Parkland City).

4.0 Justification for Contravention of the Development Standard

Appendix 5, Clause 4.6 of the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* enables Council to grant consent for development even though the development contravenes a development standard.

4.6 Exceptions to development standards

- (3) *Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

Further, Clause 4.6(4)(a) of the SEPP (Precincts – Western Parkland City). provides that:

- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
- (a) *the consent authority is satisfied that:*
 - (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - (b) *the concurrence of the Director-General has been obtained.*

Therefore, Clause 4.6 requires a consent authority be satisfied of three matters before granting consent to a development that contravenes a development standard:

- that the applicant has adequately demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case;
- that the applicant has adequately demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard; and
- that the proposal will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

The consent authority's satisfaction of those matters must be informed by the objective of providing flexibility in the application of the relevant control to achieve better outcomes for and from the development in question.

Assistance on the approach to justifying a contravention to a development standard is also to be taken from the applicable decisions of the NSW Land and Environment Court and the NSW Court of Appeal in:

1. *Wehbe v Pittwater Council [2007] NSW LEC 827;*
2. *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009;*
3. *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118 (Initial Action);*
4. *Baron Corporation Pty Ltd v The Council of the City of Sydney [2018] NSWLEC 1552 (Baron Corporation); and*
5. *Al Maha Pty Ltd v Huajun Investments Pty Ltd [2018] NSWCA 245 (Al Maha).*

The relevant matters contained in Clause 4.6 of the Growth Centre SEPP, with respect to the floor space ratio development standard, are each addressed below, including with regard to these decisions.

Role of the consent authority

The role of the consent authority in considering a request for a Clause 4.6 variation has been explained by the NSW Court of Appeal in *Initial Action* and in *Al Maha* to require that the consent authority needs to be satisfied in relation to two matters:

- That the applicant's request has adequately addressed the matters in Clause 4.6(4)(a)(i); and
- That the proposed development will be in the public interest because of its consistency with the objectives of the development standard and the zone objectives.

The consent authority is required to form these two opinions first before it considers the merits of the DA and it can only consider the merits of the DA if it forms the required satisfaction in relation to the matters. In particular, the consent authority needs to be satisfied that there are proper planning grounds to grant consent and that the contravention of the standard is justified. This report provides the basis for the consent authority to reach this level of satisfaction.

Accordingly, the relevant matters contained in Clause 4.6 of the SEPP (Precincts – Western Parkland City), with respect to the maximum floor space ratio development standard, are each addressed below, including with regard to the above decisions.

4.1 Clause 4.6(3)(a): Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

In *Wehbe*, Preston CJ of the Land and Environment Court provided relevant assistance by identifying five traditional ways in which a variation to a development standard had been shown as unreasonable or unnecessary. However, it was not suggested that those types of ways were a closed class.

While *Wehbe* related to objections made pursuant to *State Environmental Planning Policy No. 1 – Development Standards* (SEPP 1), the analysis can be of assistance to variations made under Clause 4.6 where subclause 4.6(3)(a) uses the same language as Clause 6 of SEPP 1 (see *Four2Five* at [61] and [62]).

As the language used in subclause 4.6(3)(a) of the Growth Centre SEPP is the same as the language used in Clause 6 of SEPP 1, the principles contained in *Wehbe* are of assistance to this Clause 4.6 variation request.

The five methods outlined in *Wehbe* include:

- The objectives of the standard are achieved notwithstanding non-compliance with the standard (**First Method**).
- The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary (**Second Method**).
- The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable (**Third Method**).
- The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable (**Fourth Method**).
- The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone (**Fifth Method**).

Of particular assistance in this matter, in establishing that compliance with a development standard is unreasonable or unnecessary, is the **First Method**.

4.1.1 The objectives of the standard are achieved notwithstanding non-compliance with the standard (First Method)

The objectives of the floor space ratio development standard contained in Appendix 5, Clause 4.4 of the SEPP (Precincts – Western Parkland City) are:

- (1) *The objective of this section is to control the bulk and scale of buildings by setting maximum floor space ratios for development.*

(2) *The floor space ratio for a building on any land is not to exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map.*

4.1.1.1 Consistency with the objectives of clause 4.4 under the Growth Centre SEPP

The following sections demonstrate that the objectives (as presented in **Section 4.1.1** immediately above) are achieved notwithstanding the non-compliance.

Objective (1): to control the bulk and scale of buildings by setting maximum floor space ratios for development.

This objective seeks to establish the bulk and scale of buildings, which is 1:1m.

The proposal has been amended to include subdivision of the site to facilitate the future ILP Road and the vision of the Leppington North Precinct and has resulted in a marginal exceedance of floor space above the nominated FSR development standard. It is not however considered that the proposal will result in an unanticipated bulk or scale of development for the IN2 Light Industrial zoning and the future intended outcomes for the locality.

Therefore, although the proposal exceeds the maximum FSR, it will still result in a scale of development appropriate for the locality as prescribed by the SEPP (Precincts – Western Parkland City).

In addition to the proposed scale of the development, the proposal will protect the amenity of adjoining uses by incorporating landscaping and substantial setbacks from each boundary, which includes the following:

- A **front setback** of 11.5m, including a 4.5m wide landscape area.
- An **eastern setback** of 8.575m – 10.043m, including a 1.5m wide landscape area.
- A **southern setback** from the future indicative layout plan (ILP) road of 12.365m, including a minimum 2.4m wide landscape area.
- A **western setback** of 14.668m, including a 6.4m wide landscape area.

The setbacks and provision of landscaping will visually screen the building, minimising any potential adverse amenity impacts on adjoining premises.

Also of relevance is the sites context and anticipated adjoining uses. The site sits within precinct planning controls of the Camden Growth Centre Precinct Development Control Plan 2017 (Camden Growth Centre DCP) and is identified as a part of the future Leppington Major Centre. Within this future major centre, the site is within the Light Industrial zone. The location of the site in the context of the wider Leppington Major Centre is depicted in **Figure 8** below.

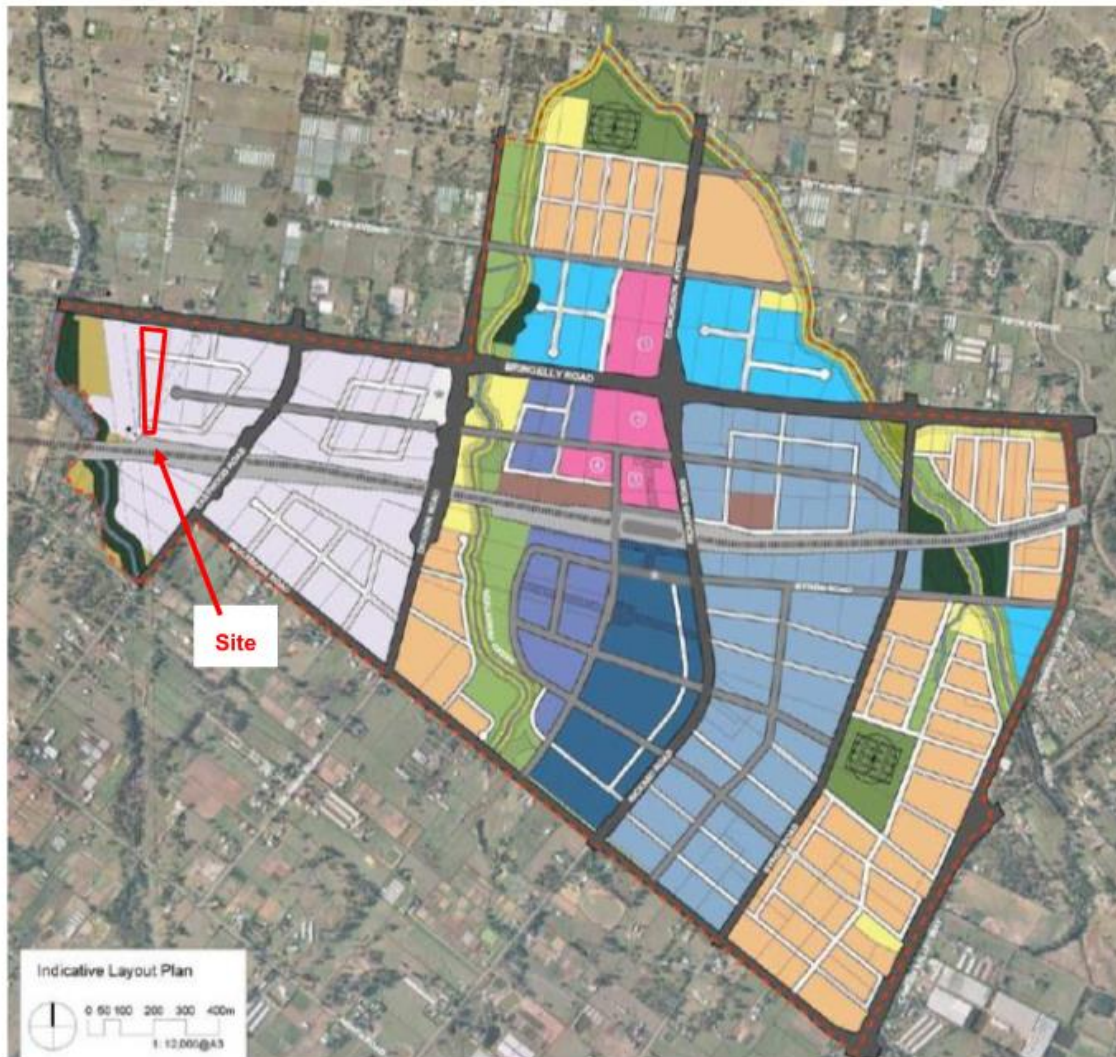


Figure 5 Leppington Major Centre Indicative Layout Plan and Zoning

Camden Growth Centre Precinct DCP 2017, Schedule 2

The Camden Growth Centre DCP also sets out an Indicative Layout Plan (ILP) of new roads in the locality. Of these new roads, two are proposed to traverse the rear of the site. As illustrated in **Figure 8** the site will be surrounded by other industrial uses in the future. Generally, there are lower amenity expectations within industrial areas and therefore, any potential impacts on adjoining uses will be further diluted.

Across the road, the site sits opposite a recently constructed service station (see **Figure 9**), further reducing any potential for impacts on amenity.



Figure 6 Site Map
 Source: Nearmap and Ethos Urban

4.1.2 Conclusion on Clause 4.6(3)(a)

Strict compliance with maximum floor space ratio prescribed under Clause 4.4 of the SEPP (Precincts – Western Parkland City) is considered unreasonable and unnecessary in the specific circumstances for the following reasons:

- The underlying objectives of the standard are achieved, notwithstanding the non-compliance with the numerical control.
- The proposed floor space allows for a design response of an appropriate density, built form and land use intensity.
- Is of a density consistent with the future industrial development expectation of the area.
- Results in a superior design outcome through the architectural design.
- The proposal is appropriately setback and buffered by landscaping, mitigating any potential impacts on amenity of adjacent uses.
- The proposed floor space and intensity of the development is commensurate with, and can be accommodated on the site without unreasonably impacting existing and planned development, the future Leppington Major Centre
- The proposal delivers a design response expected within an industrial area.

4.2 Clause 4.6(3)(b): Environmental planning grounds to justify contravening the development standard

Clause 4.6(3)(b) of the SEPP (Precincts – Western Parkland City) requires the contravention of the development standard to be justified by demonstrating there are sufficient environmental planning grounds to justify the contravention. The focus is on the aspect of the development that contravenes the development standard, not the development as a whole.

Therefore, the environmental planning grounds advanced in the written request must justify the contravention of the development standard and not simply promote the benefits of carrying out the development as a whole (Initial Action at [24]). Further, compliance with other planning instruments does not justify non-compliance with the development standard and is not sufficient environmental planning grounds to justify contravening the development standard (Baron Corporation at [58]).

In *Four2Five*, the Court found that the environmental planning grounds advanced by the applicant in a Clause 4.6 variation request must be particular to the circumstances of the proposed development on that Site at [60].

There are sufficient environmental planning grounds to justify contravention of the maximum floor space ratio development standard in this specific instance, as described below.

4.2.1 Ground 1: Suitability of scale in local context

As outlined within **section 4.1.1.1** above, the site is located within the IN2 Light Industrial zone under the SEPP (Precincts – Western Parkland City) and the Light Industrial area of the Austral & Leppington North Precincts ILP.

Furthermore, the site is surrounded by adjoining by other sites within the Light industrial and separated from the Low Density Residential area to the north by Bringelly Road (a classified road).

Council has varied the FSR ratio within the locality where applicants have demonstrated that through careful site analysis, building design, spatial arrangements, and landscaping can deem an alternative FSR appropriate. It has been accepted that there are particular circumstances in which the development standard can be varied to reflect the environmental capacity of a site to allow for maximum development density and intensity of land use.

In this case, the proposed variation is supportable in its environmental context, design response and following the Council's pattern of variation to the FSR development standard to establish standards for maximum development density. This is particularly relevant given the identified FSR exceedance has occurred as a result of Council's instructions to subdivide the site to ensure the delivery of the future ILP Road.

4.2.2 Ground 2: Mitigation of adverse impacts

As outlined within **section 4.1.1.1** above the proposal has been designed to mitigate any potential impacts that may arise from the additional floor space. Specifically, the following design responses have been incorporated:

- A **front setback** of 11.5m, including a 4.5m wide landscape area.
- An **eastern setback** of 8.575m – 10.043m, including a 1.5m wide landscape area.
- A **southern setback** from the future indicative layout plan (ILP) road of 12.365m, including a minimum 2.4m wide landscape area.
- A **western setback** of 14.668m, including a 6.4m wide landscape area.

The combination of setbacks in addition to landscape buffering ensures the building bulk is reduced at site boundaries and prevents any potential concerns for unreasonable scale.

4.2.3 Ground 3: Appropriate land use

Storage premises leases out space on a semi-permanent basis for customers to store items. To this end, it is necessary for the proposal to provide a suitable quantity of FSR to make a viable development. In this circumstance a minor exceedance in the prescribed FSR allows for an appropriately sized storage premises and because it does not result in additional density or permanent workers at the site it does not adversely impact on local infrastructure supply.

4.2.4 Ground 4: Suitable visual appearance

The proposed design achieves a balance between the operational requirements of a self-storage facility and providing an articulated and visually interesting building that contributes positively to its surrounds. The design outcome is consistent with the Storage King national brand guidelines and building design standards, and in this way also demonstrates a fit-for-purpose response.

Signage and brand presentation is an integral part of the building's design. Materiality, composition, articulation and branding have been considered holistically, delivering a balanced and visually appealing design outcome.

Illuminated display windows assist with activation and communicate building function by revealing typical storage units.

A variety of materials and finishes have been proposed to be used within the external facades, including:

- Precast concrete (painted)
- Precast concrete (unpainted)
- Glazing
- Feature brick cladding Metal balustrading
- Feature lighting
- Illuminated signage

The application of material and colour is intended to create a dynamic and interesting facade when viewed from the street or from key sight lines and provides a high quality, textural finish when viewed up close.

4.2.5 Ground 4: Superior design response

As outlined in **section 4.1.1.1** above, the design of the proposal responds to the local area and exhibits superior design through the following features:

- The building addresses the street and key view corridors through appropriate positioning of active elements such as glazing, signage and brand colours. The position of the front façade relative to front boundary also assists with establishing an appropriate dialogue between the built form and public domain.
- A variety of materials and finishes have been proposed to be used within the external facades, including; precast concrete (painted), precast concrete (unpainted), glazing, feature brick cladding metal balustrading, feature lighting and illuminated signage.
- Parking and loading areas have been largely concealed behind built form, and an active ground plane in the form of glazing to the office / retail space further reinforces the relationship between the development and public domain and provides an active interface that is not separated by parking.
- The proposed configuration of the development allows for extensive landscaping to the front setback, which softens its visual appearance and provides a meaningful buffer to the Bringelly Road frontage.
- The façade is modulated through the use of material, colour and form which allows layering of the façade cladding creates an impression of the building "shell" being peeled back to reveal the upper-level display windows and crown icon.

4.2.6 Conclusion on Clause 4.6(3)(b)

Overall, there are significant environmental benefits of the proposed development, notwithstanding the proposed variation to the maximum FSR, including:

- The building mass is suitable for the environmental conditions of this site whilst also achieving the maximum development density.
- The proposal includes appropriate setbacks and landscaping to mitigating any potential adverse impacts due to building bulk.

4.3 Clause 4.6(4)(a)(i): The applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3)

This written request adequately and comprehensively addresses the matters required to be demonstrated by subclause (3).

4.4 Clause 4.6(4)(a)(ii): In the public interest because it is consistent with the objectives of the zone and development standard

In *Initial Action* at [27], it was held that it is the proposed development's consistency with the objectives of the development standard and the objectives of the zone that make the proposed development in the public interest. This is discussed further in the sections below.

4.4.1 Consistency with objectives of the development standard

The proposed development is consistent with the objectives of the floor space ratio development standard, for the reasons discussed in **Section 4.1.2** and **Section 4.1.2** of this report.

4.4.2 Consistency with objectives of the zone

The proposed development is consistent with the objectives for the IN2 – Light Industrial zone for the following reasons:

- It directly supports the provision of light industrial, warehouse and related land uses (e.g. storage premises).
- It will facilitate employment through construction and ongoing employment through a permanent workforce of storage works and maintenance professionals.
- It mitigates and potential adverse impacts through operation, setbacks and landscaping.
- It will provide a secure storage service for local residents and the local workforce.

4.4.3 Consistency with the Objects of the Environmental Planning and Assessment Act 1979

In *Initial Action*, the Court stated that the phrase "environmental planning grounds" is not defined but would refer grounds that relate to the subject matter, scope and purpose of the EP&A Act, including the objects in section 1.3 of the Act. While this does not necessarily require that the proposal should be consistent with the objects of the Act, nevertheless, in **Table 1** we consider how the proposal is consistent with each object, notwithstanding the proposed variation of the FSR development standard.

Table 1 Assessment of proposed development against the Objects of the EP&A Act

Object	Comment
(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 form, inclusive of FSR variation, will promote the economic and social welfare of the community through the introduction of an economically viable development. The proposal will contribute to job creation and will provide an important service to the community.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposed form, inclusive of FSR variation will facilitate ecologically sustainable development by facilitating construction of a storage premises which contributes to the local economy, delivers a need for the community whilst not having an adverse impact on the environment.
(c) to promote the orderly and economic use and development of land,	The proposed form, inclusive of the FSR variation facilitates the orderly development of the local area in line with the intent of the SEPP (Precincts – Western Parkland City) and Camden Growth Centre DCP.
(d) to promote the delivery and maintenance of affordable housing,	The proposed form, inclusive of the FSR variation will provide a storage service to residents, placing less reliance on private dwellings. This in turn provides greater housing choice for residents.

Object	Comment
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposal will have no impact on threatened species or ecological communities. The potential to enhance existing habitat is facilitated through the landscape concept.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposal will not impact any areas of known heritage, cultural or archaeological importance. An Aboriginal Heritage Letter of Advice has been prepared. Items of archaeological importance are not thought to occur in the development footprint.
(g) to promote good design and amenity of the built environment,	The proposed form, inclusive of the FSR variation helps to achieve high design quality by screening plant and equipment on the roof of the building. Setbacks and landscaping are incorporated into the proposal to mitigate any potential impacts on amenity.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The proposed development will comply with all relevant BCA codes and will promote the health and safety of occupants.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	This object is not directly relevant to this proposed development.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The proposed development will be publicly notified in accordance with the requirements of Council's DCP.

4.5 Other Matters for Consideration

Under Clause 4.6(4)(b) of the SEPP (Precincts – Western Parkland City), the Planning Secretary's concurrence is required prior to any variation being granted. Under Clause 4.6(5), in deciding whether to grant concurrence, the Planning Secretary must consider the following matters:

- (5) *In deciding whether to grant concurrence, the Planning Secretary must consider:*
- (a) *whether contravention of the development standard raises any matter of significance for State environmental planning, and*
 - (b) *the public benefit of maintaining the development standard, and*
 - (c) *any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.*

4.5.1 Clause 4.6(5)(a): Whether contravention of the development standard raises any matter of significance for State environmental planning

The variation of the floor space ratio development standard results in a building which is 1,526m² above the prescribe maximum FSR. It will not raise any matter which could be deemed to have State significance.

4.5.2 Clause 4.6(5)(b): The public benefit of maintaining the development standard

As demonstrated above, there is no public benefit in maintaining the development standard. In this instance the proposed building will allow for a superior design outcome without impacting on the amenity of the area.

4.5.3 Clause 5.6(5)(c): Any other matters required to be taken into consideration by the Planning Secretary D before granting concurrence.

We are not aware of any other matters that the Planning Secretary (or the consent authority) is required to consider before granting concurrence.

5.0 Conclusion

The assessment above demonstrates that compliance with the floor space development standard contained in Clause 4.4 of the SEPP (Precincts – Western Parkland City) is unreasonable and unnecessary in the circumstances of the case and that the justification is well founded.

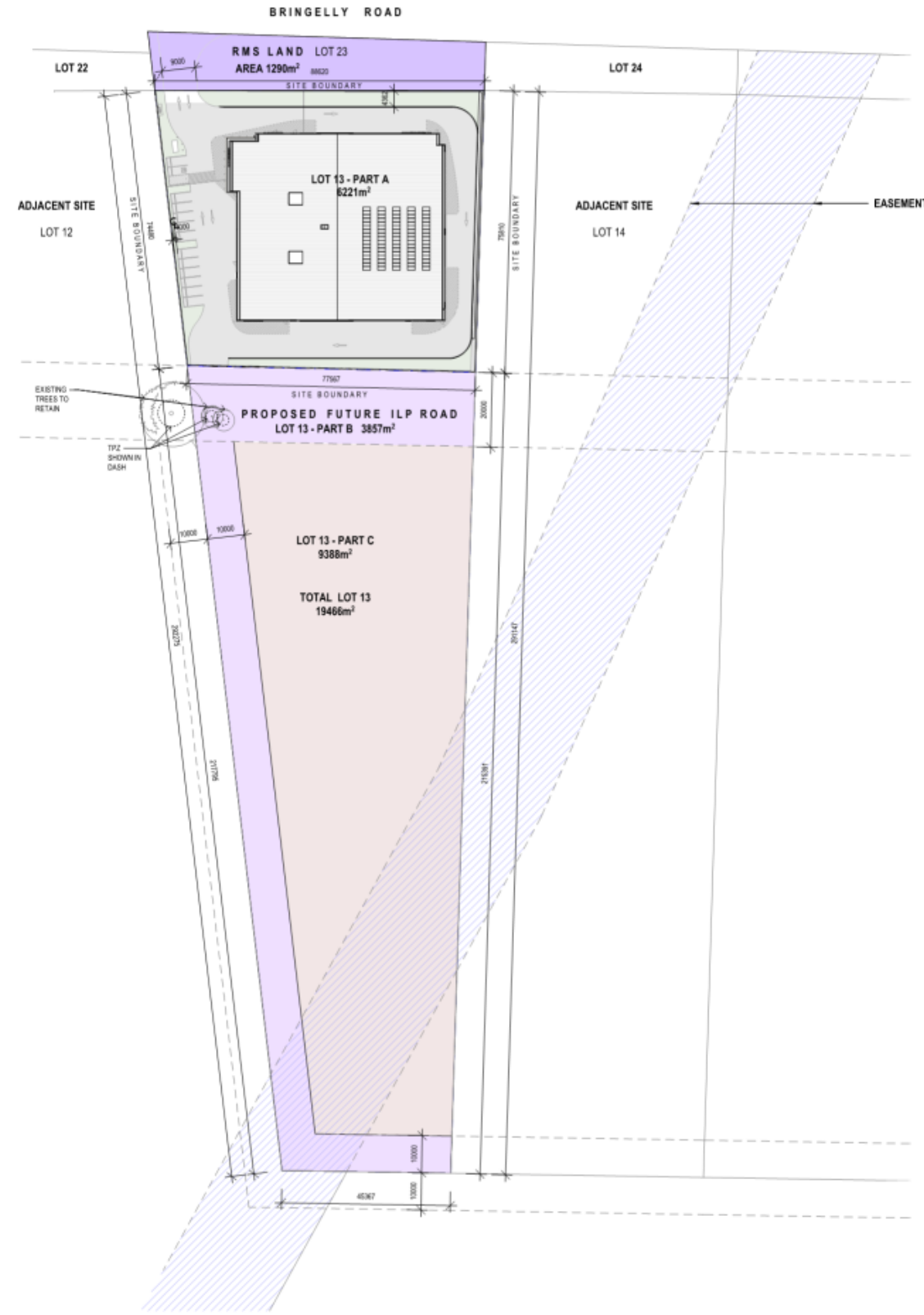
The variation allows for the orderly and economic use of the land in an appropriate manner, whilst allowing for a better outcome in planning terms.

This Clause 4.6 variation demonstrates that, notwithstanding the non-compliance with the floor space ratio development standard, the proposal:

- Achieves the objectives of the SEPP (Precincts – Western Parkland City) floor space ratio development standard.
- Achieves the objectives of the SEPP (Precincts – Western Parkland City) IN2 Light Industrial land use zone.
- Is of a scale that is consistent with the future industrial development expectation of the area.
- Results in a superior design outcome through the generous setbacks and extensive landscaping.
- Mitigates and potential adverse impacts on the adjoining area through the incorporation of setbacks and landscaping.

Therefore, the DA may be approved with the variation as proposed in accordance with the flexibility allowed under the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* (Appendix 5 – Camden Growth Centres Precinct Plan – Clause 4.6).

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NEW WORKS LEGEND
 NEW WORKS TO BE CO-ORDINATED WITH STRUCTURAL AND SERVICES ENGINEERS PRIOR TO COMMENCEMENT.

- - - PROPERTY BOUNDARY
- NEW WORKS
- LANDSCAPE



PROPOSED SELF STORAGE FACILITY
 431 BRINGELLY ROAD, LEPPINGTON,
 NSW 2179

ISSUE	DATE	DESCRIPTION
B	09.03.22	FOR APPROVAL
C	12.10.22	FOR APPROVAL
D	22.12.22	FOR APPROVAL
E	09.03.23	FOR APPROVAL

PROPOSED SITE PLAN - AERIAL VIEW

A02.10 DA - E
 1:750 @ A1
 1:1500 @ A3



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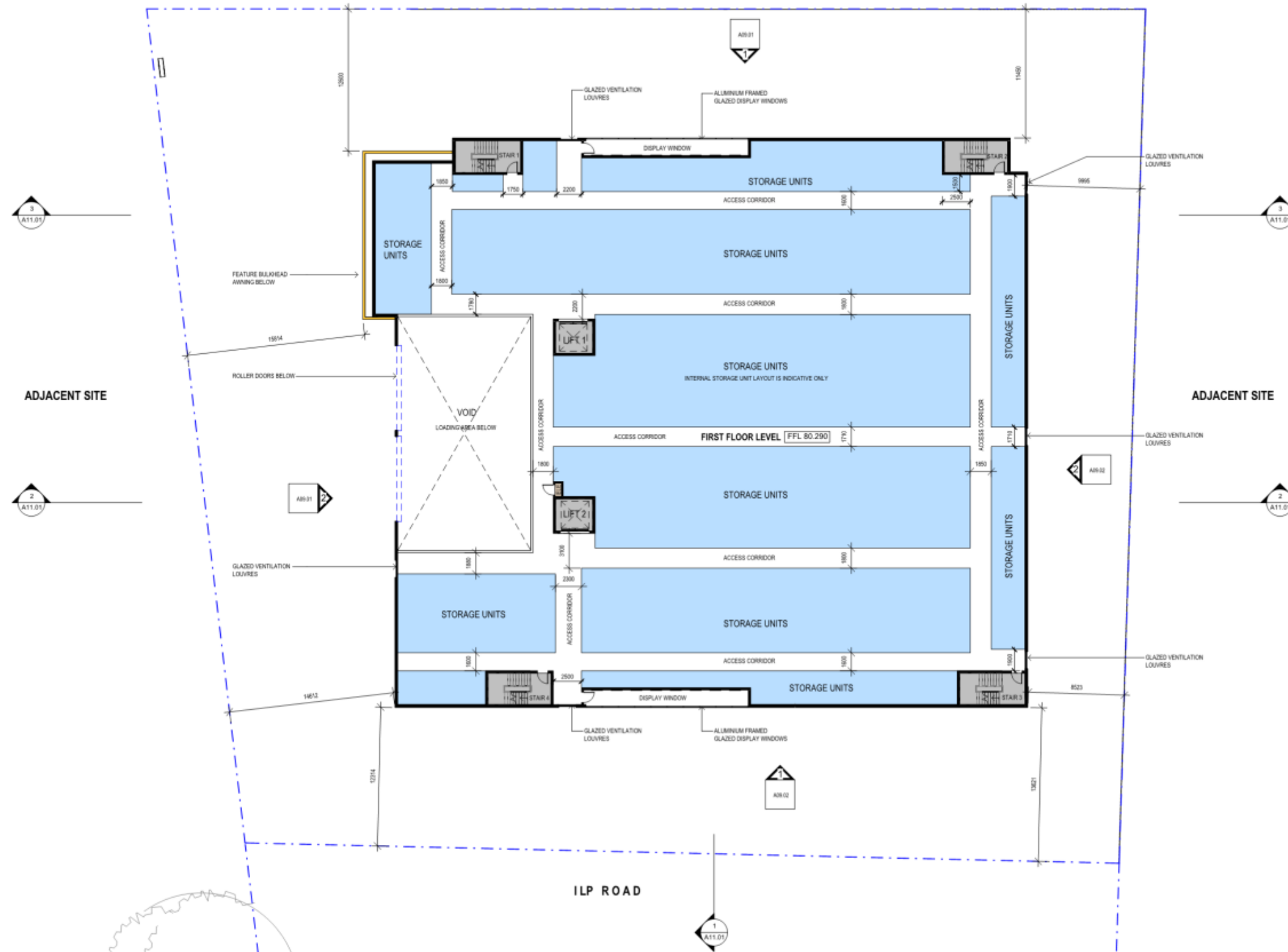


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BRINGELLY ROAD

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- NEW WORKS
- LANDSCAPE



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C	22.12.22	FOR APPROVAL
D	09.03.23	FOR APPROVAL

**PROPOSED FIRST FLOOR PLAN -
 STAGE 1**

A02.21 DA - D
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 1:400 @ A3



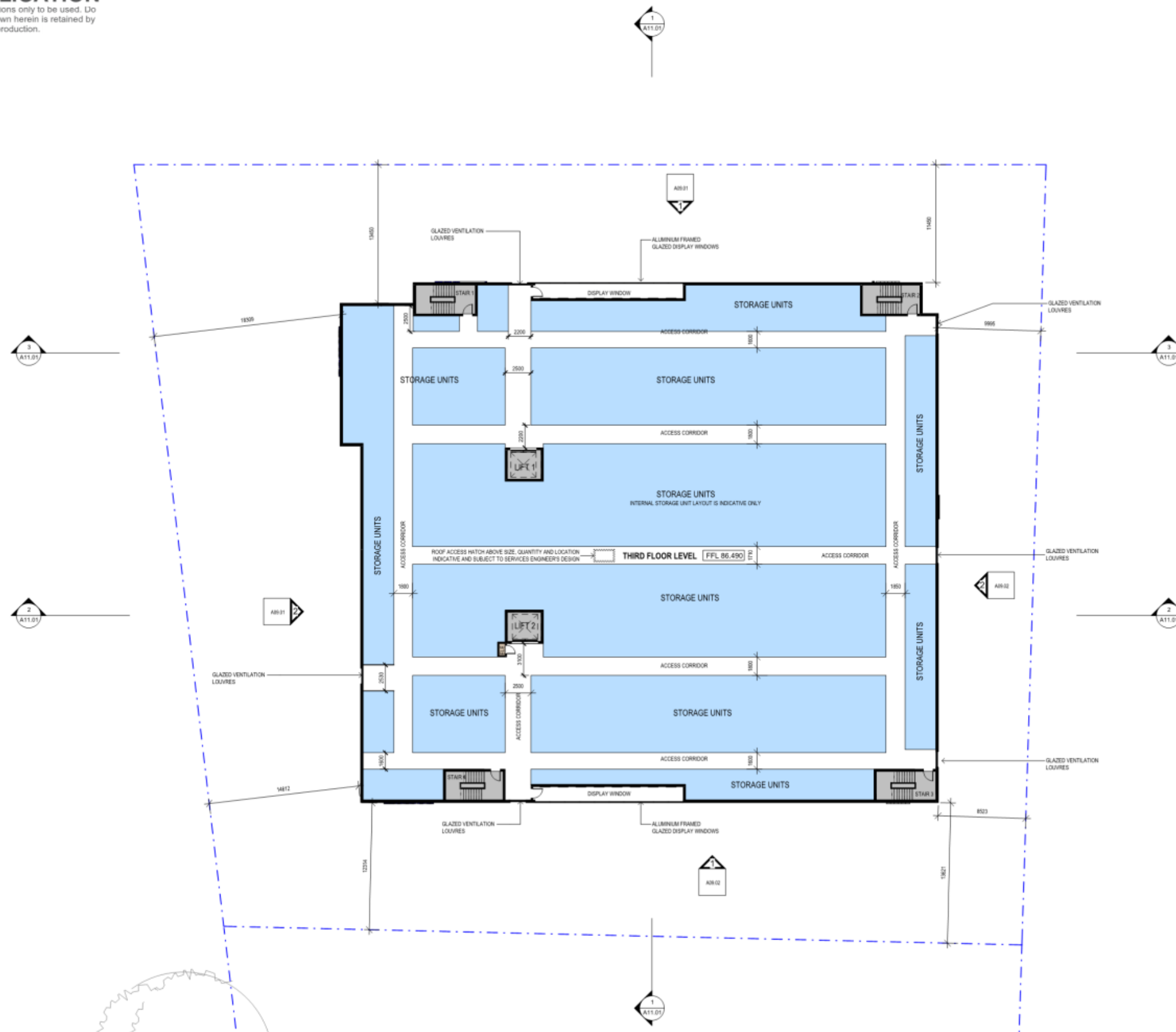
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PROPOSED THIRD FLOOR PLAN

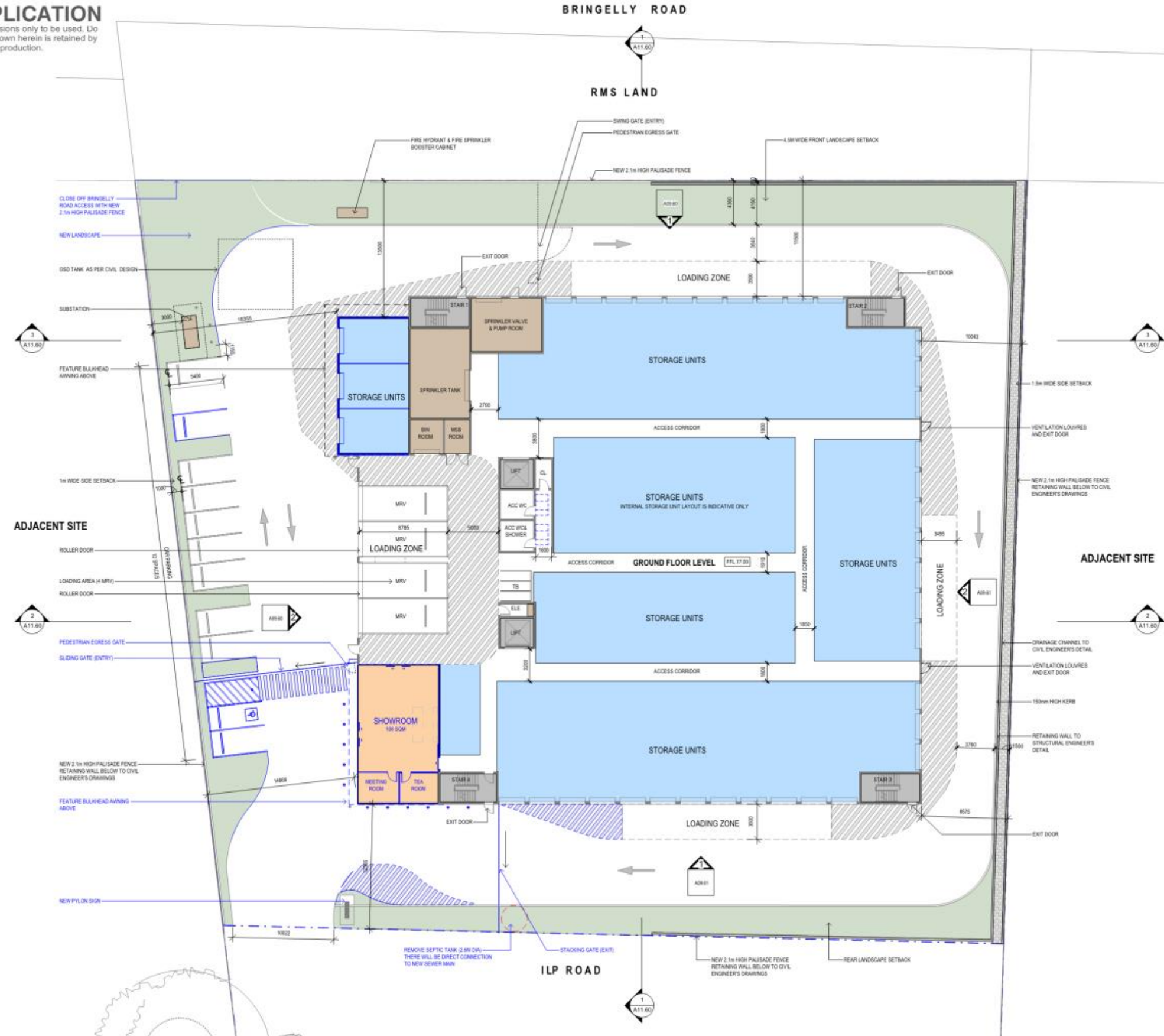
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- PROPERTY BOUNDARY
- STAGE 1 WORK
- STAGE 2 WORK
- LANDSCAPE

NOTE:
 STAGE 2 CHANGES ARE HIGHLIGHTED IN BLUE



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C	12.10.22	FOR APPROVAL
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E	09.03.23	FOR APPROVAL
P1	06.04.23	FOR APPROVAL

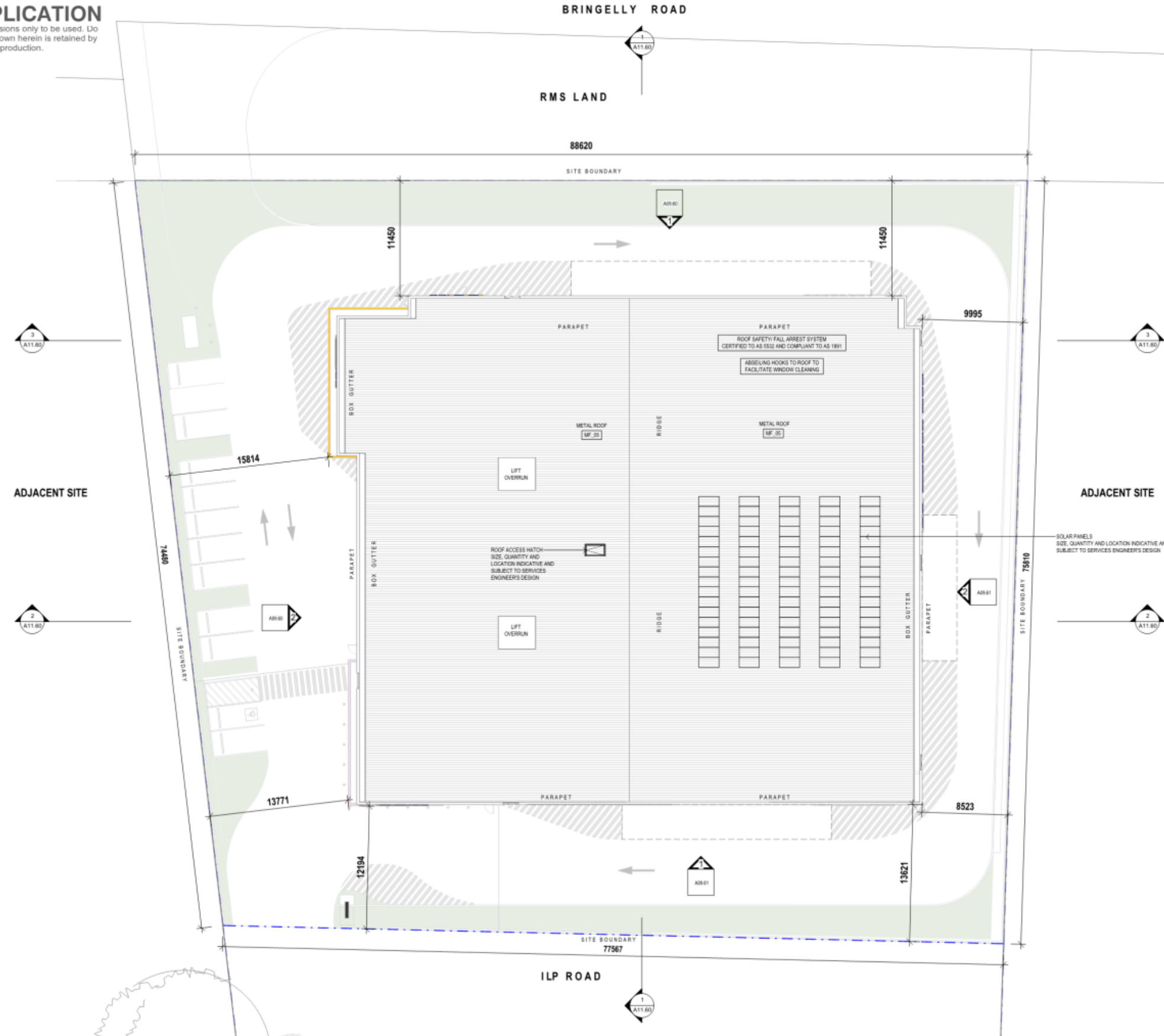
**PROPOSED GROUND FLOOR PLAN -
 STAGE 2**

A02.60 DA - P1
 1:200 @ A1
 1:400 @ A3

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- PROPERTY BOUNDARY
- STAGE 1 WORK
- STAGE 2 WORK
- LANDSCAPE

NOTE:
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D	22.12.22	FOR APPROVAL
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**PROPOSED ROOF/ SITE PLAN -
 STAGE 2**

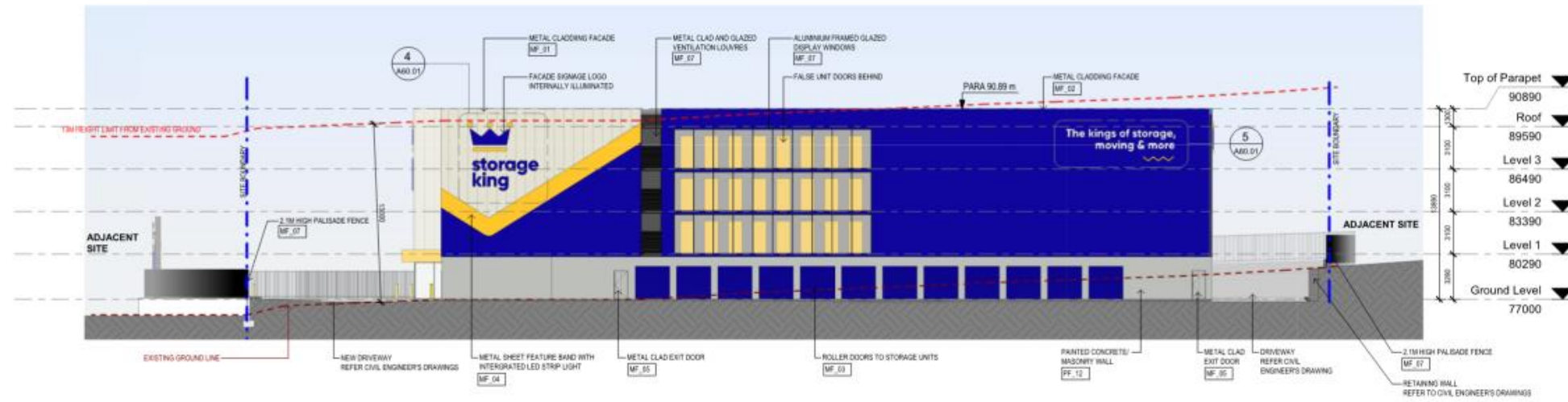
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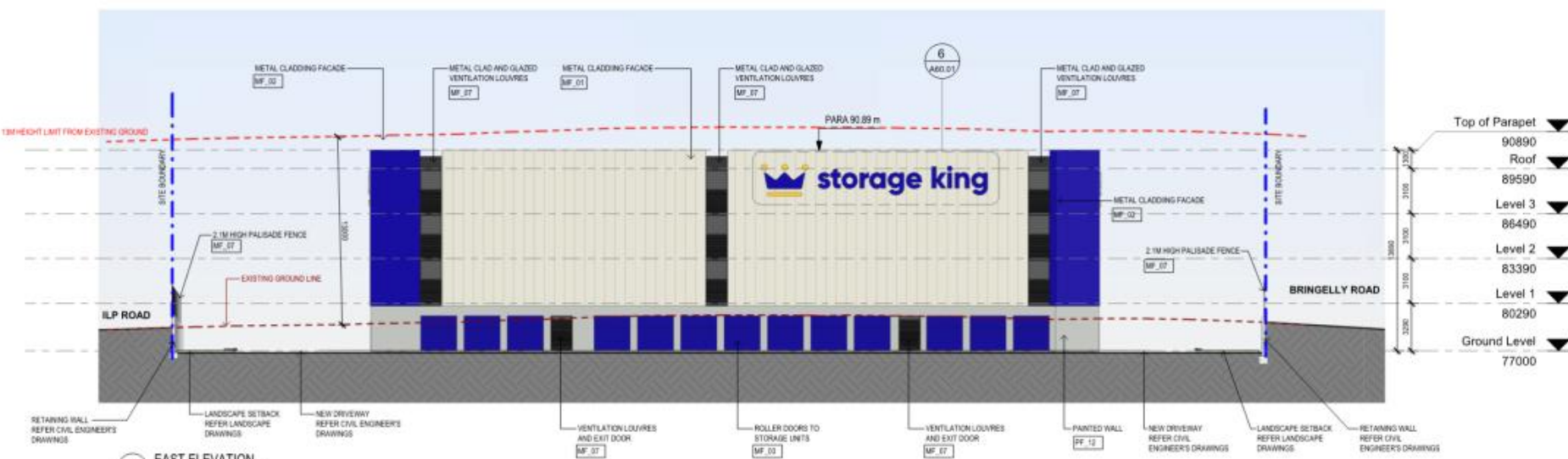
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1 SOUTH ELEVATION
1:200



2 EAST ELEVATION
1:200

MATERIAL SWATCHES

	
MF 01 - SURFMIST PREFINISHED METAL AND CLADDING	MF 05 - SHALE GREY PREFINISHED METAL & CLADDING
	
MF 02 - SWIMMERCRAB PREFINISHED METAL AND CLADDING	MF 07 - MONUMENT DULUX POWDERCOAT
	
MF 03 - BLUESCOPE LAZURITE METAL FINISH TO STORAGE UNIT DOORS	PF 01 - GOLDEN MARGUERITE PAINT FINISH
	
MF 04 - ALOHA YELLOW PREFINISHED METAL AND CLADDING	PF 12 - SHALE GREY PAINT FINISH



PROPOSED SELF STORAGE FACILITY
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ISSUE	DATE	DESCRIPTION
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D	22.12.22	FOR APPROVAL
E	09.03.23	FOR APPROVAL
P1	06.04.23	FOR APPROVAL

**PROPOSED EXTERNAL ELEVATIONS -
 STAGE 1**

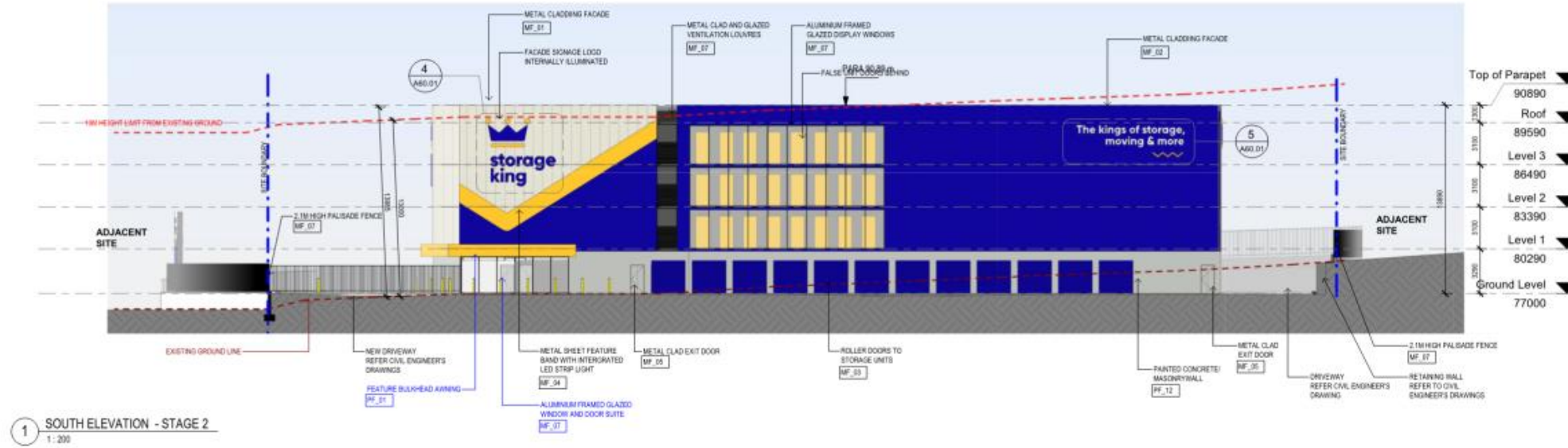
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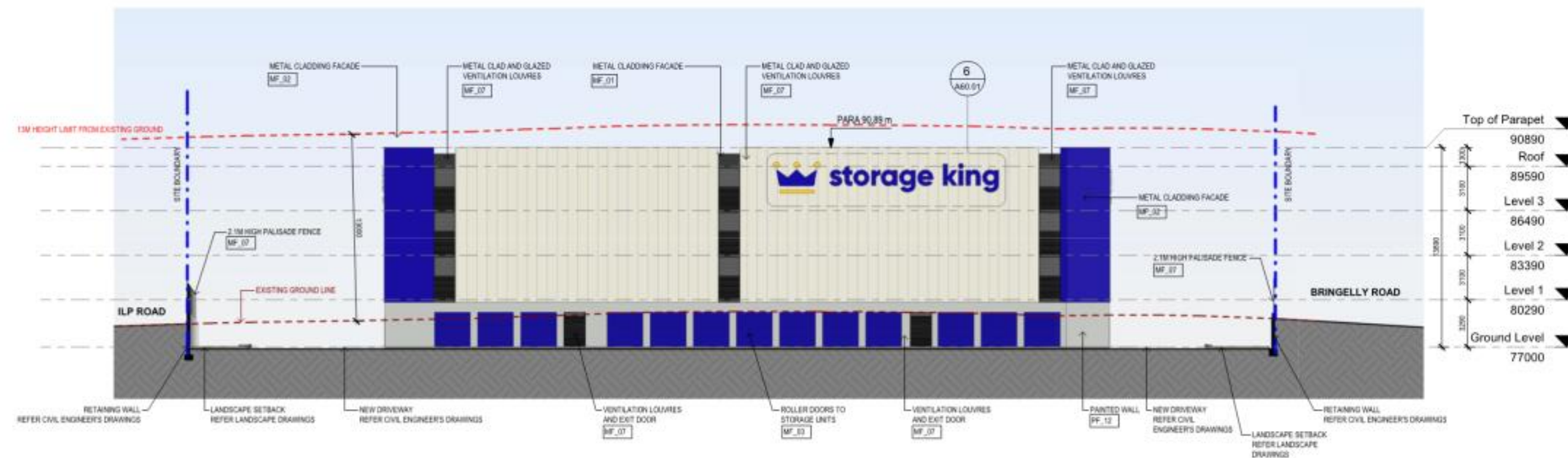


DEVELOPMENT APPLICATION

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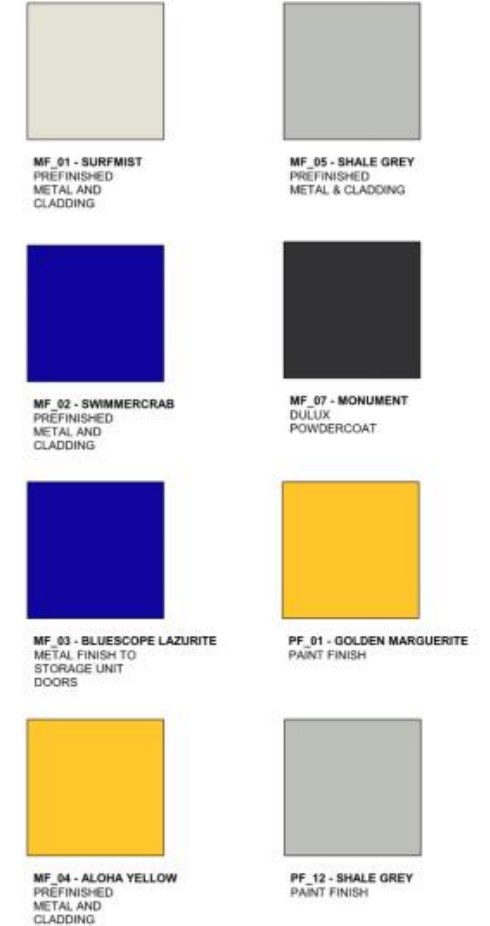


1 SOUTH ELEVATION - STAGE 2
1:200



2 EAST ELEVATION - STAGE 2
1:200

NOTE: STAGE 2 CHANGES ARE MENTIONED IN BLUE TEXT



PROPOSED SELF STORAGE FACILITY
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NSW 2179

ISSUE	DATE	DESCRIPTION
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C	12.10.22	FOR APPROVAL
D	22.12.22	FOR APPROVAL
E	09.03.23	FOR APPROVAL

PROPOSED EXTERNAL ELEVATIONS - STAGE 2

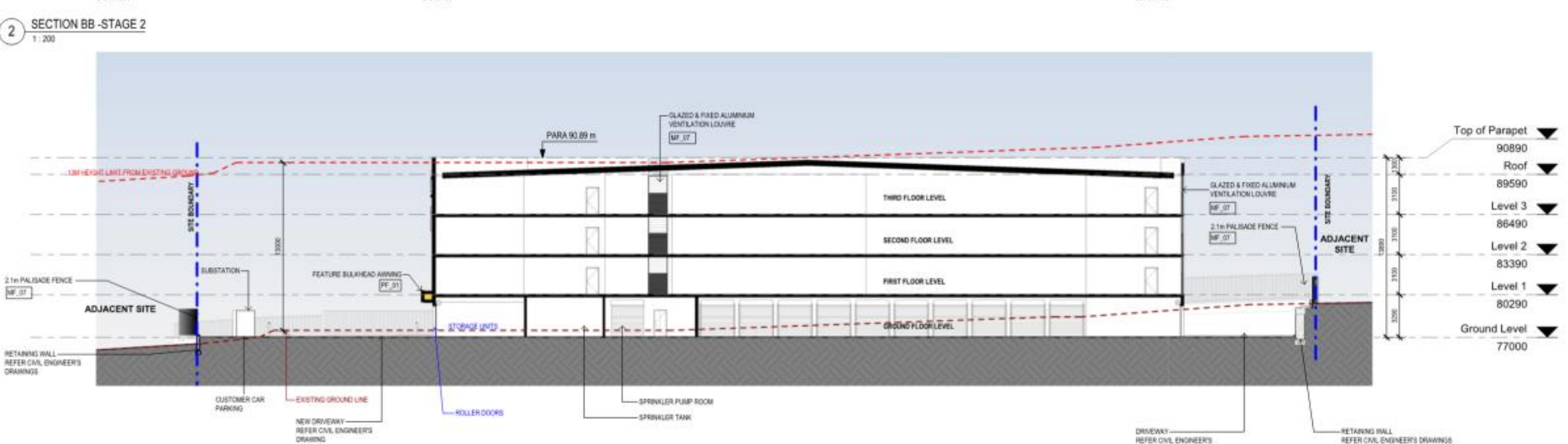
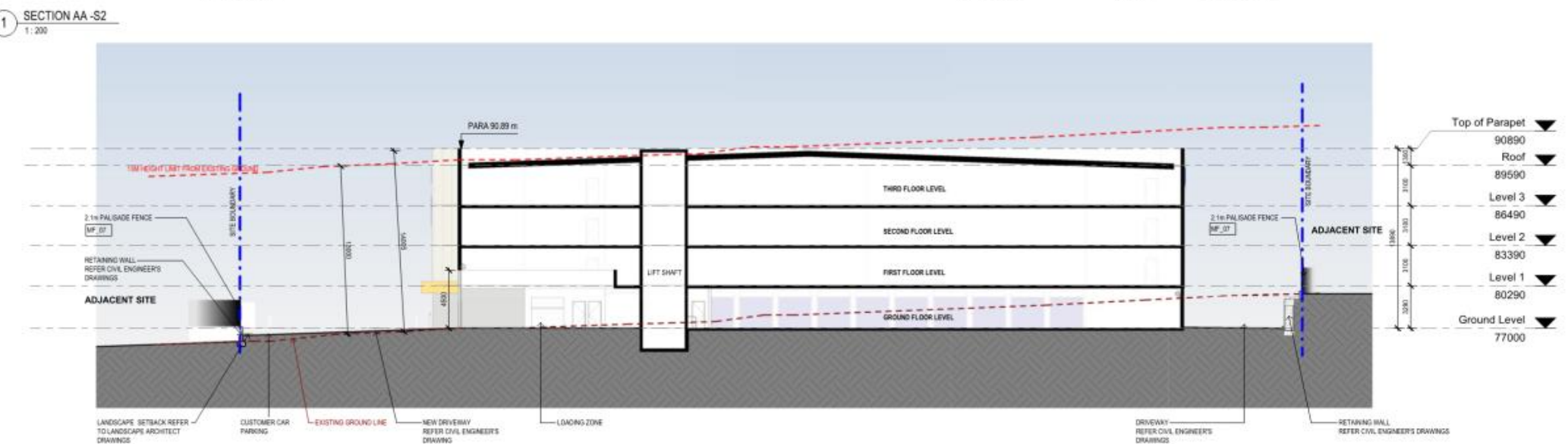
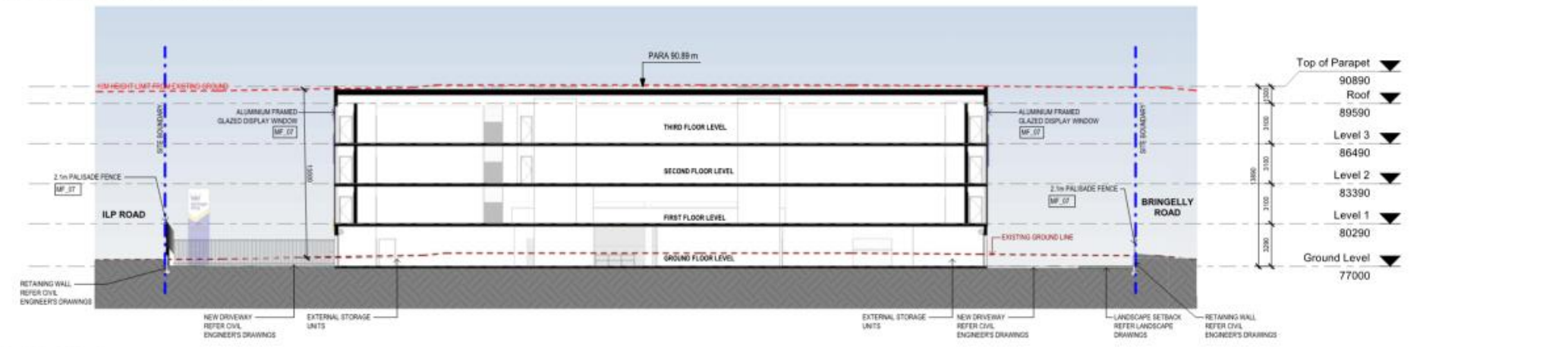
A09.61 DA - E
1:200 @ A1
1:400 @ A3

82 Alexander Street
Cross Street, NSW 2065
ABN 43 092 960 490
T +61 2 9437 0511
www.bnrgrouponline.com



DEVELOPMENT APPLICATION

All dimensions to be checked on site, written dimensions only to be used. Do not scale from drawings. Copyright of the design shown herein is retained by the Architect. Written authority is required for any reproduction.



PROPOSED SELF STORAGE FACILITY
431 BRINGELLY ROAD, LEPPINGTON,
NSW 2179

ISSUE	DATE	DESCRIPTION
C	24.01.22	FOR APPROVAL
D	12.10.22	FOR APPROVAL
E	22.12.22	FOR APPROVAL
F	09.03.23	FOR APPROVAL

PROPOSED BUILDING SECTIONS - STAGE 2

A11.60 DA - F
1:200 @ A1
1:400 @ A3

82 Alexander Street
Crows Nest, NSW 2065
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DEVELOPMENT APPLICATION

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1 ELEVATION LOGO - S1
1:50

75mm DEEP INTERNALLY ILLUMINATED, 3 DIMENSIONAL ACRYLIC LOGO



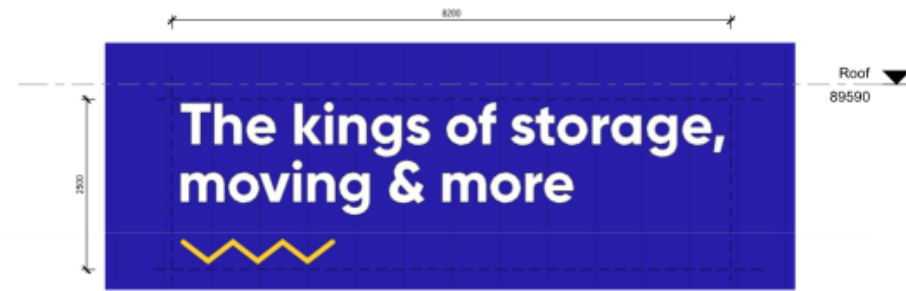
4 ELEVATION LOGO - S4
1:50

75mm DEEP INTERNALLY ILLUMINATED, 3 DIMENSIONAL ACRYLIC LOGO



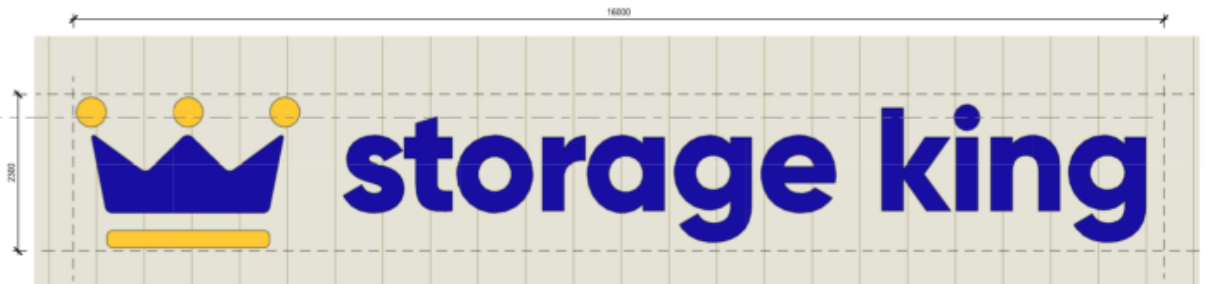
5 ELEVATION LOGO - S5
1:50

75mm DEEP INTERNALLY ILLUMINATED, 3 DIMENSIONAL ACRYLIC LETTERING



2 ELEVATION LOGO - S2
1:50

75mm DEEP INTERNALLY ILLUMINATED, 3 DIMENSIONAL ACRYLIC LETTERING



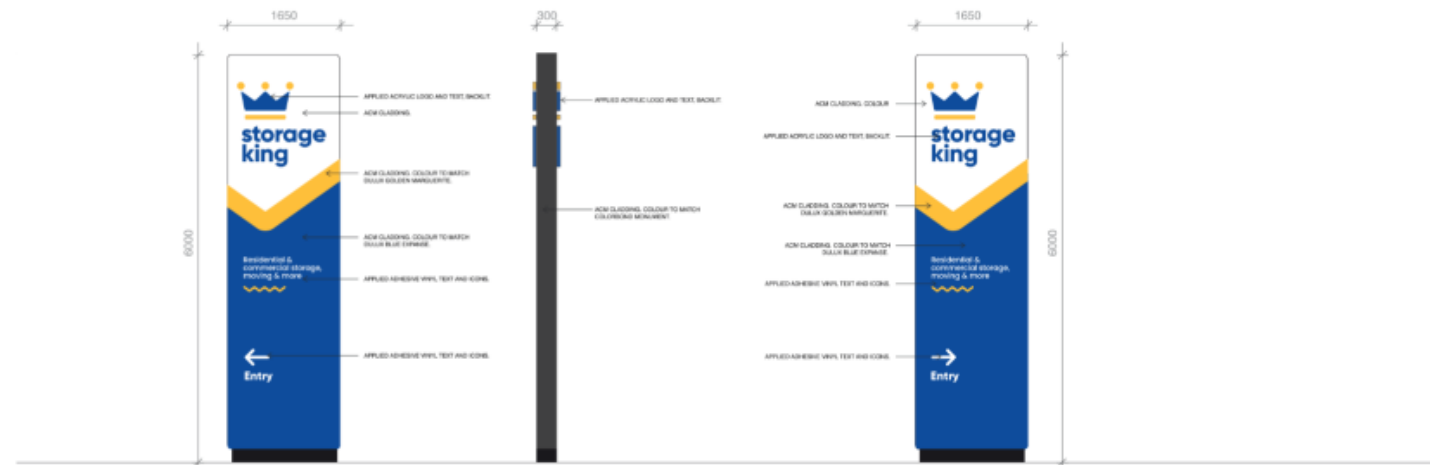
6 ELEVATION LOGO - S6
1:50

75mm DEEP INTERNALLY ILLUMINATED, 3 DIMENSIONAL ACRYLIC LETTERING



3 ELEVATION LOGO - S3
1:50

75mm DEEP INTERNALLY ILLUMINATED, 3 DIMENSIONAL ACRYLIC LOGO



7 PYLON SIGN
1:50

METAL AND ACRYLIC PYLON SIGN WITH BACKLIT LOGO AND YELLOW BAND



PROPOSED SELF STORAGE FACILITY
431 BRINGELLY ROAD, LEPPINGTON,
NSW 2179

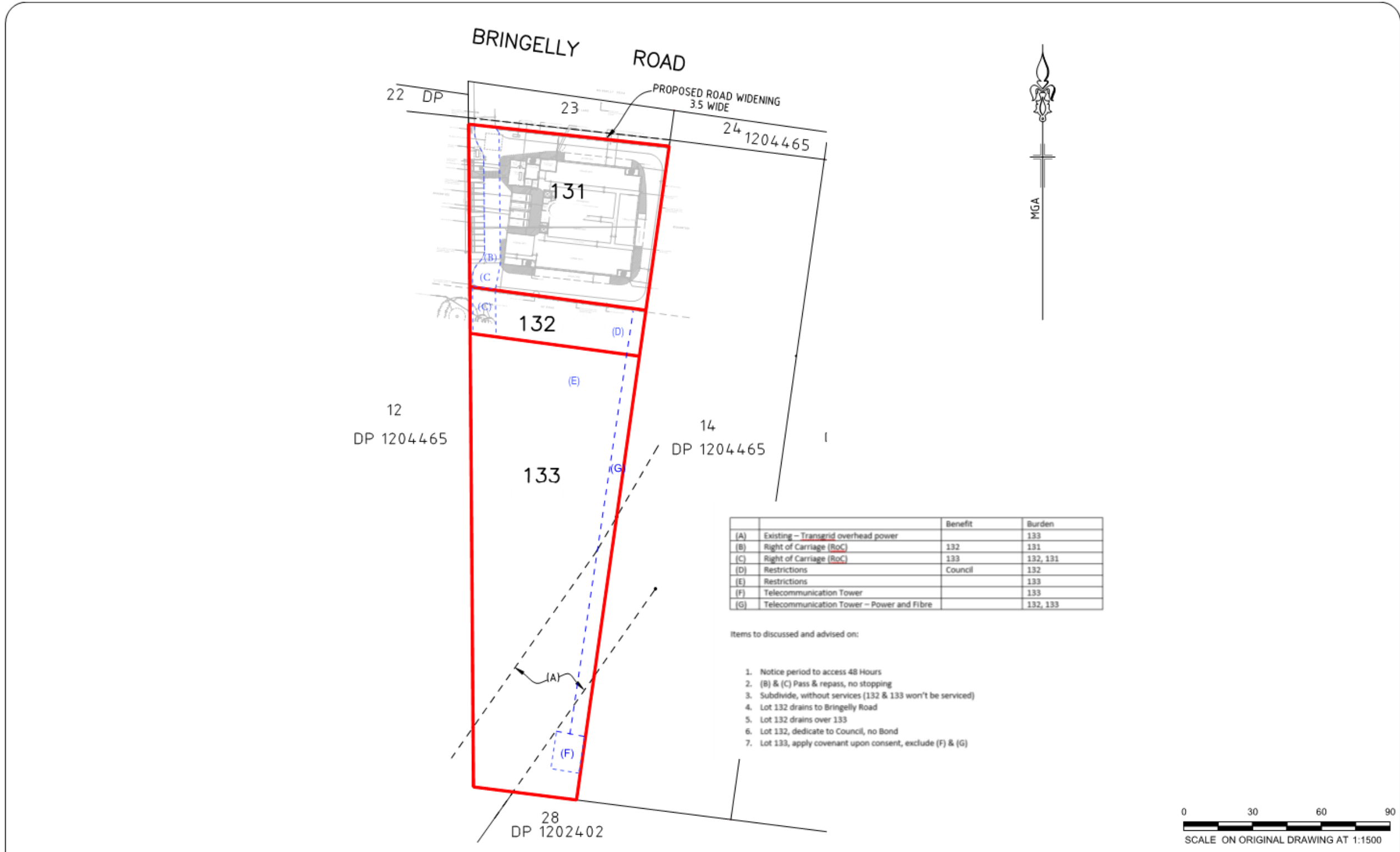
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SIGNS & DISPLAYS

A60.01 DA - E
1:200 @ A1
1:400 @ A3

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		Benefit	Burden
(A)	Existing - Transgrid overhead power		133
(B)	Right of Carriage (RoC)	132	131
(C)	Right of Carriage (RoC)	133	132, 131
(D)	Restrictions	Council	132
(E)	Restrictions		133
(F)	Telecommunication Tower		133
(G)	Telecommunication Tower - Power and Fibre		132, 133

Items to discussed and advised on:

1. Notice period to access 48 Hours
2. (B) & (C) Pass & repass, no stopping
3. Subdivide, without services (132 & 133 won't be serviced)
4. Lot 132 drains to Bringelly Road
5. Lot 132 drains over 133
6. Lot 132, dedicate to Council, no Bond
7. Lot 133, apply covenant upon consent, exclude (F) & (G)

VER	BY	AMENDMENTS	DATE
A	M.A.	INITIAL ISSUE	12.10.22
B			
C			
D			
E			
F			
G			

BW Beveridge Williams
 Registered Surveyors
 Land Development
 Consultants
 www.beveridgewilliams.com.au

CLIENT:
ABACUS PROPERTY

DETAILS:
**PLAN OF PROPOSED
 SUBDIVISION
 OF LOT 13 DP 1204465
 431 BRINGELLY RD LEPPINGTON**

ORIGINAL
 SCALE
 1:1500
 SHEET SIZE
 A3

SURVEYOR:	INITIAL ISSUE
DRAWN:	P.H.
CHECKED:	M.A.
SURVEY DATE:	12.10.22
CAD REFERENCE:	2102478_PROP SUB

SHEET 01 OF 01

PROJECT No.	2102478
DRAWING REF.	2102478
VERSION	A

CIVIL WORKS PACKAGE FOR STORAGE KING 431 BRINGELLY ROAD, LEPPINGTON NSW 2179 DEVELOPMENT APPLICATION

GENERAL	
21-880-DAC001	GENERAL NOTES
21-880-DAC002	EXISTING SITE PLAN
21-880-DAC003	GENERAL ARRANGMENT PLAN
21-880-DAC004	BULK EARTHWORKS PLAN
21-880-DAC005	SITWORKS DETAILS
SITE SECTIONS	
21-880-DAC010	SITE SECTIONS SHEET 1
21-880-DAC011	SITE SECTIONS SHEET 2
SITWORKS AND DRAINAGE	
21-880-DAC020	SITWORKS AND STORMWATER DRAINAGE PLAN
PAVEMENT	
21-880-DAC030	PAVEMENT PLAN
STORMWATER DRAINAGE	
21-880-DAC040	STORMWATER DRAINAGE DETAILS
21-880-DAC045	STORMWATER DRAINAGE LONGITUDINAL SECTIONS
21-880-DAC050	STORMWATER DRAINAGE CATCHMENT PLAN
21-880-DAC051	STORMWATER DRAINAGE UPSTREAM CATCHMENT PLAN
21-880-DAC055	MUSIC CATCHMENT PLAN
21-880-DAC060	OSD PLAN AND SECTIONS
EROSION AND SEDIMENT CONTROL	
21-880-DAC065	SEDIMENTATION AND EROSION CONTROL PLAN
21-880-DAC068	SEDIMENTATION AND EROSION CONTROL DETAILS
RETAINING WALLS	
21-880-DAC070	RETAINING WALL PLAN
21-880-DAC071	RETAINING WALL ELEVATIONS SHEET 1
21-880-DAC072	RETAINING WALL ELEVATIONS SHEET 2
FUTURE ILP ROADS	
21-880-DAC080	SITWORKS AND STORMWATER DRAINAGE PLAN SHEET 1
21-880-DAC081	SITWORKS AND STORMWATER DRAINAGE PLAN SHEET 2
21-880-DAC082	SITWORKS AND STORMWATER DRAINAGE PLAN SHEET 3
21-880-DAC083	SITWORKS AND STORMWATER DRAINAGE PLAN SHEET 4
21-880-DAC090	OVERALL FUTURE CATCHMENT PLAN
21-880-DAC100	FUTURE ILP ROAD LONG-SECTIONS SHEET 1
21-880-DAC101	FUTURE ILP ROAD LONG-SECTIONS SHEET 2



LOCALITY PLAN
N.T.S

	Bar Scales	<p>THIS DRAWING CANNOT BE COPIED OR REPRODUCED IN ANY FORM OR USED FOR ANY OTHER PURPOSE OTHER THAN THAT ORIGINALLY INTENDED WITHOUT THE WRITTEN PERMISSION OF AT&L</p>		<table border="1" style="font-size: 8px;"> <tr> <td>Drawn</td> <td>SM</td> </tr> <tr> <td>Designed</td> <td>SM</td> </tr> <tr> <td>Checked</td> <td>GJ</td> </tr> <tr> <td>Approved</td> <td>AT</td> </tr> </table>	Drawn	SM	Designed	SM	Checked	GJ	Approved	AT	<table border="1" style="font-size: 8px;"> <tr> <td>Project</td> <td>STORAGE KING 431 BRINGELLY ROAD LEPPINGTON NSW 2179 STAGE 1</td> </tr> <tr> <td>Title</td> <td>COVER SHEET AND LOCALITY PLAN</td> </tr> </table>	Project	STORAGE KING 431 BRINGELLY ROAD LEPPINGTON NSW 2179 STAGE 1	Title	COVER SHEET AND LOCALITY PLAN	<p>Civil Engineers and Project Managers</p> <p>Level 7, 153 Walker Street North Sydney NSW 2060 ABN 96 130 882 405 Tel: 02 9439 1777 Fax: 02 9823 1055 www.atl.net.au info@atl.net.au</p> <table border="1" style="font-size: 8px;"> <tr> <td>Status</td> <td>FOR APPROVAL NOT TO BE USED FOR CONSTRUCTION</td> <td>A1</td> </tr> <tr> <td>Project - Drawing No.</td> <td>21-880-DAC000</td> <td>Issue</td> </tr> <tr> <td></td> <td></td> <td>E</td> </tr> </table>	Status	FOR APPROVAL NOT TO BE USED FOR CONSTRUCTION	A1	Project - Drawing No.	21-880-DAC000	Issue			E
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F:\21-880 Leppington Abacus\6.0 Drgs\Civil\Final\21-880-DAC000.dwg

SITWORKS NOTES

- ORIGIN OF LEVELS:- REFER SURVEY NOTES.
- CONTRACTOR MUST VERIFY ALL DIMENSIONS AND EXISTING LEVELS ON SITE PRIOR TO COMMENCEMENT OF WORK. ANY DISCREPANCIES TO BE REPORTED TO AT & L.
- MAKE SMOOTH CONNECTION WITH EXISTING WORKS.
- ALL TRENCH BACKFILL MATERIAL SHALL BE COMPACTED TO THE SAME DENSITY AS THE ADJACENT MATERIAL.
- ALL SERVICE TRENCHES UNDER VEHICULAR PAVEMENTS SHALL BE BACKFILLED WITH SAND TO 300mm ABOVE PIPE. WHERE PIPE IS UNDER PAVEMENTS BACKFILL REMAINDER OF TRENCH TO UNDERSIDE OF PAVEMENT WITH SAND OR APPROVED GRANULAR MATERIAL COMPACTED IN 150mm LAYERS TO MINIMUM 98% MODIFIED MAXIMUM DRY DENSITY IN ACCORDANCE WITH AS 1289 5.2.1 (OR A DENSITY INDEX OF NOT LESS THAN 75)
- PROVIDE 100mm WIDE EXPANSION JOINTS BETWEEN BUILDINGS AND ALL CONCRETE OR UNIT PAVEMENTS.
- ASPHALTIC CONCRETE SHALL CONFORM TO RMS SPECIFICATION R116.
- ALL BASECOURSE MATERIAL SHALL BE IGNEOUS ROCK QUARRIED MATERIAL TO COMPLY WITH RMS FORM 3051 (UNBOUND), RMS FORM 3052 (BOUND) COMPACTED TO MINIMUM 98% MODIFIED DENSITY IN ACCORDANCE WITH AS 1289 5.2.1. FREQUENCY OF COMPACTION TESTING SHALL NOT BE LESS THAN 1 TEST PER 50m² OF BASECOURSE MATERIAL PLACED.
- ALL SUB-BASE COURSE MATERIAL SHALL BE IGNEOUS ROCK QUARRIED MATERIAL TO COMPLY WITH RMS FORM 3051 AND 3051.1 AND COMPACTED TO MINIMUM 88% MODIFIED DENSITY IN ACCORDANCE WITH AS 1289 5.2.1. FREQUENCY OF COMPACTION TESTING SHALL NOT BE LESS THAN 1 TEST PER 50m² OF SUB-BASE COURSE MATERIAL PLACED.
- AS AN ALTERNATIVE TO THE USE OF IGNEOUS ROCK AS A SUB-BASE MATERIAL IN (B) A CERTIFIED RECYCLED CONCRETE MATERIAL COMPLYING WITH RMS FORM 3051 AND 3051.1 WILL BE CONSIDERED. SUBJECT TO MATERIAL SAMPLES AND APPROPRIATE CERTIFICATIONS BEING PROVIDED TO THE SATISFACTION OF AT & L.
- SHOULD THE CONTRACTOR WISH TO USE A RECYCLED PRODUCT THIS SHALL BE CLEARLY INDICATED IN THEIR TENDER AND THE PRICE DIFFERENCE BETWEEN AN IGNEOUS PRODUCT AND A RECYCLED PRODUCT SHALL BE CLEARLY INDICATED.
- WHERE NOTED ON THE DRAWINGS THAT WORKS ARE TO BE CARRIED BY OTHERS (eg. ADJUSTMENT OF SERVICES), THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CO-ORDINATION OF THESE WORKS.

EXISTING UNDERGROUND SERVICES NOTES

THE LOCATIONS OF UNDERGROUND SERVICES SHOWN IN THIS SET OF DRAWINGS HAVE BEEN PLOTTED FROM SURVEY INFORMATION AND SERVICE AUTHORITY INFORMATION. THE SERVICE INFORMATION HAS BEEN PREPARED ONLY TO SHOW THE APPROXIMATE POSITIONS OF ANY KNOWN SERVICES AND MAY NOT BE AS CONSTRUCTED OR ACCURATE.

AT & L CAN NOT GUARANTEE THAT THE SERVICES INFORMATION SHOWN ON THESE DRAWINGS ACCURATELY INDICATES THE PRESENCE OR ABSENCE OF SERVICES OR THEIR LOCATION AND WILL ACCEPT NO LIABILITY FOR INACCURACIES IN THE SERVICES INFORMATION SHOWN FROM ANY CAUSE WHATSOEVER.

CONTRACTORS SHALL TAKE DUE CARE WHEN EXCAVATING ON SITE INCLUDING HAND EXCAVATION WHERE NECESSARY.

CONTRACTORS ARE TO CONTACT THE RELEVANT SERVICE AUTHORITY PRIOR TO COMMENCEMENT OF EXCAVATION WORKS.

CONTRACTORS ARE TO UNDERTAKE A SERVICES SEARCH, PRIOR TO COMMENCEMENT OF WORKS ON SITE. SEARCH RESULTS ARE TO BE KEPT ON SITE AT ALL TIMES.

KERBING NOTES

- ALL CONCRETE TO HAVE A MINIMUM COMPRESSIVE STRENGTH OF 25MPa U.N.O IN REINFORCED CONCRETE NOTES.
- ALL KERBS, GUTTERS, DISH DRAINS AND CROSSINGS TO BE CONSTRUCTED ON 100mm GRANULAR BASECOURSE COMPACTED TO MINIMUM 98% MODIFIED DRY DENSITY (AS 1289 5.2.1).
- EXPANSION JOINTS (E.J.) TO BE FORMED FROM 100mm COMPRESSIBLE CORK FILLER BOARD FOR THE FULL DEPTH OF THE SECTION AND OUT TO PROFILE. EXPANSION JOINTS TO BE LOCATED AT DRAINAGE PITS, ON TANGENT POINTS OF CURVES AND ELSEWHERE AT MAX 12m CENTRES EXCEPT FOR INTEGRAL KERBS WHERE THE EXPANSION JOINTS ARE TO MATCH THE JOINT LOCATIONS IN THE SLABS.
- WEAKENED PLANE JOINTS TO BE MIN 30mm WIDE AND LOCATED AT 3m CENTRES EXCEPT FOR INTEGRAL KERBS WHERE THE WEAKENED PLANE JOINTS ARE TO MATCH THE JOINT LOCATIONS IN THE SLABS.
- BROOMED FINISH TO ALL RAMPED AND VEHICULAR CROSSINGS. ALL OTHER KERBING OR DISH DRAINS TO BE STEEL FLOAT FINISHED.
- IN THE REPLACEMENT OF KERB AND GUTTER :- EXISTING ROAD PAVEMENT IS TO BE SAWCUT 600mm U.N.O FROM THE LIP OF GUTTER. UPON COMPLETION OF THE NEW KERB AND GUTTER NEW BASECOURSE AND SURFACE TO BE LAID 600mm WIDE U.N.O.

EXISTING ALLOTMENT DRAINAGE PIPES ARE TO BE BUILT INTO THE NEW KERB AND GUTTER WITH 100mm DIA HOLE.

EXISTING KERB AND GUTTER IS TO BE COMPLETELY REMOVED WHERE NEW KERB AND GUTTER IS SHOWN.

JOINTING NOTES

PEDESTRIAN PAVEMENT JOINTS

- ALL PEDESTRIAN PAVEMENTS ARE TO BE JOINTED AS FOLLOWS. (U.N.O)
- EXPANSION JOINTS ARE TO BE LOCATED WHERE POSSIBLE AT TANGENT POINTS OF CURVES AND ELSEWHERE AT MAX. 6.0m CENTRES.
- WEAKENED PLANE JOINTS ARE TO BE LOCATED AT A MAX. SPACING OF 1.5 x WIDTH OF THE PAVEMENT.
- WHERE POSSIBLE JOINTS SHOULD BE LOCATED TO MATCH KERBING AND OR ADJACENT PAVEMENT JOINTS.
- PEDESTRIAN PAVEMENT JOINT DETAIL.

VEHICULAR PAVEMENT JOINTS

- ALL VEHICULAR PAVEMENTS TO BE JOINTED AS FOLLOWS. (U.N.O)
- KEYED CONSTRUCTION JOINTS SHOULD GENERALLY BE LOCATED AT A MAX OF 6.0m CENTRES.
- SAWN JOINTS SHOULD GENERALLY BE LOCATED AT A MAX OF 6.0m CENTRES WITH DOWELED EXPANSION JOINTS AT MAX 18.0m CENTRES.
- VEHICULAR PAVEMENT JOINT DETAIL.

EROSION AND SEDIMENT CONTROL NOTES

GENERAL INSTRUCTIONS

- THE SITE SUPERINTENDENT/ENGINEER WILL ENSURE THAT ALL SOIL AND WATER MANAGEMENT WORKS ARE LOCATED AS DOCUMENTED.
- ALL WORK SHALL BE GENERALLY CARRIED OUT IN ACCORDANCE WITH LOCAL AUTHORITY REQUIREMENTS
 - EPA REQUIREMENTS
 - NSW DEPARTMENT OF HOUSING MANUAL "MANAGING URBAN STORMWATER, SOILS AND CONSTRUCTION", 4th EDITION, MARCH 2004.
- MAINTAIN THE EROSION CONTROL DEVICES TO THE SATISFACTION OF THE SUPERINTENDENT AND THE LOCAL AUTHORITY.
- WHEN STORMWATER PITS ARE CONSTRUCTED, PREVENT SITE RUNOFF ENTERING UNLESS SEDIMENT FENCES ARE ERRECTED AROUND PITS.
- CONTRACTOR IS TO ENSURE ALL EROSION & SEDIMENT CONTROL DEVICES ARE MAINTAINED IN GOOD WORKING ORDER AND OPERATE EFFECTIVELY. REPAIRS AND OR MAINTENANCE SHALL BE UNDERTAKEN AS REQUIRED, PARTICULARLY FOLLOWING STORM EVENTS.

LAND DISTURBANCE

- WHERE PRACTICAL, THE SOIL EROSION HAZARD ON THE SITE WILL BE KEPT AS LOW AS POSSIBLE. TO THIS END, WORKS SHOULD BE UNDERTAKEN IN THE FOLLOWING SEQUENCE:
 - INSTALL A WIND FENCE ALONG THE BOUNDARIES AS SHOWN ON PLAN. REFER DETAIL.
 - INSTALL A SEDIMENT FENCE ALONG THE BOUNDARIES AS SHOWN ON PLAN. REFER DETAIL.
 - CONSTRUCT STABILISED CONSTRUCTION ENTRANCE TO LOCATION AS DETERMINED BY SUPERINTENDENT/ENGINEER. REFER DETAIL.
 - INSTALL SEDIMENT BASIN AS SHOWN ON PLAN.
 - INSTALL SEDIMENT TRAPS AS SHOWN ON PLAN.
 - UNDERTAKE SITE DEVELOPMENT WORKS IN ACCORDANCE WITH THE ENGINEERING PLANS. WHERE POSSIBLE, PHASE DEVELOPMENT SO THAT LAND DISTURBANCE IS CONFINED TO AREAS OF WORKABLE SIZE.

EROSION CONTROL

- DURING WINDY WEATHER, LARGE, UNPROTECTED AREAS WILL BE KEPT MOIST (NOT WET) BY SPRINKLING WITH WATER TO KEEP DUST UNDER CONTROL.
- FINAL SITE LANDSCAPING WILL BE UNDERTAKEN AS SOON AS POSSIBLE AND WITHIN 20 WORKING DAYS FROM COMPLETION OF CONSTRUCTION ACTIVITIES.

SEDIMENT CONTROL

- STOCKPILES WILL NOT BE LOCATED WITHIN 2 METRES OF HAZARD AREAS, INCLUDING LIKELY AREAS OF CONCENTRATED OR HIGH VELOCITY FLOWS SUCH AS WATERWAYS. WHERE THEY ARE BETWEEN 2 AND 5 METRES FROM SUCH AREAS, SPECIAL SEDIMENT CONTROL MEASURES SHOULD BE TAKEN TO MINIMISE POSSIBLE POLLUTION TO DOWNSLOPE WATERS. E.G. THROUGH INSTALLATION OF SEDIMENT FENCING.
- ANY SAND USED IN THE CONCRETE CURING PROCESS (SPREAD OVER THE SURFACE) WILL BE REMOVED AS SOON AS POSSIBLE AND WITHIN 10 WORKING DAYS FROM PLACEMENT.
- WATER WILL BE PREVENTED FROM ENTERING THE PERMANENT DRAINAGE SYSTEM UNLESS IT IS RELATIVELY SEDIMENT FREE. I.E. THE CATCHMENT AREA HAS BEEN PERMANENTLY LANDSCAPED AND/OR ANY LIKELY SEDIMENT HAS BEEN FILTERED THROUGH AN APPROVED STRUCTURE.
- TEMPORARY SOIL AND WATER MANAGEMENT STRUCTURES WILL BE REMOVED ONLY AFTER THE LANDS THEY ARE PROTECTING ARE REHABILITATED.

OTHER MATTERS

- ACCEPTABLE RECEPTORS WILL BE PROVIDED FOR CONCRETE AND MORTAR SLURRIES, PAINTS, ACID WASHINGS, LIGHT-WEIGHT WASTE MATERIALS AND LITTER.
- ANY EXISTING TREES WHICH FORM PART OF THE FINAL LANDSCAPING PLAN WILL BE PROTECTED FROM CONSTRUCTION ACTIVITIES BY:
 - PROTECTING THEM WITH BARRIER FENCING OR SIMILAR MATERIALS INSTALLED OUTSIDE THE DRIP LINE
 - ENSURING THAT NOTHING IS NAILED TO THEM
 - PROHIBITING PAVING, GRADING, SEDIMENT WASH OR PLACING OF STOCKPILES WITHIN THE DRIP LINE EXCEPT UNDER THE FOLLOWING CONDITIONS:
 - ENCROACHMENT ONLY OCCURS ON ONE SIDE AND NO CLOSER TO THE TRUNK THAN EITHER 1.5 METRES OR HALF THE DISTANCE BETWEEN THE OUTER EDGE OF THE DRIP LINE AND THE TRUNK, WHICH EVER IS THE GREATER
 - A DRAINAGE SYSTEM THAT ALLOWS AIR AND WATER TO CIRCULATE THROUGH THE ROOT ZONE (E.G. A GRAVEL BED) IS PLACED UNDER ALL FILL LAYERS OF MORE THAN 300 MILLIMETRES DEPTH
 - CARE IS TAKEN NOT TO CUT ROOTS UNNECESSARILY NOR TO COMPACT THE SOIL AROUND THEM.

EROSION AND SEDIMENT CONTROL NOTES (CONTINUED)

STAGING

SUITABLE EROSION AND SEDIMENT CONTROLS SHALL BE PROVIDED AND MAINTAINED BY THE CONTRACTOR THROUGHOUT ALL STAGES OF WORKS, INCLUDING AT COMPLETION OF THE BULK EARTHWORKS WHERE SHOWN ON ATAL DRAWINGS OR WHERE DIRECTED BY THE SUPERINTENDENT OR CAMDEN COUNCIL'S ENGINEERS. THE CONTRACTOR IS RESPONSIBLE FOR DESIGNING, DOCUMENTING, INSTALLING AND MAINTAINING THE SEDIMENT AND EROSION CONTROLS REQUIRED TO SUIT THE SELECTED CONSTRUCTION STAGING. THIS IS TO BE DOCUMENTED IN THE FORM OF A SOIL AND WATER MANAGEMENT PLAN TO BE DEVELOPED BY THE CONTRACTOR AND APPROVED BY THE SUPERINTENDENT PRIOR TO CONSTRUCTION COMMENCEMENT.

SUCH CONTROLS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROTECTION OF THE ENVIRONMENT OPERATIONS ACT, CAMDEN COUNCIL'S SPECIFICATIONS AND THE OFFICE OF ENVIRONMENT AND HERITAGE'S "MANAGING URBAN STORMWATER, SOILS AND CONSTRUCTION, LANDCOM, (4TH EDITION) MARCH 2004 (REPRINTED 2006) (THE "BLUE BOOK"), VOLUME 1 AND VOLUME 2.

CONSTRUCTION SPECIFICATION

- THESE DRAWINGS SHOULD BE READ IN CONJUNCTION WITH CAMDEN COUNCIL'S LATEST DRAWINGS AND SPECIFICATIONS.
- WHERE THERE IS A CONFLICT THE FOLLOWING IS TO OCCUR:
 - NOTIFY THE DESIGN ENGINEER AND/OR SUPERINTENDENT
 - THE CAMDEN COUNCIL'S SPECIFICATION TAKES PRECEDENCE

CONCRETE NOTES

- ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH AS 3600 CURRENT EDITION WITH AMENDMENTS, EXCEPT WHERE VARED BY THE CONTRACT DOCUMENTS.
- CONCRETE QUALITY
 - ALL REQUIREMENTS OF THE CURRENT ACSE CONCRETE SPECIFICATION DOCUMENT 1 SHALL APPLY TO THE FORMWORK, REINFORCEMENT AND CONCRETE UNLESS NOTED OTHERWISE.

ELEMENT	AS 3600 Fc (MPa) AT 28 DAYS	SPECIFIED SLUMP	NOMINAL AGG. SIZE
VEHICULAR BASE	32	80	20
KERBS, PATHS, AND PITS	25	60	20

- CEMENT TYPE SHALL BE (ACSE SPECIFICATION) TYPE SL
 - PROJECT CONTROL TESTING SHALL BE CARRIED OUT IN ACCORDANCE WITH AS 1379.

- NO ADMIXTURES SHALL BE USED IN CONCRETE UNLESS APPROVED IN WRITING BY AT & L.
- CLEAR CONCRETE COVER TO ALL REINFORCEMENT FOR DURABILITY SHALL BE 40mm TOP AND 70mm FOR EXTERNAL EDGES UNLESS NOTED OTHERWISE.
- ALL REINFORCEMENT SHALL BE FIRMLY SUPPORTED ON MILD STEEL PLASTIC TIPPED CHAIRS, PLASTIC CHAIRS OR CONCRETE CHAIRS AT NOT GREATER THAN 1m CENTRES BOTH WAYS. BARS SHALL BE TIED AT ALTERNATE INTERSECTIONS.
- THE FINISHED CONCRETE SHALL BE A DENSE HOMOGENEOUS MASS, COMPLETELY FILLING THE FORMWORK, THOROUGHLY EMBEDDING THE REINFORCEMENT AND FREE OF STONE POCKETS. ALL CONCRETE INCLUDING SLABS ON GROUND AND FOOTINGS SHALL BE COMPACTED AND CURED IN ACCORDANCE WITH R.M.S. SPECIFICATION R83.
- REINFORCEMENT SYMBOLS:
 - N DENOTES GRADE 450 N BARS TO AS/NZS 4671 GRADE N
 - R DENOTES 230 R HOT ROLLED PLAIN BARS TO AS/NZS 4671
 - SL DENOTES HARD-DRAWN WIRE REINFORCING FABRIC TO AS/NZS 4671

NUMBER OF BARS IN GROUP: - BAR GRADE AND TYPE
 NOMINAL BAR SIZE IN mm: - SPACING IN mm
 THE FIGURE FOLLOWING THE FABRIC SYMBOL SL IS THE REFERENCE NUMBER FOR FABRIC TO AS/NZS 4671.

- FABRIC SHALL BE LAPPED IN ACCORDANCE WITH THE FOLLOWING DETAIL:

STORMWATER DRAINAGE NOTES

- STORMWATER DESIGN CRITERIA:
 - AVERAGE RECURRENCE INTERVAL:
 - 1% AEP - ROOVED AREAS TO SURCHARGE PIT
 - 10% AEP - EXTERNAL PAVEMENTS
 - RAINFALL INTENSITIES:
 - TIME OF CONCENTRATION: 5 MINUTES
 - 1% AEP = 220 mm/hr
 - 10% AEP = 143 mm/hr
 - RUNOFF COEFFICIENTS:
 - ROOF AREAS: C 100 ±1.0
 - EXTERNAL PAVEMENTS: C 20 ±0.95
- PIPES 300 DIA. AND LARGER TO BE REINFORCED CONCRETE CLASS 'Y' APPROVED SPIGOT AND SOCKET WITH RUBBER RING JOINTS. U.N.O.
- PIPES UP TO 300 DIA SHALL BE SEWER GRADE uPVC WITH SOLVENT WELDED JOINTS.
- EQUIVALENT STRENGTH VCP OR FRP PIPES MAY BE USED.
- ALL STORMWATER DRAINAGE LINES UNDER PROPOSED BUILDING SLABS TO BE uPVC PRESSURE PIPE GRADE 6. ENSURE ALL VERTICALS AND DOWNPIPES ARE uPVC PRESSURE PIPE, GRADE 6 FOR A MIN OF 3.0m IN HEIGHT.
- PIPES TO BE INSTALLED TO TYPE H3 (ROAD) H32 (LOTS) SUPPORT IN ACCORDANCE WITH AS 3723 (2007) IN ALL CASES BACKFILL TRENCH WITH SAND TO 300mm ABOVE PIPE. WHERE PIPE IS UNDER PAVEMENTS BACKFILL REMAINDER OF TRENCH TO UNDERSIDE OF PAVEMENT WITH SAND OR APPROVED GRANULAR MATERIAL, COMPACTED IN 150mm LAYERS TO MINIMUM 98% STANDARD MAXIMUM DRY DENSITY IN ACCORDANCE WITH AS 1289 5.2.1 (OR A DENSITY INDEX OF NOT LESS THAN 75)
- ALL INTERNAL WORKS WITHIN PROPERTY BOUNDARIES ARE TO COMPLY WITH THE REQUIREMENTS OF AS 3500 3.1 (2006) AND AS/NZS 3500 3.2 (2016)
- PRECAST PITS MAY BE USED EXTERNAL TO THE BUILDING SUBJECT TO APPROVAL BY AT & L.
- ENLARGERS, CONNECTIONS AND JUNCTIONS TO BE PREFABRICATED FITTINGS WHERE PIPES ARE LESS THAN 300 DIA.
- WHERE SUBSOIL DRAINS PASS UNDER FLOOR SLABS AND VEHICULAR PAVEMENTS, UNSLOTTED uPVC SEWER GRADE PIPE IS TO BE USED.
- CARE IS TO BE TAKEN WITH LEVELS OF STORMWATER LINES. GRADES SHOWN ARE NOT TO BE REDUCED WITHOUT APPROVAL.
- GRATES AND COVERS SHALL CONFORM TO AS 3696.
- ALL INTERNAL PIT DIMENSIONS TO CONFORM TO AS3500.3 TABLE 7.5.2.1
- AT ALL TIMES DURING CONSTRUCTION OF STORMWATER PITS, ADEQUATE SAFETY PROCEDURES SHALL BE TAKEN TO ENSURE AGAINST THE POSSIBILITY OF PERSONNEL FALLING DOWN PITS.
- ALL EXISTING STORMWATER DRAINAGE LINES AND PITS THAT ARE TO REMAIN ARE TO BE INSPECTED AND CLEANED. DURING THIS PROCESS ANY PART OF THE STORMWATER DRAINAGE SYSTEM THAT WARRANTS REPAIR SHALL BE REPORTED TO THE SUPERINTENDENT/ENGINEER FOR FURTHER DIRECTIONS.

Bar Scales

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Client

Scales

NTS

Drawn

SM

Project

STORAGE KING
431 BRINGELLY ROAD
LEPPINGTON NSW 2179
STAGE 1

Civil Engineers and Project Managers

Level 7, 153 Walker Street
North Sydney NSW 2060
ABN 96 130 882 405
Tel: 02 9439 1777
Fax: 02 9523 1055
www.atl.net.au
info@atl.net.au

C	ISSUED FOR APPROVAL	04-05-22
B	ISSUED FOR APPROVAL	07-12-21
A	ISSUED FOR COMMENT	06-12-21
Issue	Description	Date

Grid MGA2020

Height Datum AHD

Checked GJ

Approved AT

Title

GENERAL NOTES

Status

FOR APPROVAL
NOT TO BE USED FOR CONSTRUCTION

Project - Drawing No.

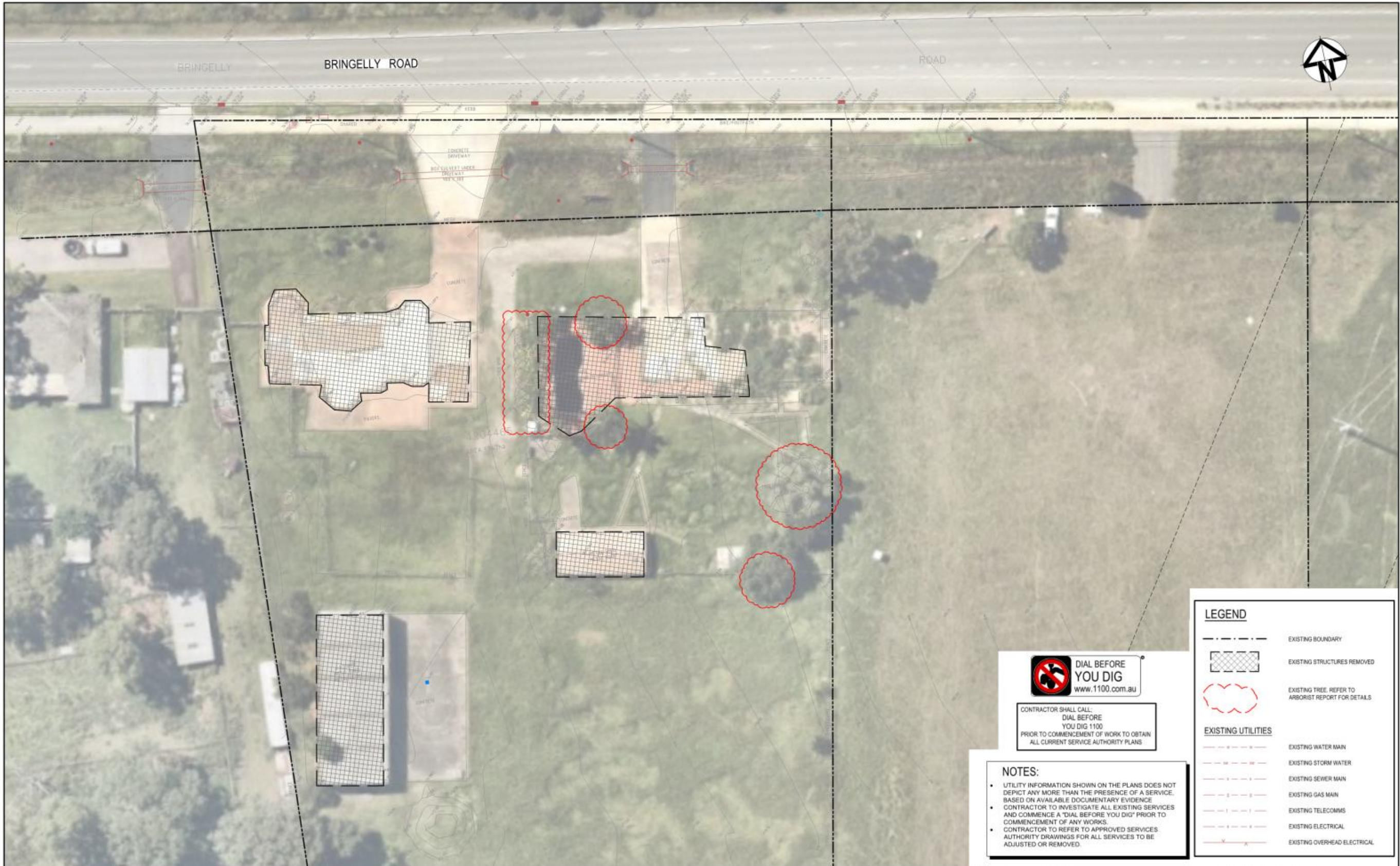
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Issue

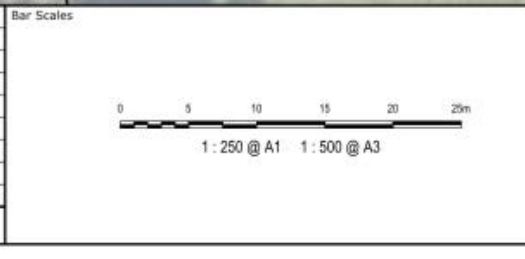
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CONTRACTOR SHALL CALL: DIAL BEFORE YOU DIG 1100 PRIOR TO COMMENCEMENT OF WORK TO OBTAIN ALL CURRENT SERVICE AUTHORITY PLANS

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Issue	Description	Date
C	ISSUED FOR APPROVAL	04-05-22
B	ISSUED FOR APPROVAL	07-12-21
A	ISSUED FOR COMMENT	06-12-21



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Grid	MGA2020	Designed	SM
Height Datum	AHD	Checked	GJ
		Approved	AT

Project
STORAGE KING
431 BRINGELLY ROAD
LEPPINGTON NSW 2179
STAGE 1

Title
EXISTING SITE PLAN

Civil Engineers and Project Managers

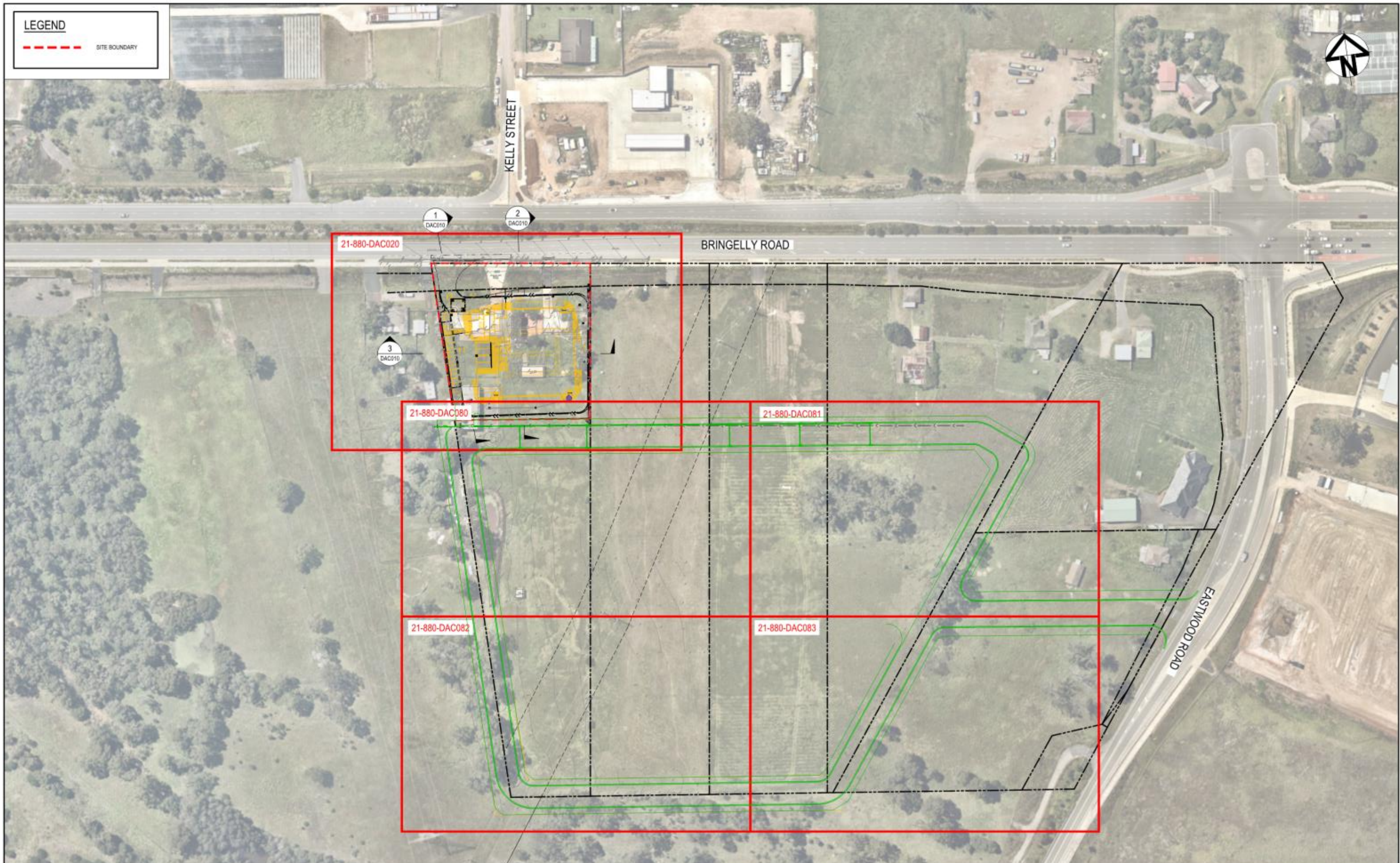
Level 7, 153 Walker Street
 North Sydney NSW 2060
 ABN 96 130 582 405
 Tel: 02 9439 1777
 Fax: 02 9923 1055
 www.atl.net.au
 info@atl.net.au

Status
FOR APPROVAL
NOT TO BE USED FOR CONSTRUCTION

Project - Drawing No
21-880-DAC002

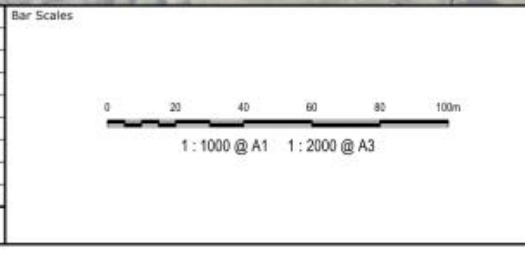
Issue
A1
C

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LEGEND
 - - - - - SITE BOUNDARY

Issue	Description	Date
E	ISSUED FOR APPROVAL	17-09-23
D	ISSUED FOR APPROVAL	07-09-23
C	ISSUED FOR APPROVAL	04-05-22
B	ISSUED FOR APPROVAL	07-12-21
A	ISSUED FOR COMMENT	06-12-21



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Client

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		Designed	SM
Grid	MGA2020	Checked	GJ
Height Datum	AHD	Approved	AT

Project
STORAGE KING
 431 BRINGELLY ROAD
 LEPPINGTON NSW 2179
 STAGE 1

Title
GENERAL ARRANGMENT PLAN

Civil Engineers and Project Managers

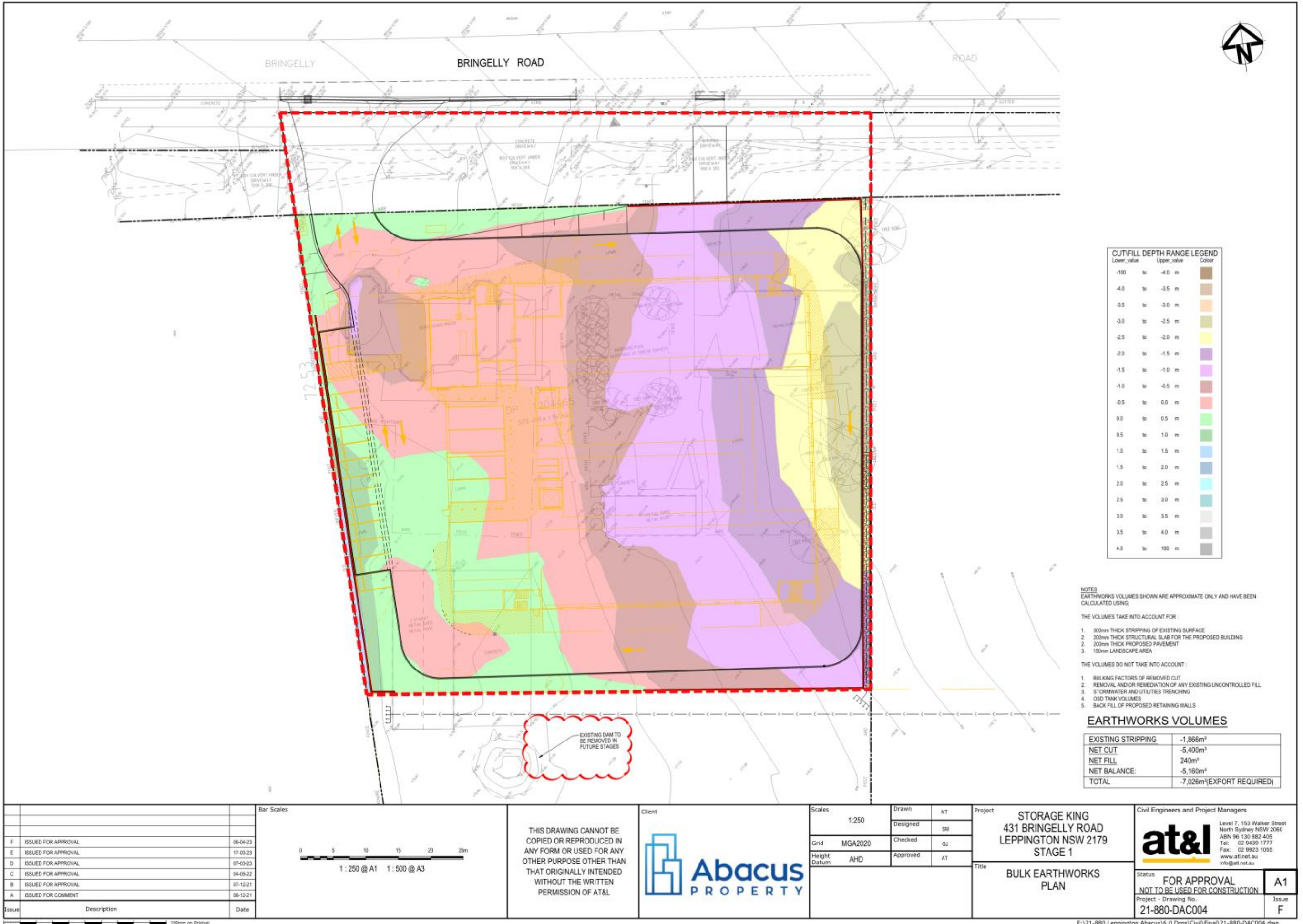
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 North Sydney NSW 2060
 ABN 96 130 882 405
 Tel: 02 9439 1777
 Fax: 02 9523 1055
 www.atl.net.au
 info@atl.net.au

Status
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 NOT TO BE USED FOR CONSTRUCTION

Project - Drawing No.
 21-880-DAC003

Issue
E

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CUT/FILL DEPTH RANGE LEGEND		
Lower_value	Upper_value	Colour
-100	to -4.0	Dark Brown
-4.0	to -3.5	Light Brown
-3.5	to -3.0	Orange
-3.0	to -2.5	Yellow
-2.5	to -2.0	Light Green
-2.0	to -1.5	Green
-1.5	to -1.0	Light Purple
-1.0	to -0.5	Purple
-0.5	to 0.0	Red
0.0	to 0.5	Light Green
0.5	to 1.0	Green
1.0	to 1.5	Light Blue
1.5	to 2.0	Blue
2.0	to 2.5	Light Cyan
2.5	to 3.0	Cyan
3.0	to 3.5	Light Grey
3.5	to 4.0	Grey
4.0	to 100	Dark Grey

NOTES
EARTHWORKS VOLUMES SHOWN ARE APPROXIMATE ONLY AND HAVE BEEN CALCULATED USING:

- THE VOLUMES TAKE INTO ACCOUNT FOR:
- 300mm THICK STRIPPING OF EXISTING SURFACE
 - 200mm THICK STRUCTURAL SLAB FOR THE PROPOSED BUILDING
 - 200mm THICK PROPOSED PAVEMENT
 - 150mm LANDSCAPE AREA

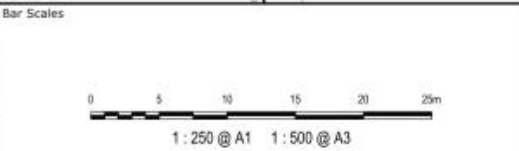
- THE VOLUMES DO NOT TAKE INTO ACCOUNT:
- BULKING FACTORS OF REMOVED CUT
 - REMOVAL AND/OR REMEDIATION OF ANY EXISTING UNCONTROLLED FILL
 - STORMWATER AND UTILITIES TRENCHING
 - OSD TANK VOLUMES
 - BACK FILL OF PROPOSED RETAINING WALLS

EARTHWORKS VOLUMES

EXISTING STRIPPING	-1,866m ³
NET CUT	-5,400m ³
NET FILL	240m ³
NET BALANCE:	-5,160m ³
TOTAL	-7,026m ³ (EXPORT REQUIRED)

EXISTING DAM TO BE REMOVED IN FUTURE STAGES

Issue	Description	Date
F	ISSUED FOR APPROVAL	06-04-23
E	ISSUED FOR APPROVAL	17-03-23
D	ISSUED FOR APPROVAL	07-03-23
C	ISSUED FOR APPROVAL	04-05-22
B	ISSUED FOR APPROVAL	07-12-21
A	ISSUED FOR COMMENT	06-12-21



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		Designed	SM
Grid	MGA2020	Checked	GU
Height Datum	AHD	Approved	AT

Project
**STORAGE KING
431 BRINGELLY ROAD
LEPPINGTON NSW 2179
STAGE 1**

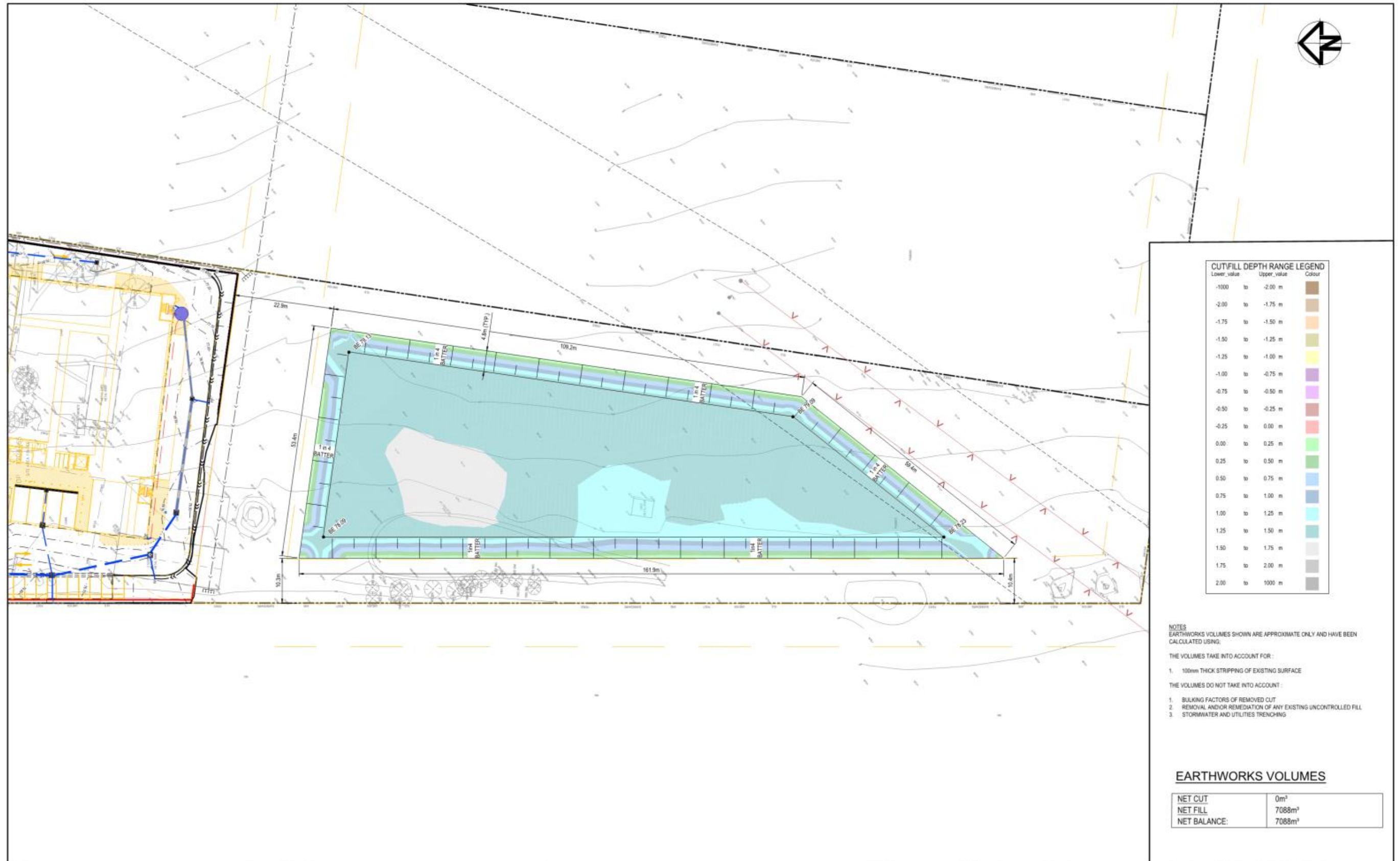
Civil Engineers and Project Managers

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North Sydney NSW 2060
ABN 96 130 582 405
Tel: 02 9439 1777
Fax: 02 9923 1055
www.atl.net.au
info@atl.net.au

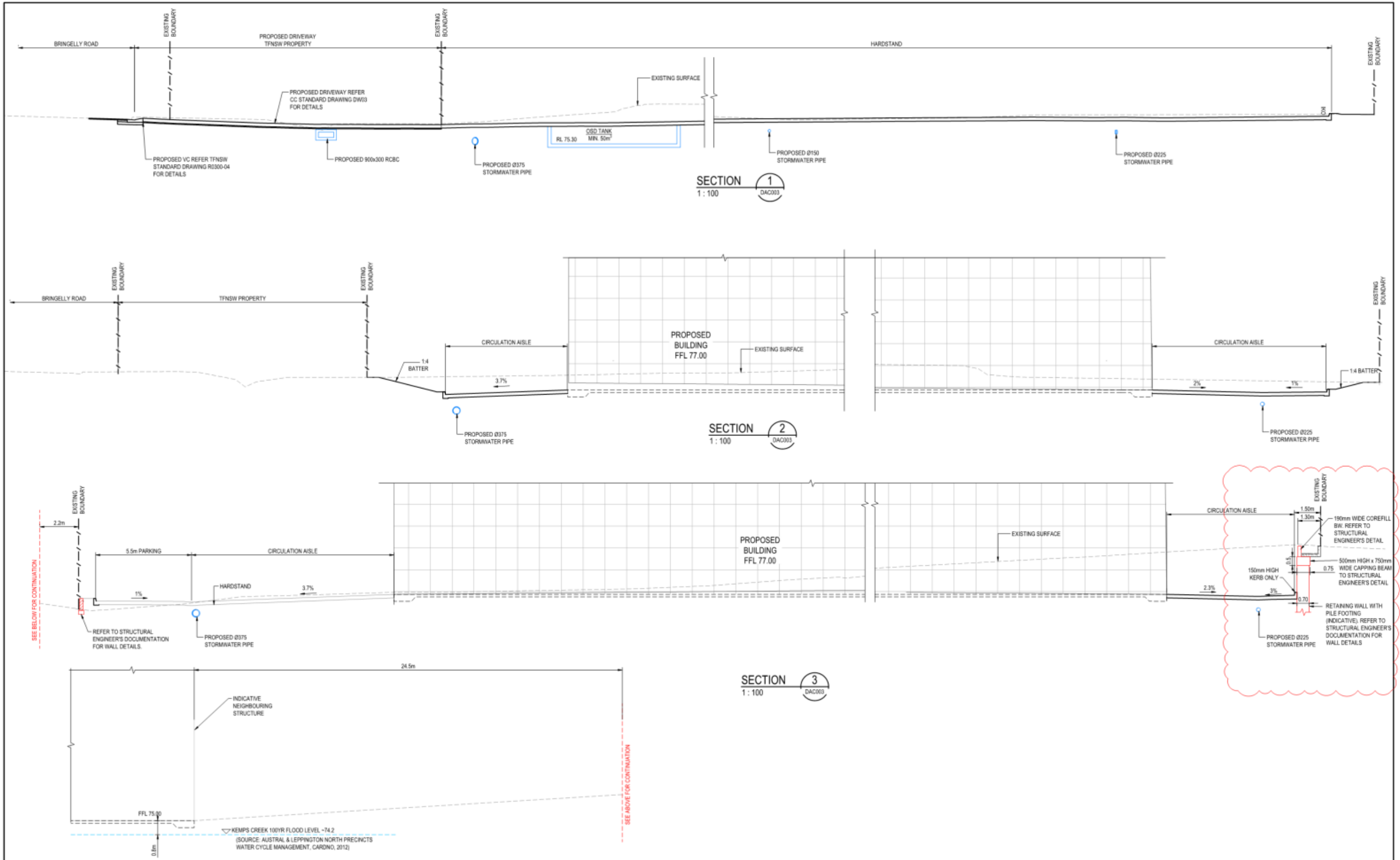
Title
**BULK EARTHWORKS
PLAN**

Status	FOR APPROVAL NOT TO BE USED FOR CONSTRUCTION	A1
Project - Drawing No.	21-880-DAC004	Issue
		F

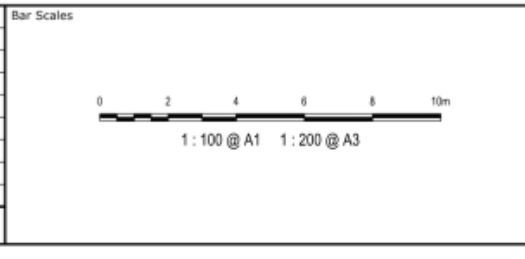
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Bar Scales 1: 400 @ A1	THIS DRAWING CANNOT BE COPIED OR REPRODUCED IN ANY FORM OR USED FOR ANY OTHER PURPOSE OTHER THAN THAT ORIGINALLY INTENDED WITHOUT THE WRITTEN PERMISSION OF AT&L		Scales 1: 400	Drawn SM	Project STORAGE KING 431 BRINGELLY ROAD LEPPINGTON NSW 2179 STAGE 1	Civil Engineers and Project Managers Level 7, 153 Walker Street North Sydney NSW 2060 ABN 96 130 882 405 Tel: 02 9439 1777 Fax: 02 9523 1055 www.atl.net.au info@atl.net.au
			Grid MGA2020	Checked GJ		
Issue Description Date	P1 ISSUED FOR INFORMATION 31-01-23	F:\121-880 Leppington Abacus\6.0 Drgs\Civil\Sketches\121-880-SK02-BULK EARTHWORKS PLAN.dwg				



Issue	Description	Date
F	ISSUED FOR APPROVAL	06-04-23
E	ISSUED FOR APPROVAL	07-03-23
D	ISSUED FOR APPROVAL	21-09-22
C	ISSUED FOR APPROVAL	04-05-22
B	ISSUED FOR APPROVAL	07-12-21
A	ISSUED FOR COMMENT	06-12-21



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Client

Scales	1:100	Drawn	SM
		Designed	SM
Grid	MGA2020	Checked	GJ
Height Datum	AHD	Approved	AT

Project

**STORAGE KING
431 BRINGELLY ROAD
LEPPINGTON NSW 2179
STAGE 1**

Title

**SITE SECTIONS
SHEET 1**

Civil Engineers and Project Managers

Level 7, 153 Walker Street
North Sydney NSW 2060
ABN 96 130 582 405
Tel: 02 9439 1777
Fax: 02 9823 1055
www.atl.net.au
info@atl.net.au

Status

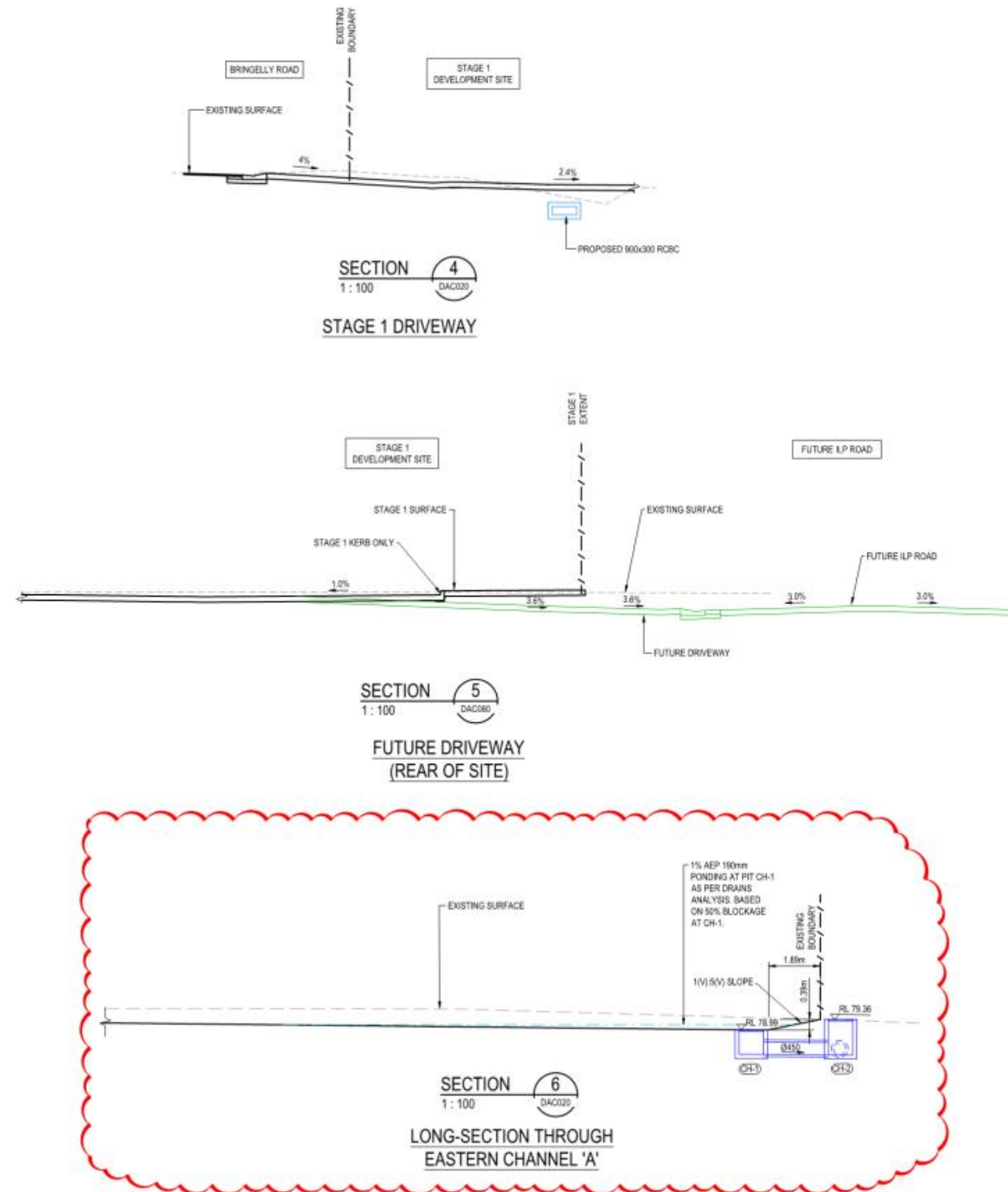
**FOR APPROVAL
NOT TO BE USED FOR CONSTRUCTION**

Project - Drawing No.
21-880-DAC010

Issue

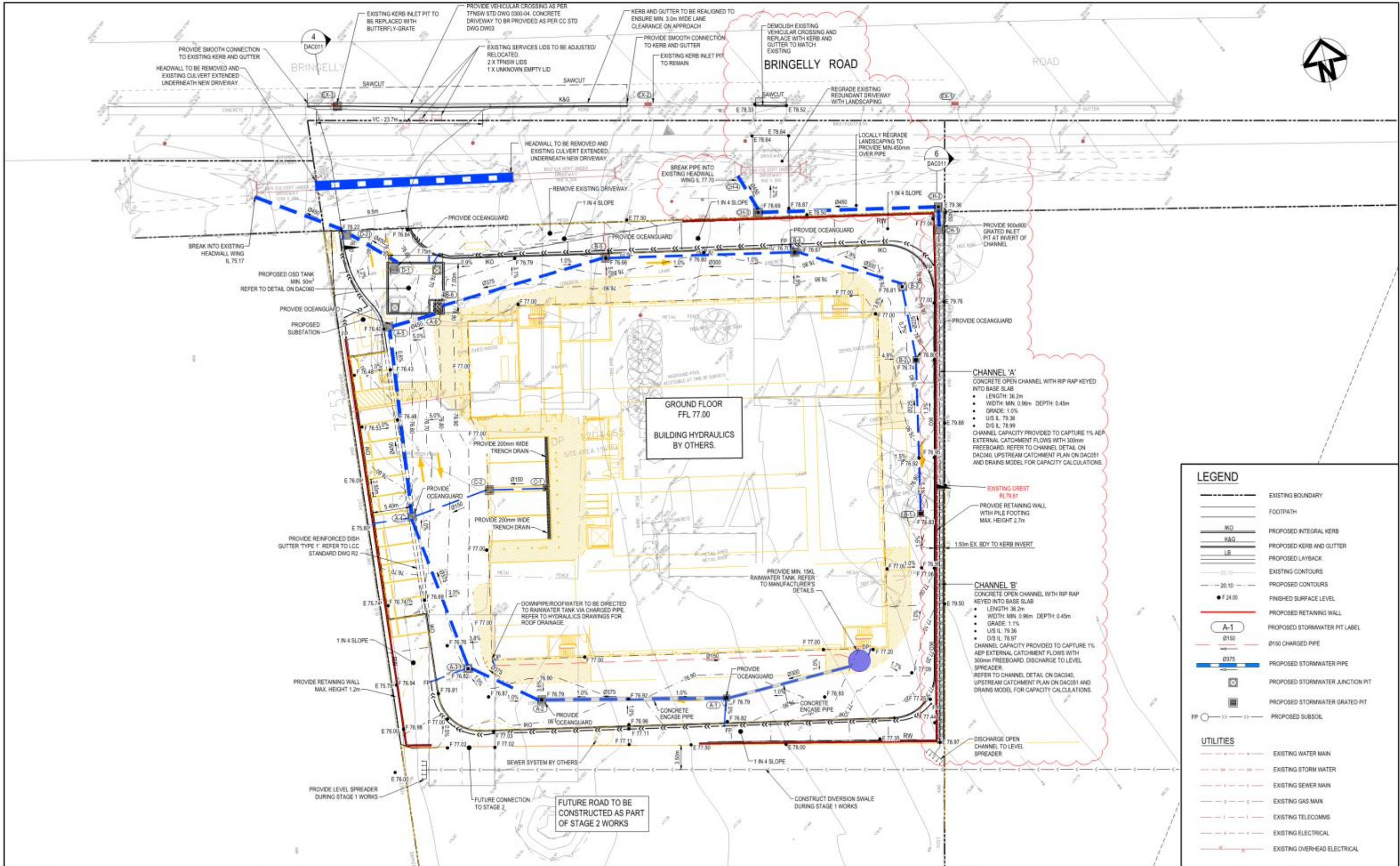
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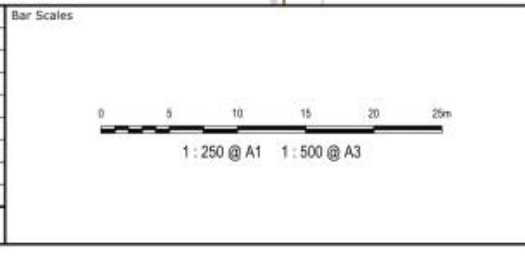


<p>Bar Scales</p> <p>1:100 @ A1 1:200 @ A3</p>		<p>THIS DRAWING CANNOT BE COPIED OR REPRODUCED IN ANY FORM OR USED FOR ANY OTHER PURPOSE OTHER THAN THAT ORIGINALLY INTENDED WITHOUT THE WRITTEN PERMISSION OF AT&L</p>	<p>Client</p>	<p>Scales 1:100</p> <p>Grid MGA2020</p> <p>Height Datum AHD</p>	<p>Drawn SM</p> <p>Designed SM</p> <p>Checked GJ</p> <p>Approved AT</p>	<p>Project</p> <p>STORAGE KING 431 BRINGELLY ROAD LEPPINGTON NSW 2179 STAGE 1</p>	<p>Civil Engineers and Project Managers</p> <p>Level 7, 153 Walker Street North Sydney NSW 2060 ABN 96 130 882 405 Tel: 02 9439 1777 Fax: 02 9923 1055 www.atl.net.au info@atl.net.au</p>								
<table border="1"> <tr> <th>Issue</th> <th>Description</th> <th>Date</th> </tr> <tr> <td>C</td> <td>ISSUED FOR APPROVAL</td> <td>06-04-23</td> </tr> <tr> <td>B</td> <td>ISSUED FOR APPROVAL</td> <td>07-03-23</td> </tr> <tr> <td>A</td> <td>ISSUED FOR APPROVAL</td> <td>09-05-22</td> </tr> </table>	Issue	Description	Date	C	ISSUED FOR APPROVAL	06-04-23	B	ISSUED FOR APPROVAL	07-03-23	A	ISSUED FOR APPROVAL	09-05-22	<p>Project - Drawing No.</p> <p>21-880-DAC011</p>	<p>Status</p> <p>FOR APPROVAL</p> <p>NOT TO BE USED FOR CONSTRUCTION</p>	<p>Issue</p> <p>A1</p> <p>Issue</p> <p>C</p>
Issue	Description	Date													
C	ISSUED FOR APPROVAL	06-04-23													
B	ISSUED FOR APPROVAL	07-03-23													
A	ISSUED FOR APPROVAL	09-05-22													

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Issue	Description	Date
I	ISSUED FOR INFORMATION	06-04-23
H	ISSUED FOR INFORMATION	05-04-23
G	ISSUED FOR APPROVAL	17-03-23
F	ISSUED FOR APPROVAL	07-03-23
E	ISSUED FOR APPROVAL	21-09-22
D	ISSUED FOR APPROVAL	09-05-22
C	ISSUED FOR APPROVAL	04-05-22
B	ISSUED FOR APPROVAL	07-12-21
A	ISSUED FOR COMMENT	06-12-21



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Grid	MGA2020	Designed	SM
Height/Datum	AHD	Checked	GU
		Approved	AT

Project
STORAGE KING
431 BRINGELLY ROAD
LEPPINGTON NSW 2179
STAGE 1

Title
SITWORKS AND
STORMWATER DRAINAGE
PLAN

Civil Engineers and Project Managers

Level 7, 153 Walker Street
 North Sydney NSW 2060
 ABN 96 130 882 405
 Tel: 02 9439 1777
 Fax: 02 9923 1055
 www.atl.net.au
 info@atl.net.au

Status
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Project - Drawing No.
21-880-DAC020

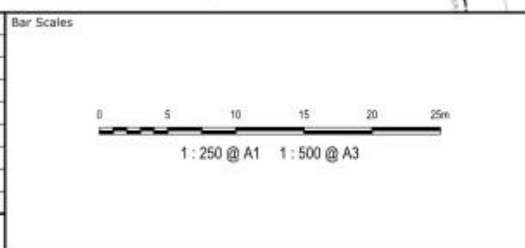
Issue
A1
1

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PAVEMENT LEGEND	
	PAVEMENT TYPE 1 - CONCRETE HARDSTAND 200mm THICK CONCRETE PAVEMENT REFER TO STRUCTURAL ENGINEERS DRAWINGS FOR DETAILS
	PAVEMENT TYPE 2 - FOOTWAY 100mm THICK CONCRETE FOOTPATH ON 50mm BEDDING LAYER REFER TO CAMDEN COUNCIL STANDARD DRAWING SD05
	PAVEMENT TYPE 3 - VEHICLE CROSSING 200mm THICK CONCRETE HEAVY DUTY CROSSOVER ON 50mm CRUSHED SANDSTONE ON COMPACTED SUBGRADE REFER TO CAMDEN COUNCIL STANDARD DRAWING DW03
	PAVEMENT TYPE 4 - AC PAVEMENT (SUBJECT TO TfNSW APPROVAL) 50mm AC10 7mm PRIMERSEAL 150mm BASECOURSE 150mm SUB-BASECOURSE COMPACTED SUBGRADE
	PAVEMENT TYPE 5 - LANDSCAPING REFER TO LANDSCAPE ARCHITECTS DRAWINGS FOR DETAILS
	PAVEMENT TYPE 6 - CONCRETE CHANNEL REFER DWG DAC040 FOR DETAILS

Issue	Description	Date
G	ISSUED FOR APPROVAL	06-04-23
F	ISSUED FOR APPROVAL	17-03-23
E	ISSUED FOR APPROVAL	07-03-23
D	ISSUED FOR APPROVAL	21-09-22
C	ISSUED FOR APPROVAL	04-05-22
B	ISSUED FOR APPROVAL	07-12-21
A	ISSUED FOR COMMENT	06-12-21



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		Designed	SM
Grid	MGA2020	Checked	GJ
Height Datum	AHD	Approved	AT

Project

**STORAGE KING
431 BRINGELLY ROAD
LEPPINGTON NSW 2179
STAGE 1**

Title

PAVEMENT PLAN

Civil Engineers and Project Managers

Level 7, 153 Walker Street
North Sydney NSW 2060
ABN 96 130 882 405
Tel: 02 9439 1777
Fax: 02 9523 1055
www.atl.net.au
info@atl.net.au

Status

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Project - Drawing No.
21-880-DAC030

Issue

A1
G

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PIT CHAMBER DETAIL FOR PIPES UP TO 525Ø (TYPE 1)
SCALE: 1:20

TYPICAL SECTION CONCRETE RECTANGULAR CHANNEL 'A' AND 'B'
1:20

GRATED DRAIN
SCALE 1:10

FLUSHING POINT
SCALE 1:10

INTERMEDIATE FLUSHING POINT
SCALE 1:10

STANDARD SURFACE INLET OR SEALED JUNCTION PIT
SCALE: 1:20

DETAIL "C"
SCALE 1:10

DETAIL "D"
SCALE 1:10

DETAIL "E"
SCALE 1:10

PIPE TRENCH BELOW PAVEMENT
N.T.S.

PIPE TRENCH NOTES

- IN UNDERTAKING TRENCH EXCAVATION, THE CONTRACTOR SHALL PROVIDE ANY SHORING, SHEET PILING OR OTHER STABILISATION OF THE TRENCH NECESSARY TO COMPLY WITH OHS REGULATION REQUIREMENTS. THE SIDES ARE NOT TO BE LOADED & SHALL BE KEPT CLEAR OF LOOSE MATERIAL ETC. SAFE ACCESS & EGRESS SHALL BE PROVIDED AT ALL TIMES.
- THE TRENCH SHALL BE EXCAVATED TO A WIDTH 1.4 TIMES THE EXTERNAL DIAMETER OF THE PIPE, OR TO THE EXTERNAL DIAMETER OF THE PIPE PLUS 300mm ON EACH SIDE, WHICHEVER IS THE GREATER.

Bar Scales

0 100 200 400 600 800 1000mm
1:10 @ A1 1:20 @ A3

0 500 1000 1500 2000mm
1:20 @ A1 1:40 @ A3

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Client
Abacus PROPERTY

Scales
AS SHOWN

Drawn
Designed SM
Checked GU
Approved AT

Project
STORAGE KING
431 BRINGELLY ROAD
LEPPINGTON NSW 2179
STAGE 1

Title
STORMWATER DRAINAGE
DETAILS

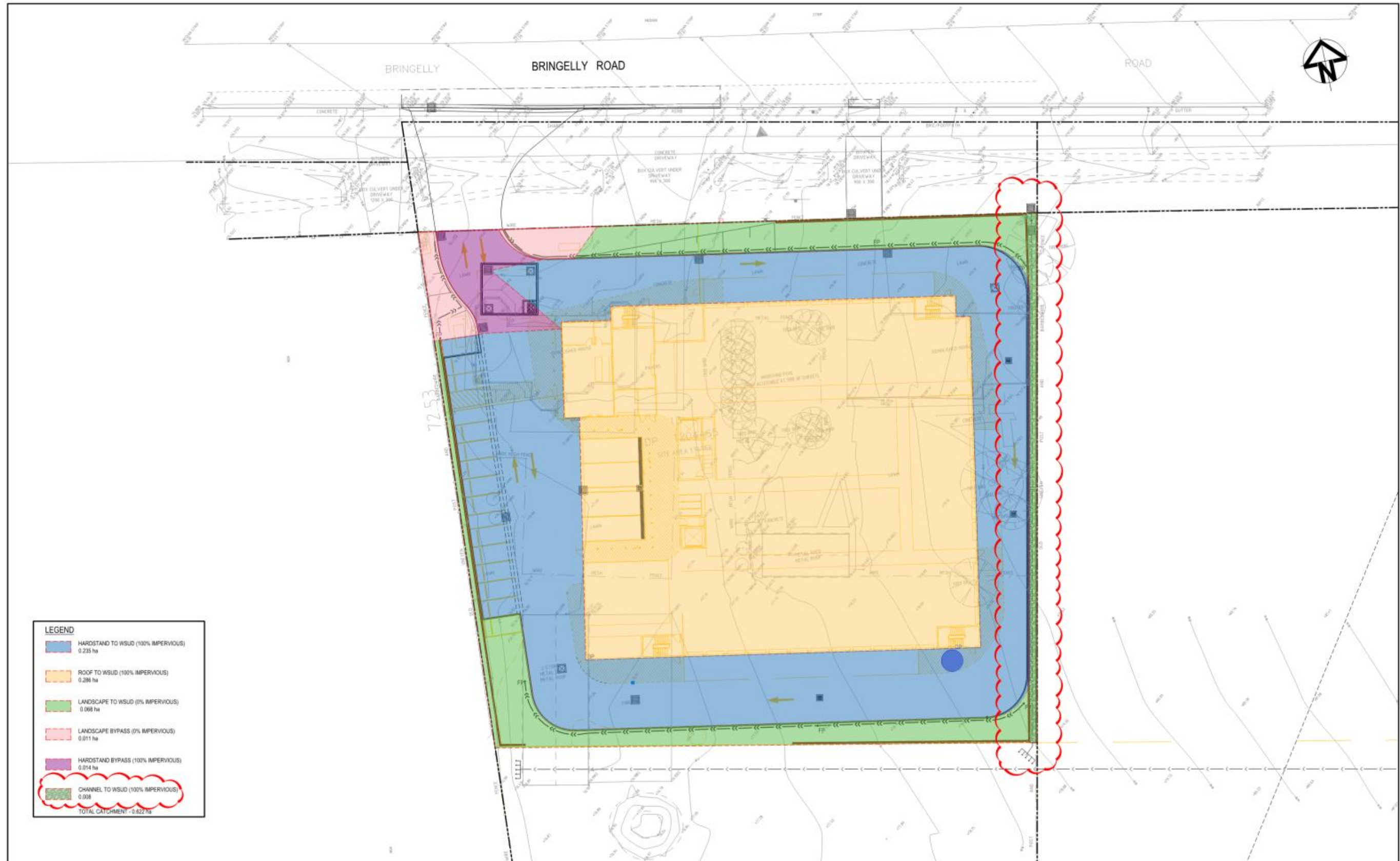
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at&l
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North Sydney NSW 2060
ABN 96 130 582 405
Tel: 02 9439 1777
Fax: 02 9923 1055
www.atl.net.au
info@atl.net.au

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Project - Drawing No.
21-880-DAC040

Issue
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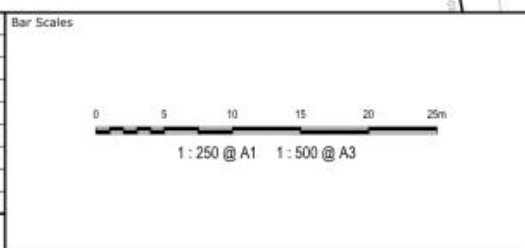
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LEGEND

	HARDSTAND TO WSUD (100% IMPERVIOUS) 0.235 ha
	ROOF TO WSUD (100% IMPERVIOUS) 0.286 ha
	LANDSCAPE TO WSUD (0% IMPERVIOUS) 0.068 ha
	LANDSCAPE BYPASS (0% IMPERVIOUS) 0.011 ha
	HARDSTAND BYPASS (100% IMPERVIOUS) 0.014 ha
	CHANNEL TO WSUD (100% IMPERVIOUS) 0.008 ha
TOTAL CATCHMENT - 0.622 ha	

Issue	Description	Date
F	ISSUED FOR APPROVAL	17-03-23
E	ISSUED FOR APPROVAL	07-03-23
D	ISSUED FOR APPROVAL	21-09-22
C	ISSUED FOR APPROVAL	04-05-22
B	ISSUED FOR APPROVAL	07-12-21
A	ISSUED FOR COMMENT	06-12-21



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Client

Scales	1: 250	Drawn	SM
Grid	MGA2020	Designed	SM
Height Datum	AHD	Checked	GJ
		Approved	AT

Project

**STORAGE KING
431 BRINGELLY ROAD
LEPPINGTON NSW 2179
STAGE 1**

Title

**MUSIC
CATCHMENT
PLAN**

Civil Engineers and Project Managers

Level 7, 153 Walker Street
North Sydney NSW 2060
ABN 96 130 882 405
Tel: 02 9439 1777
Fax: 02 9523 1055
www.atl.net.au
info@atl.net.au

Status

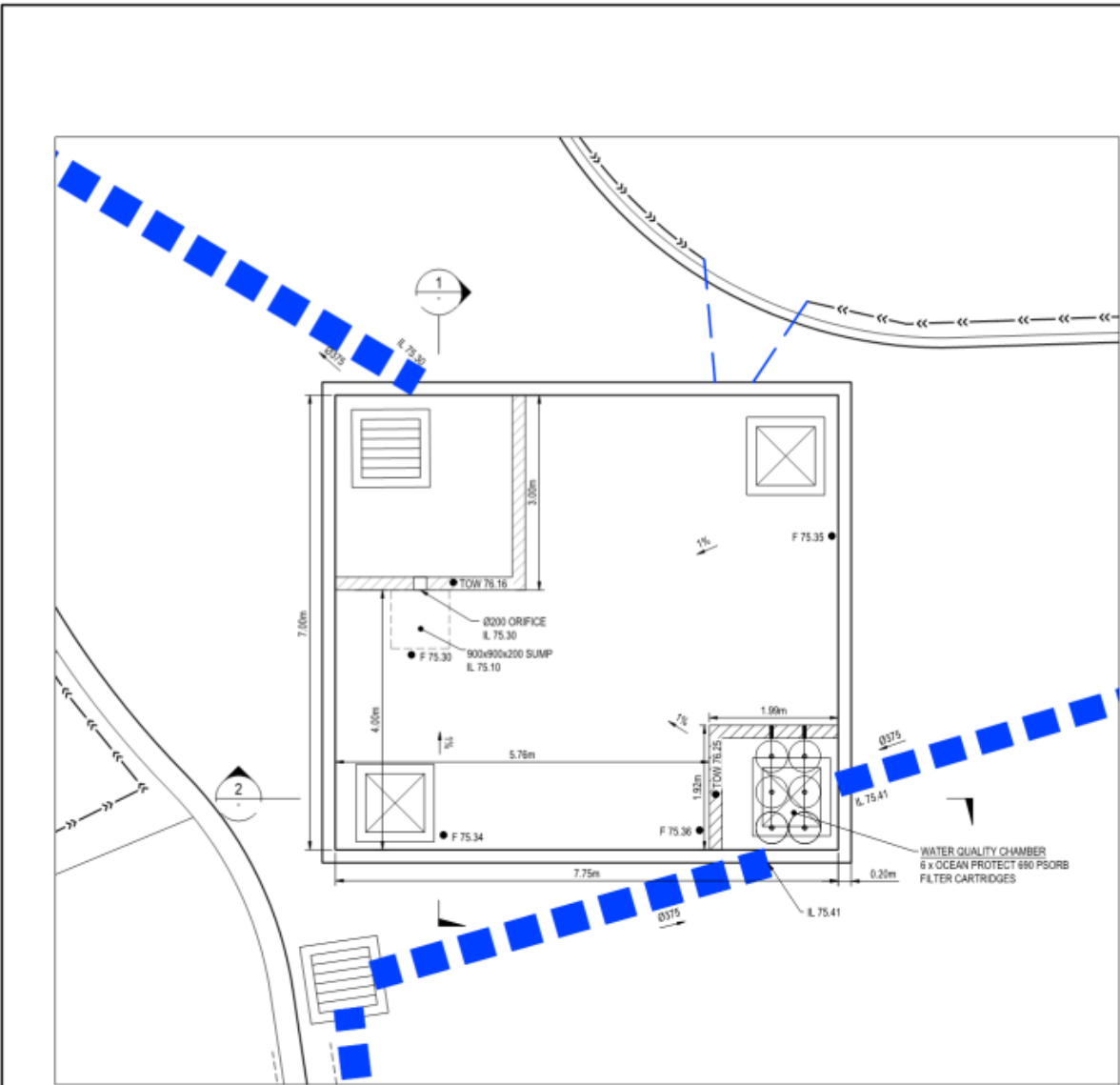
FOR APPROVAL

Project - Drawing No.
21-880-DAC055

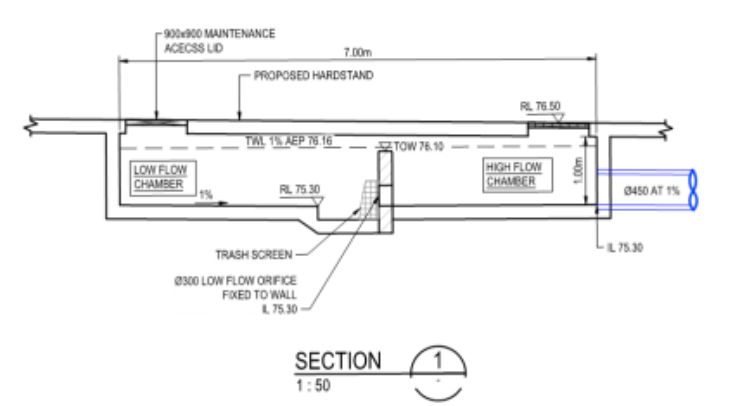
Issue

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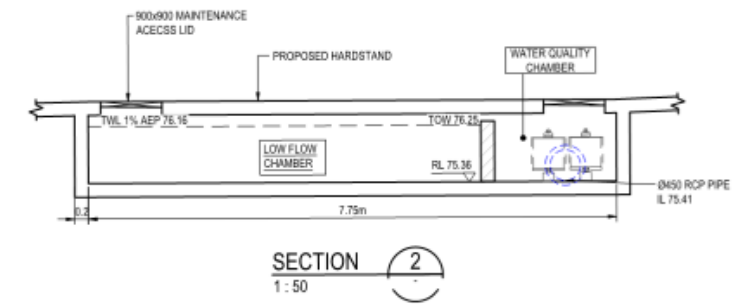
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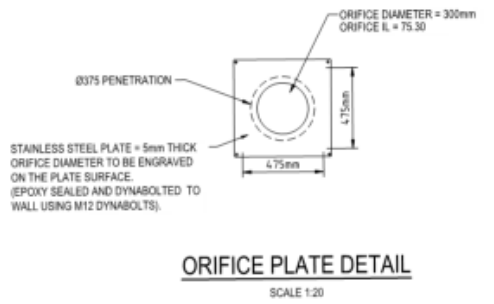
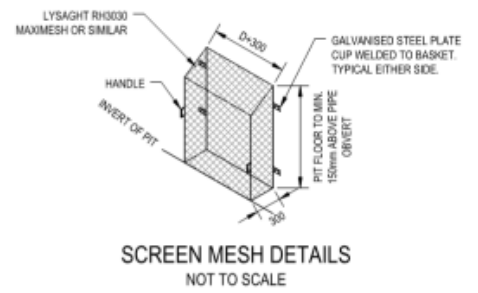
PLAN
1:50



SECTION 1
1:50



SECTION 2
1:50



ORIFICE PLATE DETAIL
SCALE 1:20

Issue	Description	Date
D	ISSUED FOR APPROVAL	21-09-22
C	ISSUED FOR APPROVAL	04-05-22
B	ISSUED FOR APPROVAL	07-12-21
A	ISSUED FOR COMMENT	06-12-21

Bar Scales

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Client

Scales	1:20 1:50	Drawn	SM
Grid	MGA2020	Designed	SM
Height Datum	AHD	Checked	GJ
		Approved	AT

Project

**STORAGE KING
431 BRINGELLY ROAD
LEPPINGTON NSW 2179
STAGE 1**

Title

**OSD
PLAN AND SECTIONS**

Civil Engineers and Project Managers

Level 7, 153 Walker Street
North Sydney NSW 2060
ABN 96 130 582 405
Tel: 02 9439 1777
Fax: 02 9923 1055
www.atl.net.au
info@atl.net.au

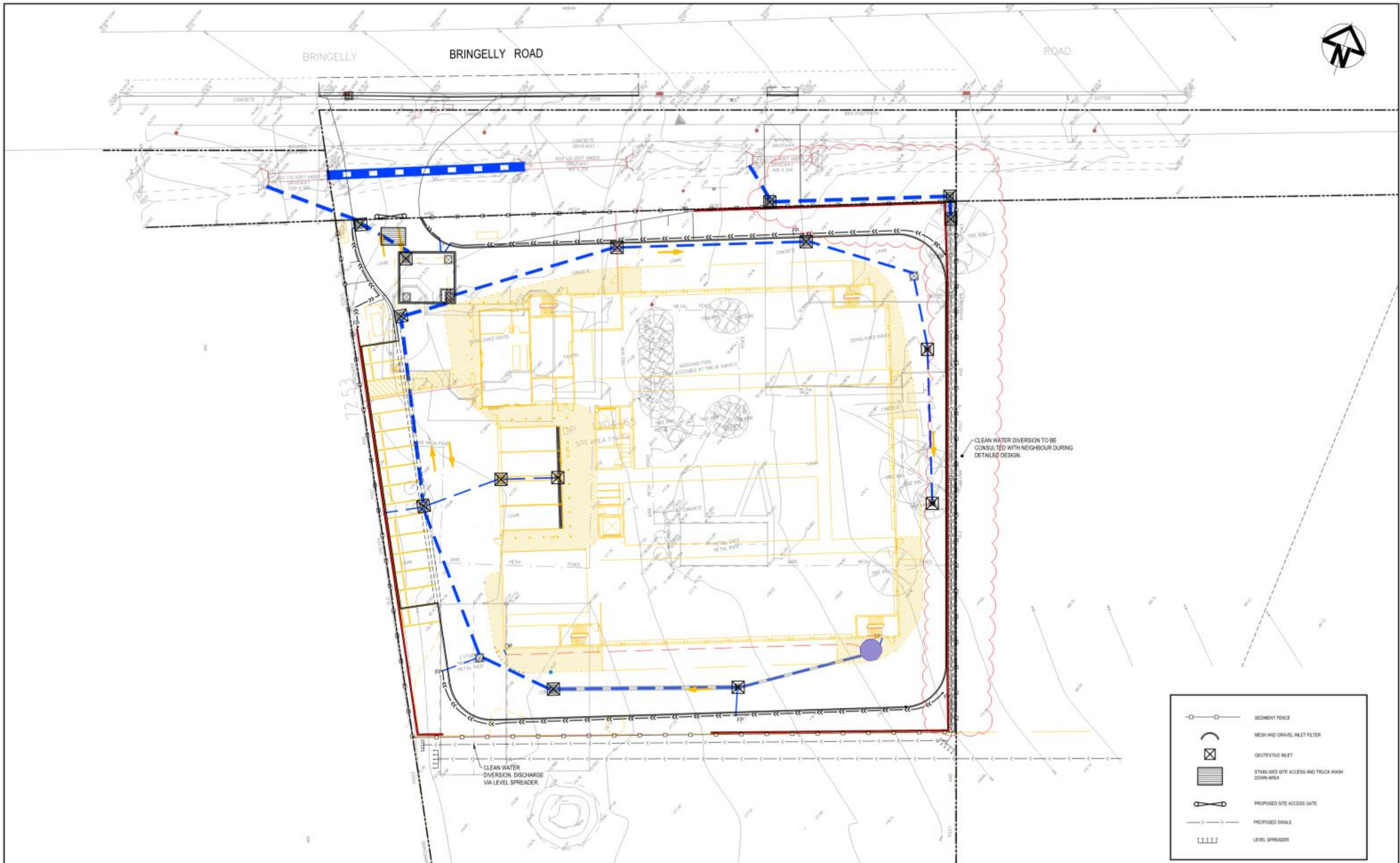
Status

**FOR APPROVAL
NOT TO BE USED FOR CONSTRUCTION**

Project - Drawing No.
21-880-DAC060

Issue	A1
Issue	D

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	SEDIMENT FENCE
	MESH AND GRAVEL INLET FILTER
	GEOTEXTILE INLET
	STABILISED SITE ACCESS AND TRUCK WASH DOWN AREA
	PROPOSED SITE ACCESS GATE
	PROPOSED SWALE
	LEVEL SPREADER

Issue	Description	Date
G	ISSUED FOR APPROVAL	06-04-23
F	ISSUED FOR APPROVAL	17-03-23
E	ISSUED FOR APPROVAL	07-03-23
D	ISSUED FOR APPROVAL	21-09-22
C	ISSUED FOR APPROVAL	04-05-22
B	ISSUED FOR APPROVAL	07-12-21
A	ISSUED FOR COMMENT	06-12-21

Bar Scales

1 : 250 @ A1 1 : 500 @ A3

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Client

Scales	1 : 250
Grid	MGA2020
Height Datum	AHD
Drawn	SM
Designed	SM
Checked	GJ
Approved	AT

Project

**STORAGE KING
431 BRINGELLY ROAD
LEPPINGTON NSW 2179
STAGE 1**

Title

**SEDIMENTATION AND
EROSION CONTROL
PLAN**

Civil Engineers and Project Managers

Level 7, 153 Walker Street
North Sydney NSW 2060
ABN 96 130 882 405
Tel: 02 9439 1777
Fax: 02 9923 1055
www.atl.net.au
info@atl.net.au

Status

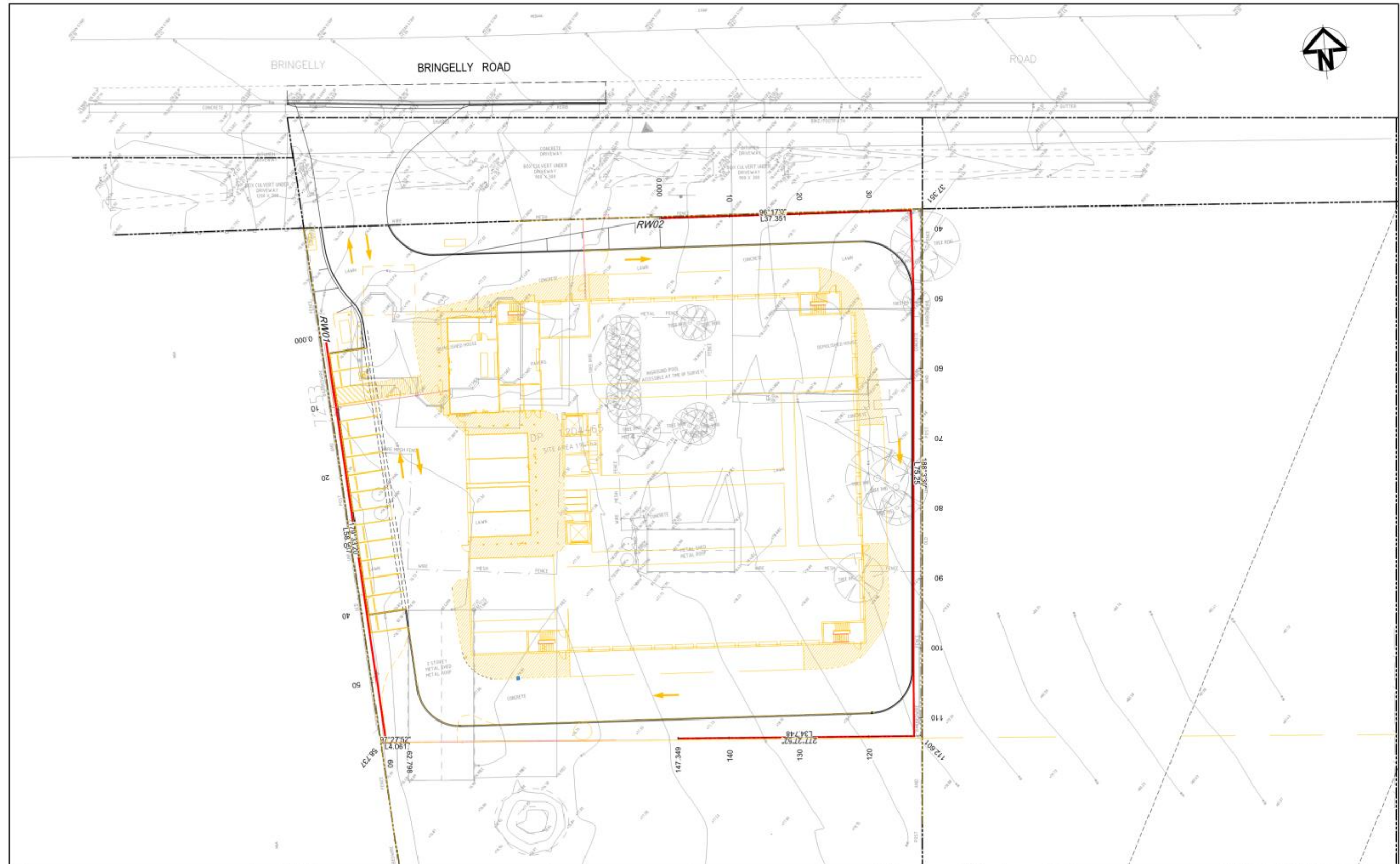
FOR APPROVAL
NOT TO BE USED FOR CONSTRUCTION

Project - Drawing No.
21-880-DAC065

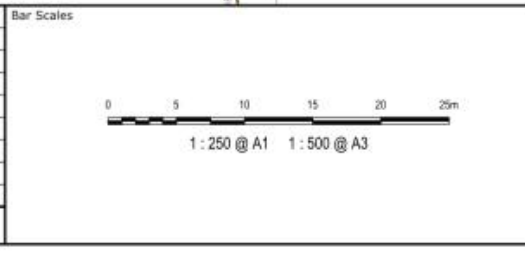
Issue

A1
G

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Issue	Description	Date
E	ISSUED FOR APPROVAL	17-03-23
D	ISSUED FOR APPROVAL	07-03-23
C	ISSUED FOR APPROVAL	04-05-22
B	ISSUED FOR APPROVAL	07-12-21
A	ISSUED FOR COMMENT	06-12-21



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Client

Scale	1:100
Grid	MGA2020
Height Datum	AHD
Drawn	SM
Designed	SM
Checked	GU
Approved	AT

Project

**STORAGE KING
431 BRINGELLY ROAD
LEPPINGTON NSW 2179
STAGE 1**

Title

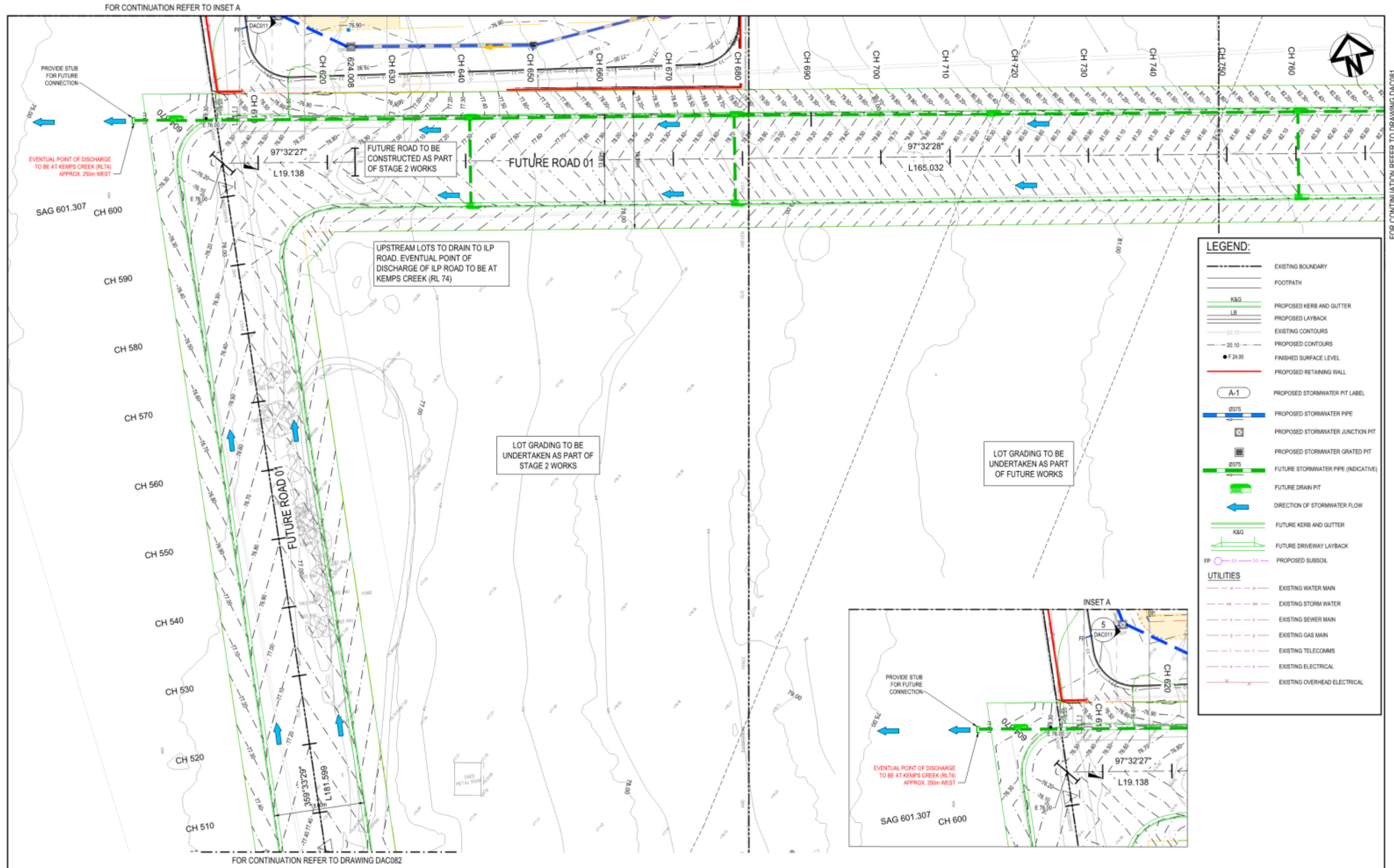
**RETAINING WALL
PLAN**

Civil Engineers and Project Managers

Level 7, 153 Walker Street
North Sydney NSW 2060
ABN 96 130 582 405
Tel: 02 9439 1777
Fax: 02 9923 1055
www.atl.net.au
info@atl.net.au

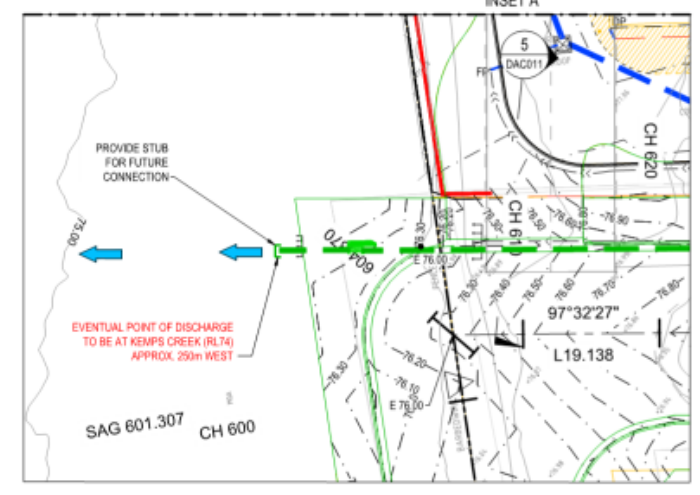
Status	FOR APPROVAL NOT TO BE USED FOR CONSTRUCTION	A1
Project - Drawing No.	21-880-DAC070	Issue
		E

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LEGEND:

- EXISTING BOUNDARY
- FOOTPATH
- K&G PROPOSED KERB AND GUTTER
- LB PROPOSED LAYBACK
- EXISTING CONTOURS
- PROPOSED CONTOURS
- F 24.90 FINISHED SURFACE LEVEL
- PROPOSED RETAINING WALL
- A-1 PROPOSED STORMWATER PIT LABEL
- Ø375 PROPOSED STORMWATER PIPE
- PROPOSED STORMWATER JUNCTION PIT
- PROPOSED STORMWATER GRATED PIT
- Ø375 FUTURE STORMWATER PIPE (INDICATIVE)
- FUTURE DRAIN PIT
- ➔ DIRECTION OF STORMWATER FLOW
- K&G FUTURE KERB AND GUTTER
- FUTURE DRIVEWAY LAYBACK
- FP --- PROPOSED SUBSOIL
- UTILITIES**
- EXISTING WATER MAIN
- EXISTING STORM WATER
- EXISTING SEWER MAIN
- EXISTING GAS MAIN
- EXISTING TELECOMMS
- EXISTING ELECTRICAL
- EXISTING OVERHEAD ELECTRICAL



Issue	Description	Date
B	ISSUED FOR APPROVAL	09-05-22
A	ISSUED FOR APPROVAL	04-05-22

Bar Scales

0 5 10 15 20 25m

1:250 @ A1 1:500 @ A3

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Client

Scale	1:250	Drawn	SM
Grid	MGA2020	Designed	SM
Height Datum	AHD	Checked	GJ
		Approved	AT

Project

**STORAGE KING
431 BRINGELLY ROAD
LEPPINGTON NSW 2179
ILP ROADS PRELIMINARY**

Title

**SITWORKS AND
STORMWATER DRAINAGE
PLAN
SHEET 1**

Civil Engineers and Project Managers

Level 7, 153 Walker Street
North Sydney NSW 2060
ABN 96 130 882 405
Tel: 02 9439 1777
Fax: 02 9523 1055
www.atl.net.au
info@atl.net.au

Status

**FOR APPROVAL
NOT TO BE USED FOR CONSTRUCTION**

Project - Drawing No.
21-880-DAC080

Issue

A1

Issue

B

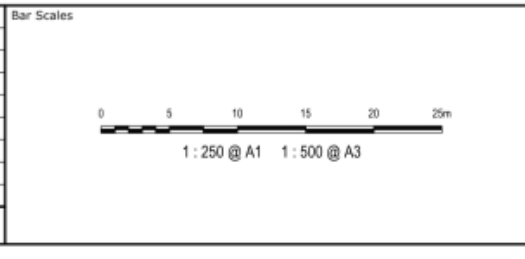
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LEGEND:

- EXISTING BOUNDARY
- FOOTPATH
- PROPOSED KERB AND GUTTER
- PROPOSED LAYBACK
- EXISTING CONTOURS
- PROPOSED CONTOURS
- FINISHED SURFACE LEVEL
- PROPOSED RETAINING WALL
- PROPOSED STORMWATER PIT LABEL
- PROPOSED STORMWATER PIPE
- PROPOSED STORMWATER JUNCTION PIT
- PROPOSED STORMWATER GRATED PIT
- FUTURE STORMWATER PIPE (INDICATIVE)
- FUTURE DRAIN PIT
- DIRECTION OF STORMWATER FLOW
- FUTURE KERB AND GUTTER
- FUTURE DRIVEWAY LAYBACK
- PROPOSED SUBSOIL
- UTILITIES**
- EXISTING WATER MAIN
- EXISTING STORM WATER
- EXISTING SEWER MAIN
- EXISTING GAS MAIN
- EXISTING TELECOMMS
- EXISTING ELECTRICAL
- EXISTING OVERHEAD ELECTRICAL

Issue	Description	Date
B	ISSUED FOR APPROVAL	09-05-22
A	ISSUED FOR APPROVAL	04-05-22



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Client

Scales	1 : 250	Drawn	SM
Grid	MGA2020	Designed	SM
Height Datum	AHD	Checked	GU
		Approved	AT

Project
STORAGE KING
 431 BRINGELLY ROAD
 LEPPINGTON NSW 2179
 ILP ROADS PRELIMINARY

Title
SITWORKS AND STORMWATER DRAINAGE PLAN SHEET 2

Civil Engineers and Project Managers

Level 7, 153 Walker Street
 North Sydney NSW 2060
 ABN 96 130 582 405
 Tel: 02 9439 1777
 Fax: 02 9823 1055
 www.atl.net.au
 info@atl.net.au

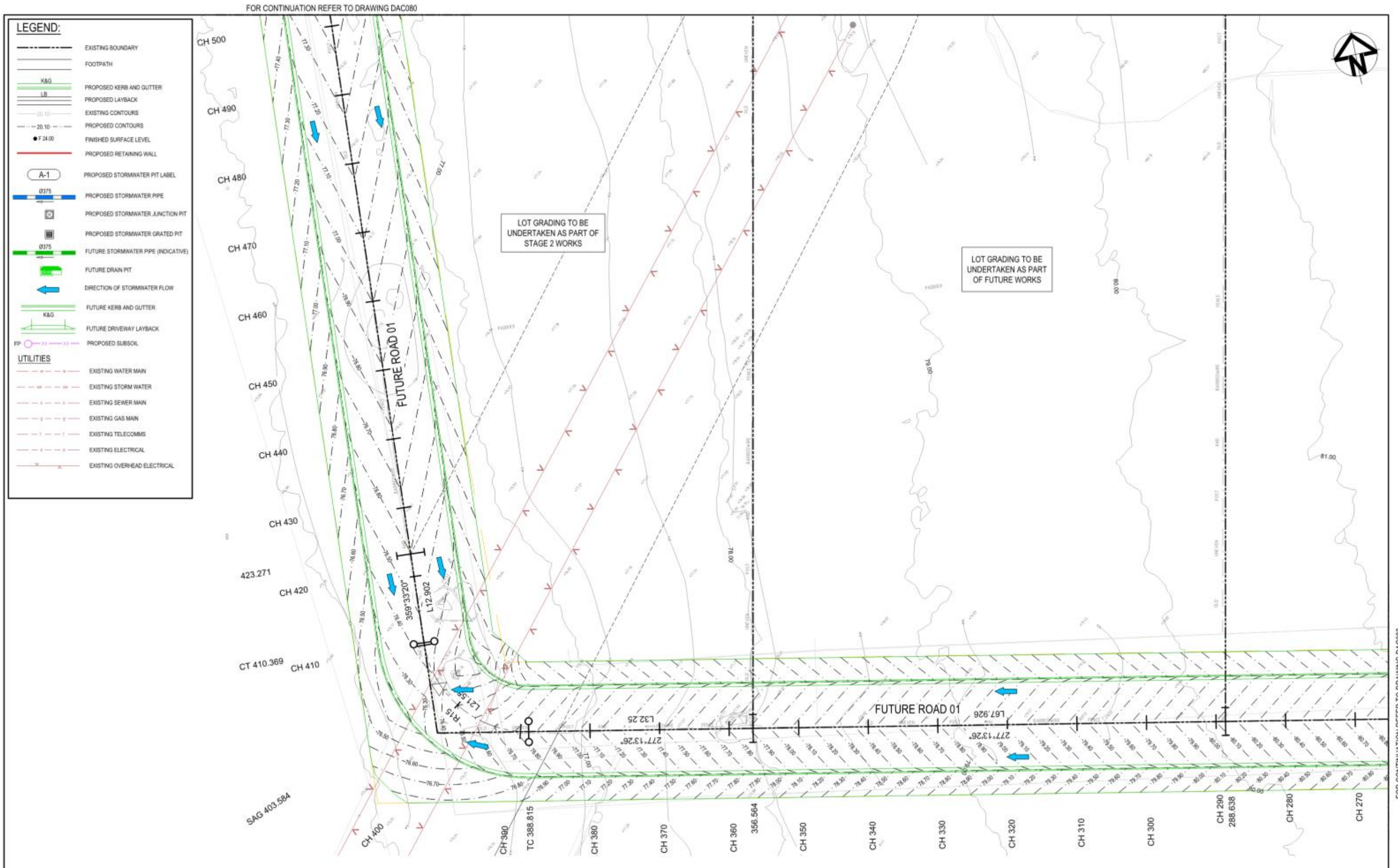
Status
FOR APPROVAL
 NOT TO BE USED FOR CONSTRUCTION

Project - Drawing No.	21-880-DAC081	Issue	B
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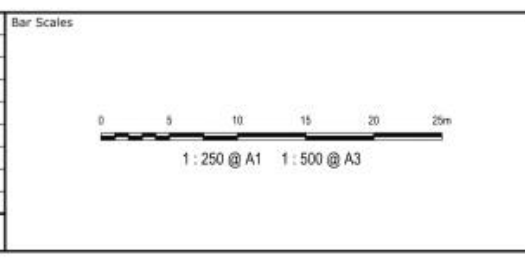
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FOR CONTINUATION REFER TO DRAWING DAC080

FOR CONTINUATION REFER TO DRAWING DAC084



Issue	Description	Date
B	ISSUED FOR APPROVAL	09-05-22
A	ISSUED FOR APPROVAL	04-05-22



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Client

Scale	1 : 250
Grid	MGA2020
Height Datum	AHD
Drawn	SM
Designed	SM
Checked	GJ
Approved	AT

Project
STORAGE KING
 431 BRINGELLY ROAD
 LEPPINGTON NSW 2179
 ILP ROADS PRELIMINARY

Title
SITWORKS AND STORMWATER DRAINAGE PLAN
 SHEET 3

Civil Engineers and Project Managers

Level 7, 153 Walker Street
 North Sydney NSW 2060
 ABN 96 130 882 405
 Tel: 02 9439 1777
 Fax: 02 9923 1055
 www.at.net.au
 info@at.net.au

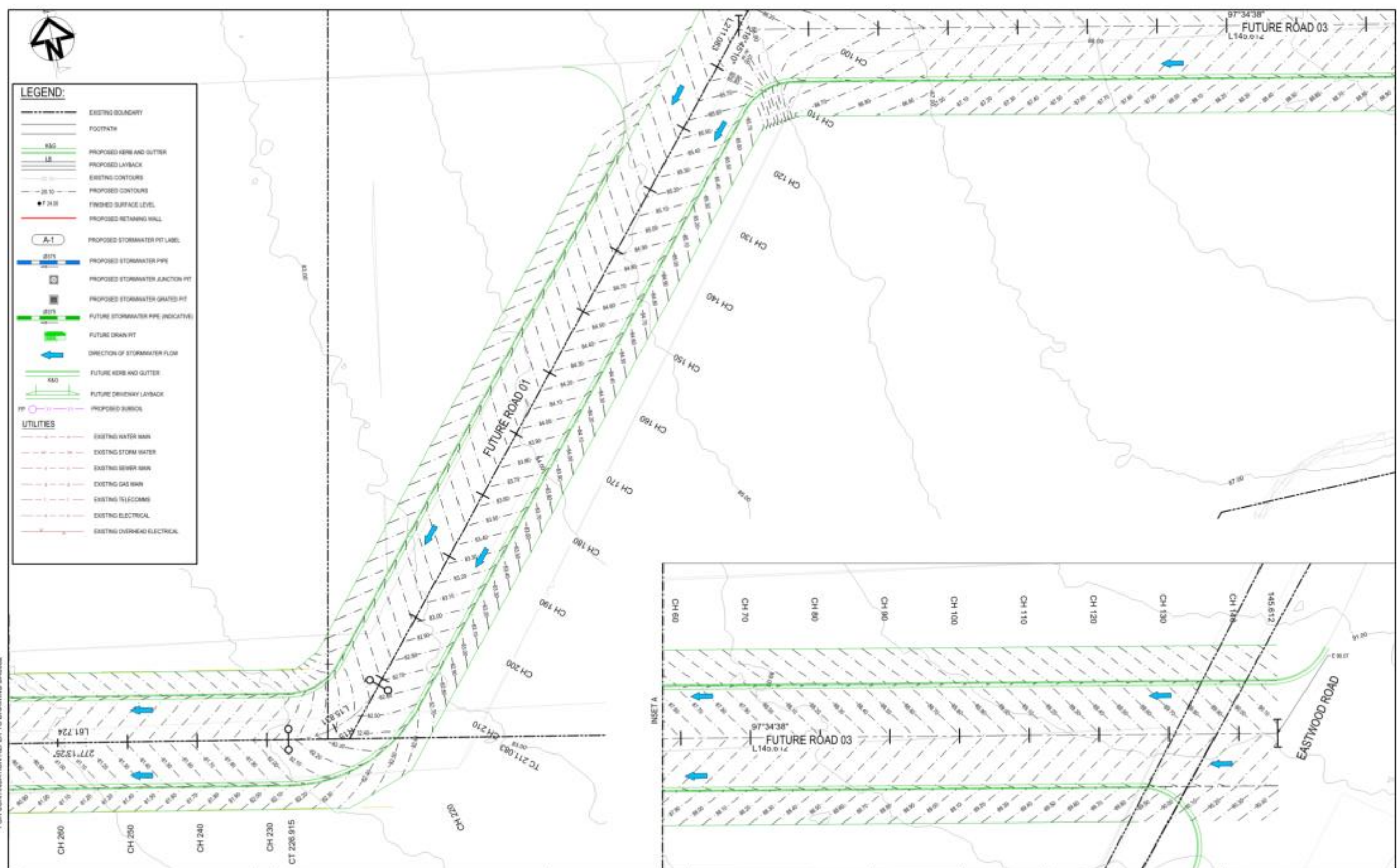
Status
FOR APPROVAL
 NOT TO BE USED FOR CONSTRUCTION

Project - Drawing No.
 21-880-DAC082

A1
Issue B

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FOR CONTINUATION REFER TO INSET A

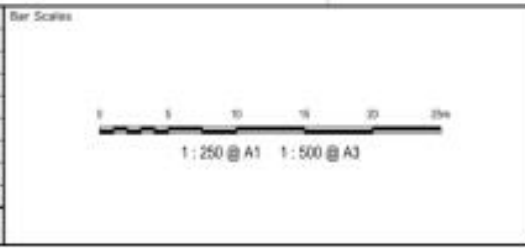


LEGEND:

- EXISTING BOUNDARY
- FOOTPATH
- PROPOSED KERB AND GUTTER
- PROPOSED LAYBACK
- EXISTING CONTOURS
- PROPOSED CONTOURS
- FINISHED SURFACE LEVEL
- PROPOSED RETAINING WALL
- PROPOSED STORMWATER PIT LABEL
- PROPOSED STORMWATER PIPE
- PROPOSED STORMWATER JUNCTION PIT
- PROPOSED STORMWATER GRATED PIT
- FUTURE STORMWATER PIPE (INDICATIVE)
- FUTURE DRAINWY
- DIRECTION OF STORMWATER FLOW
- FUTURE KERB AND GUTTER
- FUTURE DRIVEWAY LAYBACK
- PROPOSED BURIED
- UTILITIES
- EXISTING WATER MAIN
- EXISTING STORM WATER
- EXISTING SEWER MAIN
- EXISTING GAS MAIN
- EXISTING TELECOMMS
- EXISTING ELECTRICAL
- EXISTING OVERHEAD ELECTRICAL

FOR CONTINUATION REFER TO DRAWING DAC083

Issue	Description	Date
B	ISSUED FOR APPROVAL	09-05-22
A	ISSUED FOR APPROVAL	04-05-22



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Client	Abacus PROPERTY
Scale	1 : 250
Drawn	SM
Designed	SM
Checked	GU
Approved	AT
Height Datum	AHD

Project
STORAGE KING
 431 BRINGELLY ROAD
 LEPPINGTON NSW 2179
 ILP ROADS PRELIMINARY

Title
SITWORKS AND STORMWATER DRAINAGE PLAN SHEET 4

Civil Engineers and Project Managers	
at&l	
Level 7, 155 Walker Street North Sydney NSW 2060 AGN 96 130 982 405 Tel: 02 9439 1777 Fax: 02 9623 1055 www.at.net.au info@at.net.au	
Status FOR APPROVAL NOT TO BE USED FOR CONSTRUCTION	Issue A1
Project - Drawing No. 21-880-DAC083	Issue B

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 70 Central Ave,
Oran Park NSW 2570

 mail@camden.nsw.gov.au

 PO Box 183, Camden 2570

 camden.nsw.gov.au

 4654 7777

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