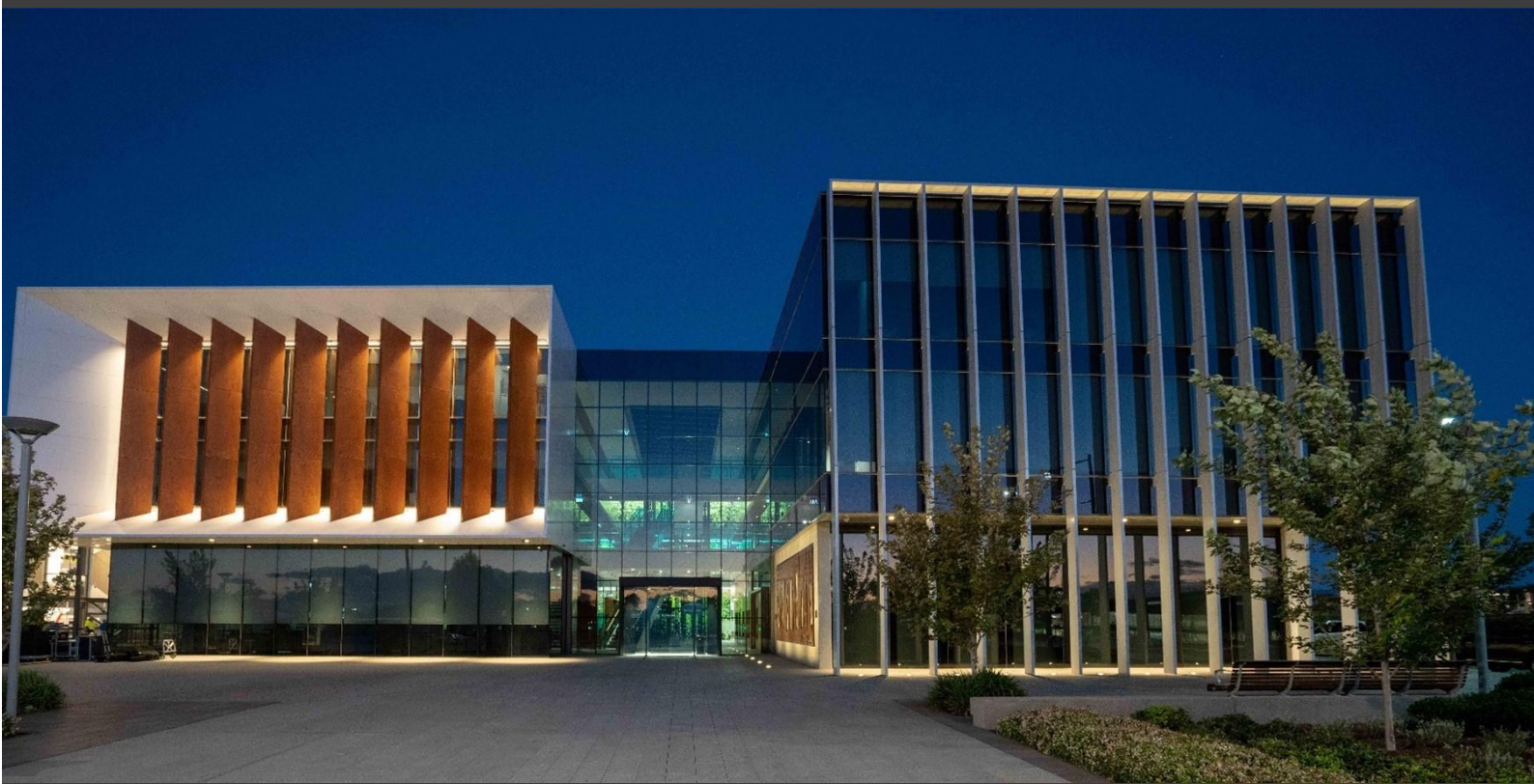


# Business Paper

Camden Local Planning Panel  
Electronic Determination

5 September 2022



camden  
council

## ORDER OF BUSINESS

CLPP01	<b>DA/2022/482/1 - Alterations And Additions To Existing Dwelling - 9 Menangle Road, Camden</b> ..... 6
	<b>Attachment 1:</b> Recommended Conditions: ..... 15
	<b>Attachment 2:</b> LEP Assessment Table: ..... 25
	<b>Attachment 3:</b> DCP Assessment Table: ..... 28
	<b>Attachment 4:</b> Architectural Plans: ..... 34
CLPP02	<b>DA/2022/456/1 - Construction Of A Single Storey Dwelling House With Associated Site Works - 14 Connor Way, Oran Park</b> ..... 49
	<b>Attachment 1:</b> Recommended Conditions: ..... 65
	<b>Attachment 2:</b> SEPP Assessment Table: ..... 76
	<b>Attachment 3:</b> DCP Assessment Table: ..... 79
	<b>Attachment 4:</b> Clause 4.6 Written Request: ..... 93
	<b>Attachment 5:</b> Heritage NSW GTAs: ..... 115
	<b>Attachment 6:</b> Architectural Plans: ..... 117
CLPP03	<b>DA/2022/132/1 - Construction Of A Single Storey Dwelling House - 47 Gleeson Rise, Oran Park</b> ..... 143
	<b>Attachment 1:</b> Recommended Conditions: ..... 158
	<b>Attachment 2:</b> SEPP Assessment Table: ..... 169
	<b>Attachment 3:</b> DCP Assessment Table: ..... 172
	<b>Attachment 4:</b> Clause 4.6 Written Request: ..... 186
	<b>Attachment 5:</b> Heritage NSW GTAs: ..... 209
	<b>Attachment 6:</b> Architectural Plans: ..... 211

## CLPP01

**SUBJECT:** DA/2022/482/1 - ALTERATIONS AND ADDITIONS TO EXISTING DWELLING - 9 MENANGLE ROAD, CAMDEN  
**FROM:** Manager Statutory Planning  
**EDMS #:** 22/364253

DA Number:	2022/482/1
Development:	Alterations and additions to existing dwelling
Estimated Cost of Development:	\$200,000
Site Address(es):	9 Menangle Road, Camden
Applicant:	Devine Drafting and Design
Owner(s):	Mrs Vicki Kennedy
Number of Submissions:	None
Development Standard Contravention(s):	None
Classification:	Local development
Recommendation:	Approve with conditions
Panel Referral Criteria:	Partial demolition of a heritage item
Report Prepared By:	Annabelle Jones (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 alterations and additions to the existing dwelling house at 9 Menangle Road, Camden.

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 development involves the partial demolition of a heritage item.

### SUMMARY OF RECOMMENDATION

That the Panel determine DA/2022/482/1 for alterations and additions to the existing dwelling 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 alterations and additions to the existing dwelling at 9 Menangle Road, Camden.

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 31 May to 13 June 2022 and no submissions were received.

The subject site is zoned B4 – Mixed Use under Camden Local Environmental Plan 2010. While ‘dwelling houses’ are a prohibited form of development in the zone, the subject dwelling house has existing use rights. The site will retain its current use as a private residence and the proposed alterations and additions will not create any conflict with any adjoining land uses. The works will ensure that the subject heritage item is suitably adapted and maintained for continued use as a private residence.

DA 2021/1897/1 was submitted to Council in 2021 for alterations and additions to the subject dwelling house, however the DA was withdrawn as Council staff did not find the scale or extent of changes proposed to the original fabric conducive with the heritage values of the site. The new design proposed as part of the subject DA is more sympathetic and enables the original two storey components to remain as they are to the rear, with only a modest single storey extension to the lower ground level (similar in size to what is currently existing). Conditions are recommended to maximise the re-use of original doors and windows to further conserve the existing fabric.

There are no development standard contraventions or DCP variations.

Based on the assessment, it is recommended that the DA be approved subject to the conditions attached to this report.

**AERIAL PHOTO**



**THE SITE**

The subject site is known as 9 Menangle Road, Camden and is legally described as Lot D in DP 412293.

The site is located on land zoned B4 Mixed Use and is identified as local heritage item I65 – ‘House’ under Schedule 5 of the Camden Local Environmental Plan 2010. The site is also located within Camden’s Heritage Conservation Area and is in proximity to other local heritage items including various dwellings and the State listed St John’s Church, on the opposite side of Menangle Road to the north east.

The site contains an early 1900’s part single storey and part two storey federation brick bungalow with later additions to the rear. The dwelling is in good condition and contains many original features including timber detailing and windows, tiled and gabled roof and front verandah. The site slopes down away from Menangle Road and a detached single garage, metal awning, metal shed and inground swimming pool are proposed to remain in the rear garden. There are no significant trees or vegetation which would be impacted by the proposed additions.

**ZONING PLAN**



**HISTORY**

The relevant development history of the site is summarised in the following table:

Date	Development
05/05/2004	DA/2004/387/1 – Approved alterations and additions to dwelling.
22/02/2016	DA/2015/1479/1 – Approved alterations and additions to dwelling.
13/04/2022	DA/2021/1897/1 – Proposed alterations and additions to dwelling, however the DA was withdrawn at the request of Council staff.

**THE PROPOSAL**

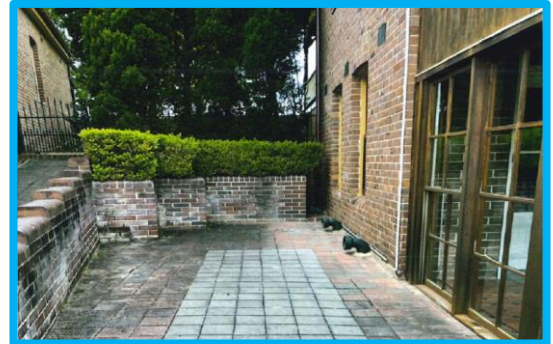
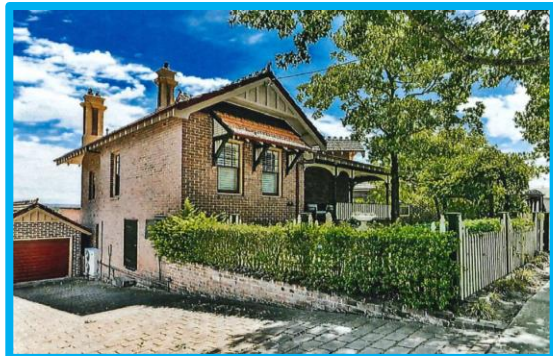
DA/2022/482/1 seeks approval for alterations and additions to the existing dwelling.

Specifically, the development involves:

- Demolition of the rear lower ground floor verandah, sunroom, butler’s pantry, kitchen, toilet, lift, workshop door and floor, as well as parts of original walls and internal fittings/fixtures on the upper floor.
- Construction of lower ground floor additions to create new kitchen, dining, laundry, powder room and an additional bedroom.
- Various modifications to existing workshop floor and external opening, hallway, loungeroom, stair landing, upper floor stair window, bathroom and walk-in robe.

The estimated cost of the development is \$200,000.

**SITE PHOTOGRAPHS**



CLPP01



## 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 (Biodiversity and Conservation) 2021.
- State Environmental Planning Policy (Building and Sustainability Index: BASIX) 2004.
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- Camden Local Environmental Plan 2010.

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

Chapter 9 of the SEPP aims to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

The development is consistent with the aim of SREP 20 and all of its planning controls. There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the development. Appropriate erosion, sediment and water pollution control measures have been proposed as part of the development.

#### State Environmental Planning Policy (Building and Sustainability Index: BASIX) 2004

A BASIX Certificate was submitted with the application indicating that the proposal achieves full compliance with the BASIX requirements. Conditions are recommended to ensure the BASIX Certificate is updated prior to the issue of a Construction Certificate (in addition to the corresponding plans) to reflect the heritage requirements for various window and door openings.

#### SEPP (Resilience and Hazards) 2021 - Chapter 4 – Remediation of Land

This SEPP provides a State-wide planning approach to the remediation of contaminated land.

Clause 4.6 Chapter 4 of this 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.

The site history demonstrates that the subject site has only been used for residential purposes and it is assessed that the land is suitable for the proposed ongoing residential use.

#### Camden Local Environmental Plan 2010 (Camden LEP)

##### *Site Zoning*

The site is zoned B4 Mixed Use pursuant to Clause 2.2 of the Camden LEP.

##### *Land Use/Development Definitions*

The development is characterised as alterations and additions to an existing 'dwelling house' by the Camden LEP.



*Permissibility*

While 'dwelling houses' are a prohibited form of development in the zone, the subject dwelling house has existing use rights. The site will retain its current use as a private residence and the proposed alterations and additions will not create any conflict with any adjoining land uses. The works will ensure that the subject heritage item is suitably adapted and maintained for continued use as a private residence.

The proposal is consistent with the objectives of the B4 zone.

*Planning Controls*

An assessment table in which the development is considered against the Camden LEP's planning controls is provided as an attachment to this report.

***(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 detrimental impacts upon the Hawkesbury-Nepean River system as a result of it.

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

The development is consistent with the Draft Remediation SEPP in that site history demonstrates that the subject site has only been used for residential purposes and it is assessed that the land is suitable for the proposed ongoing residential use.

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

Camden Development Control Plan 2019 (Camden DCP)

An assessment table in which the development is considered against the Camden DCP is provided as an attachment to this report. There are no variations proposed to any DCP controls.

***(a)(iiia) 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.

The development has been assessed against the heritage controls contained within the Camden LEP and Camden DCP and is found to be consistent with them. No adverse impacts are expected on the significance of the dwelling, site or surrounding conservation area as a result of the proposal.

**(c) the suitability of the site for the development**

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

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

The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 31 May to 13 June 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 above assessment, the development is consistent with the public interest.

### EXTERNAL REFERRALS

No external referrals were required for this DA.

### 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 approve DA/2022/482/1 for alterations and additions to the existing dwelling house at 9 Menangle Road, Camden, subject to the conditions attached to this report.**

### REASONS FOR DETERMINATION

1. The development is consistent with the objectives of the applicable environmental planning instruments, being State Environmental Planning Policy (Biodiversity and Conservation) 2021; State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004; State Environmental Planning Policy (Resilience and Hazards) 2021; and Camden Local Environmental Plan 2010.
2. The development is consistent with the objectives of Camden Development Control Plan 2019.
3. The development is considered to be of an appropriate scale and form for the site and the character of the locality.
4. The development is unlikely to have any unreasonable adverse impacts on the natural or built environment.
5. In consideration of the aforementioned reasons, the development is a suitable and planned use of the site and its approval is in the public interest.

### ATTACHMENTS

1. Recommended Conditions
2. LEP Assessment Table
3. DCP Assessment Table
4. Architectural Plans

## **Recommended Conditions**

### **1.0 - General Conditions of Consent**

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

- (1) **Approved Plans and Documents** - Development shall 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:

<b>Plan Reference/ Drawing No.</b>	<b>Name of Plan</b>	<b>Prepared by</b>	<b>Date</b>
21197-10 j.g, Page 7, Revision I	Existing Site Plan	Devine Drafting & Design	11/05/2022
21197-10 j.g, Page 1, Revision I	Demolition Site Plan	Devine Drafting & Design	11/05/2022
21197-10 j.g, Page 1, Revision I	Proposed Site Plan	Devine Drafting & Design	11/05/2022
21197-10 j.g, Page 1, Revision I	Existing Floor Plans	Devine Drafting & Design	11/05/2022
21197-10 j.g, Page 2, Revision I	Demolition Floor Plans	Devine Drafting & Design	11/05/2022
21197-10 j.g, Page 3, Revision I	Proposed Lower Floor Plan	Devine Drafting & Design	11/05/2022
21197-10 j.g, Page 4, Revision I	Proposed Upper Floor Plan	Devine Drafting & Design	11/05/2022
21197-10 j.g, Page 5, Revision I	Proposed Elevations	Devine Drafting & Design	11/05/2022
21197-10 j.g, Page 6, Revision I	Proposed Sections	Devine Drafting & Design	11/05/2022
21197-10 j.g, Page 10, Revision I	Door/Window Schedule and Colours/Materials Note	Devine Drafting & Design	11/05/2022
21197-10 j.g, Page 14, Revision I	Stormwater Plan	Devine Drafting & Design	11/05/2022

<b>Document Title</b>	<b>Prepared by</b>	<b>Date</b>
BASIX Certificate No. A432045_05 (required to be amended)	Devine Drafting & Design	12/05/2022
Waste Management Plan	N/A	N/A

- (2) **Modified Documents and Plans** - The development shall be modified as follows:
- a) **Staircase Window** – The original staircase window on the western rear façade shall be re-used in the same location and raised accordingly to avoid conflict with the new lower ground skillion roof. All original sills and architraves shall be restored and re-used or replaced with new profiles and materials to match the existing. The plans and BASIX Certificate shall be updated to reflect the existing window materials and dimensions.
  - b) **Workshop Window** – The new window on the southern side façade shall be constructed of timber (not aluminium) to match the existing original windows in the remainder of the dwelling. The plans and BASIX Certificate shall be updated to reflect timber materials, with dimensions being modified as necessary based on the required brick repairs in this area.
  - c) **Window Awnings** – The new awnings required above window W1 and door D1 on the lower ground level shall be constructed of roof sheeting and timber to match the new skillion roof materials and colours. No awning is to be erected over new window W4 to avoid damage to the original wall fabric. The plans and BASIX Certificate shall be updated accordingly.
  - d) **French Doors on Lower Ground Level** – The existing French doors to the lounge room opening shall be restored and re-used in the new (widened) hallway/dining opening on the same floor. The existing single hallway door and handle shall be re-used in another part of the dwelling where feasible (for example Bedroom 2 or linen entry). The plans shall be updated accordingly.
- Amended plans or documentation demonstrating compliance shall be provided to the certifier and Council prior to the issue of a Construction Certificate. Council's Heritage Advisor is to confirm that the modified plans are satisfactory prior to the issue of any construction certificate.
- (3) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) (as required to be amended) for the development to which this development consent applies.
- (4) **National Construction Code – Building Code of Australia (BCA)** - All building work shall be carried out in accordance with the BCA. In this condition, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (5) **Home Building Act** - Pursuant to Section 4.17(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the principal certifier for the development to which the work relates has given Council written notice of the following:
- a) for work that requires a principal contractor to be appointed:
    - i. the name and licence number of the principal contractor, and
    - ii. the name of the insurer of the work under Part 6 of the *Home Building Act 1989*,
  - b) for work to be carried out by an owner-builder:

- i. the name of the owner-builder, and
- ii. if the owner-builder is required to hold an owner-builder permit under the *Home Building Act 1989*, the number of the owner-builder permit.

If the above information is no longer correct, further work must not be carried out unless the principal certifier has given Council written notice of the updated information.

- (6) **Home Building Act - Insurance** - Building work that involves residential building work within the meaning of the *Home Building Act 1989* shall not commence until such time as a contract of insurance is in force in accordance with Part 6 of that Act.

This requirement does not apply:

- a) to the extent to which an exemption is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, or
  - b) to the erection of a temporary structure, other than a temporary structure to which subsection (3) of Section 69 of the *Environmental Planning and Assessment Regulation 2021* applies.
- (7) **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.

## 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) **Smoke Alarms** - In accordance with the *Environmental Planning and Assessment Regulation 2021*, where not existing, smoke detectors complying with AS 3786 shall be installed. Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.
- (2) **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.

- (3) **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.
- (4) **Salinity (Dwellings and Outbuildings)** – The approved development must comply with the salinity management requirements of Council's Engineering Specifications and the National Construction Code. Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.
- (5) **Long Service Levy** - In accordance with Section 34 of 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 for any building work that cost \$25,000 or more.
- (6) **Archival Recording** - An archival record of the existing building(s) and site shall be completed and provided to the accredited certifier and Council. The recording shall be in accordance with the NSW Heritage Office guidelines "Photographic Recording of Heritage Items using Film or Digital Capture" (2006) (or as amended).

### 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) **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](http://www.sydneywater.com/tapin) to apply.

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

- (8) **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.

- (9) **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.

- (10) **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.

#### 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) **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.

- (3) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the existing drainage system.

All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The principal certifier shall not permit construction works beyond the frame inspection stage until this work has been carried out.

- (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) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.
- (6) **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.
- (7) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.
- (8) **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.
- (9) **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](http://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.
- (10) **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.
- (11) **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.
- (12) **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.
- (13) **Fill Material (Dwellings)** – Prior to the importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the principal certifier.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks; and
- b) be prepared in accordance with;

For 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 (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW."

For Excavated Natural Material (ENM):

- i) compliance with the Excavated Natural Material Order 2014 and the Resource Recovery Orders and Exemptions issued under Part 9 of the Protection of the Environment Operations (Waste) Regulation 2014
  - c) confirm that the fill material 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") and is compatible with any salinity management plans approved for the site.
- (14) **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.
- (15) **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.

- (16) **Appropriate Heritage Knowledge and Experience** – All works must be carried out under the supervision of a tradesperson or heritage consultant with knowledge and experience in heritage conservation related to the work being undertaken.
- (17) **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.

#### 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) **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.
- (2) **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.

## Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance?
<p><b>2.3 Zone objectives and land use table</b></p> <p>The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.</p> <p>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.</p> <p>The zone objectives for this site are:</p> <ul style="list-style-type: none"> <li>• To provide a mixture of compatible land uses.</li> <li>• To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.</li> <li>• To minimise conflict between land uses within the zone and land uses within adjoining zones.</li> <li>• To encourage development that supports or complements the primary office and retail functions of the local centre zone.</li> </ul>	<p>The subject site is zoned B4 – Mixed Use under Camden Local Environmental Plan 2010. While 'dwelling houses' are a prohibited form of development in the zone, the subject dwelling house has existing use rights. The site will retain its current use as a private residence and the proposed alterations and additions will not create any conflict with any adjoining land uses. The works will ensure that the subject heritage item is suitably adapted and maintained for continued use as a private residence.</p> <p>The proposal is consistent with the objectives of the B4 zone.</p>	Yes
<p><b>2.7 Demolition requires development consent</b></p> <p>Development consent is required to demolish a building or work (unless the demolition is exempt or complying development under another environmental planning instrument).</p>	Consent is being sought for the demolition of the existing rear lower ground floor additions and various internal components.	Yes
<p><b>4.3 Height of buildings</b></p> <p>Maximum building heights must not exceed the maximum building height shown on the Height of Buildings Map.</p> <p>The maximum building height for this site is 7m.</p>	<p>No increase is proposed to the maximum height of the existing cottage, being 8.7m.</p> <p>The proposed alterations and additions will have a maximum height of 4m from natural ground level.</p>	Yes
<p><b>5.10 Heritage conservation</b></p> <p>Before granting development consent in respect of a heritage items or a heritage conservation area, the consent authority must consider the effect of the proposed development on the heritage significance of the item or area concerned.</p> <p>The consent authority may require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the item or heritage</p>	<p>At the request of Council staff, the applicant has submitted a revised Heritage Impact Statement (HIS) which satisfactorily assess the significance of the site and the proposed works.</p> <p>Council's Heritage Advisor has reviewed the revised HIS and amended plans and has recommended approval subject to conditions.</p>	Yes

CLPP01

Attachment 2

## Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

CLPP01

Attachment 2

Clause	Assessment	Compliance?
<p>conservation area concerned. The submission of a heritage conservation management plan may also be required.</p> <p>Before granting consent to the carrying out of development on an archaeological site the consent authority must notify the Heritage Council of its intention to grant consent and take into consideration any response received within 28 days after the notice is sent.</p> <p>Development consent may be granted for any purpose of a building that is a heritage item or the land on which such a building is erected, or for any purpose on an Aboriginal Place of Significance if the consent authority is satisfied as to a number of matters listed by this clause; including if the conservation of the item or place is facilitated by the granting of consent.</p>		
<p><b>7.2 Airspace operations</b></p> <p>Before granting development consent to development on land that will penetrate an identified obstacle limitation surface or PANS-OPS surface, the consent authority must consult the relevant Commonwealth body about the application and give the body not less than 28 days within which to consider the application.</p> <p>The consent authority may only grant development consent for development referred to above if:</p> <p>(a) the relevant Commonwealth body is satisfied the development will not penetrate the obstacle limitation surface, or does not object to the consent authority granting development consent and any conditions provided will be imposed as far as practicable,</p> <p>(b) the relevant Commonwealth body is satisfied the development will penetrate the PANS-OPS surface and does not object to development consent being granted.</p>	<p>There are no changes proposed to the existing upper ridge level. The proposed lower ground floor additions to the rear have a maximum RL of 94m and will not penetrate the inner horizontal surface for Camden Airport.</p>	<p>Yes</p>
<p><b>7.4 Earthworks</b></p> <p>Before granting development consent for earthworks the consent authority must consider the following matters:</p>	<p>Minor cut is required (a maximum of approximately 500mm deep) to construct the new foundations for the dwelling extension to the rear and reduce the height of the finished floor level in the workshop.</p>	<p>Yes</p>

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance?
(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality, (b) the effect of the proposed development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the proposed development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	These works will not cause any disruption to local drainage patterns, or any adjoining properties.	

**CLPP01**

**Attachment 2**



## Camden Development Control Plan 2019 (Camden DCP) Assessment Table

CLPP01

Attachment 3

Control	Assessment	Compliance?
<p><b>2.1 Earthworks</b></p> <p>Subdivision and building work should be designed to respond to the natural topography of the site wherever possible, minimising the extent of cut and fill (e.g. for steep land houses will need to be of a 'split level' design or an appropriate alternative and economical solution).</p>	<p>Minor cut is required (approximately 500mm) to construct new concrete foundations for the rear addition and reduce the height of the finished floor in the workshop.</p> <p>These works will not cause any disruption to local drainage patterns or any adjoining properties.</p>	Yes.
<p><b>2.3 Water Management</b></p> <p>All development must demonstrate compliance with the relevant provisions of Council's Engineering Specifications including requirements for detention, drainage and water sensitive urban design.</p>	<p>The proposal does not result in any increase to the existing impervious area or runoff. Downpipes will be connected from the new roof and connected to the existing stormwater system.</p>	Yes.
<p><b>2.14 Waste Management</b></p> <p>A Waste Management Plan (WMP) must be submitted for all new development, including demolitions, construction and the ongoing (or change of) use. A WMP outlines the waste that will be generated and how the development proposes to manage the waste.</p>	<p>A satisfactory WMP has been provided and compliance with it is a recommended condition. Additional conditions are also recommended for unexpected finds of contamination and asbestos.</p>	Yes.
<p><b>2.16.3 General Heritage Provisions</b></p> <p>New work must be easily identified as such and is required to be sympathetic to the heritage place.</p> <p>When alterations or additions are proposed, the removal of any existing unsympathetic elements is encouraged.</p> <p>Where significance permits modification, alterations to the original room layout of a heritage item is permissible provided the original details such as joinery, plasterwork and wall nibs and can still be interpreted</p> <p>New development must be designed to interpret and complement the general form, bulk, scale, height, architectural detail and other significant elements of the surrounding heritage place.</p>	<p>The proposed alterations and additions will remain beneath the existing roofline, enabling the new work to be easily identified.</p> <p>The existing rear verandah, sunroom, butler's pantry and toilet are later additions and unsympathetic to the original dwelling. Their removal to accommodate modern living is supported as it will help to conserve the building's historic use as a dwelling.</p> <p>Minor modifications are proposed to the original exterior wall openings at the lower ground floor lounge room and stair hallway. The new (larger) openings will be square set with head heights to match the existing doorways. The minor alterations to the upstairs bathroom and walk in robe will not necessitate any significant changes to the original fabric.</p> <p>The new addition is subservient to the original dwelling in terms of height, bulk, scale and design.</p>	Yes.

## Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
<p>Where an addition is not visible from a street or public place, greater flexibility in design may be considered.</p> <p>The significant internal and external fabric and building elements of the principal building are to be retained and conserved.</p> <p>Additions to buildings in the conservation area are to be predominantly to the rear of the existing building. Additions should not visually dominate the existing building.</p> <p>The existing pattern, pitch, materials and details of original roof forms within the Heritage Conservation Area must be retained.</p> <p>Secondary roof forms should be subservient in form, scale and location to the main roof.</p> <p>Verandas and balconies on new buildings should generally be of a contemporary design and materials that respond to the character, scale and from setting of the heritage place. Contemporary materials are permitted where their proportions, detailing and quantities are compatible with the character of the area. Large expanses of glass and reflective wall and roof cladding are not appropriate.</p> <p>Surviving original materials, finishes, textures and details must be retained and conserved where appropriate.</p> <p>Materials, finishes, and textures must be sympathetic to the historic context of the original significant buildings within the streetscape.</p> <p>The significant original internal elements of a building, such as distinctive joinery, fireplaces,</p>	<p>No alterations are proposed to the front of the dwelling. The rear addition is of a similar scale to the existing additions and will have no additional impact.</p> <p>A condition is recommended to re-use (rather than replace) the rear façade's stairwell window but raise it to allow for new roof attachment below to help to maintain symmetry and original fabric. Internal windows and doors are being re-used where possible. The workshop door is not original and will be replaced with a new timber (not aluminium) window as it is part of the original dwelling. Aluminum windows and doors are only being used for the remainder of openings in the new addition.</p> <p>The addition is located to the rear and will not visually dominate the existing building.</p> <p>The addition includes a new skillion roof which is not dissimilar to the existing addition and is subservient to the original dwelling.</p> <p>As above.</p> <p>The new verandah at the rear will be constructed of colorbond roof sheeting and timber posts and will not be visible from the public domain.</p> <p>Conditions are recommended for the retention of timber windows and doors where appropriate.</p> <p>The proposed materials are sympathetic to the existing dwelling and the surrounding streetscape.</p> <p>The dwelling contains intricate timber detailing inside and feature windows. No changes are</p>	

CLPP01

Attachment 3

## Camden Development Control Plan 2019 (Camden DCP) Assessment Table

CLPP01

Attachment 3

Control	Assessment	Compliance?
<p>decorative plasterwork are generally to be retained and conserved in heritage places</p> <p>Colour schemes on heritage items must be appropriate and sympathetic to the building type period and architectural style.</p> <p>Where shutters and grills are considered necessary for property protection, they must be designed to suit the character of the building, be set back from the face of the surrounding wall, be of an open nature and have minimal impact on the existing building fabric.</p> <p>Where consent is issued for demolition, or part demolition, of a heritage place a comprehensive diagrammatic and photographic archival record is to be made of the structure to be demolished. This must be submitted to Council's satisfaction prior to commencement of any demolition works. A heritage consultant experienced in the preparation of an archival recording is required to undertake the recording.</p>	<p>proposed to these significant features, or the surviving timber floors, plasterwork etc.</p> <p>All materials will be sourced to match the existing brown brick façade and existing window and trim colours.</p> <p>The submitted BASIX certificate requires new external awnings over W1 and D1 (new kitchen window and door on north side) and W4 (new workshop window on south side). A condition is recommended to ensure the kitchen awnings are designed to complement the new addition to the rear (Colorbond and timber), however as the workshop is not regularly habited and is on the southern side not needing sun shading, it will be an improved heritage outcome to have no hood. Conditions are recommended for the BASIX and plans to be updated prior to the issue of a construction certificate.</p> <p>A condition is recommended for a detailed photographic archival recording to be provided prior to the issue of any construction certificate.</p>	
<p>2.16.4 Camden Heritage Conservation Area</p> <p>Views associated with the St John's Church spire must not be compromised.</p> <p>Original uses of significant buildings should be encouraged and facilitated. Where this is no longer possible, appropriate adaptive re-use opportunities can be used to facilitate the conservation of these buildings.</p> <p>Existing cottage dominated streetscapes must be retained, new development such as extensions/additions should be compatible with the existing streetscape.</p> <p>A two storey height limit must prevail except for significant architectural features incorporated into the design of buildings in significant locations.</p>	<p>Views associated with the St John's Church spire will not be impacted by the proposal.</p> <p>The original residential use of the dwelling will be maintained.</p> <p>The proposal will not adversely impact on the prevailing pattern of single storey cottages along Menangle Road.</p> <p>The existing extent of the two storey dwelling will remain, with the new additions being limited to single storey.</p>	Yes.

## Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Camden Development Control Plan 2019 - Dwelling Controls			
Section	Control	Assessment	Compliance?
4.2.1 Site Analysis	A site analysis plan must be provided	Provided and sufficient	Yes
4.2.2 Cut and Fill	≤1m cut and fill	Minimal cut (500mm) is required for rear slab foundations and new workshop floor	Yes
	Height of voids ≤3m (refer to Figure 4-1)	No new sub-floor or stair voids proposed	N/A
4.2.3 Streetscape and Architectural Design	Primary street facade must incorporate ≥2 design features	No changes are proposed to the existing front façade	N/A
	≥450mm eaves overhang measured from the fascia board (except for walls built to the boundary)	No new eaves are proposed, however new verandah and window awnings will provide sufficient sun shading	Yes
	Pitch of hipped and gable roof forms on main dwelling between 18° and 30°	New skillion roofs to addition and rear verandah are 10°, however N/A as skillion roofs not subject to this control  The proposed roof design has been reviewed by Council's Heritage Advisor and is supported	N/A
4.2.4 Setbacks (Regular Lots)	≥4.5m front setback	No change to existing front setback	N/A
	2m secondary street setback	There is no secondary street frontage	N/A
	Garage and carports ≥1m behind the building line and ≥5.5m from the road boundary for both primary and secondary street frontages	No changes proposed to existing detached garage located to the rear of the site, behind the existing building line	N/A
	Design features may encroach into the primary street setback ≤1.5m	No change to existing front setback	N/A
	≥0.9m side setback	Northern side – Minimum 2.925m Southern side – Minimum 4.295m	Yes
	Walls along side boundaries must be articulated	N/A due to heritage design of dwelling	N/A
	≥4m rear setback for single storey dwellings and building elements	9.835m	Yes
	≥6m rear setback for two storey dwellings	No change to existing first floor rear setback	N/A
4.2.5 Height, Site Coverage and Siting	Compliance with the Camden LEP height of buildings development standard	Full compliance with the LEP's development standard for height	Yes
	≤2 storeys where height of buildings development standard ≤9.5m	Maximum of 2 storeys and new additions only single storey	Yes
	Ground floor level ≤1m above finished ground level unless no adverse impacts	The finished floor level of the new rear addition will be at natural ground level	Yes
	For lots ≥450m <sup>2</sup> , ≤50% ground floor and ≤30% upper floor site coverage for two storey development	No change to existing upper floor of 120m <sup>2</sup> (excluding front porch and verandah) / 657.6m <sup>2</sup> = 18%  Proposed lower ground floor of 156m <sup>2</sup> (dwelling) + 23m <sup>2</sup> (detached garage) + 7m <sup>2</sup> (enclosed metal shed) = 186m <sup>2</sup> / 657.6m <sup>2</sup> = 28%	Yes
4.2.6 Landscaped Area	≥30% landscaped area (refer to Figure 4-5)	Total impermeable area of 234.5m <sup>2</sup> / 657.6m <sup>2</sup> = 35%	Yes
	≥40% of front setback must be landscaped area	No change to existing front landscaped area	N/A
	A landscaping plan must be provided	No change to existing landscaping proposed or required	N/A
4.2.7 Principal Open Space (PPOS)	PPOS must be located behind the building line and directly accessible from a habitable room (other than a bedroom)	No change to existing PPOS location which is behind the building line and will continue to be accessed from the rear living spaces	Yes
	PPOS ≥4m wide, ≥4m deep and ≤1:10 gradient	>150m <sup>2</sup> of PPOS has a minimum dimension of 6m and ≤1:10 gradient	Yes
	For lots >10m wide, ≥24m <sup>2</sup> PPOS	>150m <sup>2</sup>	Yes


CLPP01

Attachment 3

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

CLPP01

Attachment 3

<p>4.2.8 Solar Access</p>	<p>≥1 living area must receive ≥3 hours direct sunlight between 9am and 3pm on 21 June</p>	<p>Lounge, kitchen, dining and rear verandah will receive ≥3 hours direct sunlight between 9am and 3pm on 21 June</p>	<p>Yes</p>
	<p>Direct sunlight must reach ≥50% of the PPOS of the subject dwelling and any adjoining dwelling for ≥3 hours between 9am and 3pm on 21 June</p> 	<p>Direct sunlight will reach ≥50% of the PPOS of the subject dwelling and the adjoining dwellings for ≥3 hours between 9am and 3pm on 21 June</p>	<p>Yes</p>
	<p>≥1 window to a living area of neighbouring dwellings must receive ≥3 hours sunlight between 9am and 3pm on 21 June</p>	<p>The proposed rear single storey extension will cover the same dwelling and alfresco deck extension (roofed) will only be 1.4m longer than the existing rear building line for the laundry being demolished. This will have a negligible impact on the solar access to living areas for the adjoining dwelling at No. 7 Menangle Road</p>	<p>Yes</p>
<p>4.2.9 Visual and Acoustic Privacy</p>	<p>Privacy screen or fixed obscure glass provided for any part of a first floor habitable room window that is less than 1.5m above the finished floor level of that room (if the room overlooks an adjacent dwelling window or the private open space of an adjacent dwelling)</p>	<p>No new habitable room windows proposed to upper floor</p>	<p>N/A</p>

## Camden Development Control Plan 2019 (Camden DCP) Assessment Table

	First floor balconies or decks facing side or rear boundaries only permitted where there are no adverse privacy impacts.	No new first floor balconies or decks	N/A
4.2.10 Parking, Garages and Site Access (General)	≥2 car parking spaces for 3+ bedroom dwellings	4 bedrooms proposed, with 1 space provided in existing detached garage behind the building line and additional driveway spaces	Yes
	≥1 car parking space must be behind the building line where the space is accessed from the street on the front property boundary	As above	N/A
	For lots ≤7m wide, garages must be accessed from a rear lane	Site is 23m wide at the building line	N/A
	For lots >7m and <15m wide, garage doors must be ≤60% of the dwelling's front elevation width	As above	N/A
	For lots >15m wide, garage doors must be ≤50% of the dwelling's front elevation width	No change proposed to existing detached single garage, which has a door width <50% of the existing dwelling's front elevation width	Yes
4.2.10 Parking, Garages and Site Access (Secondary Driveways)	1 driveway is permitted per residential property. Secondary driveways will be considered on merit in accordance with the Camden DCP	No change proposed to existing single driveway	Yes
4.2.11 Fencing	Front fencing ≤1.2m above existing ground level and open style with minimum apertures of 25mm (refer to Figure 4-6)	No change to existing front picket fencing	N/A
	All other fencing must comply with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	No changes proposed to existing side or rear fencing	N/A
4.2.12 Waste Storage Areas and Waste Collection Areas	Waste storage and collections are to be shown on DA plans. Waste storage areas are to be provided behind the building line	The proposed dwelling addition will not preclude bins from being stored beside or behind the existing dwelling	Yes

CLPP01

Attachment 3

1. LEVELS SHOWN ARE APPROXIMATE AND ARE TO BE VERIFIED ON SITE BY THE BUILDER AND ALL ASSOCIATED TRADES
2. FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALING AND ARE TO BE CHECKED AND CONFIRMED ON SITE
3. ALL UNITS OF MEASUREMENT ARE MM (MILLIMETERS) UNLESS OTHERWISE SPECIFIED
4. DIMENSIONS ARE TO BE CONFIRMED ON SITE BY BUYER PRIOR TO THE COMMENCEMENT OF WORKS
5. ANY ITEMS SHOWN OR DRAWN WITHIN THE ENCLOSURE PLANS THAT ARE NOT LISTED OR DISPLAYED, ARE TO BE DEEMED AN EXCLUSION

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CLIENT:  
Vicki Kennedy

ADDRESS:  
**Lot D DP412293**  
**9 Menangle Road**  
**Camden, 2570**

Proposed Additions & Alterations

CLIENT APPROVAL	
INITIAL OR SIGNATURE	DATE

NOTE: ONLY ONE CLIENT IS REQUIRED TO INITIAL/SIGN THE ENCLOSED PLANS SIGNIFYING THE ACCEPTANCE AND AGREEMENT OF THE DESIGN AND REQUIREMENT TO PAY ANY OUTSTANDING ASSOCIATED FEES

DRAWING:  
Existing Site Plan

Working Drawings	REVISION
SCALE @ A3:	1
1 : 200	11-5-2022

JOB NUMBER: 21197-10.j.g  
PAGE:



Suite 5, Level 1, Harrington Plaza  
23 Fairwater Dr, Harrington Park  
NSW 2567  
1300 433 846



ROAD  
MENANGLE

BENCH MARK  
NAIL IN KERB  
92.06(A.H.D.)

SCHEDULE OF WINDOWS

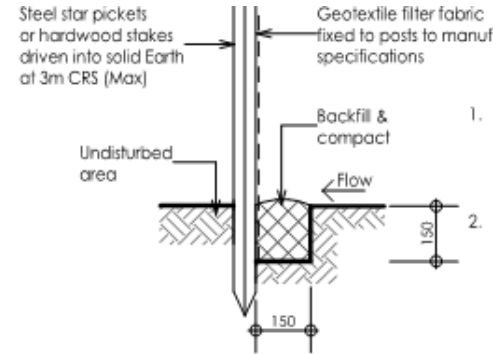
No.	SILL RL	HEAD RL
1	90.95	91.90
2	92.39	94.30
3	91.43	92.21
4	92.39	94.30
5		94.82

Existing Site Plan  
1 : 200



Lot D DP412293

obs	Obscured
HWS	Hot Water Service
RWT	Rainwater Tank
ACU	Air-Conditioning Unit
aj	Articulation Joint
deb	Drop Edge Beam
dp	Downpipe
POS	Private Open Space



- Soil Erosion & Sediment Control**
1. Siltation fencing is to be placed as shown on the site plan so as to prevent silt run-off to any adjoining property or to the street. This measure is to be placed prior to any Earthworks and is to be removed only once the sites surface is stable (i.e paving landscaping, turfing etc)
  2. 40mm crushed rock aggregate is to be placed as an access driveway to the site and must be maintained throughout the course of construction

Typical Silt Fence  
1:20

1. LEVELS SHOWN ARE APPROXIMATE AND ARE TO BE VERIFIED ON SITE BY THE BUILDER AND ALL ASSOCIATED TRADES
2. FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALING AND ARE TO BE CHECKED AND CONFIRMED ON SITE
3. ALL UNITS OF MEASUREMENT ARE MM (MILLIMETERS) UNLESS OTHERWISE SPECIFIED
4. DIMENSIONS ARE TO BE CONFIRMED ON SITE BY BUILDER PRIOR TO THE COMMENCEMENT OF WORKS
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Proposed Additions & Alterations

CLIENT APPROVAL

INITIAL OR SIGNATURE	DATE

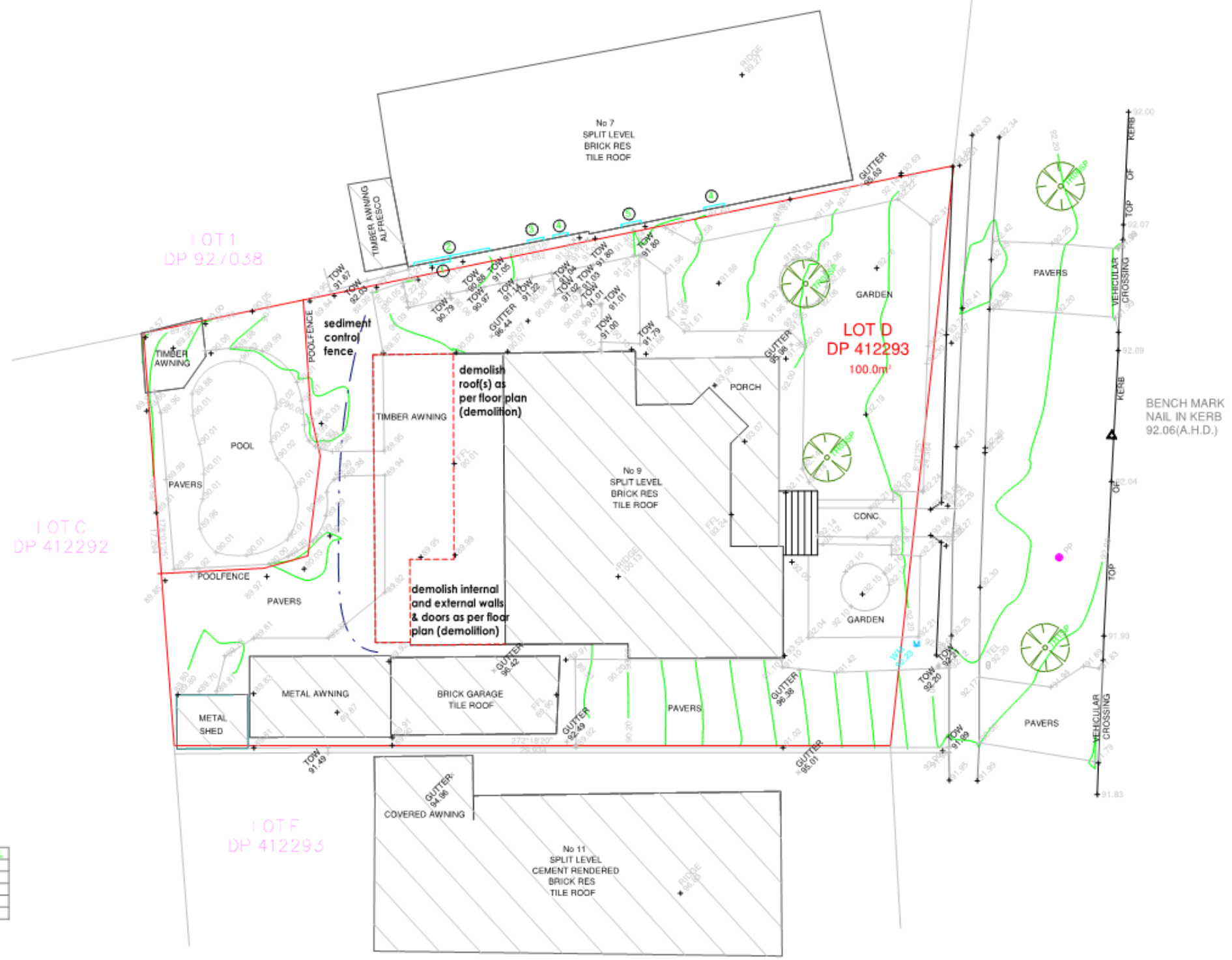
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DRAWING:  
Demolition Plan (Site)

Working Drawings	REVISION
SCALE @ A3: As indicated	1
	11-5-2022

JOB NUMBER: 21197-10.j.g  
PAGE

ROAD  
MENANGLE



SCHEDULE OF WINDOWS

No.	SILL RL	HEAD RL
1	90.95	91.90
2	92.39	94.30
3	91.43	92.21
4	92.39	94.30
5		94.82

NORTH

Lot D DP412293

**DEVINE**  
DRAFTING & DESIGN

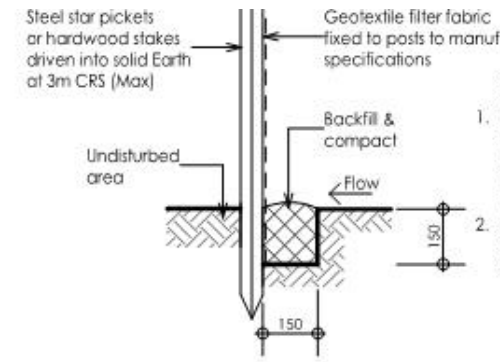
Suite 5, Level 1, Harrington Plaza  
23 Fairwater Dr, Harrington Park  
NSW 2567

1300 433 846



Site Coverage (footprints): 229.78m<sup>2</sup> / 34.94%  
 (including unenclosed areas such as the Porch, but excludes the Pool & Enclosure)  
**Landscaped Area: 182.20m<sup>2</sup> / 27.70%**  
 (in 1.5m x 1.5m Permeable only)

- obs Obscured
- HWS Hot Water Service
- RWT Rainwater Tank
- ACU Air-Conditioning Unit
- aj Articulation Joint
- deb Drop Edge Beam
- dp Downpipe
- POS Private Open Space



**Soil Erosion & Sediment Control**

1. Siltation fencing is to be placed as shown on the site plan so as to prevent silt run-off to any adjoining property or to the street. This measure is to be placed prior to any Earthworks and is to be removed only once the sites surface is stable (i.e paving landscaping, turfing etc)
2. 40mm crushed rock aggregate is to be placed as an access driveway to the site and must be maintained throughout the course of construction

Typical Silt Fence  
1:20

1. LEVELS SHOWN ARE APPROXIMATE AND ARE TO BE VERIFIED ON SITE BY THE BUILDER AND ALL ASSOCIATED TRADES
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4. DIMENSIONS ARE TO BE CONFIRMED ON SITE BY BUILDER PRIOR TO THE COMMENCEMENT OF WORKS
5. ANY ITEMS SHOWN OR DRAWN WITHIN THE ENCLOSURE PLANS THAT ARE NOT LISTED OR DISPLAYED, ARE TO BE DEEMED AN EXCLUSION

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Vicki Kennedy

ADDRESS:  
Lot D DP412293  
9 Menangle Road  
Camden, 2570

**Proposed Additions & Alterations**

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INITIAL OR SIGNATURE	DATE

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DRAWING:  
Site Plan

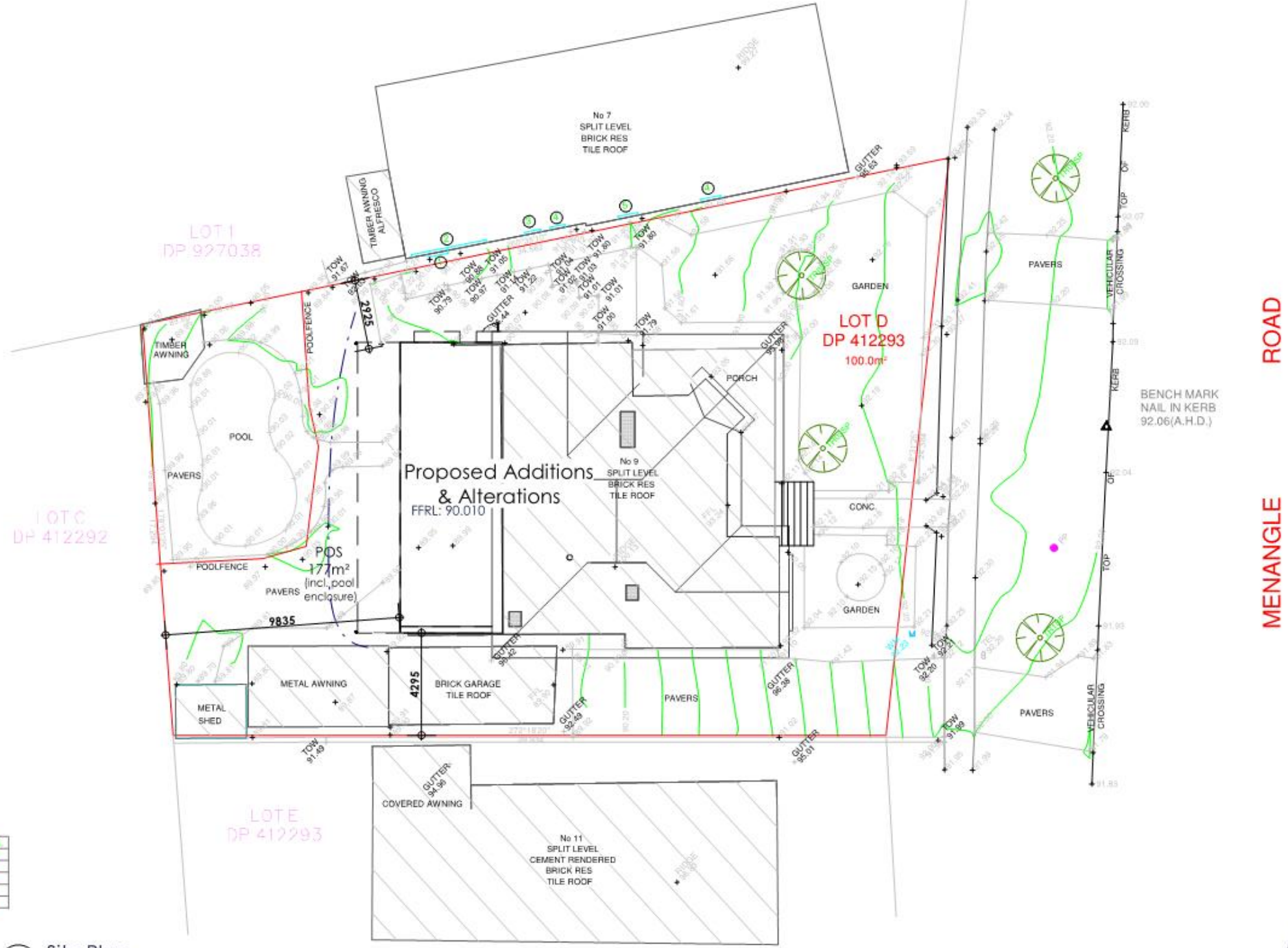
Working Drawings	REVISION
SCALE @ A3:	1
As indicated	11-5-2022

JOB NUMBER: 21197-10.j.g  
PAGE

NORTH

**DEVINE**  
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Suite 5, Level 1, Harrington Plaza  
23 Fairwater Dr, Harrington Park  
NSW 2567  
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**SCHEDULE OF WINDOWS**

No.	SILL RL	HEAD RL
1	90.95	91.90
2	92.39	94.30
3	91.43	92.21
4	92.39	94.30
5		94.82

Site Plan  
1:200

Variation to Camden DCP required:  
(landscaped area)

Lot D DP412293

3 - Smoke Alarm

Legend

obs	Obscured
HWS	Hot Water Service
RWT	Rainwater Tank
ACU	Air-Conditioning Unit
aj	Articulation Joint
deb	Drop Edge Beam
dp	Downpipe
POS	Private Open Space

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DRAWING:  
Existing Floor Plans

Working Drawings	REVISION
SCALE @ A3: As indicated	1
	11-5-2022

JOB NUMBER: PAGE  
21197-10.j.g

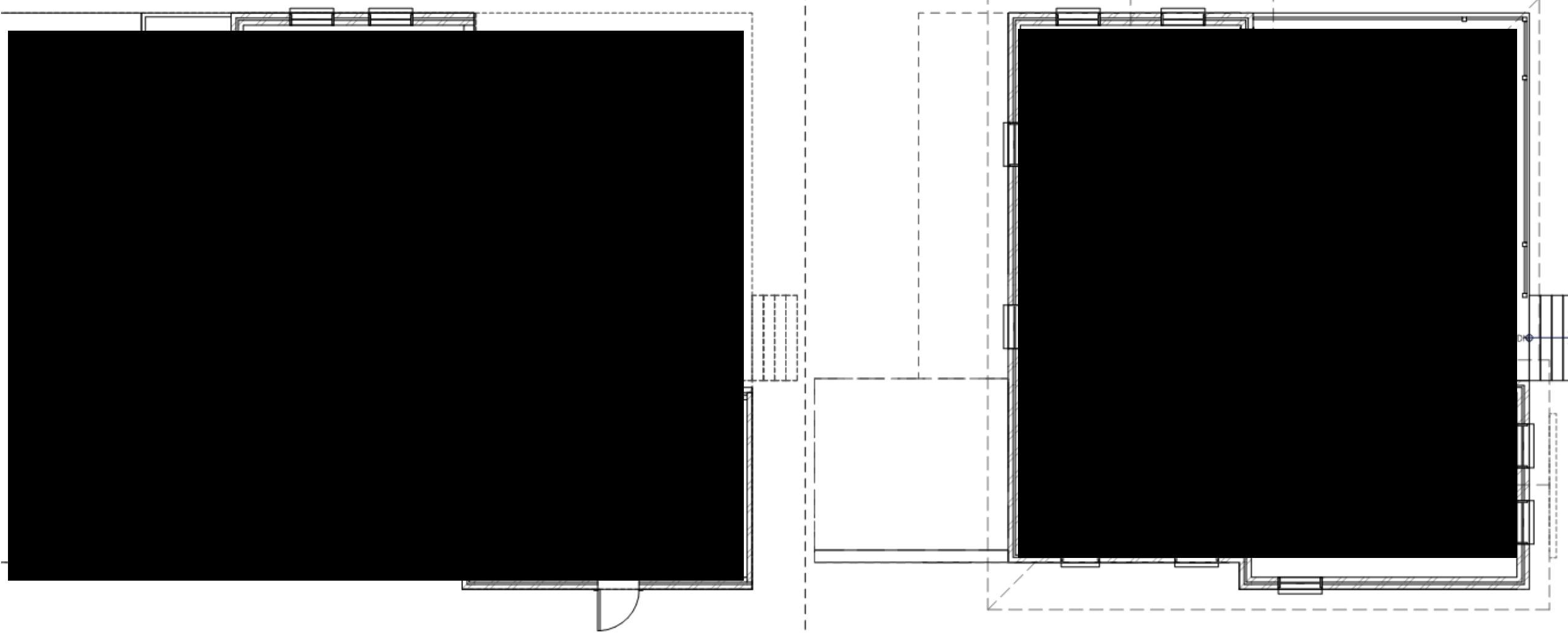


Lot D DP412293

**DEVINE**  
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Suite 5, Level 1, Harrington Plaza  
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NSW 2567

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Existing Lower Ground Floor Plan  
1 : 100

Existing Ground Floor Plan  
1 : 100

Existing Floor Areas

Lower Living:	137.04sqm
Upper Living:	120.53sqm
Porch:	24.48sqm
Verandah:	33.58sqm
Total Floor Area:	315.63sqm

(S) - Smoke Alarm

Legend

obs	Obscured
HWS	Hot Water Service
RWT	Rainwater Tank
ACU	Air-Conditioning Unit
aj	Articulation Joint
deb	Drop Edge Beam
dp	Downpipe
POS	Private Open Space

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DRAWING:  
Demolition Plans  
(Floor)

Working Drawings	REVISION
SCALE @ A3: As indicated	1 11-5-2022

JOB NUMBER: 21197-10 j.g  
PAGE:



**DEVINE**  
DRAFTING & DESIGN

Suite 5, Level 1, Harrington Plaza  
23 Fairwater Dr, Harrington Park  
NSW 2567  
1300 433 846

Re-use French doors  
in widened  
hall/dining opening

Existing window to  
be re-used and  
raised to  
accommodate new  
roof below

Re-use existing door  
elsewhere in dwelling  
(potentially Bedroom 2  
or linen entry)

○ Lower Ground Floor Demolition Plan  
1:100

○ Ground Floor Demolition Plan  
1:100

**Legend**

obs	Obscured
HWS	Hot Water Service
RWT	Rainwater Tank
ACU	Air-Conditioning Unit
aj	Articulation Joint
deb	Drop Edge Beam
dp	Downpipe
POS	Private Open Space

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**9 Menangle Road**  
**Camden, 2570**

Proposed Additions & Alterations

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DRAWING:  
Lower Floor Plan

Working Drawings	REVISION
SCALE @ A3: As indicated	1
	11-5-2022

JOB NUMBER: 21197-10.j.g PAGE

NORTH

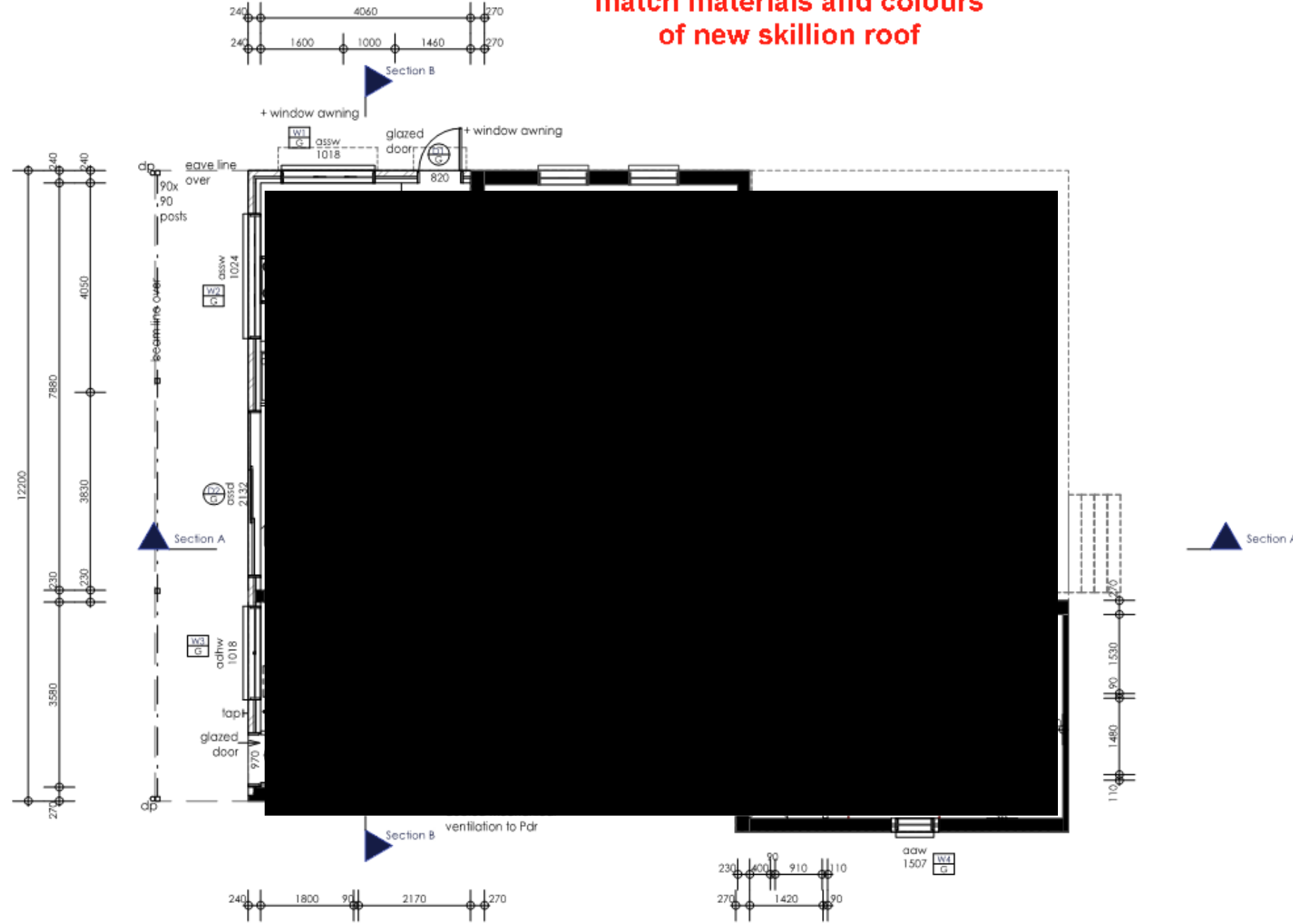


**DEVINE**  
DRAFTING & DESIGN

Suite 5, Level 1, Harrington Plaza  
23 Fairwater Dr, Harrington Park  
NSW 2567

Lot D DP412293  
1300 433 846

**New W1 and D1 awnings to match materials and colours of new skillion roof**



○ Lower Ground  
1 : 100

Floor Areas

(Added) Lower Living:	18.94sqm
Existing Lower Living:	137.04sqm
Existing Upper Living:	120.53sqm
Porch:	24.48sqm
<b>Total Floor Area:</b>	<b>300.99sqm</b>

**No awning to be erected over new window W4 and W4 to be constructed of timber, not aluminium**

ceilings & supports to be determined by engineer

upper floor windows (where open to external drop of at least 1m (from FFRL)) to be fitted with operation restriction devices

(S) - Smoke Alarm

Legend

obs	Obscured
HWS	Hot Water Service
RWT	Rainwater Tank
ACU	Air-Conditioning Unit
aj	Articulation Joint
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dp	Downpipe
POS	Private Open Space

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Proposed Additions & Alterations

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DRAWING:  
Upper/Ground Floor Plan

Working Drawings	REVISION
SCALE @ A3: As indicated	11-5-2022

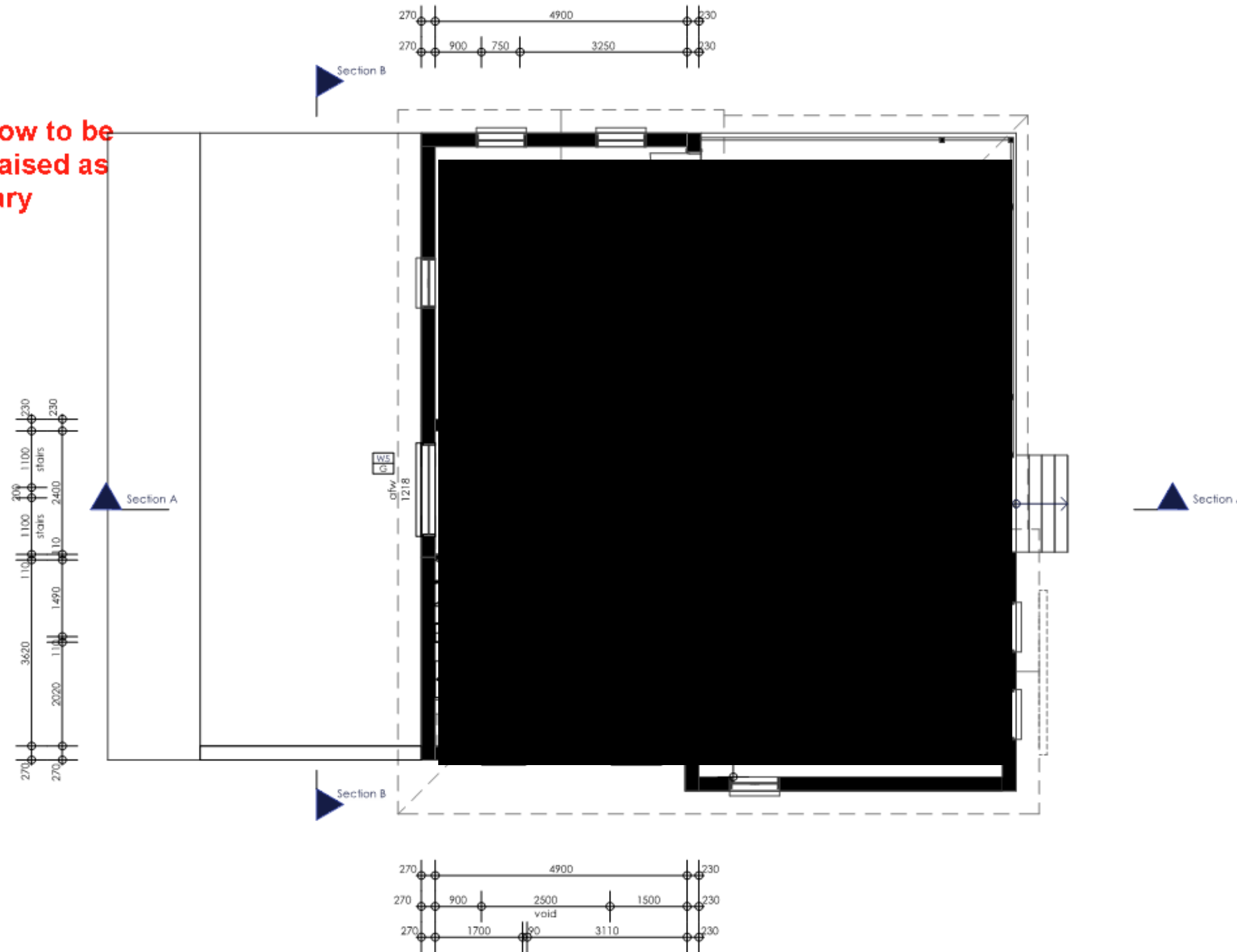
JOB NUMBER: 21197-10.j.g PAGE



**DEVINE**  
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Suite 5, Level 1, Harrington Plaza  
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NSW 2567  
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Existing window to be re-used and raised as necessary



Upper Ground Floor Plan  
1:100

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Proposed Additions & Alterations

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DRAWING:  
Elevations

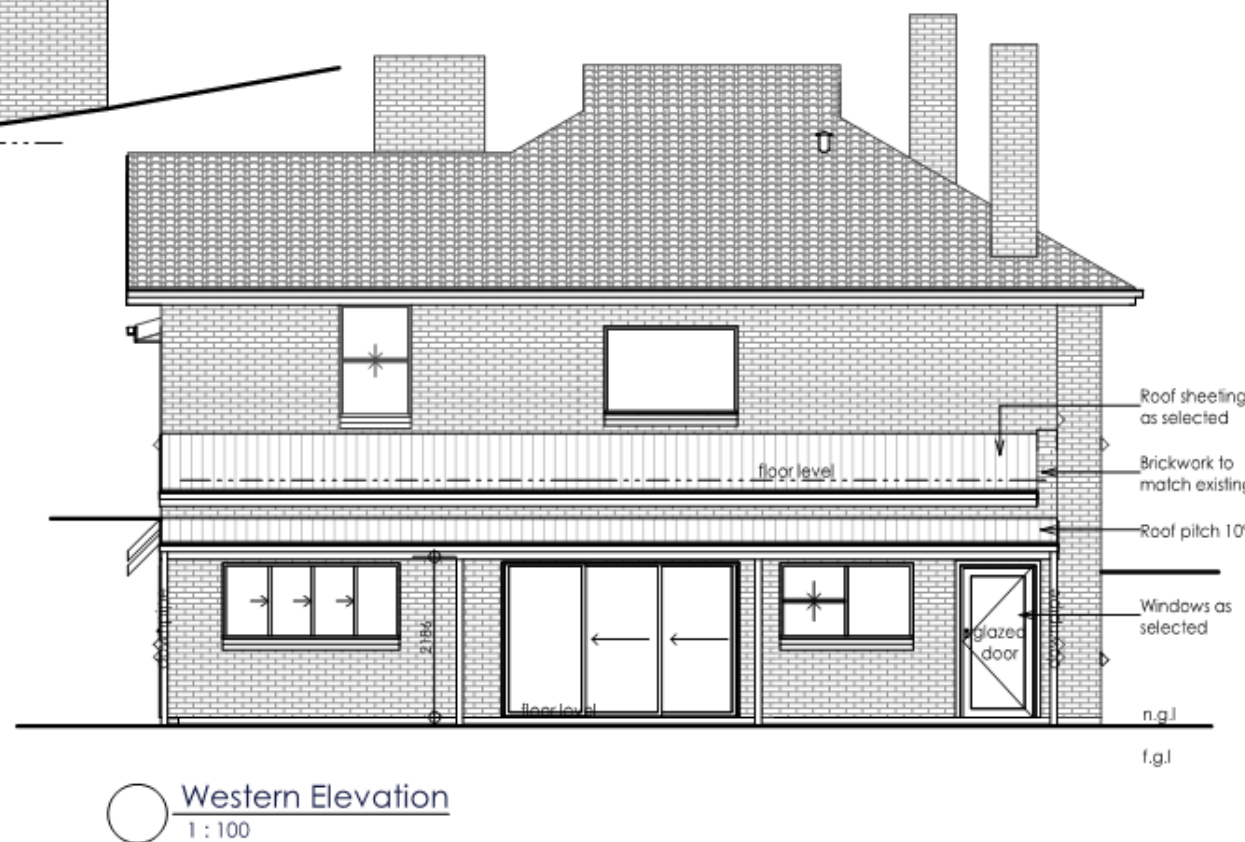
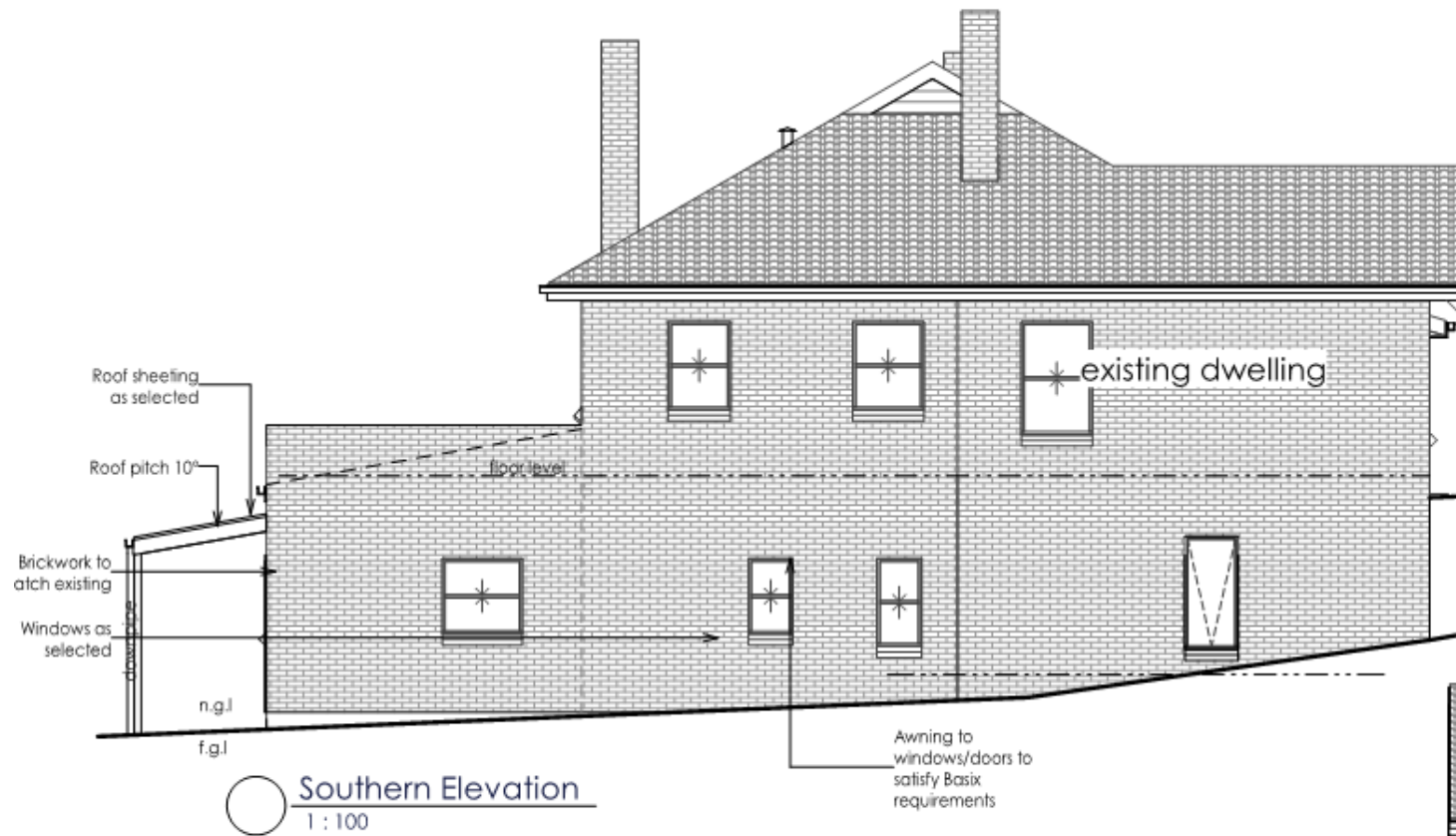
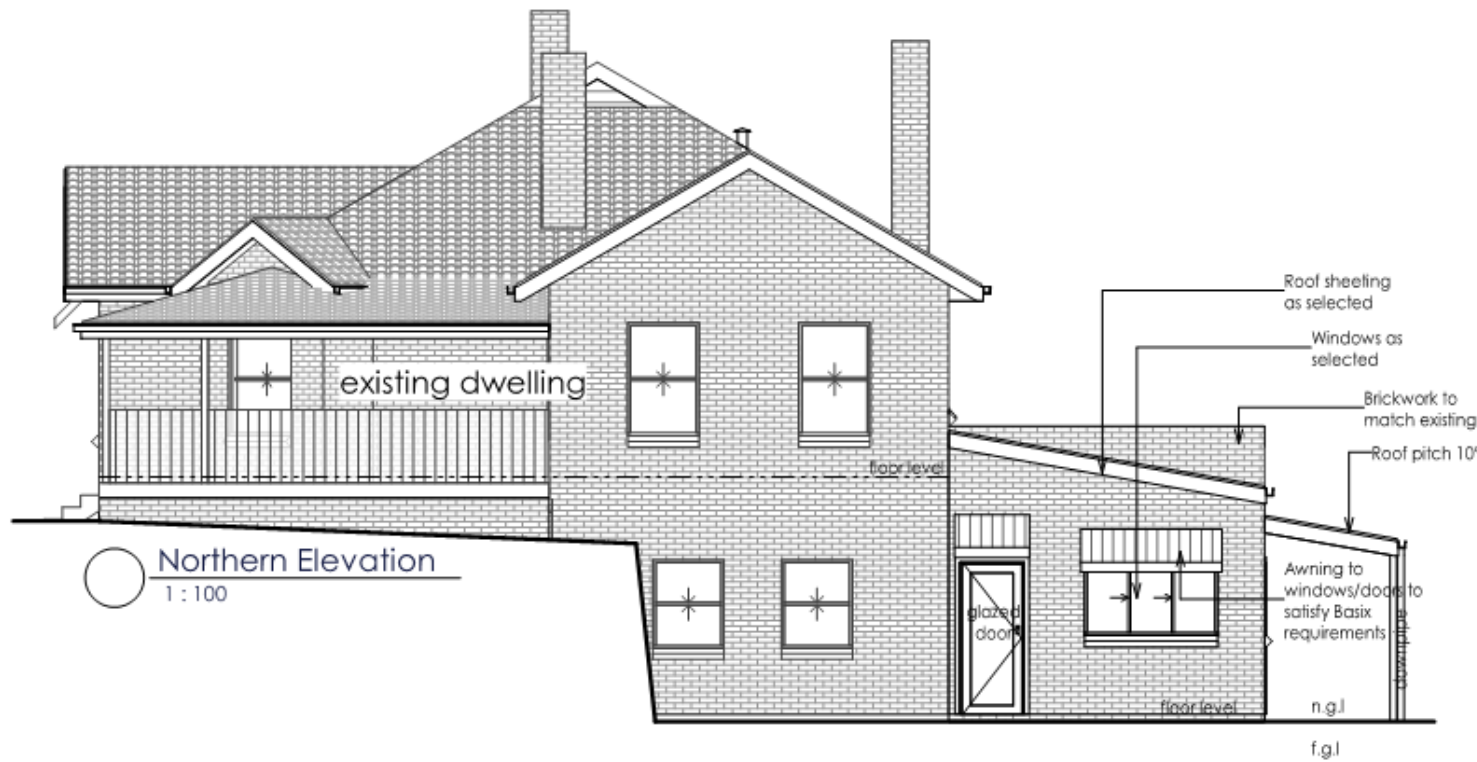
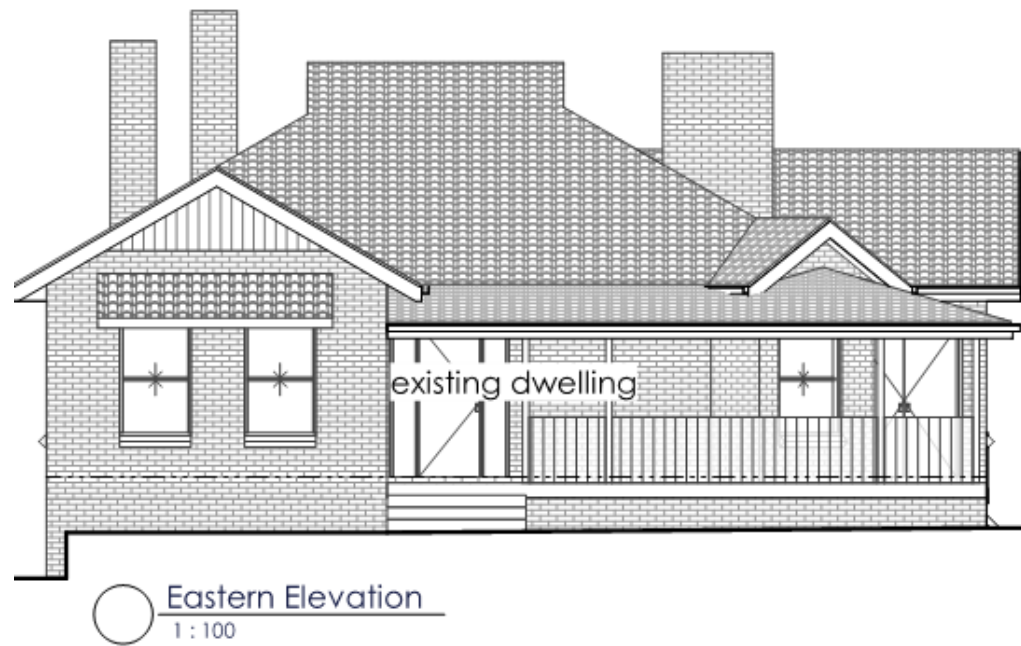
Working Drawings	REVISION
SCALE @ A3: 1 : 100	1
	11-5-2022

JOB NUMBER: 21197-10.j.g PAGE



Suite 5, Level 1, Harrington Plaza  
23 Fairwater Dr, Harrington Park  
NSW 2567  
1300 433 846

CLPP01



**This window to be constructed in timber, not aluminium**

**Window and door hoods to match new roof**

**Existing window to be re-used and raised as necessary**

**No new awnings permitted on this elevation**

**These existing windows are to remain and not be replaced**

Attachment 4

Legend

obs	Obscured
HWS	Hot Water Service
RWT	Rainwater Tank
ACU	Air-Conditioning Unit
aj	Articulation Joint
deb	Drop Edge Beam
dp	Downpipe
POS	Private Open Space

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Proposed Additions & Alterations

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DRAWING:  
Sections

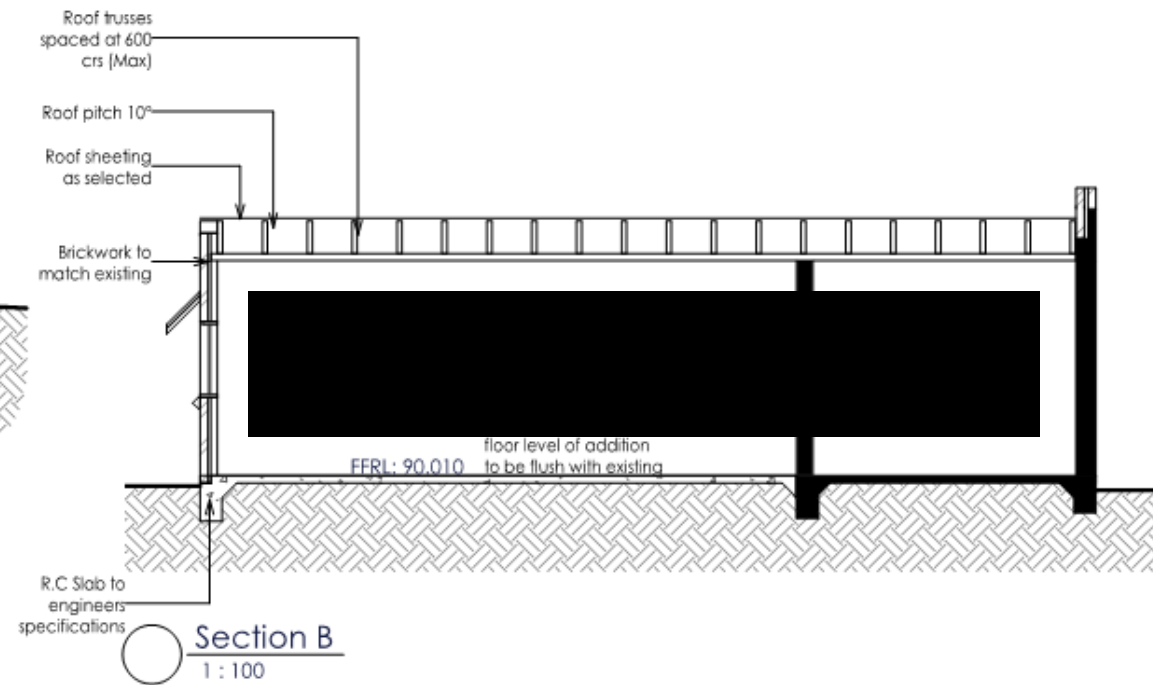
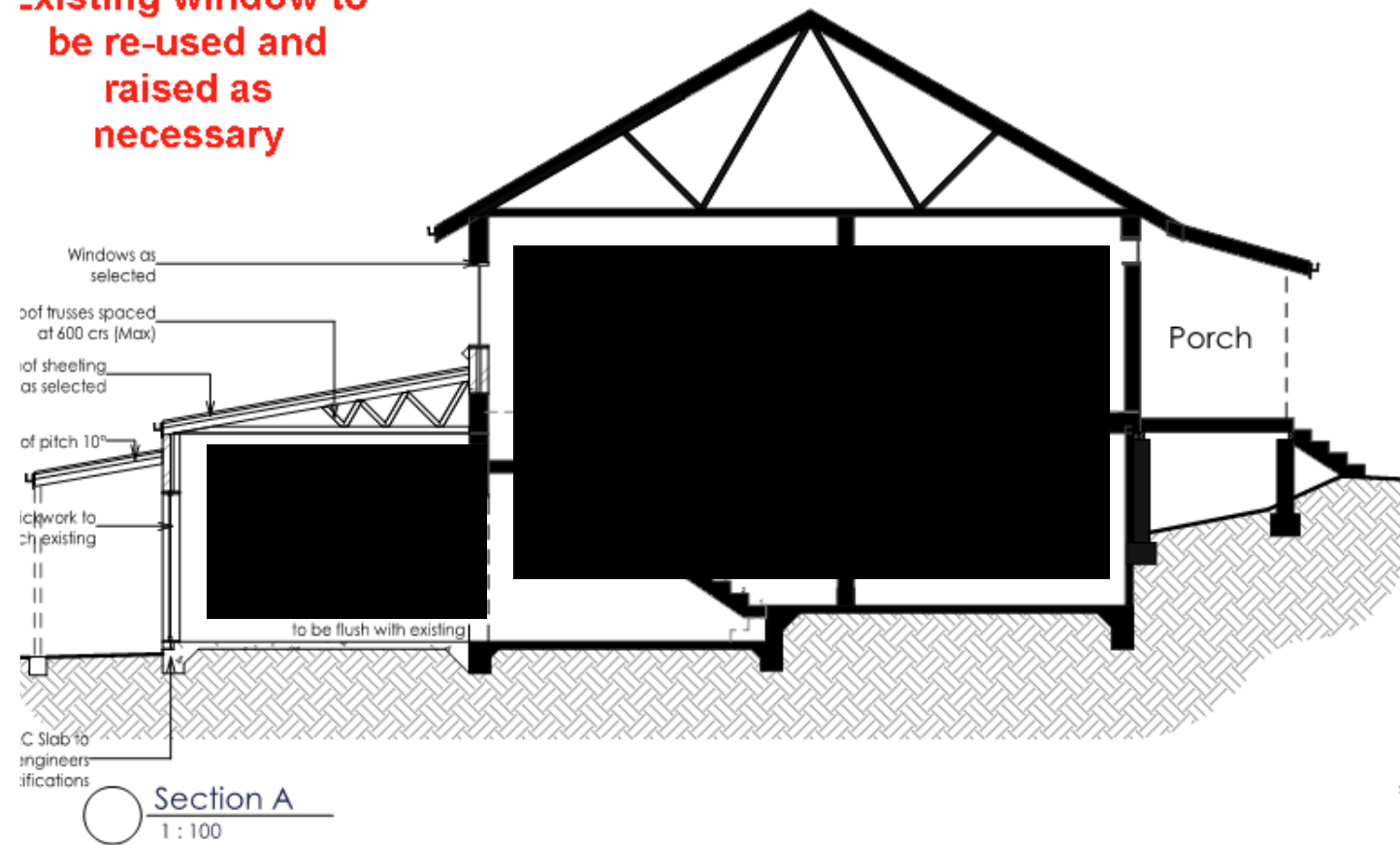
Working Drawings	REVISION
SCALE @ A3: As indicated	1
	11-5-2022

JOB NUMBER: 21197-10.j.g  
PAGE:



Suite 5, Level 1, Harrington Plaza  
23 Fairwater Dr, Harrington Park  
NSW 2567  
1300 433 846

Existing window to be re-used and raised as necessary









Window Schedule

Number	Description	Height	Width	Head Height	Orientation	Frame Type	Glazing Type
ossw 1018		1030	1810	2100	N	Aluminium, Standard	Single, Clear
ossw 1024		1030	2410	2100	W	Aluminium, Standard	Single, Clear
acfhw 1018		1030	1810	2100	W	Aluminium, Standard	Single, Clear
acfhw 1018		1030	1810	2100	S	Aluminium, Standard	Single, Clear
afw 1807		1800	730	2400	S	Aluminium, Standard	Single, Clear
afw 1218		1200	1810	2100	W	Aluminium, Standard	Single, Lo-Tsal low-e
acfhw 1012 obs		1030	1210	2100	S	Aluminium, Standard	Single, Clear

External Door Schedule

Number	Description	Height	Width	Orientation	Frame Type	Glazing Type
	Hinged Door	2040	820	N	Aluminium, Standard	Single, Clear
	ssd 2132	2100	3224	W	Aluminium, Standard	Single, Clear
	Hinged Door	2040	970	W	Aluminium, Standard	Single, Clear

- \* Window headheights as per schedule/floor plan
- \* Internal door heights to match existing

Internal Door Schedule		
Type Mark	Description	Count
	Hinged Door	1
	Hinged Door	2
	Hinged Door	1
ssd	Cavity Sliding Door	1
ssd (glazed) Door	External Sliding Door	1

**Window and door schedule and BASIX Certificate to be updated to be consistent with consent conditions**

**NOTE:**  
Colours and materials of additions and alterations to match existing dwelling.

BASIX NOTES

Water

- Showerhead(s): 3 Star - (<9 L/min)
- Toilet(s): 3 Star
- Kitchen Tap(s): 3 Star
- Basin Tap(s): 3 Star

Energy

- Hot Water Service: n/a
- Cooling: None
- Heating: None
- Cooling/Heating Zoned: n/a
- LED or Fluorescent lighting to:
  - A minimum of 40% of new or altered light fixtures must be fitted with fluorescent, compact fluorescent, or light-emitting diode (LED) lamps
- Photovoltaic System: None

Thermal Comfort

- > Insulation:
  - R1.16 Insulation to external walls
  - R3.00 Insulation to ceilings with roof above

Sarking to underside of roof

Roof Colour: Medium

Granite Guard termite barrier.

Weatherstripping to all external doors.

Quick-release hinged to be fitted to WC, Bath, Pdr or Ensuite (where applicable).

Construction to be in accordance with the BCA and any other relevant Australian Standards.

Insulation must be installed in accordance with NCC/BCA & relevant Australian standards.

NOTE: all dimensions to be verified and confirmed on site prior to the commencement of work.

Floor tiling as per plan detailing/tender

- TRADES
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Proposed Additions & Alterations

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INITIAL OR SIGNATURE	DATE

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DRAWING:  
Door/Window Schedule & Basix Notes

Working Drawings	REVISION
SCALE @ A3: 1 : 10	1 11-5-20

JOB NUMBER: PA  
21197-9 j.g

**DEVIN**  
DRAFTING & DESIGN

Suite 5, Level 1, Harrington P  
23 Fairwater Dr, Harrington NSW 2567





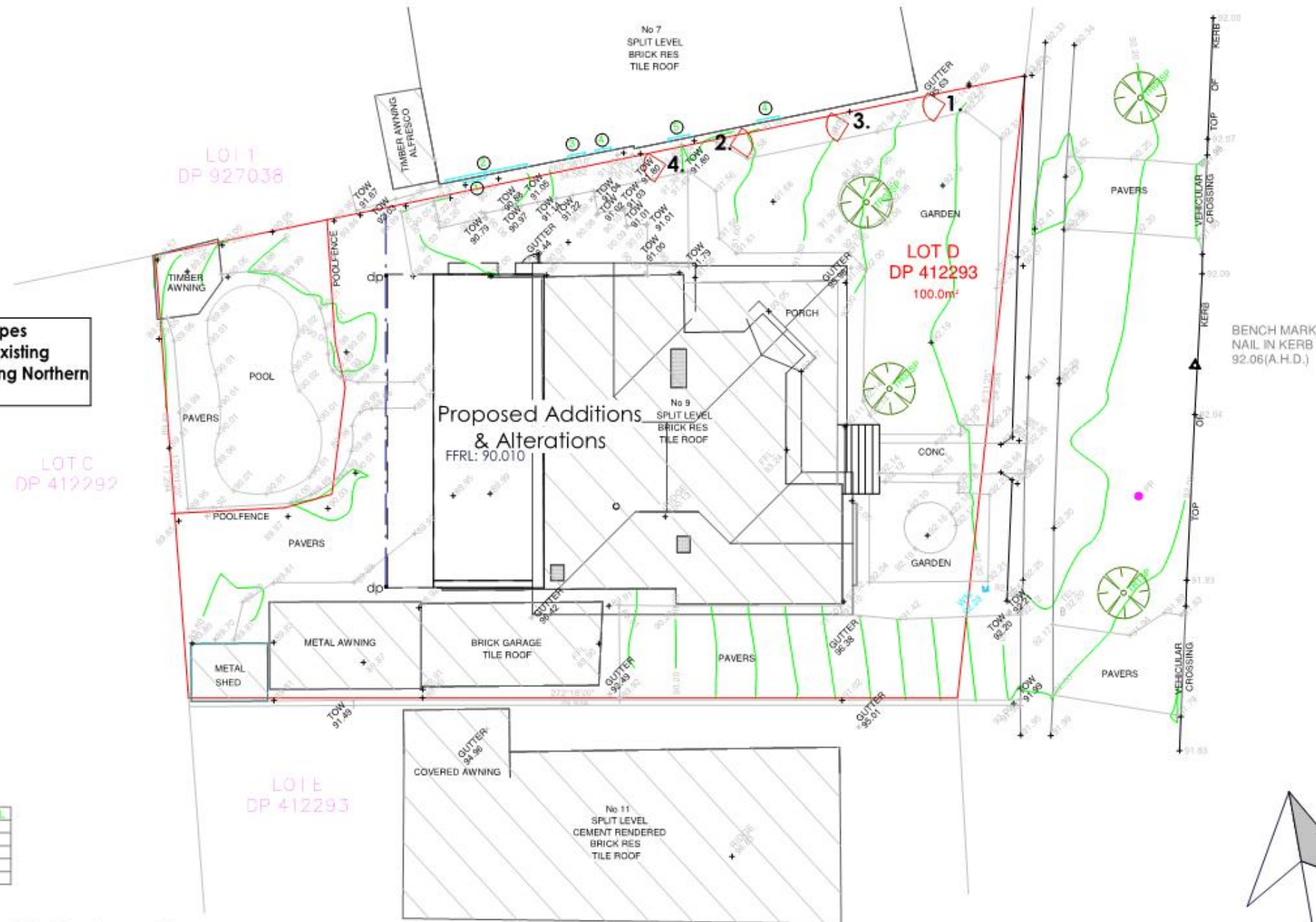
1.

2.

3.

4.

proposed or altered downpipes  
(to drain water) to drain to existing  
drainage swale located along Northern  
Boundary of the subject site



SCHEDULE OF WINDOWS

No.	SILL RL	HEAD RL
1	90.95	91.90
2	92.39	94.30
3	91.43	92.21
4	92.39	94.30
5		94.82

○ Drainage Plan  
1 : 200

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DRAWING:  
Stormwater Plan

Working Drawings	REVISION
SCALE @ A3: 1 : 200	1 11-5-2022

JOB NUMBER: 21197-10.j.g  
PAGE 1



NORTH

**DEVINE**  
DRAFTING & DESIGN

Suite 5, Level 1, Harrington Plaza  
23 Fairwater Dr, Harrington Park  
NSW 2567  
1300 433 846



## CLPP02

CLPP02

**SUBJECT: DA/2022/456/1 - CONSTRUCTION OF A SINGLE STOREY DWELLING HOUSE WITH ASSOCIATED SITE WORKS - 14 CONNOR WAY, ORAN PARK**

**FROM:** Manager Statutory Planning

**EDMS #:** 22/369224

DA Number:	2022/456/1
Development:	Construction of a single storey dwelling house with associated site works
Estimated Cost of Development:	\$353,311
Site Address(es):	14 Connor Way, ORAN PARK Lot 6002 DP 1235007
Applicant:	A Kazi, Kurmond Homes
Owner(s):	Mr M & Mrs A Wright
Number of Submissions:	One submission
Development Standard Contravention(s):	Clause 4.3 – Height of Buildings
Classification:	Nominated Integrated development
Recommendation:	Approve with conditions.
Panel Referral Criteria:	Departure from a development standard greater than 10%
Report Prepared By:	Ray Lawlor (Executive 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 construction of a single storey dwelling house at 14 Connor Way, Oran Park (Lot 6002 DP1235007).

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, as the proposed development seeks to depart from the clause 4.3 height of buildings principal development standard prescribed in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* by greater than 10%.

### SUMMARY OF RECOMMENDATION

That the Panel determine DA/2022/456/1 for construction of a single storey dwelling house with associated sited works pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* by supporting the applicants request to contravene the building height development standard by 12.5% and by then granting consent subject to the conditions attached to this report.

## EXECUTIVE SUMMARY

Council is in receipt of a DA for the construction of a single storey dwelling house at 14 Connor Way, Oran Park.

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 development is nominated integrated development requiring an approval under the NSW *Heritage Act 1977*, as the site is located within the curtilage of an item of state heritage significance. Heritage NSW have provided standard general terms of approval (GTA) to be applied to the consent, for issue of an approval under section 60 of the *Heritage Act, 1977*, prior to commencement of works.

The DA was publicly exhibited for a period of 28 days in accordance with Camden Community Participation Plan 2021. One submission was received which raised concerns about tree planting at the rear of the property. This is to be resolved by amendments to the landscape plan, as a condition of consent, to swap this tree for a smaller species, based upon advice from Council's Landscape Architect and with the planting to be located 2m off the rear and side boundaries for clearance from services, etc.

The dwelling will have a maximum building height up to 6.154m to its roof ridge. This exceeds the maximum 5m building height which applies under clause 4.3 Appendix 5 and the Height of Buildings Map (HoB\_004) of State Environmental Planning Policy (Precincts - Western Parklands City) 2021.

The 5m height controls applies to the land given its proximity to the state heritage listed Oran Park House, with the lower building height creating a transition area of single storey dwelling houses in this location. The 5m building height standard does not however provide flexibility to enable the design of residential dwellings as intended in the heritage setting and comply with site specific controls within the DCP including a minimum roof pitch of 22.5 degrees. A building height variation arises due to the roof ridge of the dwelling with a 22.5 degree roof pitch breaching the 5m maximum height.

Council has considered a draft Planning Proposal (PP/2021/1) submitted by the estate developer that seeks to amend the SEPP to address anomalies associated with the 5m height standard. The Planning Proposal seeks to increase the allowable building heights by inserting a new additional local provision that will enable a merit based assessment to be undertaken to allow building heights above 5m providing:

- the dwelling is single storey;
- the dwelling is a detached dwelling;
- the dwelling is contained within a Standard Building Height Envelope (as recommended by Heritage NSW);
- the dwelling does not exceed 7m; and
- height up to 4m at the front building line does not exceed 30% of the front elevation.

The proposed dwelling house at 14 Connor Way complies with the proposed building envelope control. The Planning Proposal was recommended by the Panel (at its

meeting on 21 September 2021) and endorsed by Council at its meeting on 12 October 2021. The Planning Proposal has received Gateway Determination from the Department of Planning and Environment (DPE) and has been on public exhibition (from Wednesday 9 February until Wednesday 9 March 2022). Council, at its meeting of 14 June 2022, considered a post-exhibition report and resolved to endorse the Planning Proposal and forward it to the DPE for the plan to be made.

The applicant has submitted a Clause 4.6 written request to support the height variation and provide justification for the contravention of the development standard. The proposed contravention, and the applicant’s Clause 4.6 written request, have been assessed in this report and are supported by Council staff.

The proposed development with a building height up to 5.625m with a 22.5 degree pitched roof is otherwise consistent with the objectives of the development standard. The dwelling is single storey and is also consistent with the planning proposal for a merit-based assessment of building heights above 5m, including consistency with the proposed standard building envelope. The design is compatible to its heritage setting, including its roof pitch, which will minimise visual impacts and protect adjoining development.

Based on the assessment, it is recommended that the applicants request to contravene the building height standard be accepted and the DA be approved subject to the conditions attached to this report.

**KEY PLANNING CONTROL VARIATIONS**

Control	Proposed	Variation
SEPP (Precincts – Western Parklands City) 2021 – Appendix 5, Clause 4.3 – Building Height – 5m	5.625m to roof ridge	0.625m 12.5%



**AERIAL PHOTO**



Figure 1 – Aerial photo of subject site

**THE SITE**

The site is Lot 6002 DP1235007, 14 Connor Way, Oran Park. It is a recently constructed lot in a ‘Greenfields’ subdivision, having been registered in May 2021. It has an irregular frontage close to the head of a cul-de-sac. It has an area of 558.8m<sup>2</sup> with lot width of 15m and depth of 32.45m to 38.6m, with approx. 0.75m change in level across the site, from north-west falling to the south-east corner. There is a 0.7m wide restriction and covenant along the rear of the site related to a retaining wall along the rear boundary, due to a change in levels with the higher lot to the rear.

The site is located within the curtilage of an item of state heritage significance, SHR:1695 Oran Park House (also known as Catherine Park House).

**ZONING PLAN**



Figure 2 – Subject site – R2 Low Density Residential zoning

**BUILDING HEIGHT PLAN**



Figure 3 – Extract of Height of Building map (5m height limit shown in blue, with 9m height in green)

**HERITAGE LISTING**



Figure 4- Subject site in relation to heritage listing

**AREA MASTER PLAN**

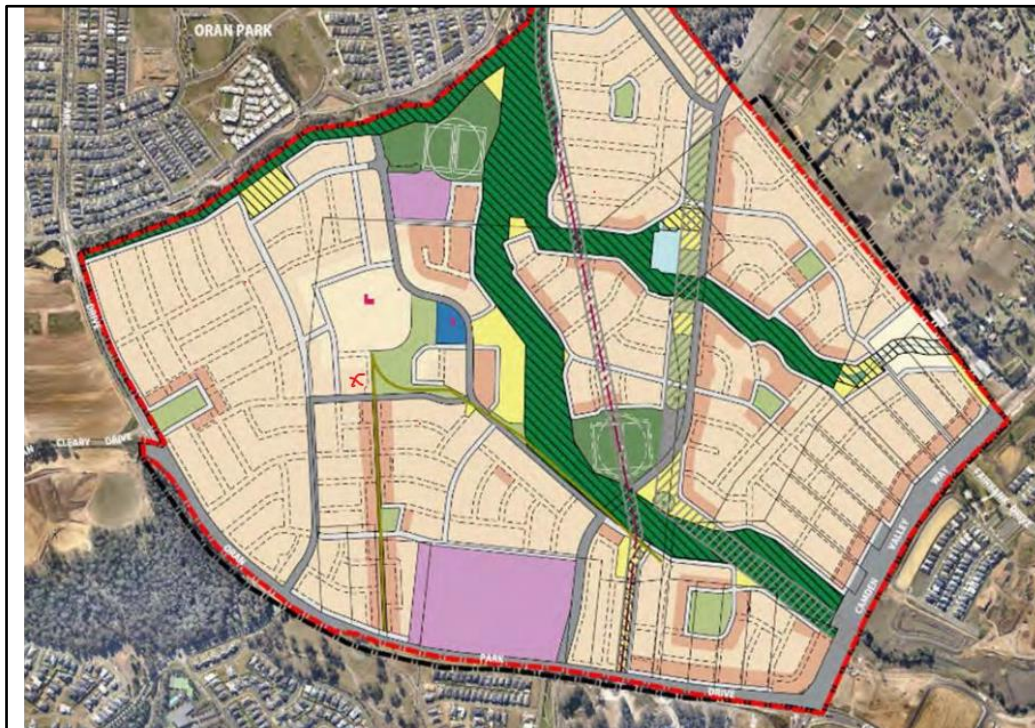


Figure 5 - Red 'X' denoting approx. location of subject site in relation to Catherine Fields (Part) Precinct, Indicative Layout Plan. Ref: Catherine Fields (Part) Development Control Plan, Figure 2-1, Page 4.

**HISTORY**

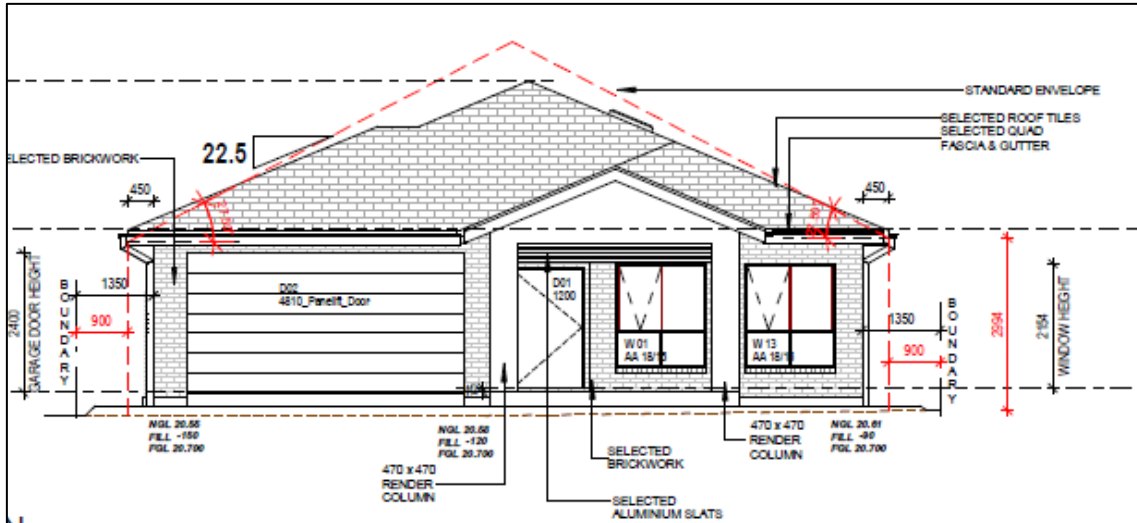
The relevant development history of the site is summarised in the following table:

Date	Development
23 March 2018	DA/2017/491/1 – Consent was granted to a subdivision to create 141 residential lots, 2 super-lots, a lot containing Oran Park House and its improvements, 1 residue lot, 1 public reserve lot, construction of public roads, provision of services, earthworks, site works and retaining walls to be delivered in four stages. This resulted in creation of the subject lot.
29 January 2021	<p>DA/2021/77/1 – A DA was submitted to Council that sought concept approval to establish site-specific building height development standards on 66 residential lots (8m as opposed to 5m) and stage 1 consent for the construction of 3 dwelling houses.</p> <p>The DA was withdrawn at the request of Council officers as it was determined that the height change should be addressed as part of a Planning Proposal.</p> <p>Prior to the DA being withdrawn, Heritage NSW issued GTAs for the Concept DA. The GTAs required any dwellings proposed on the subject lots to comply with a building envelope, including:</p> <ul style="list-style-type: none"> <li>• a 3m height limit at the front building line, and up to a maximum 4m for 30% of the building frontage; and</li> <li>• the height of the building envelope increasing by 27.5 degrees from the building line to a maximum height of 7m.</li> </ul>
26 February 2021	Planning Proposal (PP/2021/1/1) was submitted to Council. The Planning Proposal seeks to create additional local provisions to increase building heights for residential development surrounding Oran Park House by introducing a building envelope as a means of varying the 5m building height control (based upon the building envelope recommended by Heritage NSW in the GTAs issued for DA/2021/77/1).
12 October 2021	Planning Proposal (PP/2021/1/1) received Gateway Determination from Department of Planning and Environment (DPE).
9 February 2022	Planning Proposal (PP/2021/1/1) has been on public exhibition from Wednesday 9 February until Wednesday 9 March 2022.
14 June 2022	<p>Council, at its meeting of 14 June 2022, considered a post-exhibition report and resolved to:</p> <ul style="list-style-type: none"> <li>- endorse the Planning Proposal (as amended) and forward it to the DPE for the plan to be made; and</li> <li>- adopt related changes to Camden Growth Centre Precincts DCP, and publicly notify these, subject to finalisation of the Planning Proposal.</li> </ul>

**THE PROPOSAL**

DA/2022/456/1 seeks approval for the construction of a single storey dwelling house with associated site works.

The estimated cost of the development is \$353,311.



**BACKGROUND**

The 5m height of buildings development standard was imposed on this land as the site is within the curtilage of a state heritage listed Oran Park House. The lower building height development standard aims to maintain a single storey transition area around the state heritage item.

This height of buildings development standard hinders the ability for a proposed dwelling house to comply with the existing site-specific controls in Camden Growth Centre Precincts DCP and Schedule 4 Catherine Fields (Part) Precinct.

Dwelling houses with hipped and gabled roof forms (with a roof pitch greater than 12.5 degrees) will inherently exceed the 5m building height development standard given the relative size and width of the properties, coupled with the larger building footprint required single storey dwellings. This is illustrated in the images below. Council’s development controls for dwelling houses in this area require a minimum roof pitch of 22.5 degrees. This is illustrated in the following Figures 6 and 7.

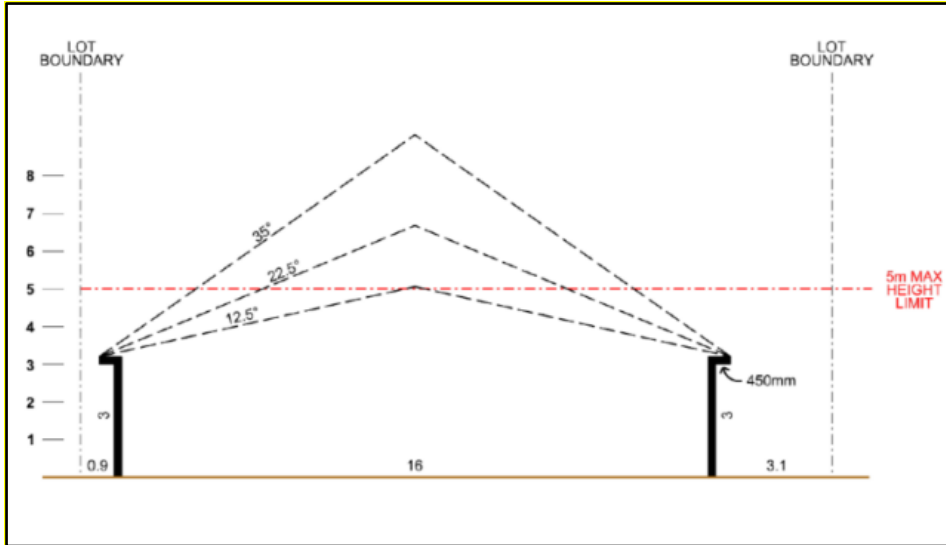


Figure 6 – Five (5) metre maximum building height limit compared to roof pitches



Figure 7- Dwelling roof forms, 15 degree and 27.5 degree roof pitches

Council has considered a draft Planning Proposal (PP/2021/1) submitted by the estate developer that seeks to amend the SEPP to address the anomalies associated with the 5m height control. The Planning Proposal seeks to increase the allowable building heights by inserting a new additional local provision that will allow building heights above 5m providing:

- the dwelling is single storey;
- the dwelling is a detached dwelling;
- the dwelling is contained within a Standard Building Height Envelope (as recommended by Heritage NSW);
- the dwelling does not exceed 7m; and

- no more than 30% of the front elevation is between 3m and 4m.

The proposed dwelling house at 14 Connor Way complies with the proposed building envelope control. The Planning Proposal was recommended by the Panel (at its meeting on 21 September 2021) and endorsed by Council at its meeting on 12 October 2021. The Planning Proposal received Gateway Determination from the DPE and was publicly exhibited from Wednesday 9 February until Wednesday 9 March 2022. Council, at its meeting of 14 June 2022, considered a post-exhibition report and resolved to endorse the Planning Proposal and forward it to the DPE for the plan to be made.

**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 (Building Sustainability Index – BASIX) 2004;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021; and
- State Environmental Planning Policy (Precincts – Western Parklands City) 2021.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate was submitted with the DA. The proposal has been assessed against the provided BASIX Certificate. The proposal will be able to meet the commitments and targets identified. A condition of consent is recommended to ensure compliance is achieved.

State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 9 – Hawkesbury-Nepean River

The SEPP seeks to ensure protection is maintained for the environment of the Hawkesbury-Nepean river system and that impacts of future land uses are considered in a regional context.

The proposed development will not result in detrimental impacts upon the Hawkesbury-Nepean River system. The proposed development will further adopt appropriate sediment and erosion control measures and water pollution control devices that will avoid impacts being caused to watercourses and in turn, the Hawkesbury-Nepean River system.

SEPP (Resilience and Hazards) 2021 -Chapter 4 – Remediation of Land

This SEPP provides a State-wide planning approach to the remediation of contaminated land.

Clause 4.6 Chapter 4 of this 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.

Contamination and remediation were appropriately dealt with under the parent subdivision development application DA/2017/491/1. The subject land has been validated and is suitable for the proposed residential development.

#### SEPP (Precincts – Western Parklands City) 2021 - Chapter 3 – Sydney Region Growth Centres

The SEPP aims to co-ordinate the release of land for residential, employment and other urban development in the South West Growth Centre.

#### *Site Zoning and Permissibility.*

The site is zoned R2 Low Density Residential pursuant to Appendix 5, clause 2.2 of the SEPP. The development is characterised as a 'Dwelling House' by the SEPP, meaning a building containing only one dwelling.

The development is permitted with consent in the R2 Low Density Residential Zone pursuant to clause 2.6 and the land use table in Appendix 5 of the SEPP.

#### *Planning Controls*

An assessment table in which the development is considered against the Growth Centre SEPP's planning controls is provided in the **attached** documents.

#### *Clause 4.6 – Exceptions to Development Standards*

The proposed development will contravene the height of building development standard which applies under clause 4.3 of Appendix 5 of the Growth Centre SEPP. The height of buildings development standard limits buildings to a maximum height of 5m from existing ground level. The proposed development is 5.625m in height, breaching the development standard by 625mm or 12.5%.

Pursuant to clause 4.6(3) of Appendix 5 – Growth Centres SEPP, the applicant has provided a written request justifying contravention of the development standard for the following reasons:

- Compliance with the 5m height standard would detract from the design of the single storey dwelling and the overall streetscape;
- The development contravention will not impact on views and vistas from Oran Park House;
- The development contravention allows for a single storey dwelling with the appropriate roof form and pitch. The development contravention does not impact the intended type, or character of the desired development rather, aligns with the intended development of single storey dwellings;
- The development contravention facilitates orderly and proper delivery of development as intended by the DCP;



- The request also demonstrates that relevant tests established in the Land and Environment Court (as set out in the Department's 2011 guideline for varying development standards) can be met:
  - The objectives of the standard and the R2 Low Density Residential zone are achieved notwithstanding noncompliance with the standard. A single storey detached dwelling which meets combined design requirements of setbacks, floor space ratio, and hipped roof forms ensures there are no significant adverse impacts. The objectives and intent of built form surrounding Oran Park House will be preserved.
  - If compliance was required, the underlying objectives would be thwarted as the 5m height limit would not allow for a dwelling design as intended in the heritage curtilage, consistent with the DCP controls and heritage guidelines.
  - Compliance with the 5m maximum building height would be unreasonable and detrimental to the current environmental character of the site and surrounds. The dwelling is consistent with the intended outcome for residential land surrounding Oran Park House with simple hipped and/or gabled roof forms of at least 22.5 degrees.

A copy of the applicant's Clause 4.6 written request is provided as an **attachment** to this report.

The justification contained within the Clause 4.6 written request demonstrates that compliance with the development standard is unreasonable and unnecessary in the circumstances of the case and that there are sufficient planning grounds to justify contravening the development standard, in accordance with clause 4.6(3).

Council staff are also satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the R2 Low Density Residential Zone, in accordance with clause 4.6(4).

The proposed development with a 5.625m building height to its 22.5 degree pitched roof ridge is otherwise consistent with the objectives of the development standard. The dwelling is single storey. Most of the dwelling is within the maximum height and its design is compatible to its heritage setting, including its roof pitch. The design of the dwelling will minimise visual impacts and protect adjoining development.

1. Indicative Layout Plan.  
The intended outcome established within the Indicative Layout Plan (Figure 2-1) for this part of the Catherine Fields (Part) Precinct DCP is for low density residential development. The proposal is for a single storey dwelling, consistent with this outcome.
2. Clause 4.3 'Height of Buildings' – Objectives.  
Alignment with the objectives of clause 4.3 are maintained. The development contravention will not result in development greater than single storey and it will be consistent with objectives to minimise visual impact and protect the amenity of adjoining development and land in terms of solar access to buildings and open space.
3. R2 Low Density Residential Zone Objectives.  
The development contravention will not depart from the objectives of the R2 Zone and not be inconsistent with intended outcomes for the zone, as it will:

- provide for the housing needs of the community within a low-density residential environment; and
  - provide a diverse range of housing types to meet community housing needs within a low-density residential environment.
4. Site-specific objectives and controls.  
Strict compliance with the 5-metre building height standard does not provide flexibility in achieving site-specific controls and providing for a dwelling design outcome, including roof form and pitch, that appropriately responds to the unique characteristics of the precinct, and the historically significant Oran Park House.
5. Alignment with DCP controls.  
The building height standard contravention does not result in additional non-compliances with any development controls in the Camden Growth Centre Precincts DCP and Schedule 4 Catherine Fields (Part) Precinct. The single storey development is considered to fulfill the relevant controls and their objectives.

It is noted that the Panel may assume the concurrence of the Secretary pursuant to Planning Circular PS 20-002.

Consequently, it is recommended that the Panel support this proposed contravention to clause 4.3 of Appendix 5 of the Growth Centres SEPP.

***(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 detrimental impacts upon the Hawkesbury-Nepean River system as a result of it (noting that provisions related to the Hawkesbury-Nepean River are now incorporated within the consolidated SEPP (Biodiversity and Conservation) 2021).

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

The development is consistent with the Draft Remediation SEPP in that the land has been validated and is suitable for the proposed residential use (noting that provisions related to remediation of land are now incorporated within the consolidated SEPP (Resilience and Hazards) 2021).

Draft Planning Proposal State Environmental Planning Policy (Precincts – Western Parkland City) 2021

The development is consistent with the Draft Planning Proposal that seeks to increase the allowable building heights by inserting a new additional local provision into Appendix 5 of the SEPP that will enable a merit-based assessment to allow building heights above 5m, providing:

- the dwelling is single storey;
- the dwelling is a detached dwelling;
- the dwelling is contained within the Standard Building Height Envelope (as recommended by Heritage NSW);
- the dwelling does not exceed 7m; and
- no more than 30% of the front building line is above 4m.

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

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

**(a)(iiia) 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 above assessment, the site is considered to be suitable for the development.

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

The DA was publicly exhibited for a period of 28 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 18 May to 15 June 2022.

One submission was received which raised concerns about a tree, a *Waterhousia Floribunda* - Weeping Lilly Pilly, proposed to be planted at rear of the property. This was due to its potential height and spread as well as resulting shading and potential impacts on the retaining wall and sewer line/s.

This has been reviewed by Council's Landscape Officers, who have advised that:

- *Waterhousia* species in its native environment reach the mature dimensions indicated in the submission, however local factors including soils, rainfall and

climatic extremes have a major bearing on tree growth. In Camden district *Waterhousia* typically after 15 years grow to 6-8m with a spread of 6m.

- The landscape plan includes suitable species selection given the site’s proximity to the heritage item and satisfactory indicative placement and planting densities. The proposed landscaping can produce future canopy without unreasonably impacting adjoining properties.
- To alleviate the concerns in the submission, it is reasonable to substitute the *Waterhousia* with the *Elaeocarpus reticulatus* ‘Blueberry Ash’ shown at the front of the property (a smaller species, slower growing and with less spread).
- It is recommended that the planting at the rear of the property is positioned at least 2m off rear and side boundaries.

These matters are dealt with as a recommended consent condition for amendments to the landscape plan, prior to issue of a construction certificate.

**(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 above assessment, the development is consistent with the public interest.

**EXTERNAL REFERRALS**

The following external referral was undertaken for this DA as summarised in the following table:

External Referral	Response
Heritage NSW Integrated Development Section 58 approval, <i>Heritage Act, 1977</i>	Standard General Terms of Approval (GTA) have been issued by the delegate of the Heritage Council of NSW on 25 January 2022, which can be applied to this development.

**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 request lodged pursuant to Clause 4.6(3) of Appendix 5, State Environmental Planning Policy (Precincts – Western Parklands City) 2021 to contravene the maximum height of buildings development standard in Clause 4.3 of Appendix 5, State Environmental Planning Policy (Precincts – Western Parklands City) 2021; and
- ii. approve DA/2022/456/1 for a construction of a single storey dwelling house at 14 Connor Way, Oran Park subject to the conditions attached to this report.

#### REASONS FOR DETERMINATION

1. The Panel has considered the written request to contravene Appendix 5, State Environmental Planning Policy (Precincts – Western Parkland City) 2021 in relation to the maximum height of buildings standard. The Panel considers that compliance with the standard is unreasonable and unnecessary in the circumstances, and that despite the contravention of the development standard, the development satisfies the objectives of the zone and standard, will be in the public interest and is acceptable in the circumstances of the case.
2. The development is consistent with the objectives of the applicable environmental planning instrument being Appendix 5, State Environmental Planning Policy (Precincts – Western Parkland City) 2021.
3. The development is consistent with the objectives of Camden Growth Centre Precincts Development Control Plan.
4. The development is unlikely to have any unreasonable adverse impacts on the natural or built environment.
5. In consideration of the reasons, the development is a suitable and planned use of the site, and its approval is in the public interest.

#### ATTACHMENTS

1. Recommended Conditions
2. SEPP Assessment Table
3. DCP Assessment Table
4. Clause 4.6 Written Request
5. Heritage NSW GTAs
6. Architectural Plans

## Recommended Conditions

### 1.0 - General Conditions of Consent

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

- (1) **Approved Plans and Documents** - Development shall 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
Job No. 21111 A005	Site Plan	Kurmond Homes	15/08/2022 Rev 15
A010	Driveway details		
A011	Concept stormwater plan		
A013	Ground floor plan		
A015	Elevations		
A016	Elevations		
A017	Sections		
A001	External Colour Plan		as signed 6/07/2022 Rev 4
L/01	Proposed Landscape Plan	atc – a total concept landscape architects	1/03/2022 Rev A

Document Title	Prepared by	Date
BASIX Certificate No. 1241169S	Energy Advance	22/12/2021
Waste Management Plan	Kurmond Homes	as submitted with the application

- (2) **Modified Documents and Plans** - The development shall be modified as follows:

The approved landscape plan is to be amended to:

- Swap/relocate the *Waterhousia floribunda* 'Weeping Lilly Pilly' to the front of the property and *Elaeocarpus reticulatus* 'Blueberry Ash' to the rear of the property.
- Provide for tree planting at the rear of the property to be positioned at least 2m off rear and side boundaries, and clear of services, sewer line/s.

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

- (3) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) for the development to which this development consent applies.

- (4) **National Construction Code – Building Code of Australia (BCA)** - All building work shall be carried out in accordance with the BCA. In this condition, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (5) **Home Building Act** - Pursuant to Section 4.17(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the principal certifier for the development to which the work relates has given Council written notice of the following:
- a) for work that requires a principal contractor to be appointed:
    - i. the name and licence number of the principal contractor, and
    - ii. the name of the insurer of the work under Part 6 of the *Home Building Act 1989*,
  - b) for work to be carried out by an owner-builder:
    - i. the name of the owner-builder, and
    - ii. if the owner-builder is required to hold an owner-builder permit under the *Home Building Act 1989*, the number of the owner-builder permit.

If the above information is no longer correct, further work must not be carried out unless the principal certifier has given Council written notice of the updated information.

- (6) **Home Building Act - Insurance** - Building work that involves residential building work within the meaning of the *Home Building Act 1989* shall not commence until such time as a contract of insurance is in force in accordance with Part 6 of that Act.

This requirement does not apply:

- a) to the extent to which an exemption is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, or
  - b) to the erection of a temporary structure, other than a temporary structure to which subsection (3) of Section 69 of the *Environmental Planning and Assessment Regulation 2021* applies.
- (7) **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.

- (8) **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.

- (9) **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:

Heritage Council of NSW – General Terms of Approval – Ref DOC22/41407, 25/01/2022.

#### **1. UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS**

The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

*Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.*

#### **2. ABORIGINAL OBJECTS**

Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the *National Parks and Wildlife Act 1974* (as amended). Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.

*Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.*

#### **3. COMPLIANCE**

If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

*Reason: To ensure that the proposed works are completed as approved.*

#### **4. SECTION 60 APPLICATION**

An application under section 60 of the *Heritage Act 1977* must be submitted to and approved by the Heritage Council of NSW (or delegate), prior to work commencing.



## 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) **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.
- (2) **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.

- (3) **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.
- (4) **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*.
- (5) **Salinity (Dwellings and Outbuildings)** – The approved development shall comply with the requirements of the salinity management plan - Report on Salinity Investigation and Management Plan: Proposed Residential Subdivision Catherine Park, prepared by Douglas Partners project 76550.00 dated November 2015.

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

- (6) **Long Service Levy** - In accordance with Section 34 of 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 for any building work that cost \$25,000 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) **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](http://www.sydneywater.com/tapin) to apply.
- A copy of the approval receipt from Sydney Water must be submitted to the principal certifier.
- (8) **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.
- (9) **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.

- (10) **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.

#### 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) **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.

- (3) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines,

including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the street gutter.

Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.

All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The principal certifier shall not permit construction works beyond the frame inspection stage until this work has been carried out.

- (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) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.
- (6) **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.

- (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) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.
- (9) **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.
- (10) **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](http://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.
- (11) **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.
- (12) **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.
- (13) **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.
- (14) **Fill Material (Dwellings)** – Prior to the importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the principal certifier.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks; and
- b) be prepared in accordance with;

For 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 (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW."

For Excavated Natural Material (ENM):

- i) compliance with the Excavated Natural Material Order 2014 and the Resource Recovery Orders and Exemptions issued under Part 9 of the Protection of the Environment Operations (Waste) Regulation 2014
  - c) confirm that the fill material 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") and is compatible with any salinity management plans approved for the site.
- (15) **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.
- (16) **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.

- (17) **Materials, colours and finishes** – The dwelling is to be constructed using the approved materials, colours and finishes.

#### 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) **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.

- (2) **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.
- (3) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.
- (4) **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.
- (5) **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.

CLPP02

Attachment 1



CLPP02

Attachment 2

State Environmental Planning Policy (Precincts - Western Parkland City) 2021		
Clause.	Assessment.	Compliance.
<p><b>Appendix 5, 2.3 Zone objectives and land use table</b></p> <p>The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.</p> <p>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.</p> <p>The zone objectives for this site are:</p> <ul style="list-style-type: none"> <li>To provide for the housing needs of the community within a low density residential environment.</li> <li>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>To allow people to carry out a reasonable range of activities from their homes where such activities are not likely to adversely affect the living environment of neighbours.</li> <li>To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.</li> <li>To provide a diverse range of housing types to meet community housing needs within a low density residential environment.</li> </ul>	<p>The lot is located in an R2 Low Density Residential zone. The proposed development can be characterised as a 'dwelling house' which is permitted with consent in the R2 Low Density Residential zone of Appendix 5 of the SEPP.</p> <p>The proposal meets the objectives of the zone as:</p> <ul style="list-style-type: none"> <li>The proposal will provide for the housing needs of the community within the low-density residential environment.</li> <li>The proposal is consistent with its surrounds, allowing for a reasonable range of activities to be carried out that are consistent with those surrounding it.</li> <li>The proposal will be an addition to the existing housing type typical to the immediate surrounds.</li> </ul>	Yes
<p><b>Appendix 5, 4.3 Height of buildings</b></p> <p>Maximum buildings heights must not exceed the maximum building height shown on the Height of Buildings Map.</p> <p>Maximum height of buildings = 5.0m.</p>	<p>The proposed development has a maximum building height of 5.625m. 0.625m variation – 12.5%</p>	No (Clause 4.6 written request submitted).
<p><b>Appendix 5, 4.6 Exceptions to development standards</b></p> <p>Development consent may be granted for development that contravenes a development standard imposed by the</p>	<p>The applicant has submitted a written request under Clause 4.6 of the Growth SEPP justifying the contravention to the maximum height of buildings development standard. The Clause 4.6 written request is assessed in the main body of the report.</p>	Yes

<p>SEPP or any other environmental planning instrument.</p> <p>The consent authority must consider a written request from the applicant that seeks to justify the contravention by demonstrating that:</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>Development consent must not be granted unless:</p> <p>(a) the consent authority is satisfied that:</p> <p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated, and</p> <p>(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</p> <p>(b) the concurrence of the Secretary has been obtained.</p> <p>This clause prohibits the approval of certain development standard contraventions.</p>	<p>It is considered that the applicant's written request has adequately demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>It is assessed that the proposed development will be in the public interest because it is consistent with the objectives of the height of buildings development standard and the objectives for development within the R2 Low Density Residential zone.</p>	
<p><b>Appendix 5, 5.10 Heritage Conservation</b></p>	<p>This application seeks consent for the erection of a dwelling house on the land which is listed as part of the curtilage of Oran Park House a state heritage item. A heritage impact statement has been submitted with the DA. The proposed single storey dwelling is expected to have no adverse impacts on the heritage significance of Oran Park House. However its overall height exceeds the maximum 5m building height, as the top of its roof ridge. This contravention is addressed by an appropriate request under clause 4.6.</p> <p>At the time of the SHR listing, site-specific exemptions were put in place to exempt</p>	<p>Yes</p>

CLPP02

Attachment 2

	<p>certain development (including single storey dwelling houses) from the requirement for approval under the Heritage Act 1977 (<i>Catherine Park Estate – Oran Park House Heritage Exemption Guidelines</i>, prepared by Design + Planning, dated October 2014).</p> <p>The proposed development generally meets those guidelines with the exception of a control in Section 4.1 'Residential Built Form' that requires that <i>"The design and building of dwellings for each street elevation and street block is to be undertaken simultaneously and delivered as a complete package by one builder."</i></p> <p>This provision cannot be complied with as the lots have been subdivided and sold to individual property owners. As the proposed development does not meet this requirement, concurrence is required from Heritage NSW.</p> <p>On 25 January 2022, Heritage NSW advised Council that (in order to streamline the assessment process) all DA's within the heritage curtilage that comply with the Exemption Guidelines (with the exception of the 'one builder' control) can be approved (without formal referral) subject to standard GTAs issued Heritage NSW.</p> <p>The proposed development fully complies with the Exemption Guidelines (with the exception of the 'one builder' control) and is therefore subject to the standard GTA's, which have been included as recommended conditions of consent.</p> <p>A copy of the advice and standard GTAs issued by Heritage NSW is <b>attached</b> to this report.</p>	
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Camden Growth Centre Precincts Development Control Plan		
Control	Assessment	Compliance?
<p><b>4.1.1</b> <b>Site Analysis</b></p> <p>Site analysis plan is to be provided.</p>	<p>Appropriate details provided on the site plan.</p>	Yes.
<p><b>4.1.2</b> <b>Cut and Fill</b></p> <p>DAs are to illustrate where it is necessary to cut and/or fill land and provide justification for the proposed changes to the land levels.</p> <p>The maximum amount of cut shall not exceed 1m. The maximum amount of fill shall not exceed 1m.</p> <p>Fill within 2.0m of a property boundary shall be fully contained by the use of deepened (drop) edge beam construction with no fill permitted outside of this building footprint.</p> <p>The use of a deepened edge beam shall not exceed 1m above natural ground level.</p> <p>Where excavation or filling is required alongside a driveway, it shall be retained by a retaining wall.</p>	<p>Cut and fill areas have been illustrated on the plans, along with the extent of cut and fill.</p> <p>Cut to 200mm and fill to 170mm.</p> <p>DEB shown on plans, section/s, and will be consistent with these controls.</p> <p>NA.</p>	Yes.
<p><b>4.1.3</b> <b>Sustainable Building Design.</b></p> <p>The majority of plant species are to be selected from the preferred species listed at Appendix C and indigenous species are preferred.</p> <p>The provisions of BASIX will apply with regards to water requirements and usage.</p> <p>The design of dwellings is to maximise cross flow ventilation.</p> <p>The orientation of dwellings, location of living rooms and the positioning and size of windows and other openings is to take advantage of solar orientation to maximise natural light penetration to indoor areas and to minimise the need for mechanical heating and cooling.</p>	<p>Proposed landscaping includes species from Appendix C.</p> <p>The development complies with the requirements as set out by the provided BASIX certificate.</p> <p>The design of the dwelling incorporates large open living spaces allowing for cross flow ventilation to occur.</p> <p>Location of living rooms and windows located appropriately maximising natural light.</p>	Yes.

CLPP02

Attachment 3

CLPP02

Attachment 3

Camden Growth Centre Precincts Development Control Plan		
Control	Assessment	Compliance?
<p>Outdoor clothes lines and drying areas are required for all dwellings and can be incorporated into communal areas for multi-dwelling development and residential flat building developments.</p> <p>Roof and paving materials and colours are to minimise the retention of heat from the sun.</p> <p>The design of dwellings that are required to attenuate noise shall use, where possible, alternatives to air-conditioning, such as acoustic wall ventilators, ceiling fans, or bulkhead-mounted ducted fans to achieve appropriate ventilation.</p>	<p>Outdoor clothes line/s to be provided appropriately, as shown in landscape plan.</p> <p>Roof and paving materials and colours, as amended, are satisfactory being mid to lighter grey roof tiles and concrete paving.</p> <p>The dwelling will attenuate noise where possible through separating communal areas from private living spaces.</p>	
<p><b>4.1.4</b> <b>Salinity, Sodicity and Aggressivity.</b></p> <p>All development must comply with the Salinity Management Plan developed at the subdivision phase or at Appendix B. The actions/works from the Salinity Management Plan must be certified upon completion of the development.</p> <p>Salinity shall be considered during the siting, design and construction of dwellings including: drainage, vegetation type and location, foundation selection and cut and fill activities, to ensure the protection of the dwelling from salinity damage and to minimise the impacts that the development may have on the salinity process.</p>	<p>The development will comply with the requirements of the salinity management plan as adopted under parent subdivision DA.</p> <p>Salinity will be considered during the construction the proposed dwelling via a condition of consent, in relation to the relevant salinity management plan, as specified in section 88B restrictions applying to the land.</p>	Yes.
<p><b>4.2.2</b> <b>Streetscape and Architectural Design.</b></p> <p>The primary street facade of a dwelling should address the street and must incorporate at least two of the following design features:</p> <ul style="list-style-type: none"> <li>• entry feature or porch;</li> <li>• awnings or other features over windows;</li> <li>• balcony treatment to any first floor element;</li> <li>• recessing or projecting architectural elements;</li> <li>• open verandah;</li> </ul>	<p>Primary street façade includes;</p> <ul style="list-style-type: none"> <li>• Entry feature/porch.</li> <li>• Projecting architectural elements with feature stone brick pier.</li> <li>• Suitable window treatment.</li> </ul>	Yes.

Camden Growth Centre Precincts Development Control Plan		
Control	Assessment	Compliance?
<ul style="list-style-type: none"> <li>• bay windows or similar features; or</li> <li>• verandahs, pergolas or similar features above garage doors.</li> <li>• Corner lot development should emphasise the corner. The secondary street facade for a dwelling on a corner lot should address the street and must incorporate at least two of the above design features. Landscaping in the front setback on the main street frontage should also continue around into the secondary setback.</li> </ul> <p>Eaves are to provide sun shading and protect windows and doors and provide aesthetic interest.</p> <p>The pitch of hipped and gable roof forms on the main dwelling house should be between 22.5 degrees and 35 degrees.</p> <p>Front facades are to feature at least one habitable room with a window onto the street.</p> <p>Carports and garages are to be constructed of materials that complement the colour and finishes of the main dwelling.</p>	<p>All eaves 0.45m as identified on sectional drawings.</p> <p>Hipped and gable roof pitch of 22.5 degrees proposed.</p> <p>Front façade to feature 2 x bedroom windows (to master bedroom) facing the street.</p> <p>Proposed garage to complement colour and finish of main dwelling.</p>	
<p><b>4.2.3</b> <b>Front Setbacks.</b></p> <p>Dwellings are to be consistent with the front setback controls and principles in the relevant Tables 4-2 to 4-6, Figure 4-4: Minimum front setback distances and Figure 4-5. Min 4.5m required</p>	<p>The proposal has been assessed against tables 4-4 (lots <math>\geq</math> 9m and <math>\leq</math>15m width). Proposed front setback is approx..7.7m to 8.3m, which will comply with the minimum required front setback</p>	Yes.

CLPP02

Attachment 3

Camden Growth Centre Precincts Development Control Plan		
Control	Assessment	Compliance?
<p><b>4.2.4</b> <b>Side and Rear Setbacks.</b></p> <p>All development is to be consistent with the side and rear setback controls in the relevant Tables 4.2 to 4.6 and principles in Figure 4-7 Dwelling and open space siting principles for different lot orientations</p> <p>Pergolas, swimming pools and other landscape features/structures are permitted to encroach into the rear setback.</p> <p>For dwellings with a minimum 900mm side setback, projections permitted into side and rear setback areas include eaves (up to 450 millimetres wide), fascias, sun hoods, gutters, down pipes, flues, light fittings, electricity or gas meters, rainwater tanks and hot water units.</p>	<p>The proposal has been assessed against tables 4-4 (lots <math>\geq 9\text{m}</math> and <math>\leq 15\text{m}</math>), with minimum side setbacks of 950mm (northern elevation) and 979mm (southern elevation). Rear setback is minimum 5.495m</p> <p>A small swimming pool, 5.0m x 3.6m, is proposed in the rear setback, subject of separate DA/2022/461/1.</p> <p>The proposal has side boundary setbacks greater than 900mm, with 450mm eaves.</p>	Yes.
<p><b>4.2.5</b> <b>Dwelling Height, Massing and Siting.</b></p> <p>All development is to comply with the maximum site coverage as indicated in the relevant Tables 4-2 to 4-6.</p> <p>Site coverage is the proportion of the lot covered by a dwelling house and all ancillary development (eg carport, garage, shed) but excluding unenclosed balconies, verandahs, porches, al fresco areas etc.</p> <p>The ground floor level shall be no more than 1m above finished ground level.</p>	<p>The proposal has been assessed against tables 4-4 <math>\geq 9\text{m}</math> and <math>\leq 15\text{m}</math> lot widths.</p> <p>The proposal has been assessed against tables 4-4, with 43.46% site coverage proposed complying with controls, max 60%.</p> <p>The ground floor is less than 1m above finished natural ground level.</p>	Yes.
<p><b>4.2.6</b> <b>Landscaped Area.</b></p> <p>The minimum soft landscaped area within any residential lot is to comply with the controls and principles in the relevant Tables 4-2 to 4-6. Figure 4-10 illustrates areas of a lot that can contribute towards the provision of soft landscaped area and principal private open space.</p>	<p>The proposal has been assessed against tables 4-4 (lots <math>\geq 9\text{m}</math> and <math>\leq 15\text{m}</math>) and complies with approx.33%, 185sqm proposed</p>	Yes.

Camden Growth Centre Precincts Development Control Plan		
Control	Assessment	Compliance?
<p>Plans submitted with the development application must indicate the extent of landscaped area and nominate the location of any trees to be retained or planted.</p> <p>Surface water drainage shall be provided as necessary to prevent the accumulation of water.</p> <p>Use of low flow watering devices is encouraged to avoid over watering. Low water demand drought resistant vegetation is to be used for the majority of landscaping, including native salt tolerant trees.</p>	<p>Noted / complies.</p> <p>Stormwater to be conveyed to the street Surface water can drain to the street, kerb.</p> <p>Suitable landscaped planting is proposed.</p>	
<p><b>4.2.7</b> <b>Private Open Space.</b></p> <p>Each dwelling is to be provided with an area of Principal Private Open Space (PPOS) consistent with the requirements of the relevant Tables 4-2 to 4-6.</p> <p>The location of PPOS is to be determined having regard to dwelling design, allotment orientation, adjoining dwellings, landscape features, topography.</p> <p>The PPOS is required to be conveniently accessible from the main living area of a dwelling or alfresco room and have a maximum gradient of 1:10. Where part or all of the PPOS is permitted as a semi-private patio, balcony or rooftop area, it must be directly accessible from a living area.</p>	<p>The proposal has been assessed against tables 4-4 (lots <math>\geq</math> 9m and <math>\leq</math>15m), with the proposed PPOS exceeding the minimum required.</p> <p>PPOS contained and achievable to rear PPOS located appropriately.</p> <p>PPOS conveniently accessible from family room and alfresco. PPOS at grade <math>&lt;</math>1:10.</p>	Yes.
<p><b>4.2.8</b> <b>Garages, Storage, Site Access and Parking.</b></p> <p>3 bedroom or more dwellings will provide at least 2 car spaces.</p> <p>At least one car parking space must be located behind the building façade line where the car parking space is accessed from the street on the front property boundary.</p>	<p>2 car parking spaces provided.</p> <p>2 car parking spaces provided behind the building line in proposed double car garage.</p>	Yes.

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Attachment 3





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Attachment 3

Camden Growth Centre Precincts Development Control Plan		
Control	Assessment	Compliance?
<p>Driveways are to have the smallest configuration possible (particularly within the road verge) to serve the required parking facilities and vehicle turning movements and shall comply with AS2890.</p> <p>The location of driveways is to be determined with regard to dwelling design and orientation, street gully pits and trees and is to maximise the availability of on-street parking</p> <p>Single garage doors should be a maximum of 3m wide and double garage doors should be a maximum of 6m wide.</p> <p>Minimum internal dimensions for a single garage are 3m wide by 5.5m deep and for a double garage 5.6m wide by 5.5m deep.</p> <p>Garage doors are to be visually recessive through use of materials, colours, and overhangs such as second storey balconies.</p>	<p>Compliant and further considered against Camden Councils Standard Residential Driveway Design Guidelines.</p> <p>Driveway located appropriately and will not conflict with said structures.</p> <p>Double garage door width = 4.81m.</p> <p>Double garage internal dimensions = 5.5m x 5.6m.</p> <p>Provided colour and material schedule demonstrates the garage doors will be visually recessive and respective to the proposed main dwelling.</p>	
<p><b>4.2.9</b> <b>Visual and Acoustic Privacy.</b></p> <p>Direct overlooking of main habitable areas and the private open spaces of adjoining dwellings should be minimised through building layout, window and balcony location and design, and the use of screening, including landscaping</p> <p>The design of dwellings must minimize the opportunity for sound transmission through the building structure, with particular attention given to protecting bedrooms and living areas.</p> <p>No electrical, mechanical or hydraulic equipment or plant shall generate a noise level greater than 5dBA above background noise level measured at the property boundary during the hours 7.00am to 10.00pm and noise is not to exceed background levels during the hours 10.00pm to 7.00am.</p>	<p>Proposed development is single storey only. Proposed dwelling has an FFL &lt;1.0m and therefore, presents no concerns relating to overlooking.</p> <p>The dwelling will attenuate noise where possible through separating communal areas from private living spaces.</p> <p>Noted</p>	Yes.

Camden Growth Centre Precincts Development Control Plan		
Control	Assessment	Compliance?
<p>Dwellings along sub-arterial or arterial roads, or transit boulevards, or any other noise source, should be designed to minimize the impact of traffic noise, and where possible comply with the criteria in Table 4-7. Note: Figure 4-11 provides guidance on measures to mitigate noise in residential buildings. Page 100 Camden Growth Centre Precincts Development Control Plan</p> <p>The internal layout of residential buildings, window openings, the location of outdoor living areas (i.e. courtyards and balconies), and building plant should be designed to minimise noise impact and transmission.</p> <p>Noise walls are not permitted.</p> <p>Development affected by rail or traffic noise is to comply with Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning 2008). The design of development is also to consider ways to mitigate noise in Principal Private Open Space areas with reference to Council's Environmental Noise Policy.</p> <p>Architectural treatments are to be designed in accordance with AS3671 - Traffic Noise Intrusion Building Siting and Construction, the indoor sound criteria of AS2107 - Recommended Design Sound Levels and Reverberation Times for Building Interiors.</p>	<p>Dwelling not impacted by these road types.</p> <p>The dwelling will attenuate noise where possible through separating communal areas from private living spaces/bedrooms.</p> <p>No noise wall proposed.</p> <p>Development not impacted by rail or traffic noise.</p> <p>Development does not require architectural treatments regarding acoustic impacts.</p>	
<p><b>4.2.10 Fencing.</b></p> <p>Front fencing shall be a maximum of 1.2m high above ground level (existing) and shall be an open style incorporating pickets, slats, palings or the like or lattice style panels with a minimum aperture of 25mm.</p> <p>Side and rear fences are to be a maximum of 1.8m high commencing 2m behind the building line (refer to Figure 4-12).</p>	<p>No front fencing proposed.</p> <p>Side boundary return fences indicated which will be &gt;2.0m behind the primary building line.</p>	Yes.
<p><b>Table 4-4 – Site coverage.</b></p>	<p>242.88sqm site cover, lot size = 558.8sqm = 43.46%</p>	Yes.

Camden Growth Centre Precincts Development Control Plan		
Control	Assessment	Compliance?
Maximum 60% for single storey development .		
<b>Table 4-4 – Soft landscaped area.</b> Minimum 25% of the allotment area.	approx.33% 185sqm	Yes.
<b>Table 4-4 – Principal Private Open Space (PPOS).</b> Minimum 20sqm with minimum dimensions of 4m.	>20sqm provided at dimensions >4.0m	Yes.
<b>Table 4-4 – Solar Access.</b> 50% of the area required for PPOS (of both proposed development and adjoining properties) should receive at least 3 hours of sunlight between 9am and 3pm on June 21.	Due to single storey dwelling PPOS can achieve suitable solar access to min area required, 50% of min 24sqm. Proposed dwelling will not overshadow adjoining PPOS as it is single storey development only.	Yes.
<b>Table 4-4 – Garages and carparking.</b> Maximum double car garage door width 6m. 3 bedrooms or more to provide at least 2 car spaces.	Double garage door width = 4.81m.  2 spaces provided.	Yes.
Control	Assessment	Compliance?
<b>4.1 Development Surrounding Oran Park House.</b>  Proposals for subdivision and development that are seeking exemption from Integrated Development referrals to Heritage NSW and exemption from Section 60 approval under the Heritage Act 1977 must comply with the guidelines contained in the Oran Park State Heritage Register listing and with the requirements contained in the NSW Heritage Act 1977.  Approval under the NSW Heritage Act 1977 is required for development which does not meet the guidelines of the Oran Park Heritage Exemptions.  Development must be designed to maintain significant view lines illustrated in Figure 4-1.	The proposed development generally complies with the Exemption Guidelines, with the exception that the design of dwellings for each street block is not being undertaken simultaneously and delivered as a complete package by one builder. This provision cannot be complied with as the lots have been subdivided and sold to individual property owners.  On 25 January 2022, Heritage NSW advised Council that (in order to streamline DA's) all DA's within the heritage curtilage that comply with the Exemption Guidelines (with the exception of the 'one builder' control) can be approved (without formal referral) subject to standard GTAs issued Heritage NSW.  The proposed development fully complies with the Exemption Guidelines (with the exception of the 'one builder' control) and is therefore subject to the standard GTA's, which have been included as recommended conditions of consent.  The site is located inside the area identified in figure 4-1. Development is for a single storey dwelling and will not result in significant view	Yes.

Camden Growth Centre Precincts Development Control Plan		
Control	Assessment	Compliance?
 <p>Development in these areas must be sympathetically designed to complement the topography of the site, the setting of Oran Park House and associated outbuildings and the historical rural character without replicating architectural details.</p>	<p>lines illustrated in figure 4-1 being compromised. The proposed dwelling house is sympathetically designed and complements the setting of Oran Park House</p>	
<p><b>4.1.2</b> <b>Oran Park House and Outer Heritage Curtilage Principals.</b></p>  <p>All development within the Oran Park heritage curtilage is to be designed in accordance with Figure 4-2</p>	<p>The subject lot is located outside the area mapped as being 'very low density residential' and has been assessed in relation to the relevant controls in table 4.4 of the DCP.</p>	<p>Yes.</p>
<p><b>4.1.3</b> <b>Landscape Elements – Views and Vistas.</b></p> <p>Development must be designed to ensure that the significant vistas shown in Figure 4-3 are retained.</p>	<p>The development will not impact significant vistas shown in figure 4-3.</p>	<p>Yes.</p>

Camden Growth Centre Precincts Development Control Plan		
Control	Assessment	Compliance?
 <p>Figure 4-3 - Significant Vistas within the Oran Park House curtilage to be preserved</p>		
<p><b>4.1.11</b> <b>Residential Built Form.</b></p> <p>The design of dwellings for each street elevation and street block is to be undertaken simultaneously and delivered as a complete package. The block design must be submitted and approved with the first development application for the construction of a dwelling within the street block.</p>	<p>This DA does not provide for simultaneous design and delivery of development for this street elevation/street block. However, the dwelling is assessed as being suitable for the site and Heritage NSW have issued standards GTAs for instances where the development fully complies with the Exemption Guidelines with the exception of the 'one builder' requirement.</p>	N/A.
<p><b>4.1.12</b> <b>Street Facades and Visible Elevations.</b></p> <p>Residential developments are to have contemporary designs (i.e. architecture being produced now) and respect the heritage significance of Oran Park House but must not replicate historic styles.</p> <p>All dwellings in the heritage curtilage area are to have architectural merit (i.e. architecture that is enduring and respects the heritage significance of Oran Park House).</p> <p>Building facades are to be visually interesting and articulated suitably to break up the building mass. At least three of the following design features are to be incorporated into the front facade:</p> <ul style="list-style-type: none"> <li>• front doors with side lights;</li> <li>• contemporary window treatments including aluminium or timber frames in neutral colours;</li> <li>• bay Windows (rectangular only);</li> <li>• entry portico; and</li> </ul>	<p>The dwelling has been designed to include contemporary features and materials and will have architectural merit.</p> <p>The dwelling has architectural merit that can respect the heritage significance of Oran Park House.</p> <p>The dwelling incorporates suitable design features</p>	Yes.

Camden Growth Centre Precincts Development Control Plan														
Control	Assessment	Compliance?												
<ul style="list-style-type: none"> <li>recessed garage doors setback behind the primary facade.</li> </ul> <p>Colonial style window treatments are not appropriate where visible from the public domain.</p> <p>Window design to the front facade, or where visible from the public domain, is to have a dominant vertical proportion.</p> <p>Picture windows or fully glazed walls are permitted to the street façade.</p> <p>An entry portico is to be of contemporary design and appearance. Access to the entry portico may be from either the driveway or a separate path.</p> <p>Shadow lines are an appropriate element to complement the overall facade appearance.</p> <p>The design of dwellings shall include an articulated front elevation in the direction of the Primary Street.</p>	<p>Noted – no colonial style window treatments proposed.</p> <p>All windows to the front façade feature a dominate vertical proportion.</p> <p>No picture windows or fully glazed walls are proposed to the street façade.</p> <p>Noted / complies.</p> <p>Noted / complies</p> <p>Front elevation articulated to the street</p>													
<p><b>4.1.14</b> <b>Setbacks for Very Low Density Area Surrounding Oran Park House.</b></p> <p>Residential development must comply with the controls in Figure 4-8.</p> <table border="1"> <thead> <tr> <th></th> <th>Minimum</th> </tr> </thead> <tbody> <tr> <td>Front Dwelling Setback</td> <td>5m</td> </tr> <tr> <td>Front Garage Setback</td> <td>5m</td> </tr> <tr> <td>Rear Boundary Setback</td> <td>5m</td> </tr> <tr> <td>Side Boundary Setback</td> <td>0.5m (average 20%)</td> </tr> <tr> <td>Corner Lot Side Boundary Setback</td> <td>3m</td> </tr> </tbody> </table> <p><small>Note: In addition to the minimum side boundary setback of 0.5m, the siting of dwellings is required to achieve an average 4m side separation between dwellings along an entire street block. Pursuant to Section 4.1.11 of this Section, the simultaneous delivery of dwellings within the heritage curtilage by one builder will ensure the average 4m separation is achieved.</small></p>		Minimum	Front Dwelling Setback	5m	Front Garage Setback	5m	Rear Boundary Setback	5m	Side Boundary Setback	0.5m (average 20%)	Corner Lot Side Boundary Setback	3m	<p>This lot is located outside the very low density area and the setbacks under Table 4.4 and of the main DCP will therefore apply. The dwelling complies with the minimum required setbacks.</p>	N/A
	Minimum													
Front Dwelling Setback	5m													
Front Garage Setback	5m													
Rear Boundary Setback	5m													
Side Boundary Setback	0.5m (average 20%)													
Corner Lot Side Boundary Setback	3m													
<p><b>4.1.15</b> <b>Building Height.</b></p> <p>Residential development in the Oran Park House heritage curtilage must comply with the Height of Buildings maps in State Environmental Planning Policy (Sydney Region Growth Centres) 2006.</p>	<p>The height will exceed the 5m control and is subject to a Clause 4.6 written request.</p>	Yes, subject to clause 4.6 request.												
<p><b>4.1.16</b> <b>Roofs.</b></p>		Yes.												

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Camden Growth Centre Precincts Development Control Plan		
Control	Assessment	Compliance?
<p>Roof pitches are to be between 22.5 degrees and up to 35 degrees.</p> <p>Roofs are to be of simple design and form with either simple hips or gables. Federation detailing, symbolism and Victorian inspired gables are not permitted.</p> <p>The minimum eave overhang is 450mm.</p> <p>Roofs must use neutral colour tones such as greys, greens or browns.</p>	<p>Proposed roof pitch is a 22.5 degrees</p> <p>Roof adopts hipped and gable form.</p> <p>450mm provided</p> <p>Roof colour mid grey tiles are satisfactory</p>	
<p><b>4.1.17</b> <b>Lofts, Attics and Dormer Windows.</b></p> <p>Variations to the building height on corner lots may be appropriate when attic rooms with dormer windows are proposed, and where there will be no impact on the views and vistas to and from Oran Park House and grounds.</p> <p>Occasional lofts can go over roof pitch as long as design proportions are in harmony with the overall skyline of development.</p>	<p>Lot is not a corner lot.</p> <p>Proposed development does not have loft, attic or dormer window.</p>	N/A
<p><b>4.1.18</b> <b>Garages.</b></p> <p>Garages are required to be setback a minimum of 6m from the front boundary.</p> <p>The width of garages must not exceed 50% of the dwelling and be setback a minimum 1m behind the main part of the dwelling.</p> <p>Garages are required to be integrated into the building design and be consistent in respect of materials, colours and roof pitch.</p> <p>Garages are to accommodate two cars, with allowance for a further two cars to be parked on the residential lot in front of the garage.</p>	<p>Garage setback 6m to 8.48m from front boundary line.</p> <p>Garage width &lt;50% - with garage door being approx.36%.</p> <p>The garage has been considered within the overall building design and is consistent with regards to the dwellings materials, colours and proposed roof pitch.</p> <p>Garage proposed being a double car garage can accommodate two cars with the ability for an additional parking on the internal driveway</p>	Yes.
<p><b>4.1.19</b> <b>Building Materials.</b></p> <p>Building materials and finishes are to be non-reflective.</p>		Yes.

Camden Growth Centre Precincts Development Control Plan		
Control	Assessment	Compliance?
<p>Neutral colour palette such as mid-range greys, olives and browns are recommended.</p> <p>Roofs may be constructed from either tiles or corrugated roofing material. When corrugated material is used, it is preferable if it is of a traditional profile and not angular or seamed.</p> <p>Clear/tinted/coloured acrylic roof material and other roof tones or colours (including black and green) are not permitted.</p> <p>Front walls may be rendered and have contrasting features to the House.</p> <p>The following wall materials are appropriate:</p> <ul style="list-style-type: none"> <li>• Face brickwork with struck or tooled joints;</li> <li>• Light coloured mortar joints; and</li> <li>• Any rendered surfaces painted in neutral colours.</li> </ul>	<p>Colour and material schedule provided. Colours and materials provided are considered non-reflective.</p> <p>Colours and materials considered to align with recommended palette.</p> <p>Appropriate materials and finishes are provided with face brick walls and with rendered feature areas</p>	
<p><b>4.1.20</b> <b>Landscaping.</b></p> <p>All parts of the residential allotment in front of the building and facing the street that are not built on or paved are to be landscaped, with materials such as turf, groundcover, garden beds, shrubs and trees.</p> <p>Front gardens are to be landscaped with a good balance of turf, garden beds, paving, shrubs and trees.</p>	<p>Landscaping plan indicates all parts within the front setback that are not built on or paved, are landscaped with turf, groundcover, and trees.</p>	Yes.
<p><b>4.1.21</b> <b>Driveways.</b></p> <p>Driveways are to:</p> <ul style="list-style-type: none"> <li>• Have a maximum width of 6m.</li> <li>• Be designed with high quality stone pavers, large tiles, selected permeable paving or exposed aggregate. The colour and finish of stone pavers and tiles is to be subdued with a natural unpolished finish.</li> </ul>	<p>The driveway has a maximum width of 6m. Coloured lighter grey concrete driveway will be satisfactory.</p>	Yes.

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Attachment 3

Camden Growth Centre Precincts Development Control Plan		
Control	Assessment	Compliance?
<p><b>4.1.21</b> <b>Rooftop Fixtures, Air Conditioners, TV Antennas and Satellite Dishes.</b></p> <p>Rooftop fixtures, air conditioners, tv antennas, solar panels and satellite dishes shall be located so they are screened/minimised from public view.</p>	<p>None of these are proposed or shown on the DA plans (small skylight only)</p>	<p>Yes.</p>
<p><b>4.1.25.</b> <b>Letterboxes</b></p> <p>Letterboxes must not be a visually prominent element on the streetscape.</p> <p>Letterboxes must be designed as an integrated feature of the fence</p>	<p>Letterbox will not be visually prominent element.</p> <p>There is no front fence proposed or required</p>	<p>Yes.</p>



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Attachment 4

**CLAUSE 4.6 VARIATION REQUEST**  
**Environmental Planning & Assessment Act 1979**

**New Single Storey Residential Dwelling**  
**Stage 6 | Catherine Park**

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**Address:** 14 Connor Way ORAN PARK NSW

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**Lot:** 6002 **DP1235007**

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**Date:** 11 August 2022

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# CONTENTS

- 1 Introduction..... 1
- 2 Statutory Planning Framework..... 2
  - 2.1 Clause 4.6 - Exceptions to development standards..... 2
  - 2.2 Development Standards..... 2
- 3 Proposed Variation to Development Standard..... 4
  - 3.1 Development Standard Subject to Variation ..... 4
  - 3.2 Subject Site ..... 5
  - 3.3 Proposal ..... 6
  - 3.4 Planning Context..... 6
  - 3.5 Extent of Variation to Development Standard..... 6
- 4 Explanation for Exception to Development Standard ..... 7
  - 4.1 Clause 4.6(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case ..... 7
  - 4.2 Clause 4.6(b) There are sufficient environmental planning grounds to justify contravening the development standard ..... 11
  - 4.3 Clause 4.6(4)(a)(ii): In the public interest because it is consistent with the objectives of the zone and development standard ..... 14
  - 4.4 Considerations for the Planning Secretary ..... 14
- 5 Conclusion..... 16



## Appendices

Appendix 1 – View Analysis

## Figures

Figure 1	Maximum Building Height Map
Figure 2	Lots in DP1235007 Subject to Clause 4.6 Variation
Figure 3	Catherine Park House (aka Oran Park House)
Figure 4	Building Height & Roof Pitch
Figure 5	Dwelling Roof Forms
Figure 6	Extract from View 4 in Views Analysis

## Tables

Table 1	Lots in DP1235007 Subject to Clause 4.6 Variation
Table 2	Specific Land Details
Table 3	Extent of Variation to Development Standard

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Attachment 4

## 1 INTRODUCTION

We submit a Clause 4.6 variation request to support a Development Application (DA) seeking approval to erect a detached dwelling on land described in Table 2 of this report.

The variation request relates to a building height standard under Appendix 9 Camden Growth Centres Precinct Plan in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

Catherine Park contains a State listed heritage item, an early European settlement homestead, named Catherine Park House (aka Oran Park House). The Precinct Planning for the Catherine Fields Part Precinct implemented special development standards around Catherine Park House to deliver a transition in development between the heritage item and surrounding urban development.

The site specific 5 metre maximum building height development standard imposed on land surrounding the heritage item adopted in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) does not enable all options for excellence in design of residential dwellings as was intended. A maximum building height over 5 metres will enable more and better dwelling designs with higher roof forms that will more effectively meet the design outcomes intended in the site-specific development controls in Schedule 4 of the Camden Growth Centre Precincts Development Control Plan (DCP), such as roof pitch.

The DA seeks approval for a detached dwelling with a roof form that exceeds the 5 metre height limit. This Clause 4.6 variation request seeks to vary the 5 metre maximum building height development standard to the extent described in Table 3 of this report.

This request has been prepared in accordance with the Department of Planning & Environment (DPIE) Guideline, Varying Development Standards: A Guide, August 2011, and relevant matters set out in the 'five-part test' established by determinations in the NSW Land and Environment Court.

This request should be read in conjunction with the Statement of Environmental Effects for the DA and supporting documentation and plans lodged with the proposal.

This report demonstrates that support for proposed building height provides better building design, enables compliance with DCP controls and achieves the intended outcomes for residential development surrounding Catherine Park House without any significant impacts.

## 2 STATUTORY PLANNING FRAMEWORK

### 2.1 Clause 4.6 - Exceptions to development standards

Clause 4.6 - Exceptions to development standards in 'Appendix 9 Camden Growth Centres Precinct Plan' of the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) allows the relevant authority to grant consent to development that varies from a development standard imposed by the Environmental Planning Instrument. The objectives of the clause include:

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

A written request to vary a development standard is required in accordance with subclause (3), which reads:

- (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.*

This document forms the written request required under Clause 4.6.

Subclauses 4 and 5 provide the considerations for approving a variation under Clause 4.6 including satisfying the requirements under subclause 3 and whether there is a public benefit of maintaining the development standard.

- (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.*
- (5) *In deciding whether to grant concurrence, the Director-General 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 Director-General before granting concurrence.*

### 2.2 Development Standards

A variation sought under Clause 4.6 needs to be a 'development standard'. A development standard is defined in the Environmental Planning & Assessment Act in Clause 1.4 as:

**development standards** means provisions of an environmental planning instrument or the regulations in relation to the carrying out of development, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that development, including, but without limiting the generality of the foregoing, requirements or standards in respect of—

Clause 4.6 Variation to Building Height  
Stage 6 | Catherine Park

CLPP02

Attachment 4

- (a) *the area, shape or frontage of any land, the dimensions of any land, buildings or works, or the distance of any land, building or work from any specified point,*
- (b) *the proportion or percentage of the area of a site which a building or work may occupy,*
- (c) *the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of a building or work,*
- (d) *the cubic content or floor space of a building,*
- (e) *the intensity or density of the use of any land, building or work,*
- (f) *the provision of public access, open space, landscaped space, tree planting or other treatment for the conservation, protection or enhancement of the environment,*
- (g) *the provision of facilities for the standing, movement, parking, servicing, manoeuvring, loading or unloading of vehicles,*
- (h) *the volume, nature and type of traffic generated by the development,*
  - (i) *road patterns,*
  - (j) *drainage,*
  - (k) *the carrying out of earthworks,*
  - (l) *the effects of development on patterns of wind, sunlight, daylight or shadows,*
  - (m) *the provision of services, facilities and amenities demanded by development,*
  - (n) *the emission of pollution and means for its prevention or control or mitigation, and*
  - (o) *such other matters as may be prescribed.*

With reference to part (c) it is definitive the maximum building height standard is a development standard.

### 3 PROPOSED VARIATION TO DEVELOPMENT STANDARD

#### 3.1 Development Standard Subject to Variation

The proposed variation is subject to the maximum building height development standard in Appendix 9 Camden Growth Centres Precinct Plan under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP).

Clause 4.3 - Height of buildings in Appendix 9 of Growth Centres SEPP prescribes maximum building height for certain land in the Camden LGA portion of the South West Growth Area.

The Objectives of Clause 4.3 - Height of buildings 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 centres and major transport routes.

Clause 4.1(2) requires that the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

Maximum building height is shown on South West Growth Centre Height of Buildings Map Sheets HOB\_004 and HOB\_009. This map shows maximum building height of 5 metres for the residential allotments surrounding Catherine Park House. This variation applies to 66 residential allotments that are subject to the 5 metre building height limit (see Section 3.2) and specific lot details are included in Table 2.



Figure 1 – Maximum Building Height Map (Source: NSW Planning Portal)



### 3.2 Subject Site

The site is located within Stage 6 in Catherine Park Estate. The land subject to a Clause 4.6 Variation comprises 66 residential allotments on the Deposited Plan No. DP1235007 that are subject to a 5 metre building height limit. The 66 residential allotments are shown in Figure 2 and are listed in Table 1. The details of the specific lot subject to this variation request are listed in Table 2.



Figure 2 – Lots in DP1235007 Subject to a Clause 4.6 Variation

**Table 1: Lots in DP1235007 Subject to Clause 4.6 Variation**

Lot No.	Lot No.	Lot No.	Lot No.	Lot No.	Lot No.	Lot No.	Lot No.	Lot No.	Lot No.
6001	6008	6015	6022	6029	6036	6043	6050	6059	6068
6002	6009	6016	6023	6030	6037	6044	6051	6060	6069
6003	6010	6017	6024	6031	6038	6045	6052	6061	6070
6004	6011	6018	6025	6032	6039	6046	6055	6064	
6005	6012	6019	6026	6033	6040	6047	6056	6065	
6006	6013	6020	6027	6034	6041	6048	6057	6066	
6007	6014	6021	6028	6035	6042	6049	6058	6067	

The land details specific to this Clause 4.6 Variation are detailed in Table 2.

**Table 2: Land Details Subject to Clause 4.6 Variation Request**

Address:	14 Connor Way ORAN PARK NSW	
Lot:	6002	DP1235007

### 3.3 Proposal

The DA seeks to erect a single storey detached dwelling on the site described in Table 2. The proposed building height of the dwelling exceeds the 5 metre maximum building height limit imposed under the Growth Centres SEPP.

### 3.4 Planning Context

The land is zoned R2 Low Density Residential in the Growth Centres SEPP.

The land subject to the variation is within the R2 Zone, which has the following objectives:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow people to carry out a reasonable range of activities from their homes where such activities are not likely to adversely affect the living environment of neighbours.
- To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.
- To provide a diverse range of housing types to meet community housing needs within a low density residential environment.

Residential development for detached dwellings is permissible with development consent in the R2 Zone.

### 3.5 Extent of Variation to Development Standard

The proposed building height and extent of variation to the 5 metre maximum building height limit imposed under the Growth Centres SEPP is included in Table 3.

**Table 3: Extent of Variation to Development Standard**

Proposed Building Height:	5.625m
Extent of Proposed Variation*:	12.5 %

\* Note: Extent of Proposed Variation =  $((BH / 5) \times 100) - 100$

## 4 EXPLANATION FOR EXCEPTION TO DEVELOPMENT STANDARD

### 4.1 Clause 4.6(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

The Department of Planning Industry & Environment published a guideline titled 'Varying development standards: A Guide' (August 2011), which is available on their website at: [www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/varying-development-standards-a-guide-2011-08.pdf](http://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/varying-development-standards-a-guide-2011-08.pdf)

The guideline suggests that written applications to vary a development standard could address matter outlined in the 'five part test', which is formed on determinations in the NSW Land and Environment Court. The NSW Land and Environment Court established the principle of a five-part test in determining whether compliance with a development standard is unnecessary (Refer *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90 & *Wehbe v Pittwater Council* [2007] NSW LEC 827).

The five part test includes five assessment criteria where one or more of the tests are to be used to demonstrate that compliance with the development standard is unreasonable or unnecessary. The five tests are as follows:

1. *the objectives of the standard are achieved notwithstanding noncompliance with the standard;*
2. *the underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;*
3. *the underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;*
4. *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;*
5. *the compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.*

An additional test is also included (Test 1(a)) which addresses the objectives of the land use zone, consistent with recent decisions of the NSW Land & Environment Court, including Preston CJ in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118.

#### ***Test 1: the objectives of the standard are achieved notwithstanding noncompliance with the standard***

The objectives of the height of buildings development standard in Clause 4.3 of the Growth Centres SEPP are outlined below with a respective response.

##### ***Objective (a) to establish the maximum height of buildings,***

The Environmental Planning Instrument imposes a maximum building height, and a variation of the building height is submitted in accordance with the allowances under Clause 4.6. The objective is upheld and proposal does remove a building height standard for the site. Therefore, the proposal is not inconsistent with Objective (a).

##### ***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,***

The 66 residential allotments have a land area of 500m<sup>2</sup> or greater and all residential allotments will contain a single storey detached dwelling with a combined average side setback of 4 metres and a maximum floor space ratio of 0.4:1. Single storey dwellings with hipped and/or gabled roofs are required on all allotments. The combined design requirements of setbacks, floor space ration and hipped and/or gabled roofs ensures there will be no significant overshadowing on adjoining properties. Single storey dwellings on large lots also ensures visual privacy of large areas of private open space will be preserved and visual impact is negligible. The proposed variation therefore meets Objective (b).

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

The site is identified for lower densities of residential development. Accordingly, Objective (c) is not relevant to the site and the proposed variation does not affect noncompliance to enable higher density development around centres. Further, the Concept Proposal is not inconsistent with the objective.

### ***Test 1(a): the objectives of the zone***

The objectives of the R2 Low Density Residential Zone are as follows:

- ***To provide for the housing needs of the community within a low density residential environment.***

The 66 residential allotments are within a planned low density area to provide a transition of development between Catherine Park House and surrounding residential development.

The proposed building height will does not intensify the density of development and will maintain single story detached dwellings on large residential allotments within he R2 Low Density Residential Zone. The Concept Proposal is consistent with the objective.

- ***To enable other land uses that provide facilities or services to meet the day to day needs of residents.***

A detached dwellings is proposed on the site and there is no land within the site that has been identified or would be suitable for other land uses that provide facilities or services to meet the day to day needs of residents. The proposal is not inconsistent with the objective.

- ***To allow people to carry out a reasonable range of activities from their homes where such activities are not likely to adversely affect the living environment of neighbours.***

The 66 residential allotments are large lots to contain single storey detached dwellings. Each residential allotment will have generous indoor and private outdoor spaces that will ensure a typical low density living environment incorporating privacy and amenity is maintained. Additionally, the requirements for single storey dwelling construction with a simple hipped and/or gabled roof forms ensures negligible overshadowing impacts. The proposal is consistent with the objective.

- ***To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.***

A detached dwellings is proposed on the site and there is no land within the site that has been identified or would be suitable for other land uses that provide facilities or services to meet the day to day needs of residents. The proposal is not inconsistent with the objective.

- ***To provide a diverse range of housing types to meet community housing needs within a low density residential environment.***

The broader Stage 6 in Catherine Park includes a diverse range of residential lots sizes and types of residential dwellings, which range from large residential allotments to small lot housing. The 66 residential allotments under this Clause 4.6 are within a planned low density area to provide a transition of development between Catherine Park House and standard low density development. These lots make an important contribution to housing diversity within the locality.

The proposed building height does not intensify the density of development and will maintain single story detached dwellings on large residential allotments within he R2 Low Density Residential Zone. The proposal is consistent with the objective.

### ***Test 2: the underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary***

The proposed variation does not rely on this test.

### ***Test 3: The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable***

The underlying objective of the built form within the transition area between Catherine Park House and the broader urban development is to provide single storey homes on large allotments with greater separation between dwellings and simple hipped and/or gabled roofs with a pitch over 22.5° (refer to Test 5). The design intention for these homes is to have 'stately' houses that respect the heritage values of Catherine Park House.

Clause 4.6 Variation to Building Height  
Stage 6 | Catherine Park

CLPP02

Attachment 4

If compliance was required, it will not enable the underlying objective will be thwarted as the 5 metre building height limit does not allow the range of dwelling designs as was intended in the DCP and Heritage Exemption Guidelines. Accordingly, compliance with the 5 metre maximum building height standard is considered unreasonable.

**Test 4: 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**

The proposed variation does not rely on this test.

**Test 5: The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone**

Compliance with the 5 metre maximum building height development standard development is unreasonable and detrimental to the current environmental character of the site and surrounds.

During the Precinct Planning for the Catherine Field Part Precinct prior to the zoning and development standards being adopted for the site, the intended outcome for the residential land surrounding Catherine Park House was to have single storey dwellings with simple hipped roof forms on large residential allotments. Hence minimum lot sizes of 500m<sup>2</sup> and 700m<sup>2</sup> were imposed and specific development controls were included in the Camden Growth Centre Precincts DCP to ensure this development outcome was realised. The heritage object was to ensure the housing surrounding Catherine Park House was subservient to the heritage item and have roof forms that are not detrimental to the heritage significance and character of the House.



Figure 3 – Catherine Park House (aka Oran Park House) (Source: [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au))

Schedule 4 in the Camden Growth Centre Precincts DCP includes site specific controls for the residential allotments surrounding Catherine Park House and subject to the Concept Proposal. The site specific controls include provision for roofs.

#### 4.1.16 Roofs

##### Controls

1. *Roof pitches are to be between 22.5 degrees and up to 35 degrees.*
2. *Roofs are to be of simple design and form with either simple hips or gables. Federation detailing, symbolism and Victorian inspired gables are not permitted.*
3. *The minimum eave overhang is 450mm.*
4. *Roofs must use neutral colour tones such as greys, greens or browns.*

To satisfy the site specific design standards in the DCP, a dwelling is required to have a simple hipped roof form with a minimum roof pitch of 22.5° and eaves of 450mm or larger.

There are also general development controls for roof pitch for all residential development in the DCP. Control 5 under Clause 4.2.2 'Streetscape and architectural design' states:

*The pitch of hipped and gable roof forms on the main dwelling house should be between 22.5 degrees and 35 degrees.*

A minimum roof pitch of 22.5° applies to all hipped roof forms for all detached dwellings within the Camden Council portion of the South West Growth Area.

Heritage Exemption Guidelines have been endorsed by the NSW Heritage Council and by order of the Minister for Heritage, granted an exemption from section 57(1) of Heritage Act 1977 in respect to all works and activities in accordance with 'Catherine Park Estate: Oran Park House Curtilage Exemption Guidelines' (prepared by Design & Planning for Hixson Pty Ltd, dated October 2014).

The Heritage Exemption Guidelines apply to the portion of allotments within the heritage curtilage and require the following design requirements to satisfy the exemption criteria:

#### 4.5 Building Height

##### Controls

1. *Buildings are to be single storey in height within the Oran Park House heritage curtilage.*
2. *Variations to the building height on corner lots may be appropriate where attic rooms with dormer windows are proposed, and where there will be no impact on the views and vistas to and from Oran Park House and grounds.*

And:

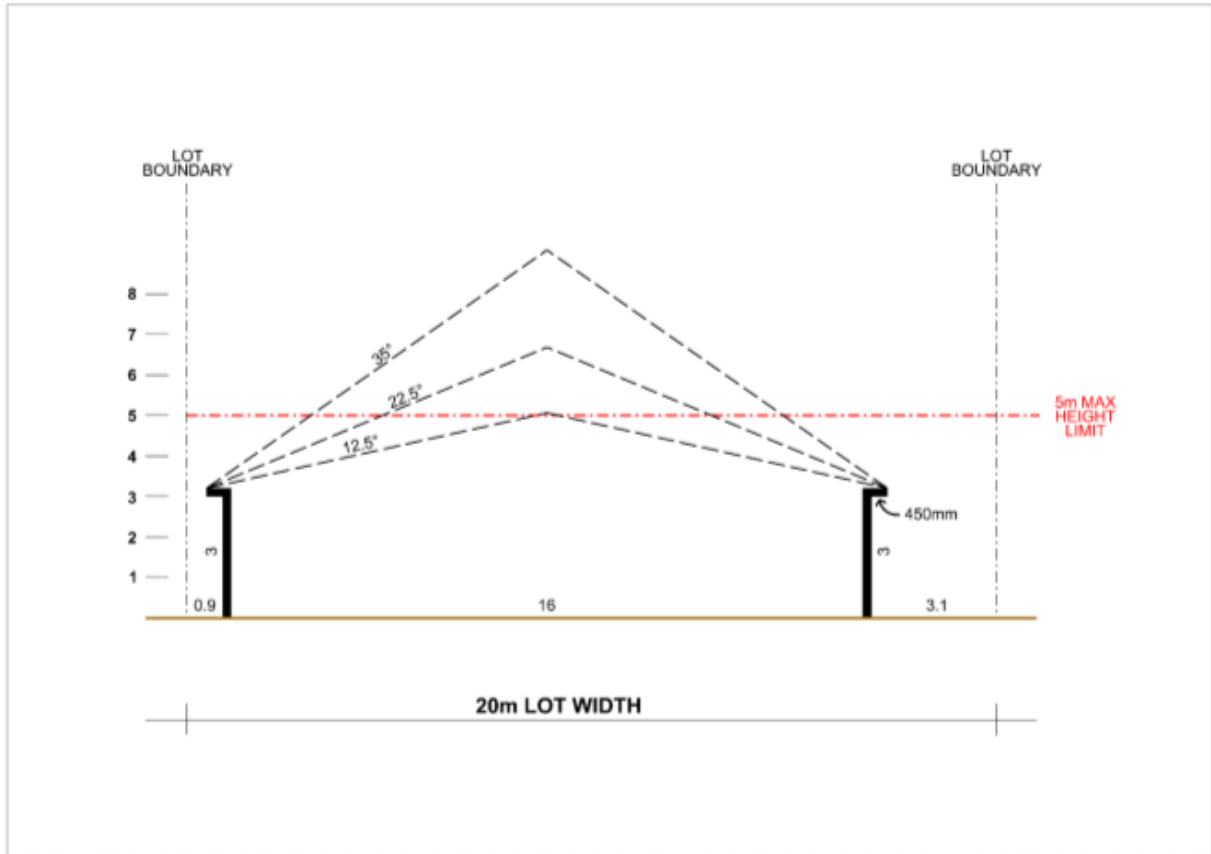
#### 4.6 Roofs

##### Controls

1. *Roof pitches are to be between 22.5 degrees and up to 35 degrees.*
2. *Roofs are to be of simple design and form with either simple hips or gables. Federation detailing, symbolism and Victorian inspired gables are not permitted.*
3. *The minimum eave overhang is 450mm.*

The development controls in the DCP and Heritage Exemption Guidelines demonstrate the intended outcomes for residential development surrounding Catherine Park House. Importantly, residential development is required to be single storey construction and roof pitches need to be at least 22.5°.

Figure 4 shows the relationship of the existing maximum 5 metre height limit and achieving the roof pitch controls for a single story dwelling with a simple hipped roof form. The diagram adopts a typical wall height of 3 metres for a single storey dwelling and 450mm eaves, which is a required design standard. The diagram also assumes a 20 metre lot width, which is slight less than the typical of the lots facing Catherine Park House, and a minimum side setback of 0.9 metres and average side setback of 2 metres, which reflects the minimum setback requirements in Schedule 4 of the Camden Growth Centre Precincts DCP.



**Figure 4 – Building Height & Roof Pitch**

Figure 4 demonstrates roof forms that would be achieved for a single storey dwelling with a simple hipped and/or gabled roof designed with a pitch over 22.5°. The design standards for the minimum roof pitch of 22.5° and the 5 metre maximum height limit for a single storey dwelling are conflicting. In addition, a roof pitch for a hipped and/or gabled roof less than 22.5° is a poor design outcome, which is the reason the Camden Growth Centre Precincts DCP imposes a minimum roof pitch of 22.5° for all residential dwellings with a hipped and/or gabled roof.

It is evident that the 5 metre maximum building height limit does not allow for better designs with higher roof forms for single story residential dwellings, and therefore, compliance with the 5 metre maximum building height development standard is considered unreasonable. In addition, the widespread erection of dwellings with potentially compromised roof forms will be detrimental to the current environmental character of the site and surrounds with respect to the heritage values of Catherine Park House. This would also be contrary to the intended outcomes for residential development around the heritage item potentially resulting in a diminished streetscape character and appearance.

The proposed building height is necessary to achieve a quality design for the dwellings surrounding Catherine Park House, which are required to include simple hipped and/or gabled roof designs with a pitch over 22.5°. This allows for properly designed dwellings with attractive roofs.

### Conclusion

In consideration of the five part test and the zone objectives, the proposed variation meets the objectives of maximum height of buildings development standard and zone in Test 1 and 1(a). It is also demonstrated that compliance with the 5 metre maximum building height development standard is unreasonable and detrimental to the current environmental character of the site and surrounds. Accordingly, strict compliance with the development standard is unnecessary.

## 4.2 Clause 4.6(b) There are sufficient environmental planning grounds to justify contravening the development standard

The determination in *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90* found that the environmental planning grounds presented in a Clause 4.6 variation request are to be specific to the circumstances of the proposal. There are special circumstances and sufficient environmental planning grounds to justify contravention of the maximum building

height development standard.

### **Better designed single storey dwellings & streetscapes**

The basis for the development control in the Camden Growth Centre Precincts DCP that sets a minimum standard for roof pitch of 22.5° is to ensure better house design. In particular, single storey dwellings with a hipped and/or gabled roofs present significantly better with a roof form that extends above the walls. The proportion of the roof form is balanced with the rest of the dwelling and the building mass presents a stronger residential character to the street, which improved the overall streetscape character.

Figure 5 shows examples of dwellings with a compliant roof form in terms of roof pitch (Dwelling A) and a compliant dwelling in regard to the 5 metre building height.



**Figure 5 – Dwelling Roof Forms**

The Dwelling B roof form design is compromised by a 5 metre building height standard and presents poorly as it is not in proportion with the building. It has an underwhelming residential character due to its substandard design quality. Conversely, Dwelling A is significantly more impressive and attractive due to its extended roof form.

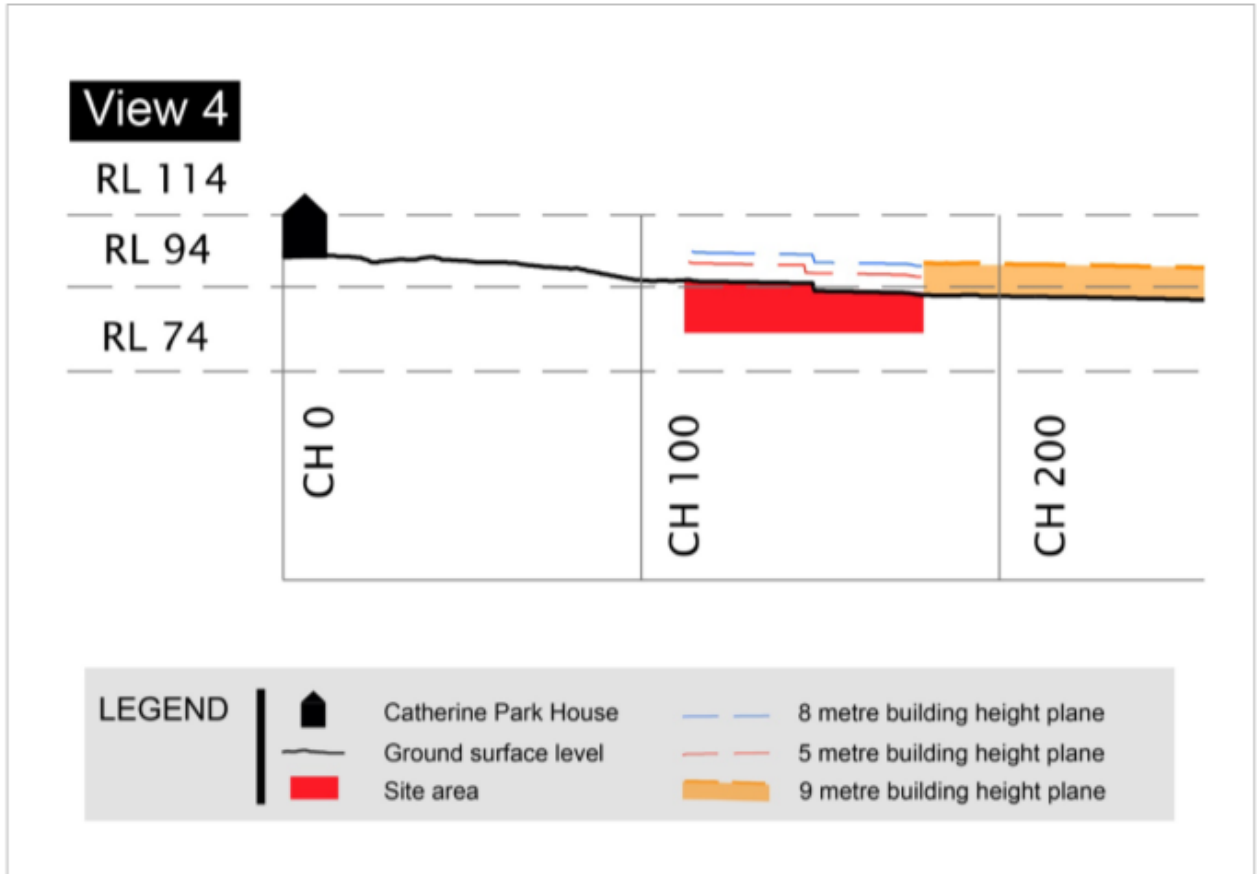
As the site comprises numerous rows of residential allotments, the compounding effect of several dwellings with roof forms that satisfy the 5 metre height limit will be detrimental to the streetscape and exhibit an undesirable residential character. An unattractive streetscape will also be detrimental to the heritage significance of Catherine Park House and diminish the heritage values of a State listed heritage item. This is also an outcome that the planning and heritage objectives and provisions are intending to prevent. Accordingly, the improved design quality and compliance with the heritage and planning design provisions provide strong grounds to support the variation.



**No impact on views and vistas from Catherine Park House**

Catherine Park House is located on an elevated knoll and sits proud of the 66 allotments surrounding the heritage item. An analysis of four (4) views from Catherine Park House and the surrounds that intersect the site in variation locations is included in Appendix 1. The analysis shows Catherine Park House and illustrates the section detail aligning with each of the four view lines. The section detail annotates the 5 metre and 8 metre building height limits within the site (66 lots) and also shows the adjoining 9 metre building height around the outer edge of the site.

Figure 6 is an excerpt of the views analysis and includes the section of View 4 from Catherine Park House.



**Figure 6 – Extract from View 4 in Views Analysis**

The section of View 4 illustrates that both the 5 metre and proposed 8 metre building height planes are eclipsed by the adjoining 9 metre building height. Moreover, the vistas and views from Catherine Park House are dictated by the built form within the 9 metre maximum building height area as opposed to the built form within the site. This is the case for all of the four view sections, and given the proposed building height limit in this proposal is over 1 metre less than shown in the view analysis, the impacts will be less than in the views assessment.

The other matter of consideration is the portion of the roof that will be above the 5 metre building height plane is relatively minor. The 66 dwellings within the site require larger side boundary building setbacks than typical standards to create greater separation between the dwellings. Greater separation between the dwellings will also ensure greater separation between the roof forms. With a relatively small portion of the roof form above the 5 metre height plane and the separation between buildings, wide view corridors between the roofs of adjoining dwellings are preserved and continue to allow open views within the heritage curtilage area.

The built form of new residential development around the outside of the 66 lots dictate views and vistas for Catherine Park House and closer views within the heritage curtilage including the site will be preserved within corridors between the roofs of the single storey dwellings. Accordingly, the findings in the views analysis provides strong grounds to support the variation.

### **Objectives and intent of built form surrounding Catherine Park House preserved**

The key outcome for the site (66 lots) is that all residential dwellings are to be single storey construction with hipped and/or gabled roofs on large lots. The proposed building height does not change the intended outcome for residential development surrounding Catherine Park House. The proposed building height also does not affect the intended type and character of residential development, and it will actually improve the design quality and therefore character. Accordingly, preserving the intended development outcomes and improving character provides strong grounds to support the variation.

### **No significant environmental impact**

There is no significant environmental impact resulting from the variation. The variation allows the orderly and proper delivery of development that will result in a development outcome that is essentially the same as has been planned for the Catherine Field Part Precinct and provided for in the Growth Centres SEPP and Schedule 4 in the Camden Council Growth Centres DCP. Once built, the site will form part of a larger area that will maintain a transition of development intensity from Catherine Park House and the intended urban structure will upheld. The protrusion of a small portion of the roof forms for the single storey dwellings with the site will be on no significant impact, particularly as this development will be more dominated by two storey developments around the outer edge of the locality. Accordingly, there are strong grounds to justify the proposed variation as there is no significant environmental impact and the intended development objectives for the locality are maintained.

### **Conclusion**

There are sufficient environmental planning grounds to justify variation to the maximum building height including achieving an improved building designs, no significant impacts on views and vistas from Catherine Park House, preserving a transition in development between the House and standard residential development, and having no significant impact.

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

The proposed development is consistent with the objectives of the maximum building height development standard for the reasons explained in Section 4.1 this report (refer to Test 1).

The proposed development is consistent with the zone objectives for the R2 Low Density Residential for the reasons explained in Section 4.1 this report (refer to Test 1a).

In addition, the neighbourhood character and dwelling design is complementary with the heritage values of Catherine Park House and meets the design intent of the ILP and Precinct objectives to provide for a diverse range of housing options in the South West Growth Area.

Support for the proposed variation is in the public interest as it is consistent with the objectives and will significantly and directly enhance the amenity of the area with a well-transitioned residential development away from Catherine Park House from detached dwellings on larger lots to two storey homes on smaller lots.

### **4.4 Considerations for the Planning Secretary**

Clause 4.6(5) outlines matters for the Planning Secretary to consider in approving a variation to a development standard, which reads:

- (5) *In deciding whether to grant concurrence, the Director-General 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 Director-General before granting concurrence.*

In consideration of subclause (5), the following comments are presented.

- The variation does not raise any matter of significance for State environmental planning as the proposed variation:
  - provides significantly better building designs and improved streetscapes,

Clause 4.6 Variation to Building Height  
Stage 6 | Catherine Park

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- provides site-specific reasoning to support the variation,
  - relates to a situation that has uncommon circumstances that do not occur elsewhere in the locality, and
  - is a variation of relatively minor consequences of no significant environmental impact.
- Maintaining the development standard has no discernible public benefit.

CLPP02

Attachment 4

## 5 CONCLUSION

A Clause 4.6 variation request to support a DA to seeking approval to erect a detached dwelling on land described in Table 2 of this report. This request should be read in conjunction with the associated Environmental Assessment and supporting documentation lodged with the proposal.

The variation request relates to a maximum building height development standard under Appendix 9 Camden Growth Centres Precinct Plan in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

This request has been prepared in accordance with the Department of Planning & Environment (DPIE) Guideline, Varying Development Standards: A Guide, August 2011, and relevant matters set out in the 'five-part test' established by the NSW Land and Environment Court.

This report and supporting information demonstrate that support for proposed building height provides better building design, enables compliance with DCP controls and achieves the intended outcomes for residential development surrounding Catherine Park House without any significant impacts.

The objective of Clause 4.6 is to provide an appropriate degree of flexibility in applying development standards and to achieve better outcomes for development by allowing flexibility circumstances. The proposed variation is respectful of the allowances under Clause 4.6 and can be supported for the following reasons:

- It has been demonstrated that compliance with the development standard is unreasonable and unnecessary in the specific circumstances for three of the tests in the five part test;
- The proposal maintains consistency with the objectives of the R2 Low Density Residential zone;
- The proposal is consistent with the objectives of Clause 4.3 Height of buildings, despite the non-compliance;
- The proposed building height in Table 3 of this report will enable better building design and improved streetscapes;
- There are sufficient environmental planning grounds to justify the variation;
- The variation upholds the design intent for the locality for a transition of residential development away from Catherine Park House; and
- Support for the proposed variation will have a positive environmental impact and is in the public interest.

**CLPP02**

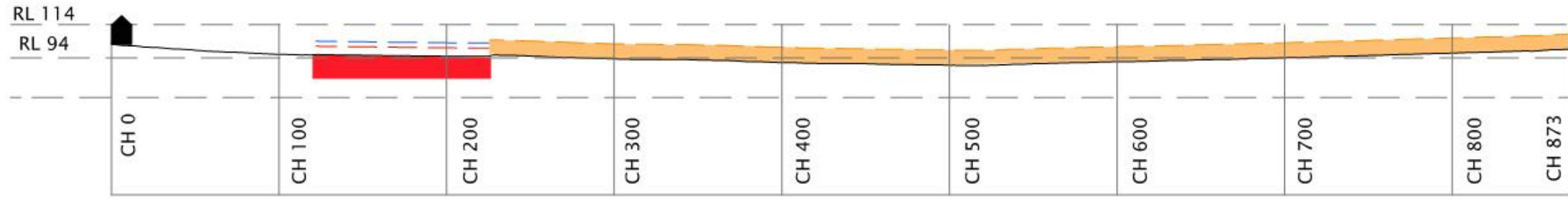
**Attachment 4**

**APPENDIX 1**  
**Views Analysis**

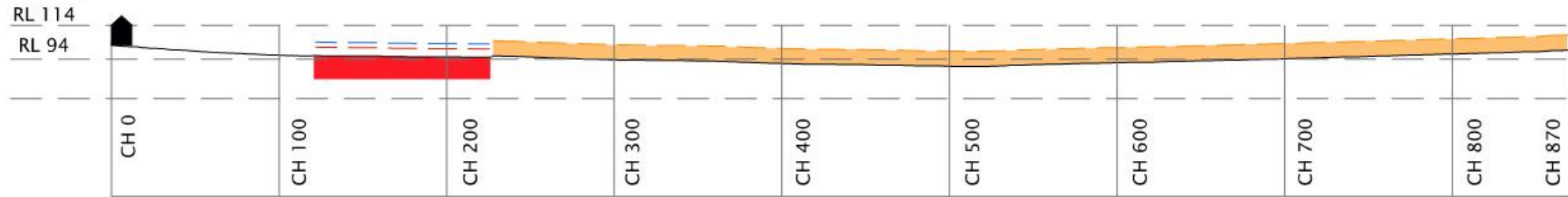
# CATHERINE PARK HOUSE & SURROUNDS - Views Analysis

[Note: long section data provided by Registered Surveyor JMD Development Consultants]

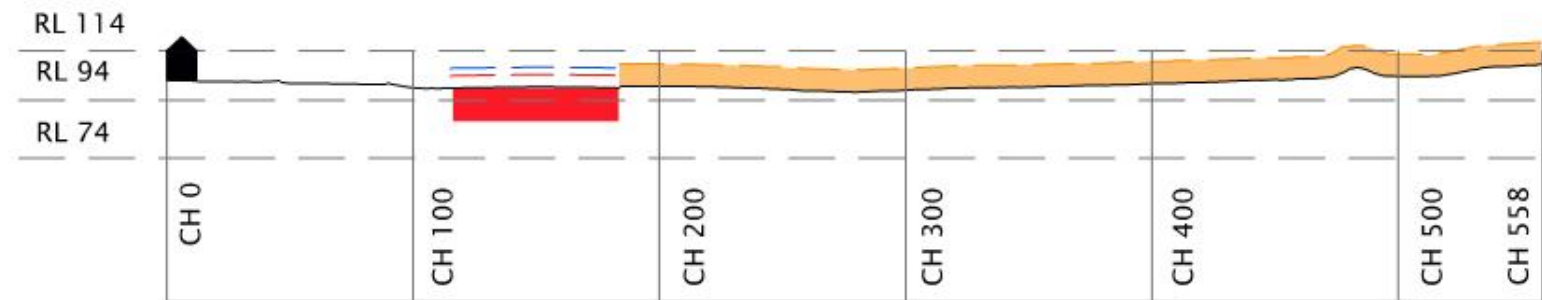
## View 1



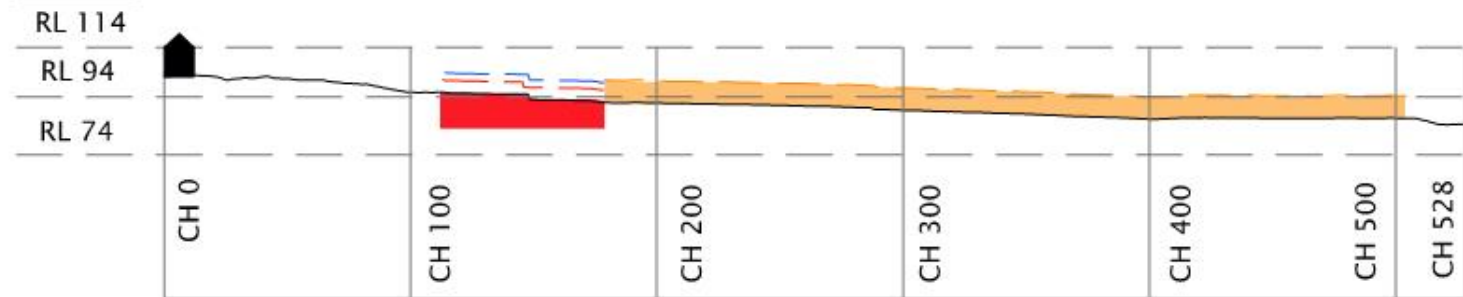
## View 2



## View 3



## View 4



**LEGEND**

- Catherine Park House
- Ground surface level
- Site area
- 8 metre building height plane
- 5 metre building height plane
- 9 metre building height plane



Attachment 4

CLPP02





Heritage NSW

Our ref: DOC22/41407

Cathryn Fuller  
Team Leader DA Assessment  
Camden Council  
70 Central Avenue  
ORAN PARK NSW 2570

By email: Cathryn.Fuller@camden.nsw.gov.au

Dear Ms. Fuller

### ORAN PARK (SHR 01695) – REFERRALS TO HERITAGE NSW

I write following our 20 January 2022 online meeting with Council where we discussed shared concerns about the planning control and current volume of work being generated by the Oran Park development. As canvassed, the volume of required referrals to Heritage NSW is against the proposed Exemption intent, and has ancillary impacts to private owners in terms of cost and time delays.

At the time of SHR listing, site-specific exemptions were put in place to exempt complying development from the requirement for approval under the *Heritage Act 1977 (Catherine Park Estate – Oran Park House Heritage Exemptions Guidelines*, prepared by Design + Planning, dated October 2014). The control under Section 4.1 'Residential Built Form' required that '*The design of dwellings for each street elevation and street block is to be undertaken simultaneously and delivered as a complete package by one builder*'.

We note Council's advice that this has not proven practical as the developer (Harrington Estates) has sold the subject lots as individual lots to private owners. New owners have been submitting separate development applications to Camden Council, with referral to Heritage NSW required due to the 'one builder' control of the Exemptions not being compliant.

Heritage NSW understands that the 'one builder' control is not commercially viable and no longer possible at this stage in the residential development. In response, we propose a two-pronged approach. The process of amending the site-specific exemptions will be pursued with the Heritage NSW Listings Team, which will require recommendation by the State Heritage Register Committee and decision by the Minister for Heritage. In the meantime, to facilitate streamlining of the integrated development referrals, a set of standard GTA's is provided with this letter. Council can attach these standard GTA's without referral to Heritage NSW, as long as the proposals are:

- In line with Exemption Guidelines (noting that the 'one builder' control is not practical and does not need to be complied with); and
- Not within the historic archaeological potential zone (relates to 37, 39 and 41 Gleeson Rise, Oran Park).

It is also noted that some allotments are located partially within the SHR curtilage. In those cases, it is important to note that the Heritage Council does not have the authority to grant general terms of approval in relation to development to the land outside of that SHR listing boundary. In relation to the land outside of the SHR curtilage, the Heritage Council has an advisory role only.

Level 6, 10 Valentine Ave Parramatta NSW 2150 ■ Locked Bag 5020 Parramatta NSW 2124  
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CLPP02

Attachment 5



**UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS**

1. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

*Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.*

**ABORIGINAL OBJECTS**

2. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the *National Parks and Wildlife Act 1974* (as amended). Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.

*Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.*

**COMPLIANCE**

3. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

*Reason: To ensure that the proposed works are completed as approved.*

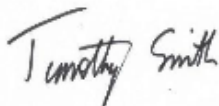
**SECTION 60 APPLICATION**

4. An application under section 60 of the *Heritage Act 1977* must be submitted to and approved by the Heritage Council of NSW (or delegate), prior to work commencing.

*Reason: To meet legislative requirements.*

If you have any questions about this correspondence, please contact Veerle Norbury, Senior Heritage Assessment Officer, at Heritage NSW on 9873 8616 or [Veerle.Norbury@environment.nsw.gov.au](mailto:Veerle.Norbury@environment.nsw.gov.au). I want to thank Council for working proactively with Heritage NSW to find a pragmatic response that still provides appropriate interim safeguards for the heritage place.

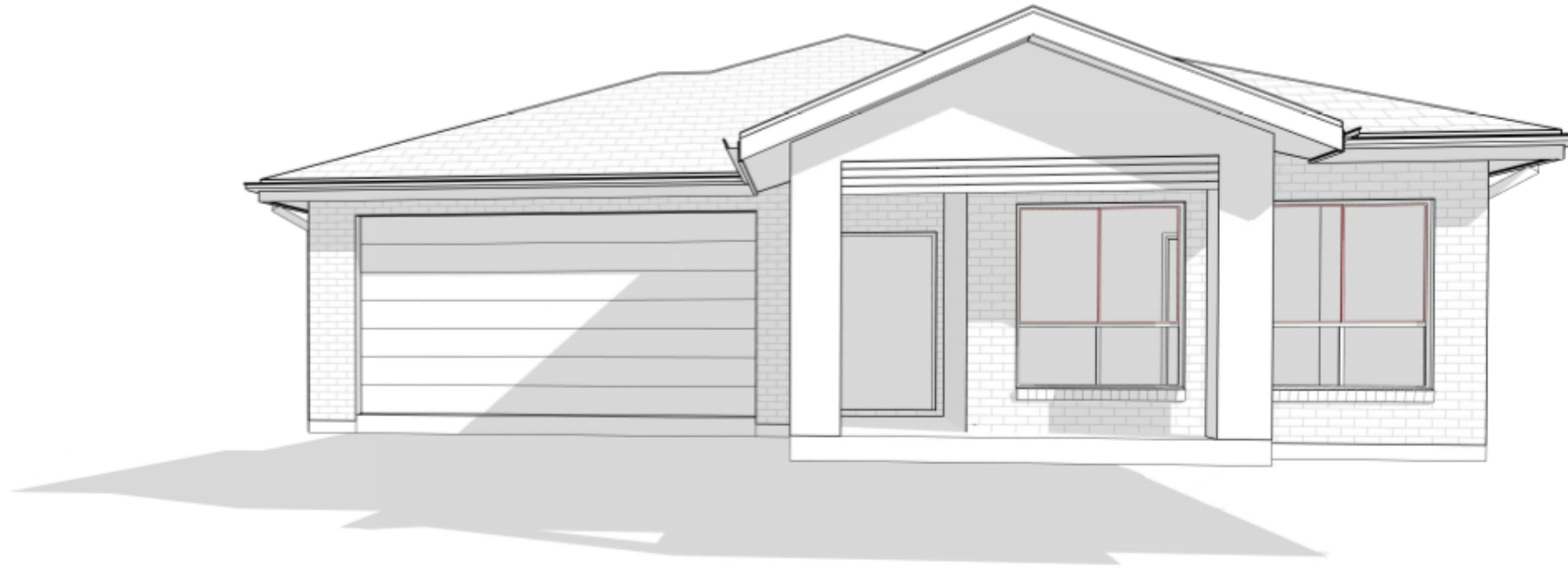
Yours sincerely



**Tim Smith OAM**  
 Director Assessments  
 Heritage NSW  
 Department of Premier and Cabinet  
**As Delegate of the Heritage Council of NSW**  
 25 January 2022

**AUTHORITY PLANS**  
SUBJECT TO COUNCIL/ ASSESSOR/  
DEVELOPER APPROVAL.

A001	COVER SHEET
A002	NOTES
A003	BASIX NOTES
A004	NATHERS NOTES
A005	SITE PLAN
A010	DRIVEWAY DETAILS
A011	CONCEPT STORMWATER PLAN
A012	SITE MANAGEMENT PLAN
A013	GROUND FLOOR PLAN
A015	ELEVATIONS
A016	ELEVATIONS
A017	SECTIONS
A018	WINDOWS & DOORS SCHEDULES
A020	GROSS FLOOR AREA PLAN (EXTERNAL)
A021	FLOOR SPACE RATIO PLAN (INTERNAL)
A022	SHADOW DIAGRAMS, 21st JUNE
A026	SITE ANALYSIS
A027	NOTIFICATION PLAN



DATE	REV	DRAWN BY	DESCRIPTION
5.08.22	15	SARAH	DRAFTNG AMENDMENT REQUEST DATED 09.08.22
4.08.22	14	ANSHULA	DRAFTNG AMENDMENT REQUEST DATED 3.8.22
1.07.22	13	SARAH	DRAFTING AMENDMENT REQUEST DATED 28.06.22
4.06.22	12	SARAH	DRAFTING AMENDMENT REQUEST DATED 21.06.22
3.04.22	11	SARAH	ENVELOPE AREA AMENDED
5.02.22	10	MARILOU	DRAFTING AMENDMENTS DATED 25.02.22
3.02.22	9	KHALID	DRAFTING AMENDMENTS (V06) AS REQUESTED DATED 04.02.22
3.12.21	8	MARILOU	DRAFTING AMENDMENTS DATED 19.11.2021
7.11.21	7	BSI-DL	AUTHORITY PLANS
3.10.21	6	KHALID	DRAFTING AMENDMENT REQUEST DATED 17.10.21
1.10.21	5	NIMA/KO	AGREEMENT CHECKS (SALES VARIATION REQUEST DATED 27.09.21, HOUSE PUSHED BACK BY 1250mm DUE TO COMPLY WITH GARAGE SETBACK, FGL CHANGED TO 20.70, RT WALL DELETED, GARAGE STEPDOWN CHANGED TO STANDARD, DRIVEWAY WIDTH CHANGED TO 4.8m DUE TO COMPLY, SALINITY ADDED AS PER TENDER, METER BOX RELOCATED TO OTHER SIDE, MAIN BATH SQ SET CENTRE TO VANITY, W10 CENTRE TO ROOM & BATH SHOWER REDUCED TO 1m DUE TO 100mm GAP REQUIRED FOR MAINTENANCE, STEEL BEAM ADDED TO CORNER WINDOW & ALFRESCO)
4.08.21	4	NIMA	DRAFTING AMENDMENT REQUEST DATED 20.08.21
3.07.21	3	NIMA	DRAFTING AMENDMENT REQUEST DATED 29.07.21
5.07.21	2	MATIN	PRELIMINARY
3.07.21	1	MATIN	INITIAL CONCEPT PLANS

**NBN NOTE:**  
HOME MUST BE SMART WIRED IN ACCORDANCE WITH THE STANDARDS OUTLINED BY THE NATIONAL BROADBAND NETWORK

**SALINE AFFECTED SOILS**  
REFER TO ENGINEER'S DETAIL

DEVELOPER: CATHERINE PARK ESTATE		GROWTH CENTRE: NA		
SUPPORTING DOCUMENTS	RECEIVED	LOT SPECIFIC REPORTS	AFFECTED	RECEIVED
GREENFIELD CODE:	No	BUSHFIRE REPORT:	No	No
D.A - DCP & LEP:	Yes	FLOOD REPORT:	No	No
AHD SURVEY:	No	ACOUSTICS REPORT:	No	No
SECTION 10.7 CERTIFICATE:	Yes	HYDRAULICS:	No	No
SECTION 88B:	Yes	ARBORISTS REPORT:	No	No
CONTOUR SURVEY:	Yes	DILAPIDATION REPORT:	No	No
BOREHOLE REPORT:	Yes	SEWER PEG OUT:	No	No
ENGINEERS:	No	SALINITY:	Yes	No
STRUCTURALS:	No	ACID SULPHATE:		No
LANDSCAPE PLAN:	No	RETICULATED WATER:		No

DOCUMENTS AND REPORTS ARE SUBJECT TO CHANGE



**kurmondhomes** PTY LTD  
BUILDERS LICENCE: 205 457C ABN: 481 288 211 98  
10 Sovereign Place South Windsor NSW 2756.  
T: 1300 764 761

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CLIENT'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
I accept and understand the plans and documents that have been provided to me by Kurmond Homes.

ALL DIMENSIONS ARE IN MILLIMETERS. ALL DIMENSIONS ARE FRAME TO FRAME. DO NOT SCALE OFF PLANS.

CLIENT'S NAME:  
MR MARK WRIGHT  
MRS AMY WRIGHT  
SITE ADDRESS:  
LOT 6002 DP:1235007  
(No.14) CONNOR WAY  
GRANDPARK NSW 2570

SHEET NAME: <b>COVER SHEET</b>		JOB NO: <b>21111</b>	
HOUSE NAME: <b>OPAL 27</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>	SHEET NO: <b>A001</b>
FACADE NAME: <b>CLASSIC</b>	PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3:	DATE: <b>15.08.22</b>

**AUTHORITY PLANS**  
SUBJECT TO COUNCIL/ ASSESSOR/  
DEVELOPER APPROVAL.

## GENERAL NOTES:

### COORDINATION:

REFER TO AND COORDINATE INFORMATION CONTAINED IN THE ARCHITECTURAL DRAWINGS, AND THE DOCUMENTATION OF OTHER CONSULTANTS. NOTIFY ANY DISCREPANCIES BETWEEN THE ARCHITECTURAL AND/OR OTHER CONSULTANTS DOCUMENTATION PRIOR TO PROCEEDING WITH THE WORKS.

### SPECIFICATIONS AND SCHEDULES:

REFER TO AND COORDINATE WITH APPLICABLE SPECIFICATIONS AND SCHEDULES. NOTIFY ANY DISCREPANCIES BETWEEN DOCUMENTS PRIOR TO PROCEEDING WITH THE WORKS.

### DETAIL DRAWINGS:

DRAWINGS AT LARGER SCALES TAKE PRECEDENCE OVER DRAWINGS AT SMALLER SCALES. NOTIFY ANY DISCREPANCIES PRIOR TO PROCEEDING WITH THE WORKS.

### EXECUTION OF THE WORKS:

EXECUTE THE WORKS IN ACCORDANCE AND COMPLIANCE WITH:

- THE APPROVED DEVELOPMENT APPLICATION AND IN ACCORDANCE WITH THE RELEVANT CONDITIONS OF CONSENT AND OTHER RELEVANT LOCAL AUTHORITY REQUIREMENTS;
- THE REQUIREMENTS SCHEDULES BY A CURRENT BASIX CERTIFICATE CONSISTENT WITH THE WORKS.
- THE CURRENT EDITION OF THE BUILDING CODE OF AUSTRALIA ( AS AMENDED); AND
- CURRENT EDITIONS OF THE RELEVANT AUSTRALIAN AND OTHER APPLICABLE PUBLISHED STANDARDS RELEVANT TO THE EXECUTION OF THE WORKS.

### UNITS OF MEASUREMENT:

DIMENSIONS ARE SHOWN IN MILLIMETRES UNLESS NOTED OTHERWISE.

### MATERIALS HANDLING AND STORAGE:

MATERIAL, FIXTURES AND FITTINGS ARE TO BE HANDLED, STORED AND INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S CURRENT WRITTEN INSTRUCTIONS.

### STRUCTURE:

FOUNDATIONS, FOOTINGS, REINFORCED CONCRETE SLABS, RETAINING WALLS, FRAMING, BRACING, TIE-DOWN AND OTHER STRUCTURAL ELEMENTS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE STRUCTURAL ENGINEER'S DETAILS AND SPECIFICATIONS.

### HYDRAULICS:

STORMWATER DRAINAGE, WASTE WATER DRAINAGE, FRESH WATER, GAS SUPPLY AND OTHER HYDRAULIC SERVICES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH LOCAL AUTHORITY AND HYDRAULIC ENGINEER'S REQUIREMENTS.

### SLAB REBATES:

ALL SLAB REBATES TO BE 160mm UNLESS OTHERWISE NOTED.  
GARAGE REBATES ARE 280mm WIDE X 15mm RECESS. ALL DIMENSIONS ARE TAKEN FROM EXTERNAL EDGE OF BRICK WALL.

### WET AREAS:

FIXTURES SHOWN ARE FOR ILLUSTRATION PURPOSES ONLY. ALL SIZES DEPICTED MAY VARY DEPENDING ON AVAILABILITY AND PRODUCT SELECTION. HEIGHT OF TILES MAY VARY ACCORDING TO SELECTION OF TILES. F.W. LOCATION IS DIAGRAMATIC ONLY AND POSITION MAY VARY. ALL FIXTURES SHOWN ARE BASED ON STANDARD INCLUSIONS. MEASUREMENTS MAY VARY AS PER THE AVAILABILITY AND PRODUCT SELECTION.

### MEASUREMENTS:

ALL MEASUREMENTS ARE TAKEN FRAME TO FRAME AND TO FINISH FLOOR LEVEL. NO CONSIDERATION OF FLOOR FINISH HAVE BEEN TAKEN. WHERE NEEDED, MEASUREMENTS MAY NEED TO BE ACCOUNTED FOR FINISH ON TOP OF CURRENT DIMENSION.

### CONSULTANTS:

ALL RELEVANT CONSULTANT DRAWINGS TO BE REFERRED BACK TO ORIGINAL DRAWINGS PROVIDED.

### DOOR JAMBS:

MINIMUM 105mm BETWEEN DOOR JAMB AND WALL, WHERE MINIMUM DIMENSION CANNOT BE ACHIEVED, DOOR TO BE CENTERED BETWEEN WALLS.

### STAIRS:

BALUSTRADES AND HANDRAILS, NEWEL POST, TREADS AND RISERS TO STAIR MANUFACTURER'S SPECIFICATIONS.

### ROOF PLANS:

TRADESMAN TO ENSURE THE CORRECT INSTALLATION OF ROOF FLASHING TO JUNCTION OF BRICKWORK AND CLADDING

### CUT/FILL PLAN:

REFER TO ENGINEER'S DETAILS FOR DROP EDGE BEAMS IF APPLICABLE.

### BALUSTRADES:

ALL BALUSTRADES TO BE 1.1m FROM THE FINISHED FLOOR LEVEL.

### ROOF PLANS:

TRADESMAN TO ENSURE THE CORRECT INSTALLATION OF ROOF FLASHING TO JUNCTION OF BRICKWORK AND CLADDING

### GENERAL SPECIFICATIONS:

EXECUTE THE WORKS IN COMPLIANCE WITH THE RELEVANT DEEMED-TO-SATISFY PROVISIONS OF THE BUILDING CODE OF AUSTRALIA (BCA) (VOLUME 2), CURRENT EDITIONS OF RELEVANT AUSTRALIAN AND OTHER APPLICABLE PUBLISHED STANDARDS AND THE RELEVANT REQUIREMENTS OF LOCAL AND/OR STATUTORY AUTHORITIES APPLICABLE TO THE EXECUTION OF THE WORKS. THIS SCHEDULE OF CODES AND STANDARDS OUTLINES THE MINIMUM ACCEPTABLE STANDARDS.

### TERMITE PROTECTION:

PROVIDE TERMITE PROTECTION: IN ACCORDANCE WITH PART 3.1.3 - TERMITE RISK MANAGEMENT OF THE BCA (VOLUME 2) AND TO AS 3660.1-2000 TERMITE MANAGEMENT - NEW BUILDING WORK) PROVIDE PROFESSIONAL CERTIFICATION OF THE TERMITE PROTECTION MEASURES TO THE PRINCIPAL CERTIFYING AUTHORITY, CONFIRMING COMPLIANCE WITH THE PROVISIONS OF THE BCA AND AUSTRALIAN STANDARD.

### FLASHING AND DAMP - PROOF COURSES:

FLASHING AND DAMP - PROOF COURSES: TO AS/NZS 2904-1995 (DAMP PROOF COURSES AND FLASHINGS).

### FASTENERS:

STEEL NAILS: HOT-DIP GALVANISED TO AS/NZS 4680-1999 (HOT-DIP GALVANISED (ZINC) COATINGS ON FABRICATED FERROUS ARTICLES). SELF-DRILLING SCREWS: TO AS 3566.1-2002 (SELF-DRILLING SCREWS FOR THE BUILDING AND CONSTRUCTION INDUSTRIES)

### METAL FINISHES:

CORROSION PROTECTION: TO BCA VOLUME 2 CLAUSE 3.4.2.2 (ACCEPTABLE CONSTRUCTION-FRAMING-STEEL FRAMING-GENERAL)

### SITE PREPARATION:

DEMOLITION: DEMOLISH EXISTING STRUCTURES AS SHOWN: TO AS2601-2001 (DEMOLITION OF STRUCTURES).

### EARTHWORKS:

TO BE CARRIED OUT IN ACCORDANCE WITH: THE REQUIREMENTS OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979; RELEVANT CONDITIONS OF THE DEVELOPMENT CONSENT; AND THE RELEVANT REQUIREMENTS OF PART 3.1.1 OF THE BCA (VOLUME 2).

### STORMWATER DRAINAGE:

PART 3.1.2 OF THE BCA (VOLUME 2) AND AS/NZS 3500-2000 (PART 5-DOMESTIC INSTALLATIONS-SECTION 5-STORMWATER DRAINAGE).

### STRUCTURAL DESIGN:

FOR DETAILS OF STRUCTURAL FOOTINGS, SLABS, FRAMING AND THE LIKE REFER TO STRUCTURAL ENGINEERING DETAILS, TO BE PREPARED BY A QUALIFIED STRUCTURAL ENGINEER. STRUCTURAL DESIGN IS TO BE IN ACCORDANCE WITH THE RELEVANT STRUCTURAL DESIGN MANUALS.

### DRIVEWAY:

DRIVEWAY TO BE IN ACCORDANCE WITH AS 2890.1:2004

### SITE CLASSIFICATION:

TO BE IN ACCORDANCE WITH PART 3.2.4 OF THE BCA (VOLUME 2)

### STRUCTURAL DESIGN MANUALS:

AS 1170.1-2002 (DEAD AND LIVE LOADS AND LOAD COMBINATIONS)  
AS 1170.2-2002 (AS 4055 (1992) - WIND LOADS)  
AS 1170.4- 2007 (EARTHQUAKE LOADS)  
AS 1720.1-2010 (TIMBER STRUCTURES CODE)  
AS 2159-2009 (PILING-DESIGN AND INSTALLATION)  
AS 2327.1-2017 (COMPOSITE STRUCTURES)  
AS 3600-2009 (CONCRETE STRUCTURES)  
AS 4100-1998 (STEEL STRUCTURES)

### STRUCTURAL DESIGN CERTIFICATION:

SUBMIT STRUCTURAL ENGINEER'S DESIGN CERTIFICATION, IN ACCORDANCE WITH LOCAL AUTHORITY REQUIREMENTS, THE PRINCIPAL CERTIFYING AUTHORITY PRIOR TO THE COMMENCEMENT OF WORKS.

### CONCRETE CONSTRUCTION:

CONCRETE STRUCTURES GENERALLY: TO AS 3600-2009 (CONCRETE STRUCTURES), GROUND SLABS AND FOOTINGS: TO AS 2870-2011 (RESIDENTIAL SLABS AND FOOTINGS-CONSTRUCTION). READY MIXED SUPPLY: TO AS 1379-2007 (SPECIFICATION AND SUPPLY OF CRETE).

## SPECIFICATION NOTES:

### FOOTINGS AND SLABS:

DESIGN AND CONSTRUCT FOOTINGS AND SLABS: IN ACCORDANCE WITH PART 3.2 OF THE BCA (VOLUME 2) AND AS 2870-2011 (RESIDENTIAL SLABS AND FOOTINGS), AS 3600-2001 (CONCRETE STRUCTURES) AND AS 2159-2009 (PILING-DESIGN AND INSTALLATION).

### BRICK & BLOCK CONSTRUCTION (MASONRY):

MASONRY CONSTRUCTION: TO BE IN ACCORDANCE WITH PART 3.3 OF THE BCA (VOLUME 2) AND TO AS 3700-2011 (MASONRY STRUCTURES). MASONRY UNITS: TO AS/NZS 4455-1997 (MASONRY UNITS AND SEGMENTAL PAVERS). CLAY BRICK DURABILITY BELOW DAMP-PROOF COURSE: USE EXPOSURE CATEGORY TO AS/NZS 4456.10-2003 (MASONRY UNITS AND SEGMENTAL PAVERS - METHODS OF TEST-DETERMINING RESISTANCE TO SALT ATTACK) APPENDIX A (SALT ATTACK RESISTANCE CATEGORIES).

### GALVANISING:

GALVANISING MILD STEEL COMPONENTS (INCLUDING FASTENERS) TO AS 1214-1983 OR AS/NZS 4680-2006, AS APPROPRIATE, WHERE EXPOSED TO WEATHER, EMBEDDED IN MASONRY OR IN CONTACT WITH CHEMICALLY TREATED TIMBER.

### WALL TIES:

WALL TIE TYPE: TO BCA VOLUME 2 CLAUSE 3.3.3.2 (ACCEPTABLE CONSTRUCTION-MASONRY-MASONRY ACCESSORIES-WALL TIES) AND AS/NZS 2699.1-2000 (BUILT-IN COMPONENTS FOR MASONRY CONSTRUCTION-WALL TIES); NON-SEISMIC AREAS: TYPE A; SEISMIC AREAS:TYPE B.

WALL TIE SPACING: TO BCA VOLUME 2 FIGURE 3.3.3.1 (TYPICAL BRICK TIES SPACINGS IN CAVITY AND VENEER CONSTRUCTION).

WALL TIE CORROSION PROTECTION: TO BCA VOLUME 2 TABLE 3.3.3.1 (CORROSION PROTECTION TIES). LINTELS GENERALL: IN ACCORDANCE WITH PART 3.3.3.4 OF THE BCA (VOLUME 2).

### FIRE SAFETY:

#### FIRE SEPARATION:

TO BE IN ACCORDANCE WITH PART 3.7.1 OF THE BCA (VOLUME 2).  
FIRE SEPARATION-SEPARATING WALL CONSTRUCTION: PART 3.7.1.8 OF THE BCA (VOLUME 2).  
FIRE SEPARATION-ROOF LIGHTS: PART 3.7.1.10 OF THE BCA (VOLUME 2).  
REFER TO ARCHITECTURAL DETAILS OF FIRE SEPARATION METHODS.

#### SMOKE ALARMS:

TO BE IN ACCORDANCE WITH PART 3.7.2 OF THE BCA (VOLUME 2); AND AS 3786-2014 (SMOKE ALARMS).

#### LINING:

PLASTERBOARD: TO AS/NZS 2588-1998 (GYPSUM PLASTERBOARD).  
PLASTERBOARD INSTALLATION: TO AS/NZS 2589.1-2017 (GYPSUM LININGS IN RESIDENTIAL AND LIGHT COMMERCIAL CONSTRUCTION-APPLICATION AND FINISHING-GYPSUM PLASTERBOARD) LEVEL 4 FINISH. FIBRE CEMENT: TO AS/NZS 2908.2-2000 (CELLULOSE-CEMENT PRODUCTS-FLAT SHEETS), TYPE B, CATEGORY 2.  
FIBROUS PLASTER PRODUCTS: TO AS 2185-1978 (FIBROUS PLASTER PRODUCTS).

### TIMBER & STEEL FRAMED CONSTRUCTION:

#### SUB-FLOOR VENTILATION:

TO BE IN ACCORDANCE WITH PART 3.4.1 OF THE BCA (VOLUME 2).

#### TIMBER WALL, FLOOR AND ROOF FRAMING:

TIMBER FRAMING: TO BE IN ACCORDANCE WITH PART 3.4 OF THE BCA (VOLUME 2) AND AS 1684.4-2010 (RESIDENTIAL TIMBER-FRAMED CONSTRUCTION-SIMPLIFIED-NON-CYCLONIC) OR AS 1720.1-2010 (TIMBER STRUCTURES-DESIGN METHODS).

#### STEEL FRAMING AND STRUCTURAL STEEL MEMBERS:

STEEL FRAMING: TO BE IN ACCORDANCE WITH PART 3.4.2 OF THE BCA (VOLUME 2).  
ACCEPTABLE CONSTRUCTION PRACTICE (PART 3.4.2.1 OF THE BCA) AND/OR AS 4100-1998 (STEEL STRUCTURES) COLD-FORMED STEEL FRAMING: PROVIDE A PROPRIETARY SYSTEM DESIGNED TO AS 3623-1993 (DOMESTIC METAL FRAMING).

### ROOF AND WALL CLADDING:

#### ROOF TILING:

TO BE IN ACCORDANCE WITH PARTS 3.5.1.1 & 3.5.1.2 OF THE BCA (VOLUME 2) AND AS 2049-2002 (ROOF TILES). ROOF TILE INSTALLATION: TO AS 2050-2002 (INSTALLATION OF ROOFING TILES).

#### METAL ROOF SHEETING:

TO BE IN ACCORDANCE WITH PARTS 3.5.1.1 & 3.5.1.3 OF THE BCA (VOLUME 2). METAL ROOFING DESIGN AND INSTALLATION: TO AS 1562.1-1992 (DESIGN AND INSTALLATION OF SHEET ROOF AND WALL CLADDING-METAL).

#### ROOF PLUMBING:

TO BE IN ACCORDANCE WITH PART 3.5.2 OF THE BCA (VOLUME 2) AND AS/NZS 3500-2003 (PART 3-STORMWATER DRAINAGE) AND AS/NZS 3500-2000 (PART 5-DOMESTIC INSTALLATION-SECTION 5-STORMWATER DRAINAGE).

#### WALL CLADDING:

TO BE IN ACCORDANCE WITH PART 3.5.3 OF THE BCA (VOLUME 2).

#### INSTALLATION AND SARKING:

BULK INSTALLATION: TO AS/NZS 4859.1-2002 (MATERIALS FOR THE THERMAL INSULATION OF BUILDINGS-GENERAL CRITERIA AND TECHNICAL PROVISIONS), SECTION 5. REFLECTIVE INSULATION: TO AS/NZS 4859.1- 2002, SECTION 9  
SARKING MATERIAL: TO AS/NZS 4200.1-1994 (PLIABLE BUILDING MATERIALS AND UNDERLAYS-MATERIAL(S)).  
WINDOWS AND DOORS:

GLAZING TO BE IN ACCORDANCE WITH PART 3.6 OF THE BCA (VOLUME 2).  
GLASS SELECTION AND INSTALLATIONS: TO AS 1288-2006 (GLASS IN BUILDINGS-SELECTION AND INSTALLATION).  
TIMBER DOORSETS: TO AS 2688-1984 (TIMBER DOORS).  
TIMBER FRAMES AND JAMB LININGS: TO AS 2689-1984 (TIMBER DOORSETS).  
SECURITY SCREEN DOORS AND WINDOW GRILLES: TO AS 5039-2008 (SECURITY SCREEN DOORS AND SECURITY WINDOW GRILLES).  
WINDOW SELECTION AND INSTALLATION: TO AS 2047-2014 (WINDOWS IN BUILDINGS-SELECTION AND INSTALLATION).  
DOORSET INSTALLATION: TO AS 1909-1984 (INSTALLATION OF TIMBER DOORSETS).  
GARAGE DOORS: TO AS/NZS 4505-2012 (DOMESTIC GARAGE DOORS).

### HEALTH AND AMENITY:

#### WET AREAS:

REFER TO 'WATERPROOFING'.

#### ROOM HEIGHTS:

TO BE IN ACCORDANCE WITH PART 3.8.2 OF THE BCA (VOLUME 2).

#### KITCHEN, SANITARY AND WASHING FACILITIES:

TO BE IN ACCORDANCE WITH PART 3.8.3.2 AND 3.8.3.3 OF THE BCA (VOLUME 2).

#### NATURAL AND ARTIFICIAL LIGHT:

TO BE IN ACCORDANCE WITH PARTS 3.8.4.2 AND 3.8.4.3 OF THE BCA (VOLUME 2).

#### VENTILATION:

TO BE IN ACCORDANCE WITH PART 3.8.5 OF THE BCA (VOLUME 2).  
NATURAL VENTILATION: PARTS 3.8.5.2 AND 3.8.5.3 OF THE BCA (VOLUME 2).  
MECHANICAL VENTILATION: PARTS 3.8.5.0 AND 3.8.5.3 OF THE BCA (VOLUME 2).

#### SOUND INSULATION:

TO BE IN ACCORDANCE WITH PART 3.8.6.1 OF THE BCA (VOLUME 2).

### SAFE MOVEMENT AND ACCESS:

#### STAIR CONSTRUCTION:

TO BE IN ACCORDANCE WITH PART 3.9.1.1 OF THE BCA (VOLUME 2) - ACCEPTABLE CONSTRUCTION PRACTICE.

#### BALUSTRADES:

TO BE IN ACCORDANCE WITH PART 3.9.2.1 OF THE BCA (VOLUME 2) - ACCEPTABLE CONSTRUCTION PRACTICE.

#### BLOCK AND TILE FINISHES:

CERAMIC TILING: FOLLOW THE GUIDANCE PROVIDED BY AS 3958.1-2007 (CERAMIC TILES - GUIDE TO THE INSTALLATION OF CERAMIC TILES) AND AS 3958.2-1992 (CERAMIC TILES - GUIDE TO THE SELECTION OF A CERAMIC TILING SYSTEM).  
ADHESIVES: TO AS 2358-1992 (ADHESIVES - FOR FIXING CERAMIC TILES).

#### WATERPROOFING:

TO BE IN ACCORDANCE WITH PART 3.8.1 OF THE BCA (VOLUME 2).  
WATERPROOFING: TO AS 3740-2010 (WATERPROOFING OF WET AREAS IN RESIDENTIAL BUILDINGS).  
REFER TO ARCHITECTURAL DETAILS OF WATERPROOFING.

#### FLOOR COATINGS AND COVERINGS:

CARPETING: TO AS/NZS 2455.1-2007 (TEXTILE FLOOR COVERINGS - INSTALLATION PRACTICE - GENERAL).  
RESILIENT FINISHES: TO AS 1884-2012 (FLOOR COVERINGS - RESILIENT SHEET AND TILES - LAYING AND MAINTENANCE PRACTICES).

#### PAINTING:

PAINTING GENERALLY: FOLLOW THE GUIDANCE PROVIDED BY AS/NZS 2311-2017 (GUIDE TO THE PAINTING OF BUILDINGS) AND AS/NZS 2312-2002 (GUIDE TO THE PROTECTION OF THE STRUCTURAL STEEL AGAINST ATMOSPHERIC CORROSION BY THE USE OF PROTECTIVE COATINGS).

#### PLUMBING INSTALLATIONS:

WHERE A DISCREPANCY ARISES THE HYDRAULIC CONSULTANT'S LOCAL OR STATUTORY AUTHORITY'S REQUIREMENTS TAKE PRECEDENCE OVER THE FOLLOWING STANDARDS TO THE EXTENT OF THE DISCREPANCY.  
PLUMBING AND DRAINING PRODUCTS: TO SAA MPS2-2001 (MANUAL OF AUTHORIZATION PROCEDURES FOR PLUMBING AND DRAINAGE PRODUCTS) AND AS/NZS 3718-2005 (WATER SUPPLY - TAP WARE).  
STORMWATER: TO AS/NZS 3500.3-2003 (PLUMBING AND DRAINAGE - STORMWATER DRAINAGE) OR AS/NZS 3500.5-2012 (NATIONAL PLUMBING AND DRAINAGE - DOMESTIC INSTALLATIONS).  
WASTEWATER: TO AS/NZS 3500.2-2015 (PLUMBING AND DRAINAGE - WASTE SERVICES) AND AS/NZS 3500.4-2015 (PLUMBING AND DRAINAGE - HEATED WATER SERVICES) OR AS/NZS 3500.5-2012 (GAS: TO AS 5601-2013 (GAS INSTALLATION CODE).

#### ELECTRICAL INSTALLATIONS:

WHERE A DISCREPANCY ARRISES THE ELECTRICAL CONSULTANT'S LOCAL OR STATUTORY AUTHORITY'S REQUIREMENTS TAKE PRECEDENCE OVER THE FOLLOWING STANDARDS TO THE EXTEN OF THE DISCREPANCY  
ELECTRICAL INSTALLATION: TO AS/NZS 3018-2001 (ELECTRICAL INSTALLATION - DOMESTIC INSTALLATIONS).  
SMOKE DETECTORS: REFER TO 'FIRE SAFETY, SMOKE ALARMS'  
SMOKE DETECTION INSTALLATION AND TESTING: TO AS 1670.1-2004 (FIRE DETECTION, WARNING, CONTROL AND INTERCOM SYSTEMS - SYSTEM DESIGN, INSTALLATION, AND COMMISSIONING - FIRE) IN ACCORDANCE WITH THE REQUIREMENTS OF THE BUILDING CODE TO MAINS POWER.  
TEST ELECTRICAL INSTALLATIONS: TO AS/NZS 3017-2007 (ELECTRICAL INSTALLATIONS - TESTING GUIDELINES).  
CERTIFY COMPLIANCE WITH AS/NZS 3018-2007.

#### MECHANICAL INSTALLATIONS:

MECHANICAL VENTILATION: TO AS 1668.2-2012 (THE USE OF VENTILATION AND AIR CONDITIONING IN BUILDINGS - MECHANICAL VENTILATION FOR ACCEPTABLE INDOOR QUALITY) - GRADE 2 AMENITY.

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CLIENT'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
I accept and understand the plans and documents that have been provided to me by Kurmond Homes.  
LOCATION: X-11 JCRB21000-2198921111 - WRB(01)21111 - WRB(01) - OPAL 27 - AUTHORITY 02

CLIENT'S NAME:  
**MR MARK WRIGHT  
MRS AMY WRIGHT**  
SITE ADDRESS:  
**LOT 6002 DP:1235007  
(No.14) CONNOR WAY  
GRANBARK NSW 2570**

SHEET NAME:  
**NOTES**  
HOUSE NAME:  
**OPAL 27**  
PROJECT STAGE:  
**AUTHORITY**  
REV NO:  
**15**  
JOB NO:  
**21111**  
SHEET NO:  
**A002**  
SCALE @ A3:  
**15 00 0**

# BASIX<sup>®</sup>Certificate

Building Sustainability Index [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

## Single Dwelling

Certificate number: 1241169S\_02

### Description of project

Project address	
Project name	21111_02
Street address	14 Connor Way ORAN PARK 2570
Local Government Area	Camden Council
Plan type and plan number	Deposited Plan 1235007
Lot no.	6002
Section no.	-
Project type	
Project type	separate dwelling house
No. of bedrooms	4
Site details	
Site area (m <sup>2</sup> )	559
Roof area (m <sup>2</sup> )	273
Conditioned floor area (m <sup>2</sup> )	194.96
Unconditioned floor area (m <sup>2</sup> )	13.7
Total area of garden and lawn (m <sup>2</sup> )	195

Assessor details and thermal loads			
Assessor number	DMN14/1662		
Certificate number	CXHDJG3Y3-01		
Climate zone	28		
Area adjusted cooling load (MJ/m <sup>2</sup> .year)	30		
Area adjusted heating load (MJ/m <sup>2</sup> .year)	37		
Ceiling fan in at least one bedroom	No		
Ceiling fan in at least one living room or other conditioned area	No		
Project score			
Water	✓ 40	Target	40
Thermal Comfort	✓ Pass	Target	Pass
Energy	✓ 51	Target	50

### Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

Water Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<b>Landscape</b>			
The applicant must plant indigenous or low water use species of vegetation throughout 8 square metres of the site.	✓	✓	
<b>Fixtures</b>			
The applicant must install showerheads with a minimum rating of 3 star (> 7.5 but <= 9 L/min) in all showers in the development.		✓	✓
The applicant must install a toilet flushing system with a minimum rating of 4 star in each toilet in the development.		✓	✓
The applicant must install taps with a minimum rating of 4 star in the kitchen in the development.		✓	
The applicant must install basin taps with a minimum rating of 5 star in each bathroom in the development.		✓	
<b>Alternative water</b>			
<b>Rainwater tank</b>			
The applicant must install a rainwater tank of at least 3000 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.	✓	✓	✓
The applicant must configure the rainwater tank to collect rain runoff from at least 136.29 square metres of the roof area of the development (excluding the area of the roof which drains to any stormwater tank or private dam).		✓	✓
The applicant must connect the rainwater tank to:			
• all toilets in the development		✓	✓
• the cold water tap that supplies each clothes washer in the development		✓	✓
• at least one outdoor tap in the development (Note: NSW Health does not recommend that rainwater be used for human consumption in areas with potable water supply.)		✓	✓

Thermal Comfort Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<b>Simulation Method</b>			
The applicant must attach the certificate referred to under "Assessor Details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for an occupation certificate for the proposed development.			
The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX certificate, including the Cooling and Heating loads shown on the front page of this certificate.			
The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Assessor Certificate requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor to certify that this is the case. The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.	✓	✓	✓
The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
The applicant must construct the floors and walls of the dwelling in accordance with the specifications listed in the table below.	✓	✓	✓

Floor and wall construction	Area
floor - concrete slab on ground	All or part of floor area square metres

Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<b>Hot water</b>			
The applicant must install the following hot water system in the development, or a system with a higher energy rating: gas instantaneous with a performance of 6 stars.	✓	✓	✓
<b>Cooling system</b>			
The applicant must install the following cooling system, or a system with a higher energy rating, in at least 1 living area: 3-phase airconditioning; Energy rating: EER 3.0 - 3.5		✓	✓
The applicant must install the following cooling system, or a system with a higher energy rating, in at least 1 bedroom: 3-phase airconditioning; Energy rating: EER 3.0 - 3.5		✓	✓
The cooling system must provide for day/night zoning between living areas and bedrooms.		✓	✓
<b>Heating system</b>			
The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 living area: 3-phase airconditioning; Energy rating: EER 3.5 - 4.0		✓	✓
The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 bedroom: 3-phase airconditioning; Energy rating: EER 3.5 - 4.0		✓	✓
The heating system must provide for day/night zoning between living areas and bedrooms.		✓	✓
<b>Ventilation</b>			
The applicant must install the following exhaust systems in the development:			
At least 1 Bathroom: individual fan, ducted to façade or roof; Operation control: manual switch on/off		✓	✓
Kitchen: individual fan, ducted to façade or roof; Operation control: manual switch on/off		✓	✓
Laundry: natural ventilation only, or no laundry; Operation control: n/a		✓	✓
<b>Artificial lighting</b>			
The applicant must ensure that the "primary type of artificial lighting" is fluorescent or light emitting diode (LED) lighting in each of the following rooms, and where the word "dedicated" appears, the fittings for those lights must only be capable of accepting fluorescent or light emitting diode (LED) lamps:			
• at least 4 of the bedrooms / study; dedicated		✓	✓

Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
• at least 3 of the living / dining rooms; dedicated		✓	✓
• the kitchen; dedicated		✓	✓
• all bathrooms/toilets; dedicated		✓	✓
• the laundry; dedicated		✓	✓
• all hallways; dedicated		✓	✓
<b>Natural lighting</b>			
The applicant must install a window and/or skylight in 2 bathroom(s)/toilet(s) in the development for natural lighting.	✓	✓	✓
<b>Other</b>			
The applicant must install a gas cooktop & electric oven in the kitchen of the dwelling.		✓	
The applicant must install a fixed indoor or sheltered clothes drying line as part of the development.		✓	



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CLIENT'S NAME:  
MR MARK WRIGHT  
MRS AMY WRIGHT  
SITE ADDRESS:  
LOT 6002 DP:1235007  
(No.14) CONNOR WAY  
ORAN PARK NSW 2570

SHEET NAME:  
**BASIX NOTES**  
HOUSE NAME:  
**OPAL 27**  
PROJECT STAGE:  
**AUTHORITY**  
REV NO:  
**15**  
JOB NO:  
**21111**  
SHEET NO:  
**A003**  
PACKAGE:  
**EVERYDAY DIAMOND**  
SCALE @ A3:  
**1:500**  
DATE:  
**15.09.22**

**AUTHORITY PLANS**  
SUBJECT TO COUNCIL/ ASSESSOR/  
DEVELOPER APPROVAL.

**BUILDING SPECIFICATION SUMMARY**

EXTERNAL WALLS			
	CONSTRUCTION TYPE	INSULATION	NOTES
EXTERNAL WALLS	Brick Masonry	None	To the Front Elevation Garage wall (as per drawings)
	Brick Veneer	None	To the remainder of Garage external walls
	Brick Veneer	R2.0 Batts	Throughout the remainder

ADDITIONAL NOTES: None

INTERNAL WALLS			
	CONSTRUCTION TYPE	INSULATION	NOTES
INTERNAL WALLS	Framed	R2.0 Batts	Garage internal walls
	Framed	None	Throughout the remainder

ADDITIONAL NOTES: None

ROOF AND CEILING			
	CONSTRUCTION TYPE	INSULATION	NOTES
ROOF	Tiled (un-ventilated)	Sarking	Approx. 22.5° Roof Pitch
CEILING	Plasterboard	R3.0 Insulation	House area
	Plasterboard	None	Garage

ADDITIONAL NOTES: Roof colour: Sarramundi

FLOOR			
	CONSTRUCTION TYPE	INSULATION	NOTES
FLOOR	225mm Waffle   85mm Slab	Integrated	Slab Classification: M

ADDITIONAL NOTES: Floor coverings modelled as per drawings and NATHERS protocols

GLASS TYPE	COLOUR	FRAME	U <sub>g</sub> VALUE	SHGC	NOTES
Standard	Clear	Aluminium	6.42	0.76	Sliding Windows
Standard	Clear	Aluminium	6.25	0.72	Sliding Door
Standard	Clear	Aluminium	6.50	0.63	Awning Windows
Standard	Clear	Timber	5.40	0.56	Front Entry Door



**Window and glazed door type and performance**

Default\* windows

Window ID	Window description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
TIM-001-01 W	Timber A SG Clear	5.4	0.56	0.53	0.59

Custom\* windows

Window ID	Window description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
WID-006-01 A	AI Residential Sliding Window SG 3mm Clear	6.42	0.76	0.72	0.8
WID-001-01 A	AI Residential Awning Window SG 3mm Clear	6.5	0.63	0.6	0.66
WID-005-01 A	AI Residential Internal Sliding Door SG 4mm Clear	6.25	0.72	0.68	0.76

**Window and glazed door Schedule**

Location	Window ID	Window no.	Height (mm)	Width (mm)	Window type	Opening %	Orientation	Window shading device*
Garage	WID-006-01 A	W02	600	2410	sliding	45.0	S	No
Master Suite	WID-001-01 A	W01A	1800	1570	awning	30.0	E	No
Master Suite	WID-001-01 A	W13	1800	1570	awning	30.0	E	No
Ensuite	WID-006-01 A	W10	1030	850	sliding	45.0	N	No
Bedroom 4	WID-006-01 A	W09	1200	2650	sliding	30.0	N	No
Entry	TIM-001-01 W	D01	960	1200	other	100.0	E	No
Bedroom 2	WID-006-01 A	W08	1200	1570	sliding	45.0	N	No
Bathroom	WID-006-01 A	W07	1200	1570	sliding	45.0	N	No
Bedroom 3	WID-006-01 A	W06	1200	1570	sliding	45.0	N	No
Activity	WID-006-01 A	W05	1200	1570	sliding	45.0	W	No
Kitchen/Dining-Family	WID-006-01 A	W03	1800	2170	sliding	30.0	S	No
Kitchen/Dining-Family	WID-005-01 A	SD04	2154	3216	sliding	60.0	W	No

**Roof window type and performance value**

Default\* roof windows

Window ID	Window description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

Custom\* roof windows

Window ID	Window description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
Velux:VEL-012-01 W	VELUX FCM - Fixed Curb Mount Skylight DG 3mm LoE 366 / 8.5mm Argon Gap / 5.38mm Clear La	3.97	0.27	0.26	0.28

**Roof window schedule**

Location	Window ID	Window no.	Opening %	Area (m²)	Orientation	Outdoor shade	Indoor shade
Ensuite	Velux:VEL-012-01 W	Element 1	0.0	0.2	N	None	Yes

**Skylight type and performance**

Skylight ID	Skylight description
No Data Available	

**Skylight schedule**

Location	Skylight ID	Skylight No.	Skylight shaft length (mm)	Area (m²)	Orientation	Outdoor shade	Skylight shaft reflectance
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CLIENT'S NAME:  
MR MARK WRIGHT  
MRS AMY WRIGHT

SITE ADDRESS:  
LOT 6002 DP:1235007  
(No.14) CONNOR WAY  
GRANBARK NSW 2570

SHEET NAME:  
**NATHERS NOTES**

HOUSE NAME: **OPAL 27**

PROJECT STAGE: **AUTHORITY**

REV NO: **15**

SCALE @ A3:

DATE: **15 08 22**

JOB NO: **21111**

SHEET NO: **A004**

**AUTHORITY PLANS**  
SUBJECT TO COUNCIL/ ASSESSOR/  
DEVELOPER APPROVAL.

**NBN NOTE:**  
HOME MUST BE SMART WIRED IN ACCORDANCE WITH THE STANDARDS OUTLINED BY THE NATIONAL BROADBAND NETWORK

**BASIX NOTE:**  
(I) 30 m<sup>2</sup> OF INDIGENOUS OR LOW WATER USE SPECIES PROVIDED BY OWNER AS PER BASIX REQUIREMENTS  
(II) INDOOR CLOTHESLINE BY OWNER AS PER BASIX REQUIREMENTS

SLAB CLASSIFICATION:	"M"
<b>PROPERTY DESCRIPTION</b>	
LOT:	601
D.P.:	1235001
L.G.A.:	CAMDE
<b>DA COUNCIL APPROVAL</b>	
COUNCIL DEVELOPMENT APPROVAL PROCESS REQUIRED. REFER TO COUNCIL REGULATIONS FOR FURTHER DETAILS.	

<b>FLOOR SPACE RATIO (FSR)</b>	
* Areas are measured from the internal face of external wall and excludes First floor, Voids, Stairs, Lifts, required car spacing to Australian Standards, Balconies with walls less than 1.4m high (Refer to the LEP or DCP for further detail)	
SITE AREA:	558.80 m <sup>2</sup>
GROUND FLOOR:	179.11 m <sup>2</sup>
FIRST FLOOR:	0.00 m <sup>2</sup>
TOTAL GROSS FLOOR AREA:	179.11 m <sup>2</sup>
PROPOSED FSR:	32.05
ALLOWED FSR:	0

<b>LANDSCAPE</b>	
SITE AREA:	558.80 m <sup>2</sup>
TOTAL HARDSTAND AREA:	260.28 m <sup>2</sup>
APPROX DRIVEWAY AREA:	60.06 m <sup>2</sup>
LESS THAN 1.5m:	48.83 m <sup>2</sup>
EXISTING STRUCTURE:	0.00 m <sup>2</sup>
REMAINING SOFT LANDSCAPE AREA:	189.63 m <sup>2</sup>
PROPOSED LANDSCAPE %:	33.94
MIN. REQUIRED BY COUNCIL:	25

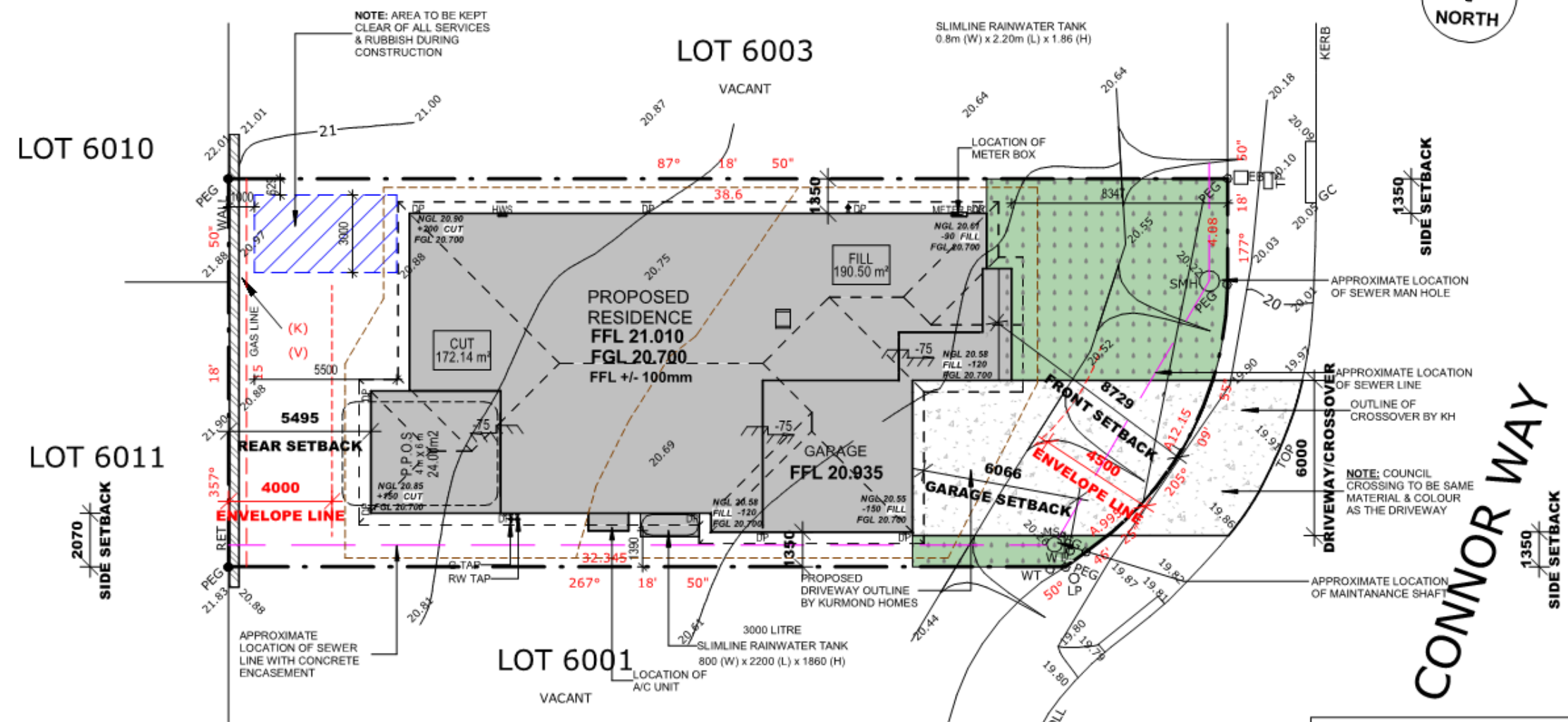
<b>SITE COVERAGE AREA</b>	
EXCLUDES PORCH, ALFRESCO, BALCONY	
SITE AREA:	558.80 m <sup>2</sup>
GROUND FLOOR AREA:	194.48 m <sup>2</sup>
FIRST FLOOR AREA:	0.00 m <sup>2</sup>
GARAGE AREA:	33.87 m <sup>2</sup>
PORCH AREA:	9.53 m <sup>2</sup>
ALFRESCO AREA:	22.40 m <sup>2</sup>
PROPOSED SITE COVERAGE:	40.86
MAX. REQUIRED BY COUNCIL:	60

<b>PRIVATE OPEN SPACE</b>	
PRINCIPAL PRIVATE OPEN SPACE:	24.00 m <sup>2</sup>
PRIVATE OPEN SPACE:	81.00 m <sup>2</sup>
MIN. ALLOWABLE BY COUNCIL:	20.00 m <sup>2</sup>
MIN. ALLOWABLE BY COUNCIL:	0.00

<b>PRIVATE OPEN SPACE</b>	
PROPOSED DEVELOPMENT	

- NOTES:**
- BEARINGS AND DISTANCES ARE BY TITLE AND/OR DEED ONLY. THIS DETAIL SURVEY IS NOT A "SURVEY" AS DEFINED BY THE SURVEYORS ACT 1981. IF ANY CONSTRUCTION IS PLANNED IT WOULD BE ADVISABLE TO CARRY OUT FURTHER SURVEY WORK TO DETERMINE THE BOUNDARY DIMENSIONS.
  - RELATIONSHIP OF IMPROVEMENTS TO BOUNDARIES IS DIAGRAMMATIC ONLY. WHERE OFFSETS ARE CRITICAL THEY SHOULD BE CONFIRMED BY FURTHER SURVEY. THEY DO NOT REPRESENT THE EXACT LEVEL AT ANY PARTICULAR POINT.
  - CONTOURS SHOWN DEPICT THE TOPOGRAPHY, EXCEPT AT SPOT LEVELS SHOWN ONLY. PRIOR TO ANY DEMOLITION, EXCAVATION, OR CONSTRUCTION ON THE SITE RELEVANT AUTHORITY SHOULD BE CONTACTED TO ESTABLISH DETAILED LOCATION AND DEPTH.
  - AUSTRALIAN HEIGHT DATUM WAS ESTABLISHED FROM SSM 1985/95 RL 89.055.
  - TREE LOCATIONS ARE ACCURATE TO +/- 0.30m.
  - THE INFORMATION IS ONLY TO BE USED AT A SCALE ACCURACY OF 1:200M.

(K): RESTRICTION ON THE USE OF LAND (0.7 WIDE) (NO.7)  
(V): POSITIVE COVENANT (NO.8)



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**DIAL 1100**  
BEFORE YOU DIG

<b>DRIVEWAY AREA</b>	
DRIVEWAY	60.06 m <sup>2</sup>
<b>CROSSOVER AREA</b>	
CROSSOVER	23.44 m <sup>2</sup>

Attachments for the Camden Local Planning Panel Meeting held on 5 September 2022 - Page 121

**kurmondhomes** PTY LTD  
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CLIENT'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
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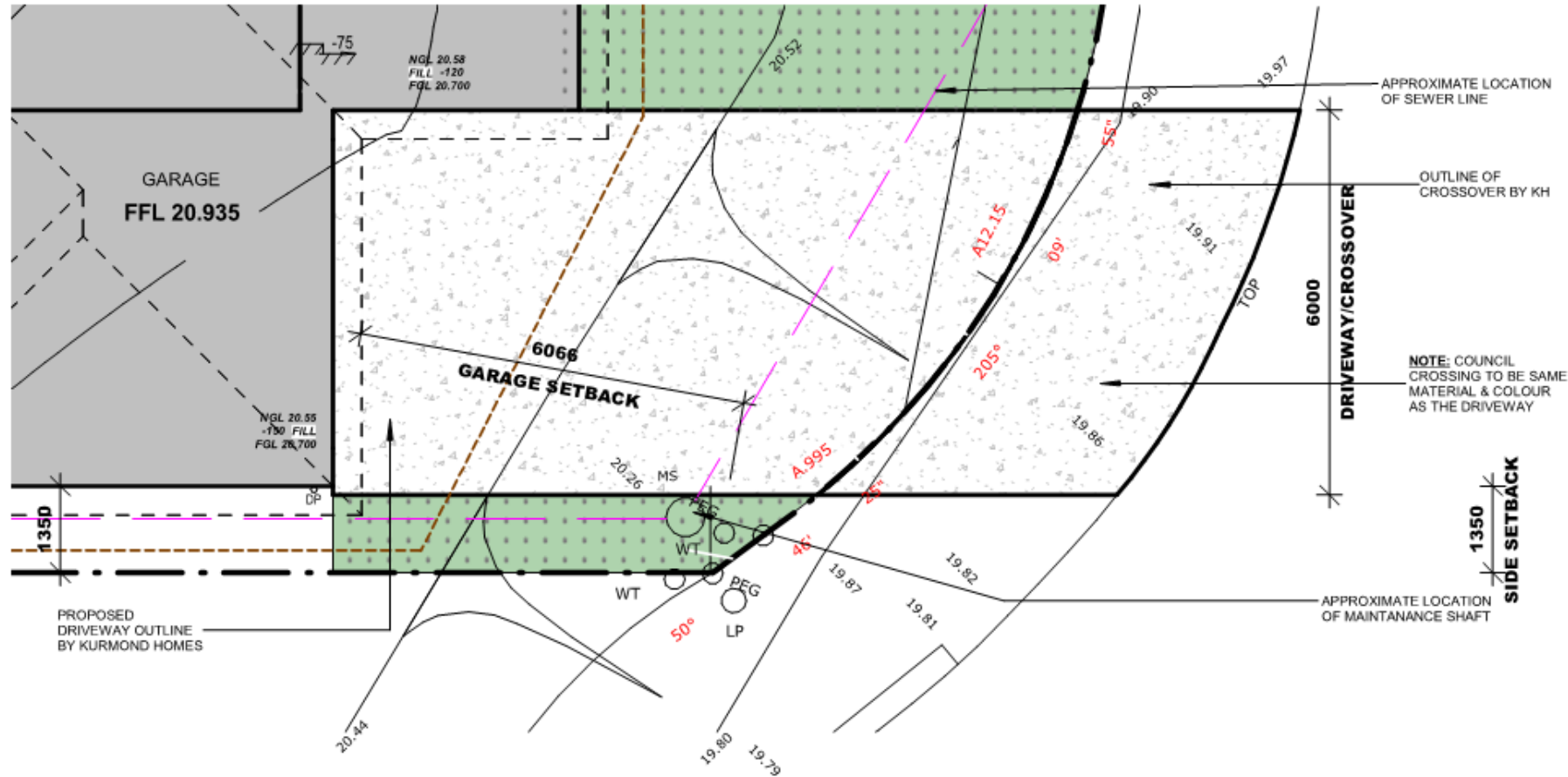
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CLIENT'S NAME:  
**MR MARK WRIGHT**  
**MRS AMY WRIGHT**

SITE ADDRESS:  
**LOT 6002 DP:1235007**  
**(No.14) CONNOR WAY**  
**GRANDBARK NSW 2570**

SHEET NAME: <b>SITE PLAN</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>	JOB NO: <b>21111</b>
HOUSE NAME: <b>OPAL 27</b>	PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3: <b>1:200</b>	SHEET NO: <b>A005</b>
FACADE NAME: <b>CLASSIC</b>	DATE: <b>15.09.22</b>		

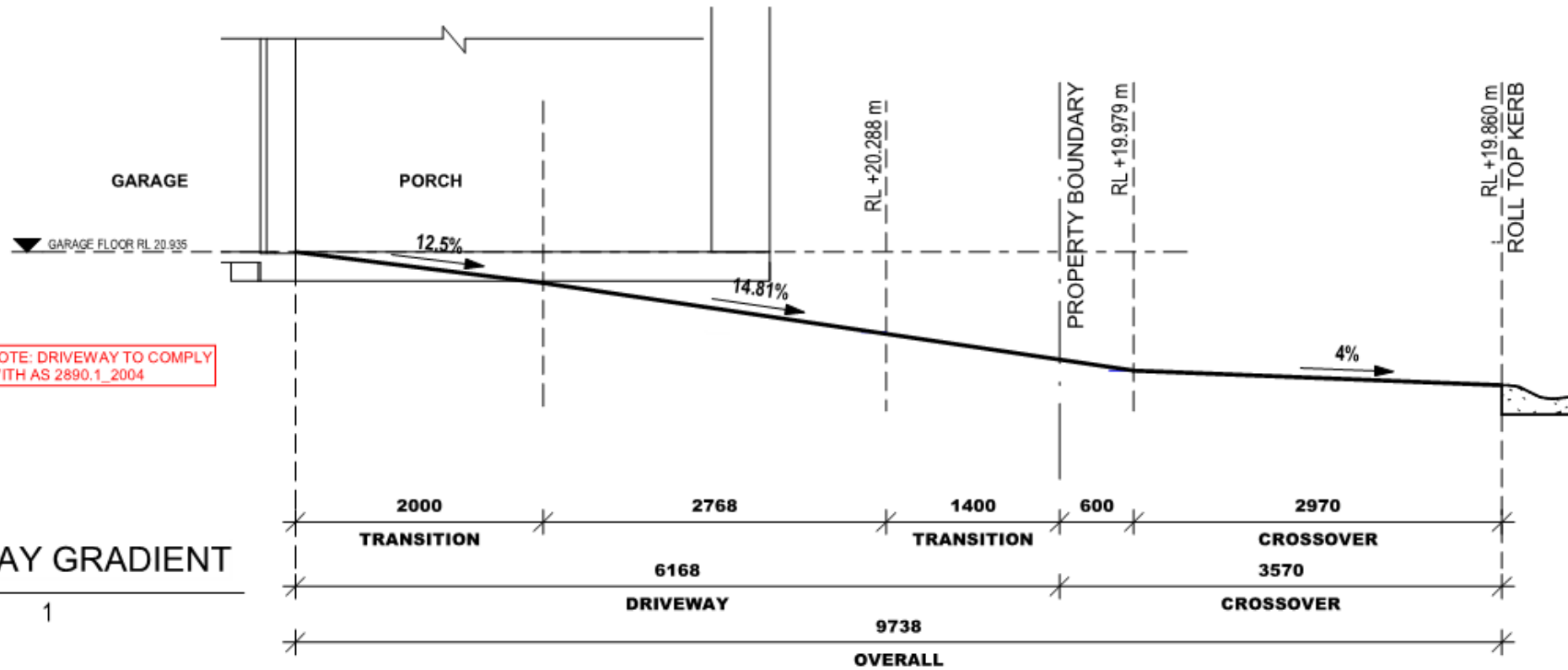
**AUTHORITY PLANS**  
SUBJECT TO COUNCIL/ ASSESSOR/  
DEVELOPER APPROVAL.



**CONNOR WAY**

**SITE PLAN**

SCALE 1 : 100 2



**DRIVEWAY GRADIENT**

SCALE 1 : 50 1

**NOTES**

SAG GRADE REFERS TO THE GRADE MADE BY AN **OBTUSE** ANGLE WITHIN A PROFILE.

SUMMIT GRADE REFERS TO THE GRADE MADE BY A **REFLEX** ANGLE WITHIN A PROFILE.

DRIVEWAY GRADIENT PROFILES ARE TO BE TAKEN THROUGH THE **SHORTEST** LENGTH OF DRIVEWAY AND/OR THE **CRITICAL** SIDE OF THE DRIVEWAY (I.E. THE WORST CASE SCENARIO).

FOR A **HIGH** LEVEL DRIVEWAY, THE PROFILE SHOULD BE DRAWN USING THE **LOWEST** LEVEL ON THE KERB.

FOR A **LOW** LEVEL DRIVEWAY, THE PROFILE SHOULD BE DRAWN USING THE **HIGHEST** LEVEL ON THE KERB.

RETAIN THE EXISTING CROSSOVER LEVELS WHERE PRACTICABLE UNLESS ALTERNATE LEVELS ARE SPECIFIED BY COUNCIL.

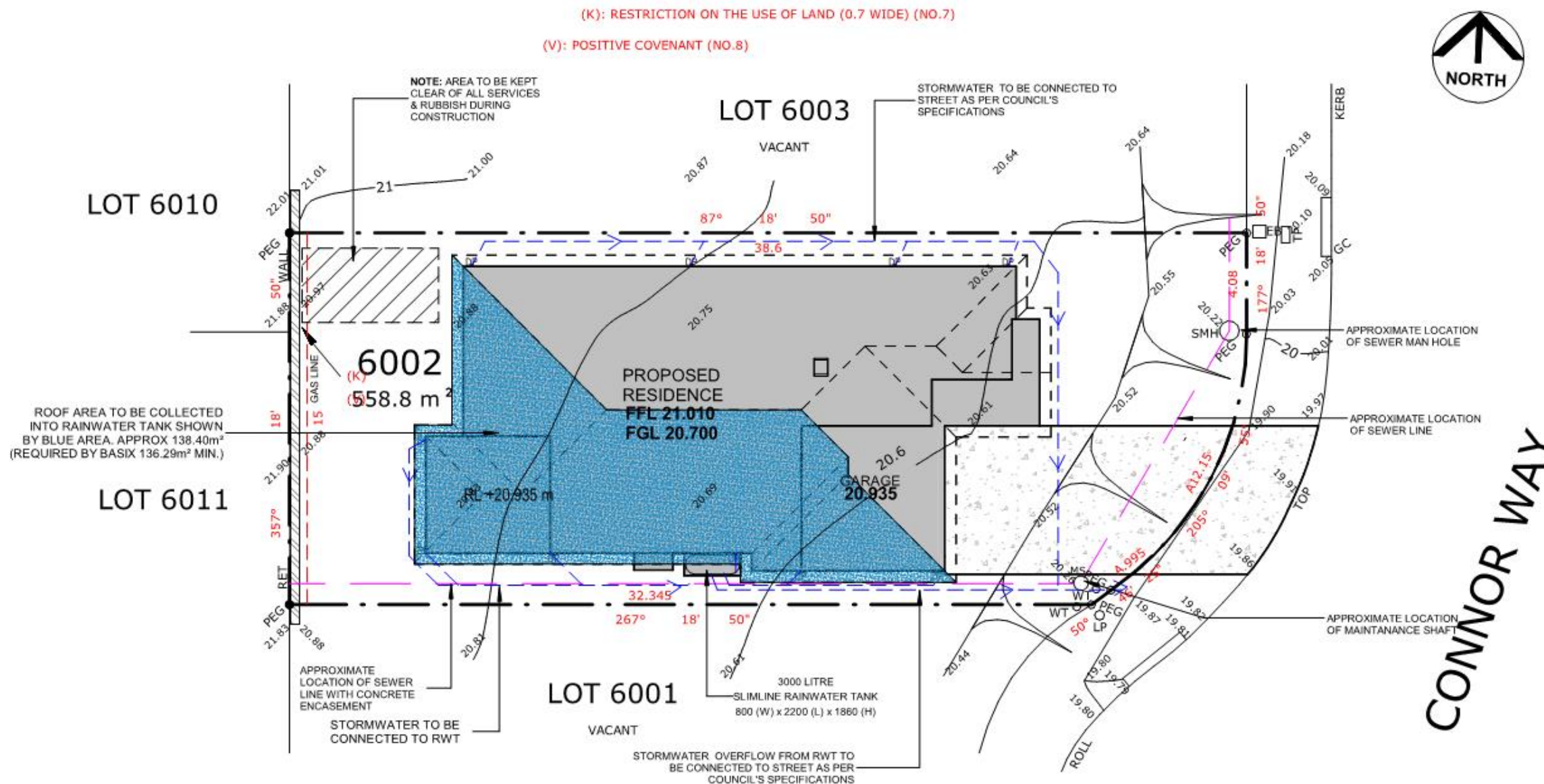
CHECK WITH COUNCIL IF THE AUSTRALIAN STANDARD TAKES PRECEDENCE OVER COUNCIL'S STANDARD.

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CLIENT'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
I accept and understand the plans and documents that have been provided to me by Kurmond Homes.  
LOCATION: X:\1. JCR\21000-219892\1111 - WR\CH\21111 - WR\CH\ OPAL 27 - AUTHORITY.pdf

ALL DIMENSIONS ARE IN MILLIMETERS. ALL DIMENSIONS ARE FRAME TO FRAME. DO NOT SCALE OFF PLANS.  
CLIENT'S NAME: MR MARK WRIGHT MRS AMY WRIGHT  
SITE ADDRESS: LOT 6002 DP:1235007 (No.14) CONNOR WAY GRANBARK NSW 2570

SHEET NAME: <b>DRIVEWAY DETAILS</b>		JOB NO: <b>21111</b>
HOUSE NAME: <b>OPAL 27</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>
FACADE NAME: <b>CLASSIC</b>	PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3: <b>As</b>
		SHEET NO: <b>A010</b>
		DATE: <b>15 09 2</b>



DOWNPIPE COUNT	
AREA	NO. OF DOWNPIPE
318.32 m <sup>2</sup>	11

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MRS AMY WRIGHT**

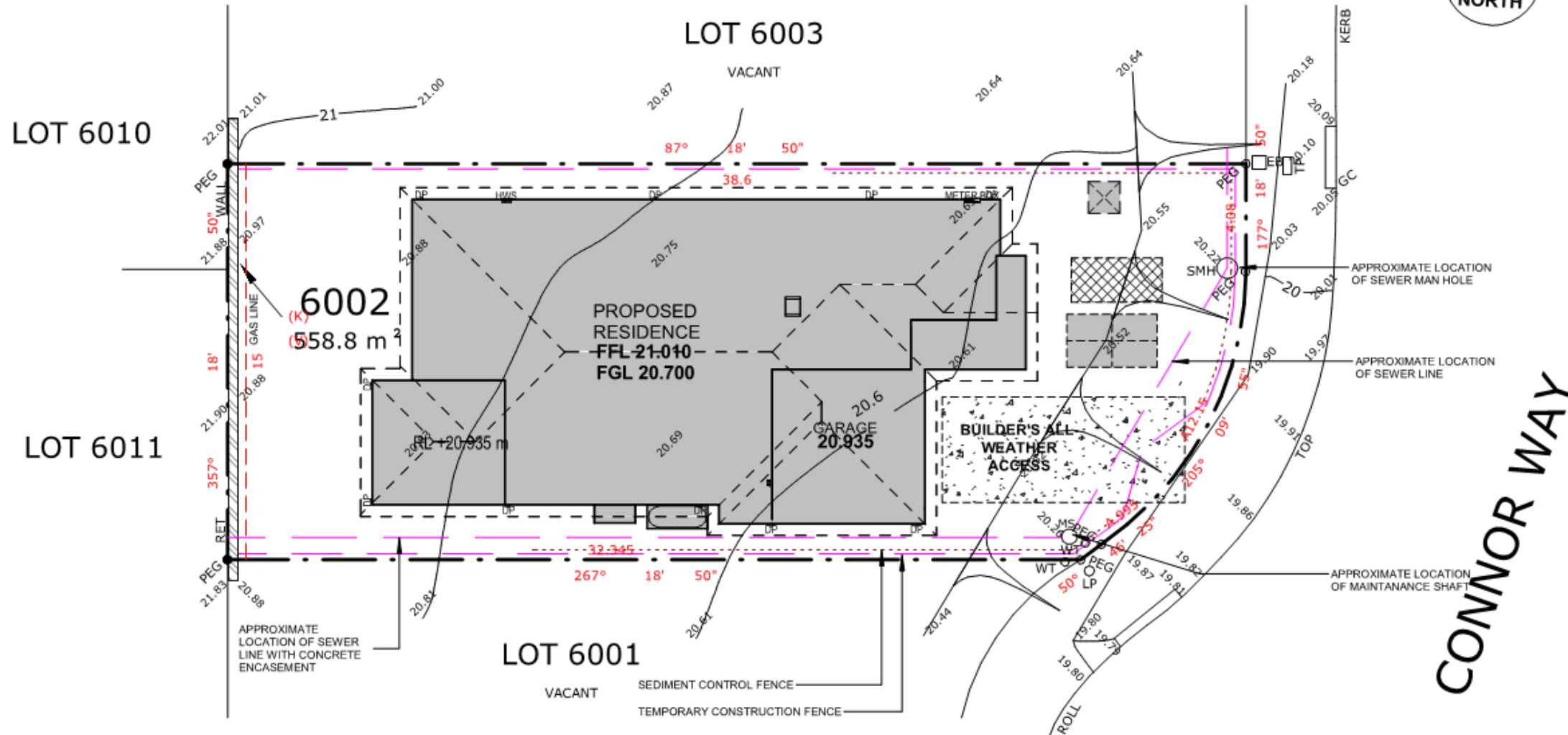
SITE ADDRESS:  
**LOT 6002 DP:1235007  
(No.14) CONNOR WAY  
GRANDBARK NSW 2570**

SHEET NAME: <b>CONCEPT STORMWATER PLAN</b>		JOB NO: <b>21111</b>	
HOUSE NAME: <b>OPAL 27</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>	SHEET NO: <b>A011</b>
FACADE NAME: <b>CLASSIC</b>	PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3: <b>1:300</b>	DATE: <b>15.09.22</b>



**AUTHORITY PLANS**  
SUBJECT TO COUNCIL/ ASSESSOR/  
DEVELOPER APPROVAL.

(K): RESTRICTION ON THE USE OF LAND (0.7 WIDE) (NO.7)  
(V): POSITIVE COVENANT (NO.8)



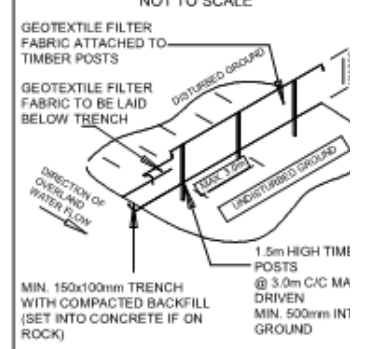
**NOISE AND VIBRATION CONTROL**

-BOREHOLE REPORT SHOWS NO ROCK WITHIN SITE. MINIMAL VIBRATION AND NOISE DURING PIER HOLE DRILLING.  
- SITE PLAN INDICATES MINIMAL CUT AND FILL PLANT USE WILL BE LOW IMPACT AND FOR MINIMAL TIMBERFRAMES.

**SEDIMENT CONTROL NOTES**

1. ALL EROSION AND SEDIMENTATION CONTROL MEASURES, INCLUDING REVEGETATION AND STORAGE OF SOIL ON TOPSOIL, SHALL BE IMPLEMENTED TO THE STANDARDS OF THE SOIL CONSERVATION NSW AND INSPECTED DAILY BY THE SITE MANAGER.
2. ALL DRAINAGE WORKS SHALL BE CONSTRUCTED AND STABILIZED AS EARLY AS POSSIBLE DURING DEVELOPMENT.
3. SEDIMENT TRAPS SHALL BE CONSTRUCTED AROUND ALL INLET PITS, CONSISTING OF 300mm WIDE x 300mm DEEP TRENCH.
4. ALL SEDIMENT BASINS AND TRAPS SHALL BE CLEANED WHEN THE STRUCTURES ARE MAXIMUM OF 60% FULL OF SOIL MATERIAL INCLUDING THE MAINTENANCE PERIOD.
5. ALL DISTURBED AREAS SHALL BE REVEGETATED AS SOON AS THE RELEVANT WORKS ARE COMPLETED.
6. SOIL AND TOPSOIL STOCKPILES SHALL BE LOCATED AWAY FROM DRAINAGE LINES AN AREA WHERE WATER MAY CONCENTRATE. ALL ROADS AND FOOTPATHS TO BE SWEEPED DAILY.
7. FILTER SHALL BE CONSTRUCTED BY STRETCHING A FILTER FABRIC (PROPEX OF APPROVED EQUIVALENT) BETWEEN POST AT 3.0m CENTRES. FABRIC SHALL BE BURIED 150mm ALONG ITS LOWE EDGE.
8. DUST PREVENTION MEASURES TO BE MAINTAINED AT ALL TIMES.

**SEDIMENT FENCE NOT TO SCALE**



**LEGEND**

	CONSTRUCTION FENCE
	SEDIMENT CONTROL FENCE
	WASTE STOCKPILE
	BUILDERS WASTE
	ALL WEATHER ACCESS
	ONSITE PORTABLE TOILET

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SITE ADDRESS: LOT 6002 DP:1235007 (No.14) CONNOR WAY GRANBARK NSW 2570

SHEET NAME: <b>SITE MANAGEMENT PLAN</b>		JOB NO: <b>21111</b>	
HOUSE NAME: <b>OPAL 27</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>	SHEET NO: <b>A012</b>
FACADE NAME: <b>CLASSIC</b>	PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3: <b>As</b>	DATE: <b>15 09 22</b>

**AUTHORITY PLANS**  
SUBJECT TO COUNCIL/ ASSESSOR/  
DEVELOPER APPROVAL.

**NOTE:**  
(I) TILE TO CEILING (SQ SET CORNICE)  
IN BATHROOM AND ENSUITE.  
(II) ADDITIONAL SHELVING TO  
EXTENDED WIP AND WIR BY OWNER

**INSULATION REQUIREMENTS:**  
INSULATION BATTS TO EXTERNAL WALL (EXCLUDING GARAGE WALL): R 2.0  
INSULATION BATTS TO CEILING: R 3.0  
INSULATION BATTS TO INTERNAL WALL: R 2.0 (TO INTERNAL GARAGE WALL)

**NBN NOTE:**  
HOME MUST BE SMART WIRED IN ACCORDANCE WITH THE STANDARDS OUTLINED BY THE NATIONAL BROADBAND NETWORK

**NOTE:**

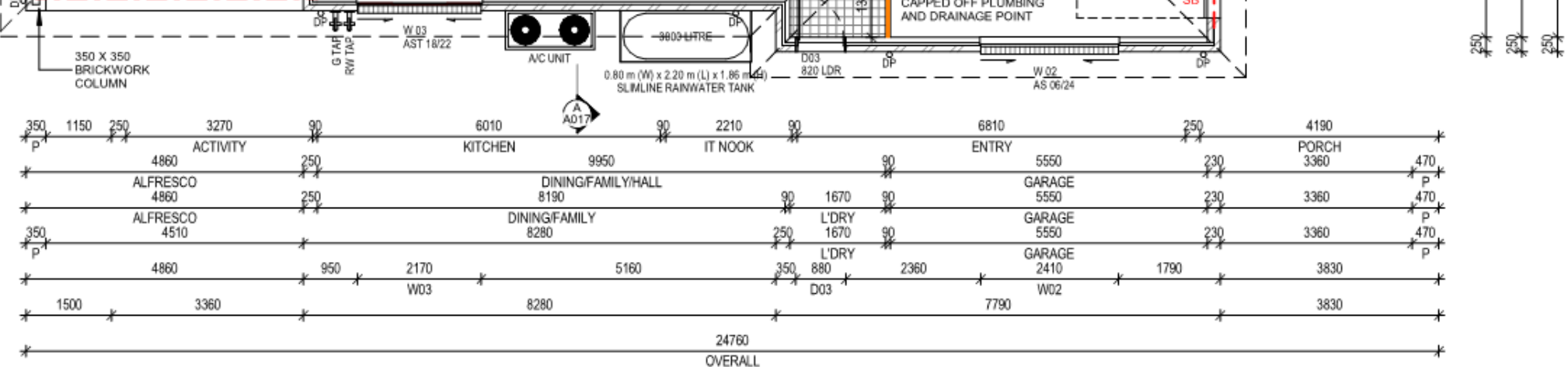
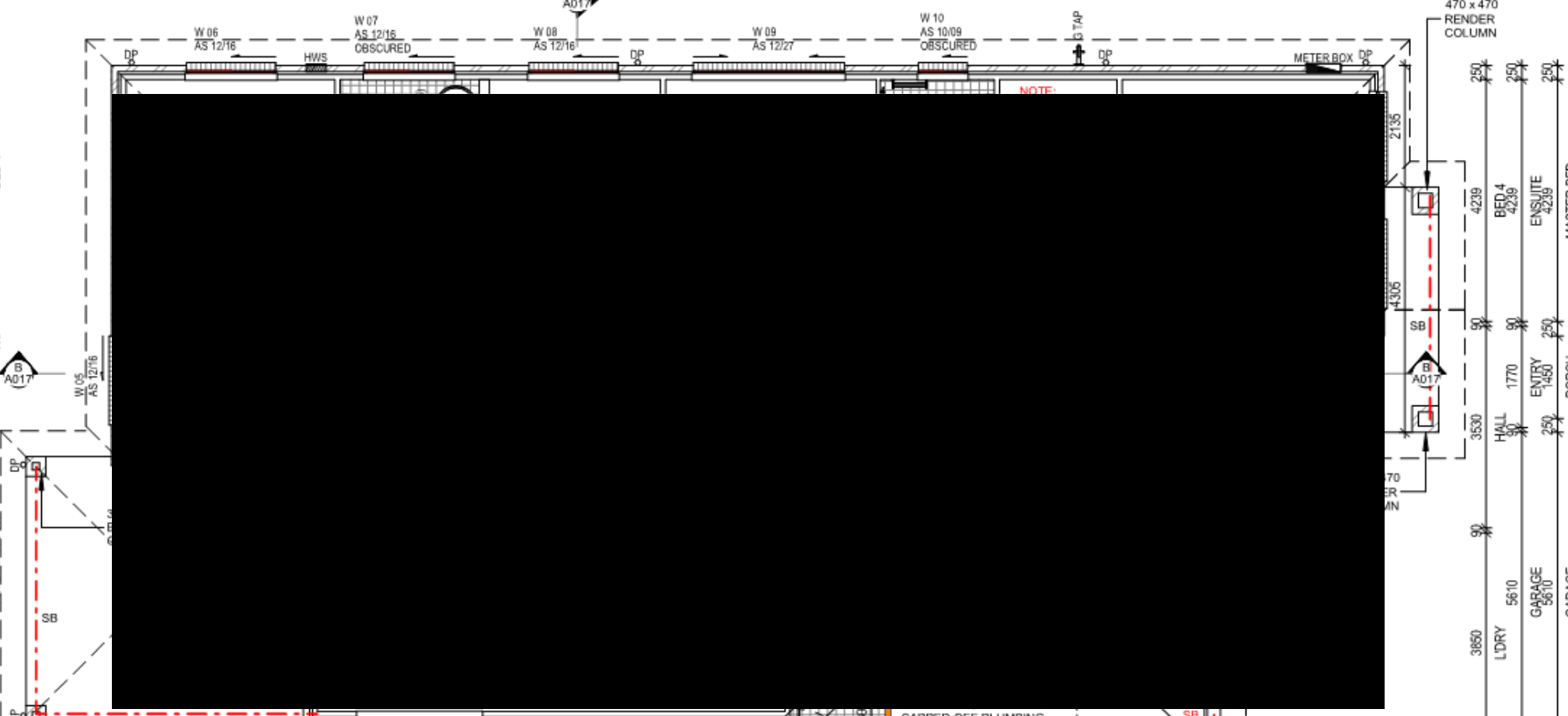
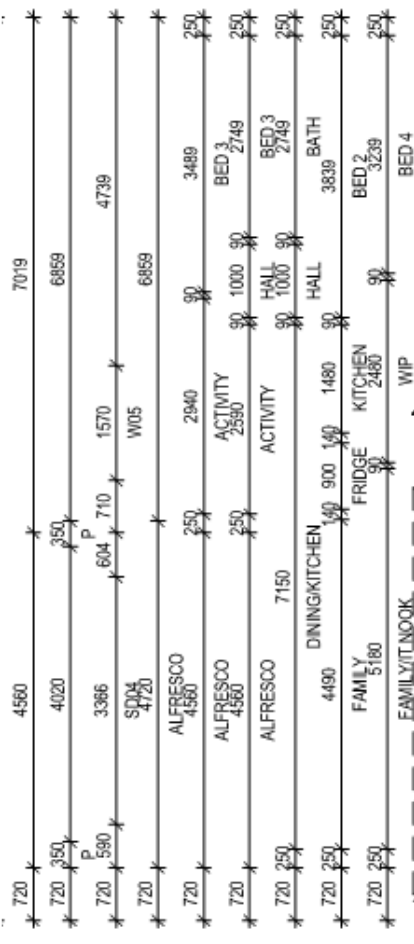
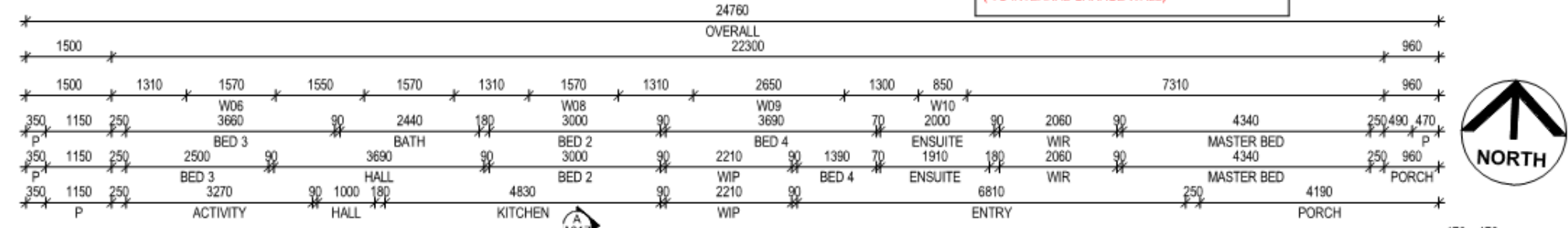
- ALL SQUARE SET OPENINGS & ALCOVES TO BE 2350mm HIGH TO 2750mm HIGH CEILING
- ALL SQUARE SET OPENINGS & ALCOVES TO BE 2200mm HIGH TO 2450mm HIGH CEILING
- ALL TV NICHE & CUTOUTS TO BE 1000mm FROM FLOOR & 1350mm HIGH TO 2750mm HIGH CEILING
- ALL TV NICHE & CUTOUTS TO BE 1000mm FROM FLOOR & 1200mm HIGH TO 2450mm HIGH CEILING
- REFER TO WET AREA DETAILS FOR SHOWER NICHE DETAILS
- ALL INTERNAL DOOR HEIGHTS AS INDICATED ON THE DOOR SCHEDULE.
- W.I.P SHELF HEIGHT=1716 WITH 4 SHELVES
- LINEN SHELF HEIGHT=1716 WITH 4 SHELVES
- W.I.R SHELF HEIGHT=1966 WITH SINGLE SHELF & SINGLE RAIL
- ROBE SHELF HEIGHT=1716 WITH SINGLE SHELF & SINGLE RAIL
- ROBE SHELF HEIGHT=1966 WITH SINGLE SHELF & DOUBLE RAIL
- WINDOWS TO HAVE PROTECTION OF OPENABLE WINDOWS TO COMPLY WITH TB BUILDING CODE OF AUSTRALIA VOLUME 2 2013. IN RELATION TO THE BEDROOM WINDOWS.
- ALFRESCO & PORCH TO HAVE 20mm FALL AWAY FROM THE BUILDING.
- R3.0 CEILING INSULATION, R2.0 WALL INSULATION AND R1.5 GARAGE CEILING INSULATION AS PER BASIX CERTIFICATE.

**LEGEND**

MWP	MICROWAVE PROVISION
DWP	DISHWASHER PROVISION
WMS	WASHING MACHINE SPACE
FS	FRIDGE SPACE
RD	ROLLER DOOR
PD	PANELIFT DOOR
#	2340 HIGH DOORS
SA	SMOKE ALARM
⊗	EXHAUST FAN
↔	FLOOR JOIST DIRECTION
G TAP	GARDEN TAP LOCATION
R TAP	RAINWATER TAP LOCATION
DP	DOWN PIPE LOCATION
FW	FLOOR WASTE
WS	WASTE STACK
AJ	ARTICULATION JOINTS
[RA]	ROOF ACCESS
SC	STRUCTURAL COLUMN TO ENGINEER'S DETAIL
SB	STRUCTURAL BEAMS TO ENGINEER'S SPECIFICATIONS
TB	TIMBER BEAMS TO ROOF/ FLOOR MANUFACTURERS SPECS.

**FLOOR AREAS**

GROUND FLOOR	194.48
GARAGE	33.87
PORCH	9.53
ALFRESCO	22.40
Grand total	260.28



**ROOF SCHEDULE**

MARK	AREA	TYPE
ROOF A	318.32 m <sup>2</sup>	CONCRETE TILES
<b>TOTAL</b>	<b>318.32 m<sup>2</sup></b>	

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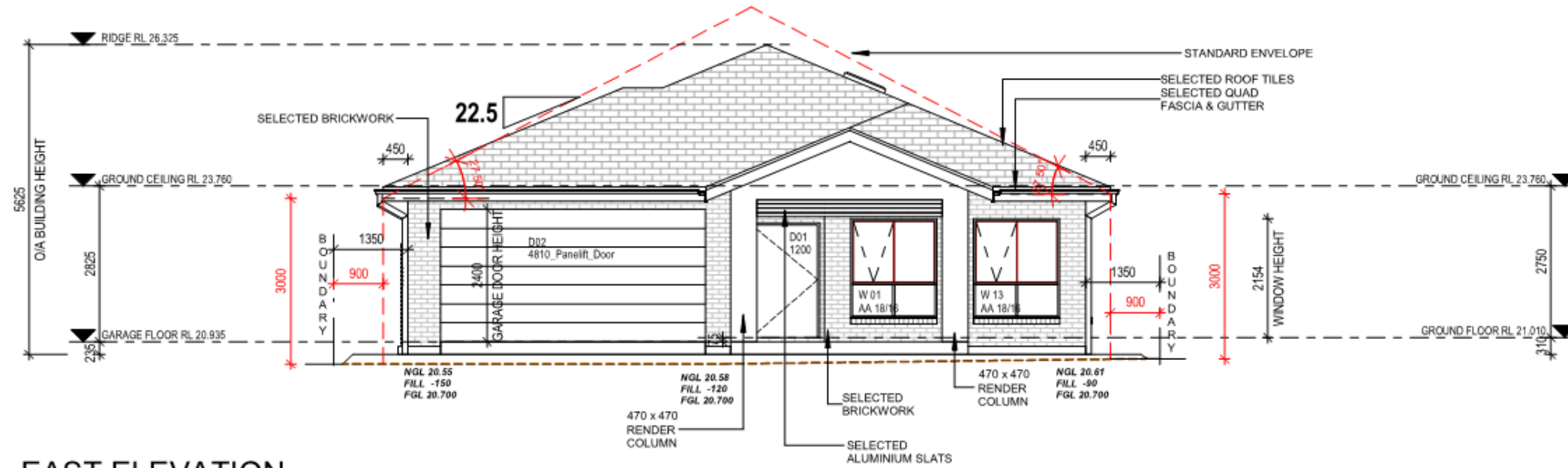
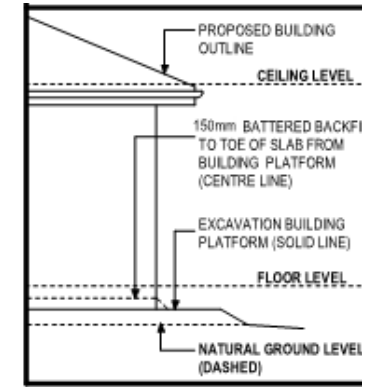
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MRS AMY WRIGHT**

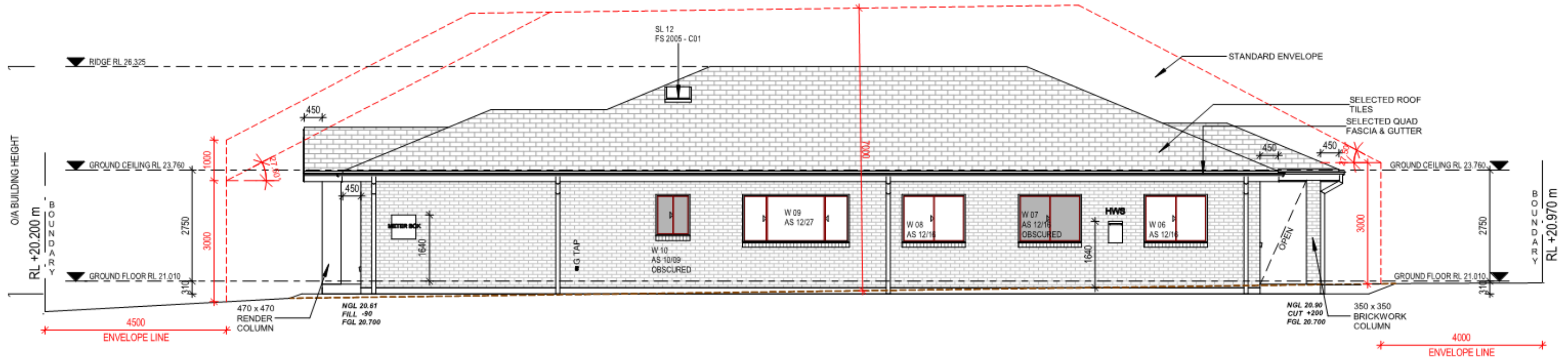
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(No.14) CONNOR WAY  
GRANDBARK NSW 2570**

SHEET NAME: <b>GROUND FLOOR PLAN</b>		JOB NO: <b>21111</b>	
HOUSE NAME: <b>OPAL 27</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>	SHEET NO: <b>A013</b>
FACADE NAME: <b>CLASSIC</b>	PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3: <b>1:100</b>	DATE: <b>15.09.22</b>

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**EAST ELEVATION**  
SCALE 1 : 100 FRONT ELEVATION



**NORTH ELEVATION**  
SCALE 1 : 100 SIDE ELEVATION

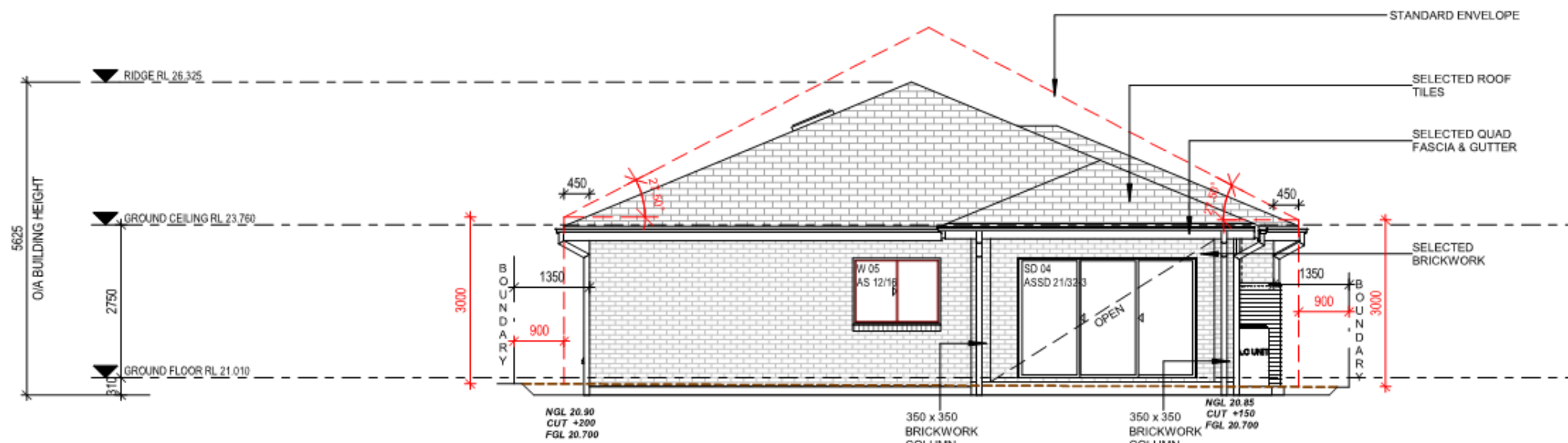
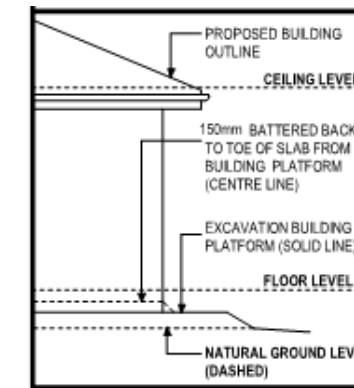
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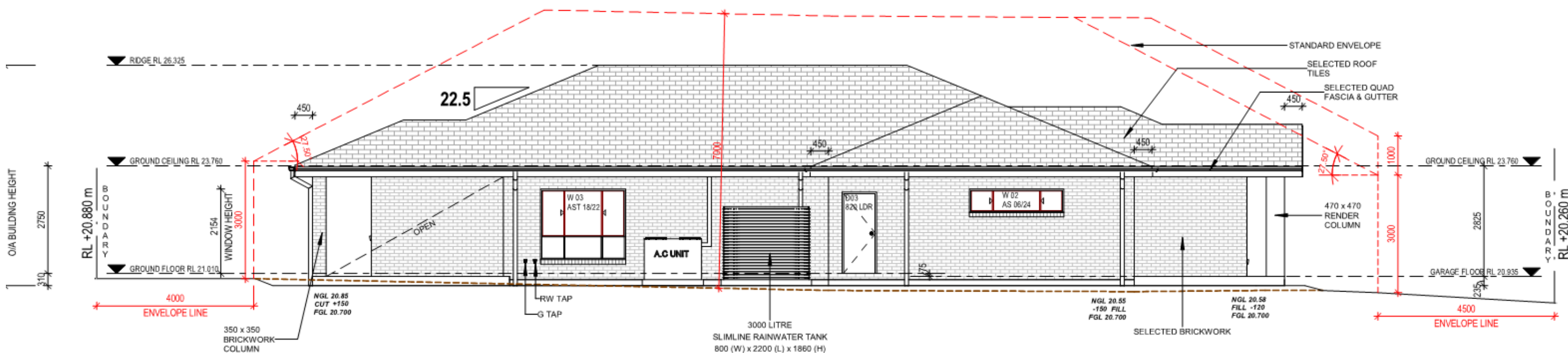
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MRS AMY WRIGHT  
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GRAND PARK NSW 2570

SHEET NAME: <b>ELEVATIONS</b>		JOB NO: <b>21111</b>	
HOUSE NAME: <b>OPAL 27</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>	SHEET NO: <b>A015</b>
FACADE NAME: <b>CLASSIC</b>	PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3: <b>1 : 100</b>	DATE: <b>15 08 22</b>

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**WEST ELEVATION**  
SCALE 1 : 100 REAR ELEVATION



**SOUTH ELEVATION**  
SCALE 1 : 100 SIDE ELEVATION

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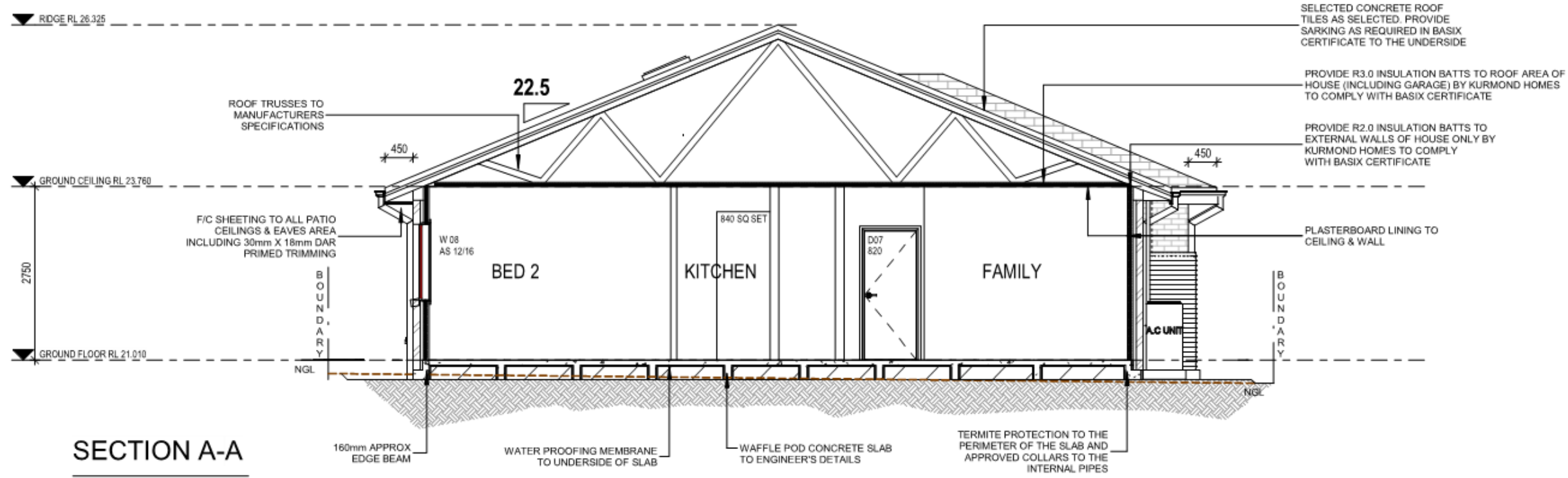
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MRS AMY WRIGHT**  
SITE ADDRESS:  
**LOT 6002 DP:1235007  
(No.14) CONNOR WAY  
GRANDBARK NSW 2570**

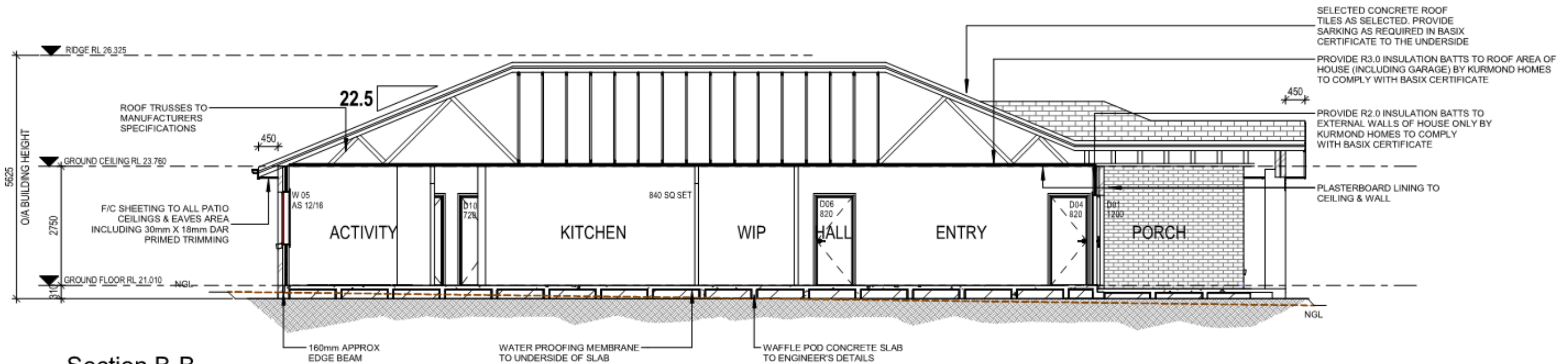
SHEET NAME: <b>ELEVATIONS</b>		JOB NO: <b>21111</b>	
HOUSE NAME: <b>OPAL 27</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>	SHEET NO: <b>A016</b>
PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3: <b>1 : 100</b>	DATE: <b>15 08 22</b>	

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**SALINE AFFECTED SOILS**  
REFER TO ENGINEER'S DETAIL




**SECTION A-A**  
SCALE 1 : 75 A



**Section B-B**  
SCALE 1 : 100 B

PROVIDE T2 FRAMES, TRUSSES,  
FLOOR JOISTS & GARAGE  
BEAMS  
IN LIEU OF STANDARD




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MRS AMY WRIGHT  
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SHEET NAME: <b>SECTIONS</b>		JOB NO: <b>21111</b>	
HOUSE NAME: <b>OPAL 27</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>	SHEET NO: <b>A017</b>
FACADE NAME: <b>CLASSIC</b>	PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3: <b>As</b>	DATE: <b>15 09 22</b>

DOOR SCHEDULE				
MARK	TYPE	HEIGHT	WIDTH	TO ROOM
01	Entry Door: 1200	2040	1200	ENTRY
02	Garage_Panelift_Door1: 4810_Panelift_Door	2400	4810	GARAGE
03	Laundry_Door: 820 LDR	2040	820	
04	Internal_Door: 820	2040	820	MASTER BED
05	Cavity_Sliding_Door: 720 CSD	2040	720	MASTER BED
06	Internal_Door: 820	2040	820	BED 4
07	Internal_Door: 820	2040	820	HALL
08	Internal_Door: 720	2040	720	L'DRY
09	Internal_Door: 820	2040	820	BED 2
10	Internal_Door: 720	2040	720	BATH
11	Internal_Door: 820	2040	820	BED 3
12	Square_Set: SQ SET	2350	840	ENSUITE
15	Square_Set: SQ SET	2350	1500	HALL

WINDOW & SLIDING DOOR SCHEDULE								
TYPE	MARK	CODE	HEIGHT	WIDTH	WIDTH B	STYLE	FRAME TYPE	GLAZING
W	01	AA 18/16	1800	1570		AWNING	STANDARD ALUMINIUM	SINGLE CLEAR
W	02	AS 06/24	600	2410		SLIDING	STANDARD ALUMINIUM	SINGLE CLEAR
W	03	AST 18/22	1800	2170		SLIDING	STANDARD ALUMINIUM	SINGLE CLEAR
SD	04	ASSD 21/32-3	2154	3216		STACKING	STANDARD ALUMINIUM	SINGLE CLEAR
W	05	AS 12/16	1200	1570		SLIDING	STANDARD ALUMINIUM	SINGLE CLEAR
W	06	AS 12/16	1200	1570		SLIDING	STANDARD ALUMINIUM	SINGLE CLEAR
W	07	AS 12/16	1200	1570		SLIDING	STANDARD ALUMINIUM	OBSCURED
W	08	AS 12/16	1200	1570		SLIDING	STANDARD ALUMINIUM	SINGLE CLEAR
W	09	AS 12/27	1200	2650		SLIDING	STANDARD ALUMINIUM	SINGLE CLEAR
W	10	AS 10/09	1030	850		SLIDING	STANDARD ALUMINIUM	OBSCURED
SL	12	FS 2005 - C01	700	550		FIXED SKYLIGHT	STANDARD ALUMINIUM	IMPROVED DOUBLE GLAZING
W	13	AA 18/16	1800	1570		AWNING	STANDARD ALUMINIUM	SINGLE CLEAR



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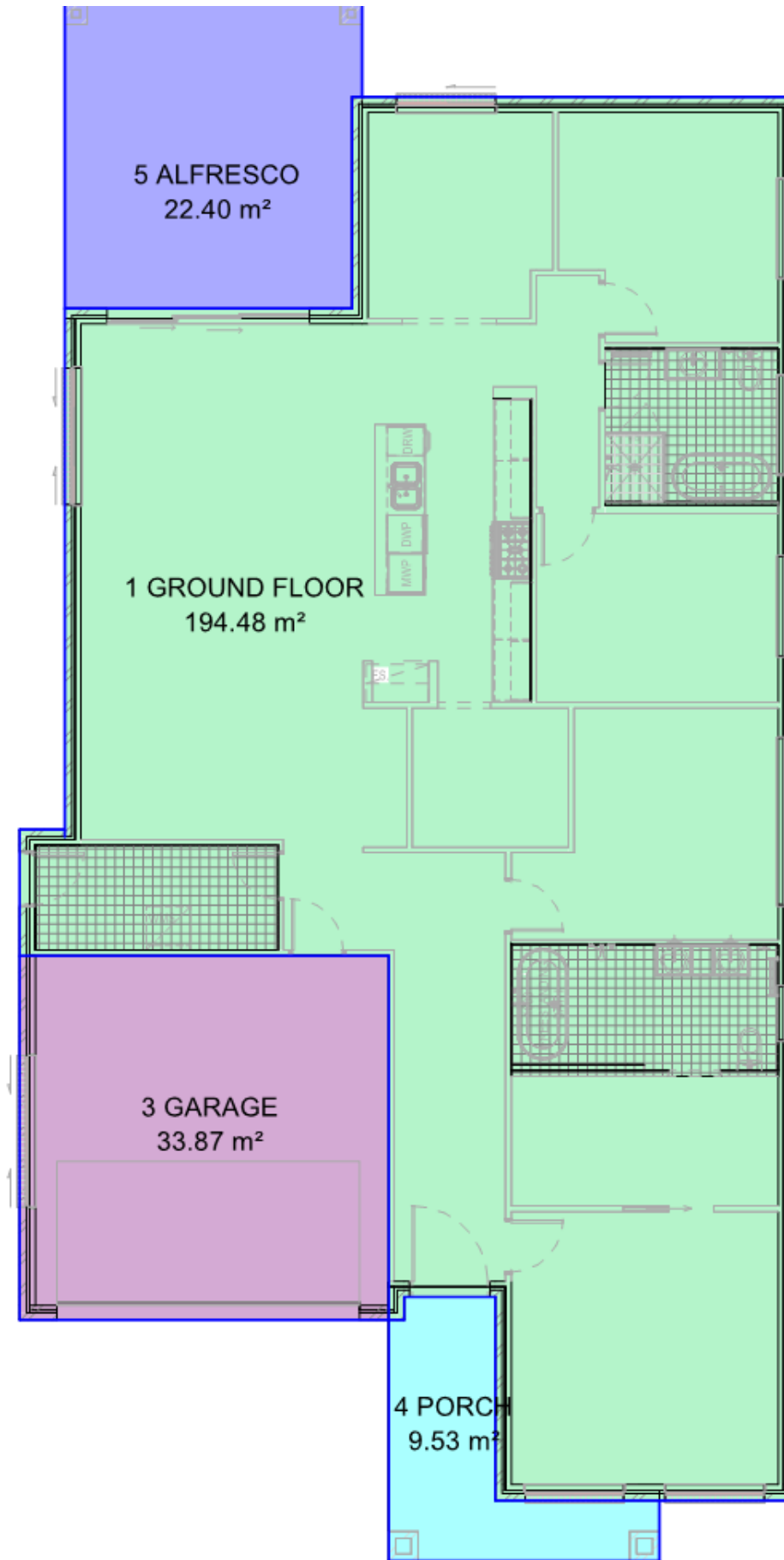
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CLIENT'S NAME:  
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MRS AMY WRIGHT

SITE ADDRESS:  
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(No.14) CONNOR WAY  
GRANDBARK NSW 2570

SHEET NAME: <b>WINDOWS &amp; DOORS SCHEDULES</b>		JOB NO: <b>21111</b>
HOUSE NAME: <b>OPAL 27</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>
FACADE NAME: <b>CLASSIC</b>	PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3: <b>1:50</b>
		SHEET NO: <b>A018</b>
		DATE: <b>15/09/22</b>

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**COLOUR SCHEME**

- GROUND FLOOR
- FIRST FLOOR
- GARAGE
- PORCH
- ALFRESCO
- STAIR VOID

FLOOR AREAS	
GROUND FLOOR	194.48
GARAGE	33.87
PORCH	9.53
ALFRESCO	22.40
Grand total	260.28

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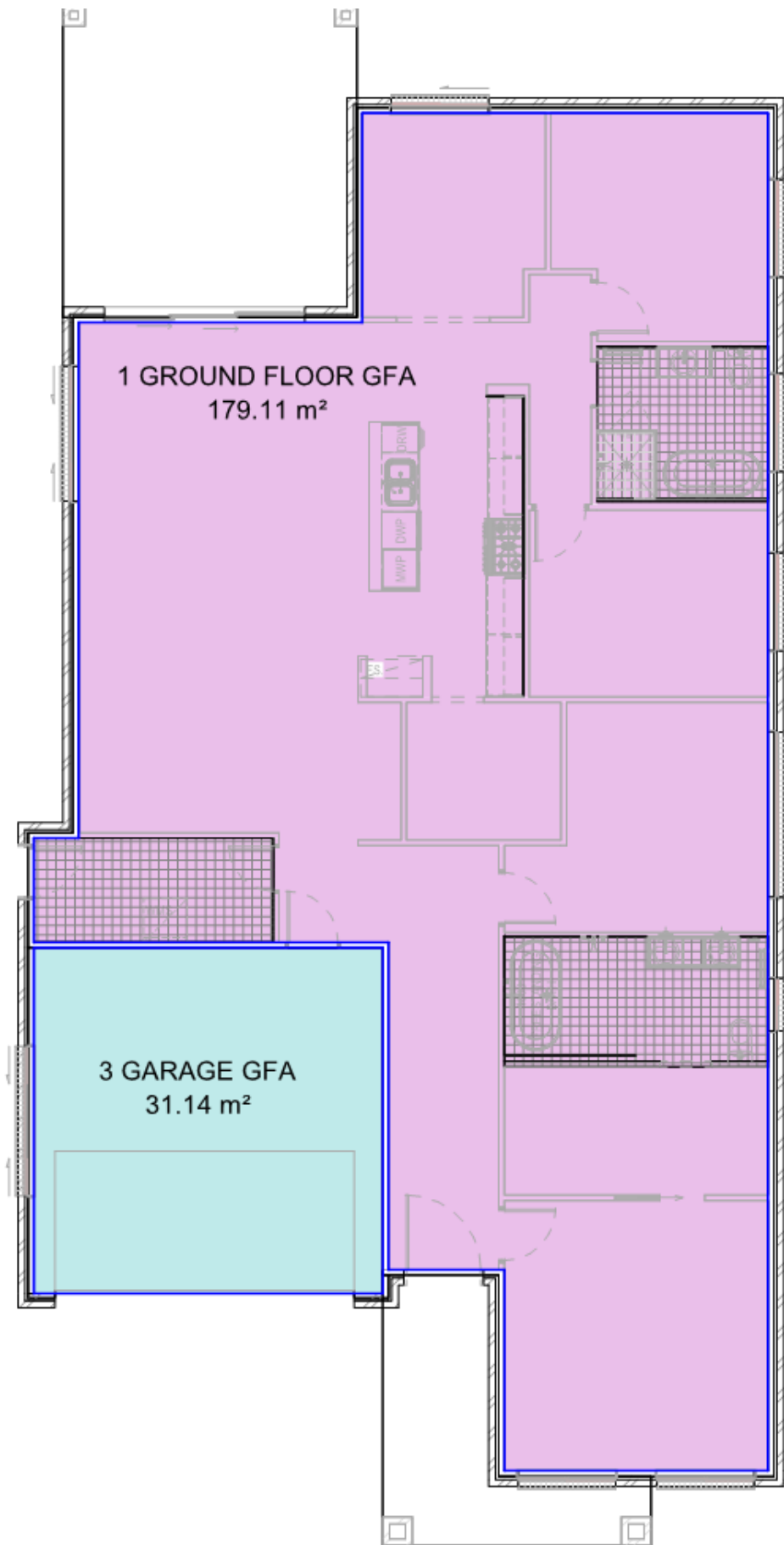
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MRS AMY WRIGHT  
SITE ADDRESS:  
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(No.14) CONNOR WAY  
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SHEET NAME: <b>GROSS FLOOR AREA PLAN (EXTERNAL)</b>		JOB NO: <b>21111</b>	
HOUSE NAME: <b>OPAL 27</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>	SHEET NO: <b>A020</b>
FACADE NAME: <b>CLASSIC</b>	PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3: <b>1 : 100</b>	DATE: <b>15 08 22</b>

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**1. GROUND FLOOR GFA**

**COLOUR SCHEME**

- GROUND FLOOR FSR
- GARAGE GFA
- GROUND FLOOR GFA

**FLOOR SPACE AREA**

NAME	AREA
GROUND FLOOR GFA	179.11 m <sup>2</sup>
GARAGE GFA	31.14 m <sup>2</sup>
<b>TOTAL</b>	<b>210.25 m<sup>2</sup></b>



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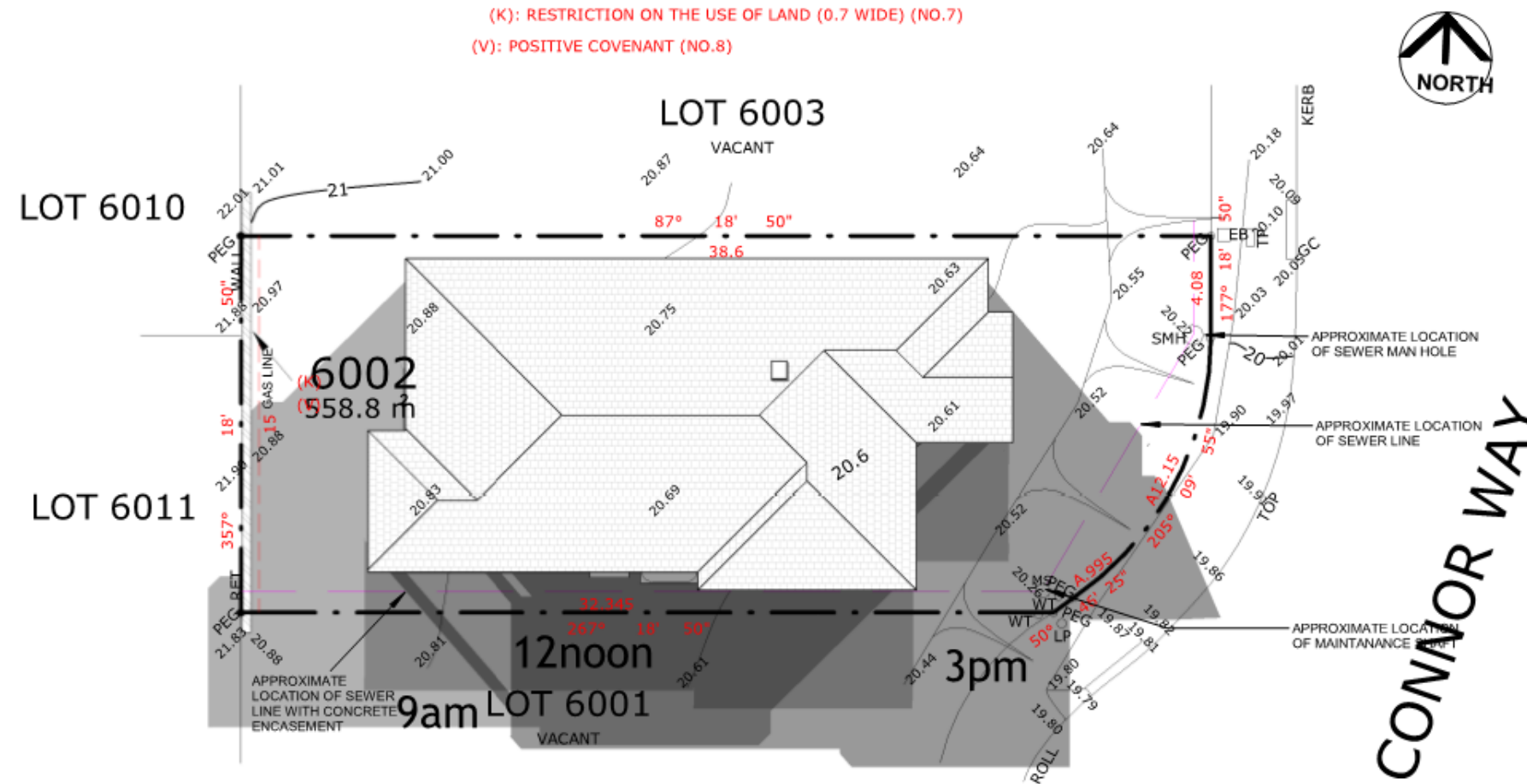
ALL DIMENSIONS ARE IN MILLIMETERS. ALL DIMENSIONS ARE FRAME TO FRAME. DO NOT SCALE OFF PLANS.

CLIENT'S NAME:  
**MR MARK WRIGHT  
MRS AMY WRIGHT**  
SITE ADDRESS:  
**LOT 6002 DP:1235007  
(No.14) CONNOR WAY  
GRANDBARK NSW 2570**

SHEET NAME: <b>FLOOR SPACE RATIO PLAN (INTERNAL)</b>		JOB NO: <b>21111</b>	
HOUSE NAME: <b>OPAL 27</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>	SHEET NO: <b>A021</b>
FACADE NAME: <b>CLASSIC</b>	PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3: <b>1 : 100</b>	DATE: <b>15.08.22</b>



**AUTHORITY PLANS**  
SUBJECT TO COUNCIL/ ASSESSOR/  
DEVELOPER APPROVAL.



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MR MARK WRIGHT  
MRS AMY WRIGHT  
SITE ADDRESS:  
LOT 6002 DP:1235007  
(No.14) CONNOR WAY  
GRAN PARK NSW 2570

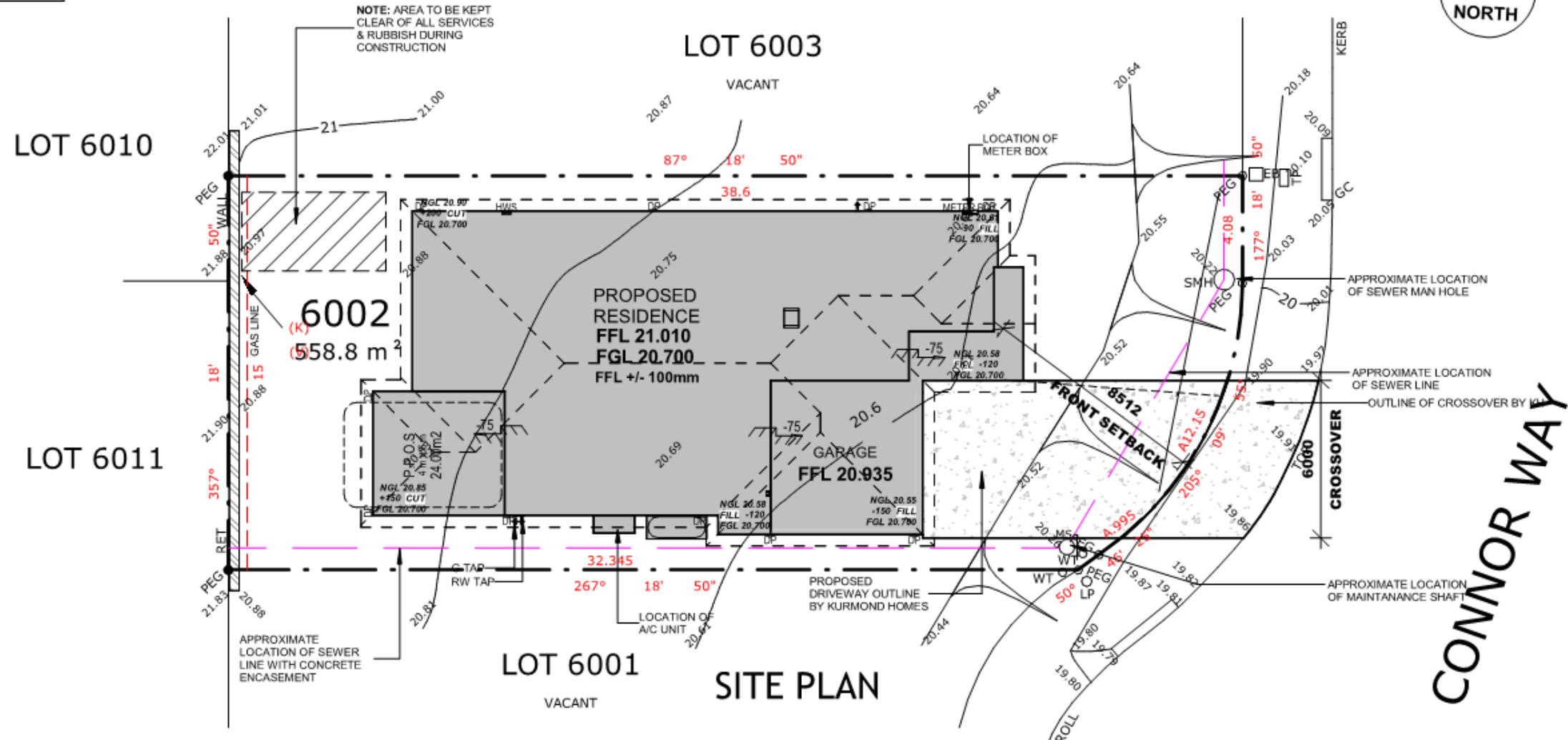
SHEET NAME: <b>SHADOW DIAGRAMS, 21st JUNE</b>		JOB NO: <b>21111</b>
HOUSE NAME: <b>OPAL 27</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>
FACADE NAME: <b>CLASSIC</b>	PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3: <b>1 : 250</b>
		SHEET NO: <b>A022</b>
		DATE: <b>15 08 22</b>

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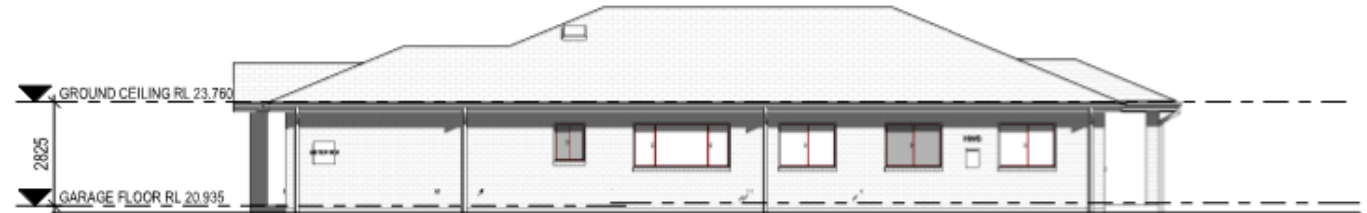


**AUTHORITY PLANS**  
SUBJECT TO COUNCIL/ ASSESSOR/  
DEVELOPER APPROVAL.

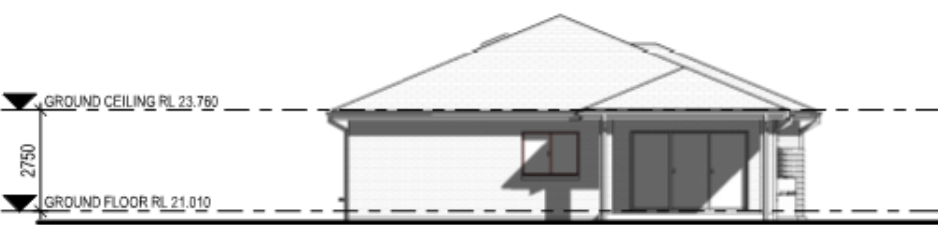
(K): RESTRICTION ON THE USE OF LAND (0.7 WIDE) (NO.7)  
(V): POSITIVE COVENANT (NO.8)



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

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CLIENT'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
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LOCATION: X:\1. JCR\21000-219890\1111 - WR\GHT\21111 - WR\GHT - OPAL 27 - AUTHORITY.dwg

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CLIENT'S NAME:  
MR MARK WRIGHT  
MRS AMY WRIGHT  
SITE ADDRESS:  
LOT 6002 DP:1235007  
(No.14) CONNOR WAY  
GRAN PARK NSW 2570

SHEET NAME: <b>NOTIFICATION PLAN</b>		JOB NO: <b>21111</b>	
HOUSE NAME: <b>OPAL 27</b>	PROJECT STAGE: <b>AUTHORITY</b>	REV NO: <b>15</b>	SHEET NO: <b>A027</b>
FACADE NAME: <b>CLASSIC</b>	PACKAGE: <b>EVERYDAY DIAMOND</b>	SCALE @ A3: <b>1 : 200</b>	DATE: <b>15 08 22</b>

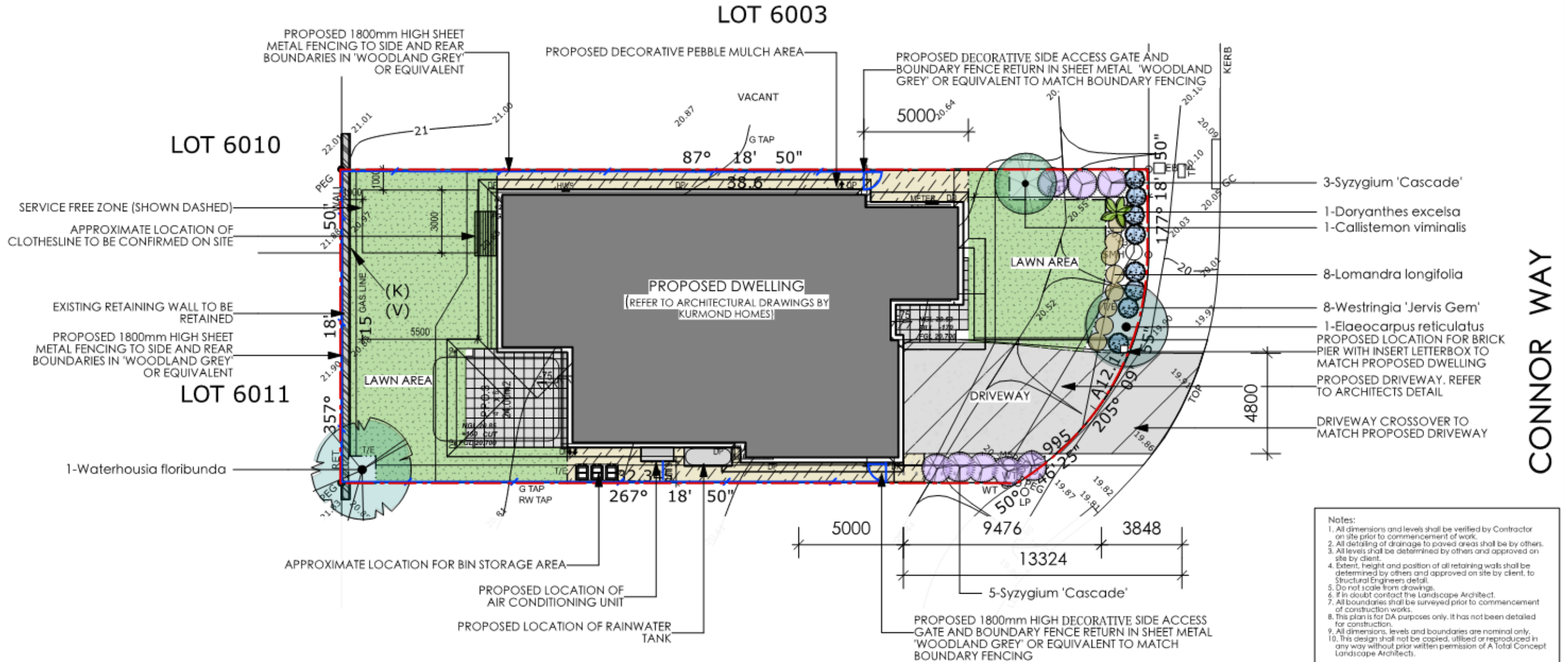


### PLANTING SCHEDULE

NOTE: ALL PROPOSED PLANT SPECIES ARE NATIVE AND LOW WATER USE SPECIES

Latin Name	Common Name	Quantity	Scheduled Size	Spread	Height
Callistemon viminalis	Bottlebrush	1	50lt	3000	4000
Doryanthes excelsa	Gynea Lily	1	300mm	1500	1500
Elaeocarpus reticulatus	Blueberry Ash	1	50lt	4000	8000
Lomandra longifolia	Native Grass	8	150mm	900	900
Syzygium 'Cascade'	Dwarf Weeping Lillypilly	8	300mm	1500	3000
Waterhousia floribunda	Weeping Lilly Pilly	1	50lt	5000	10000
Westringia 'Jervis Gem'	Coastal Rosemary	8	200mm	1000	1000

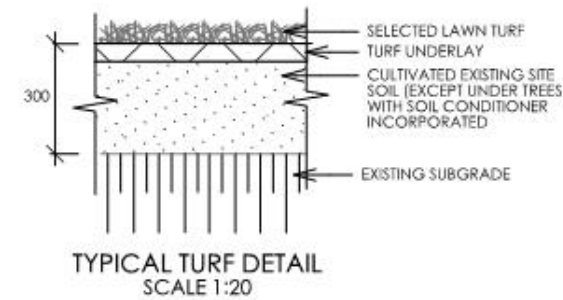
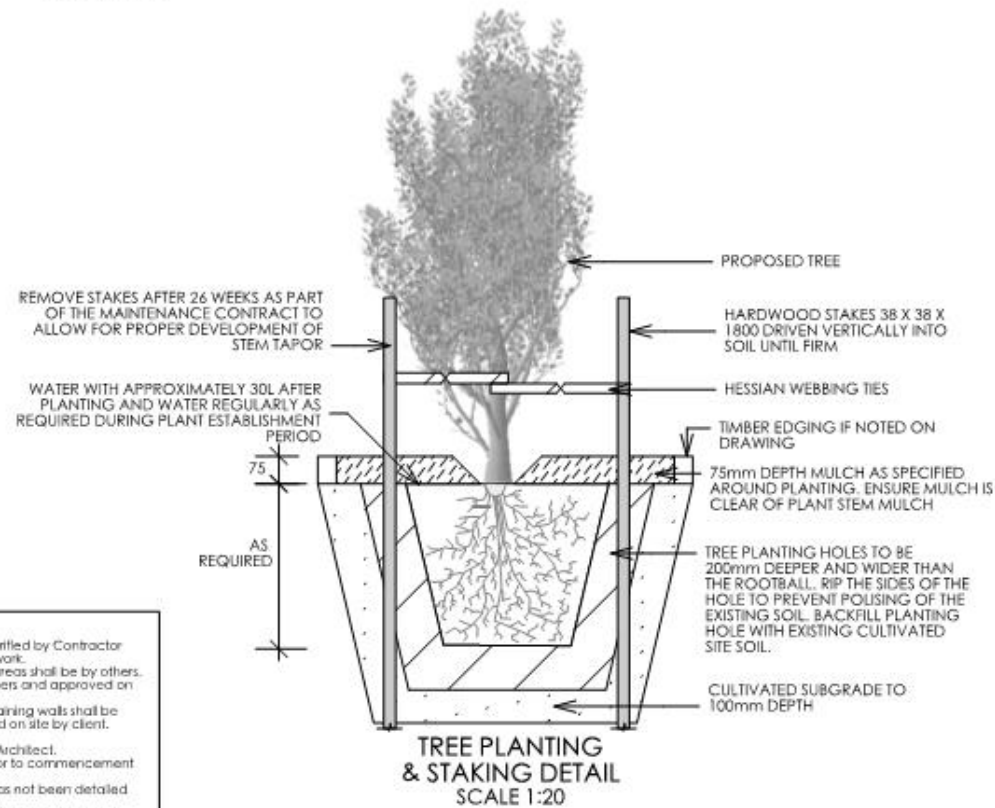
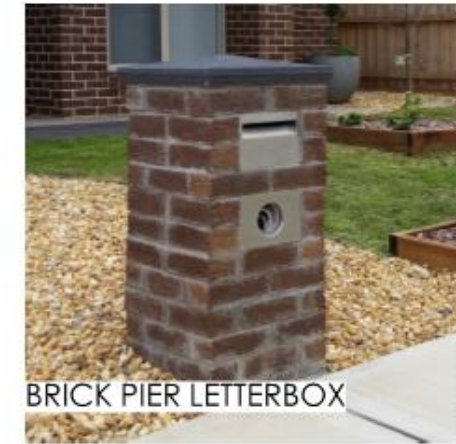
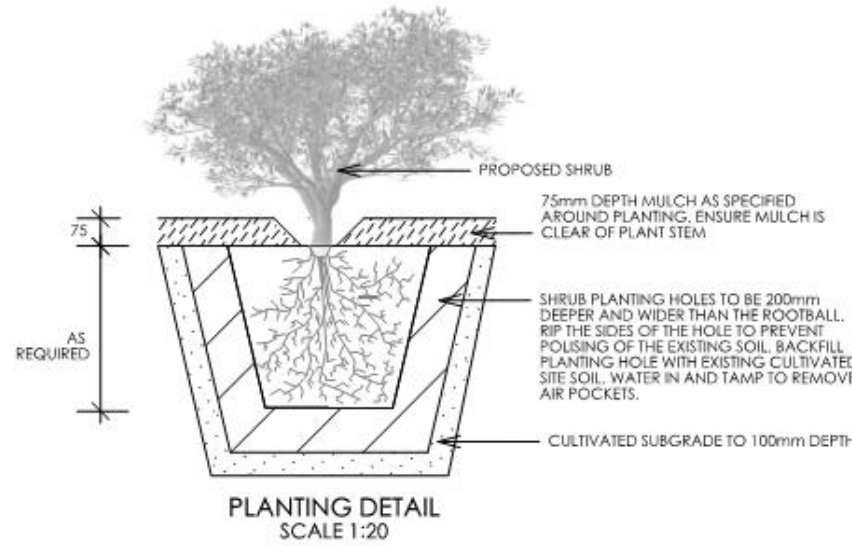
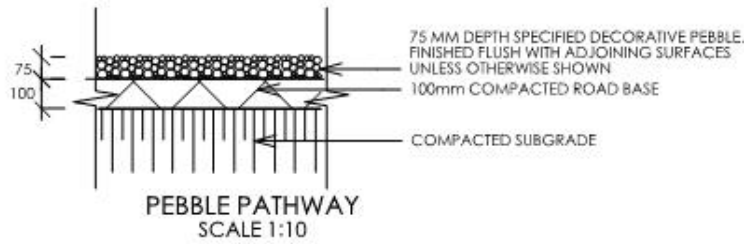
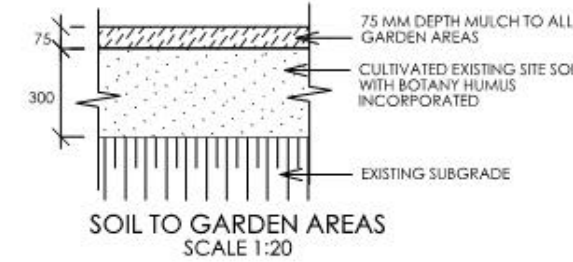
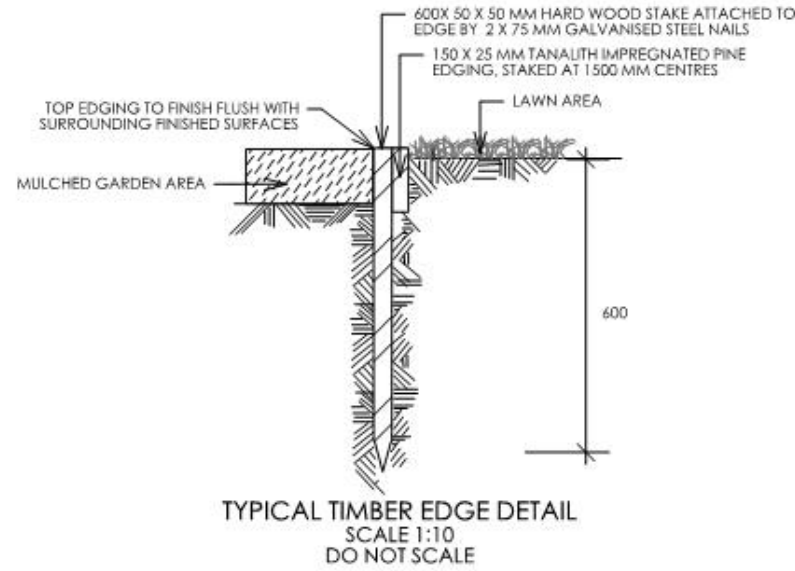
Note: Landscape Contractor shall undertake minor earthworks after handover by builder as required to achieve maximum gradient to all lawn and mulched areas of 1:50, and 1:4 to all garden areas. Should retaining walls be required to achieve these falls they shall be designed by an engineer and be a maximum height compliant with council and/or developer policies.



**LEGEND:**

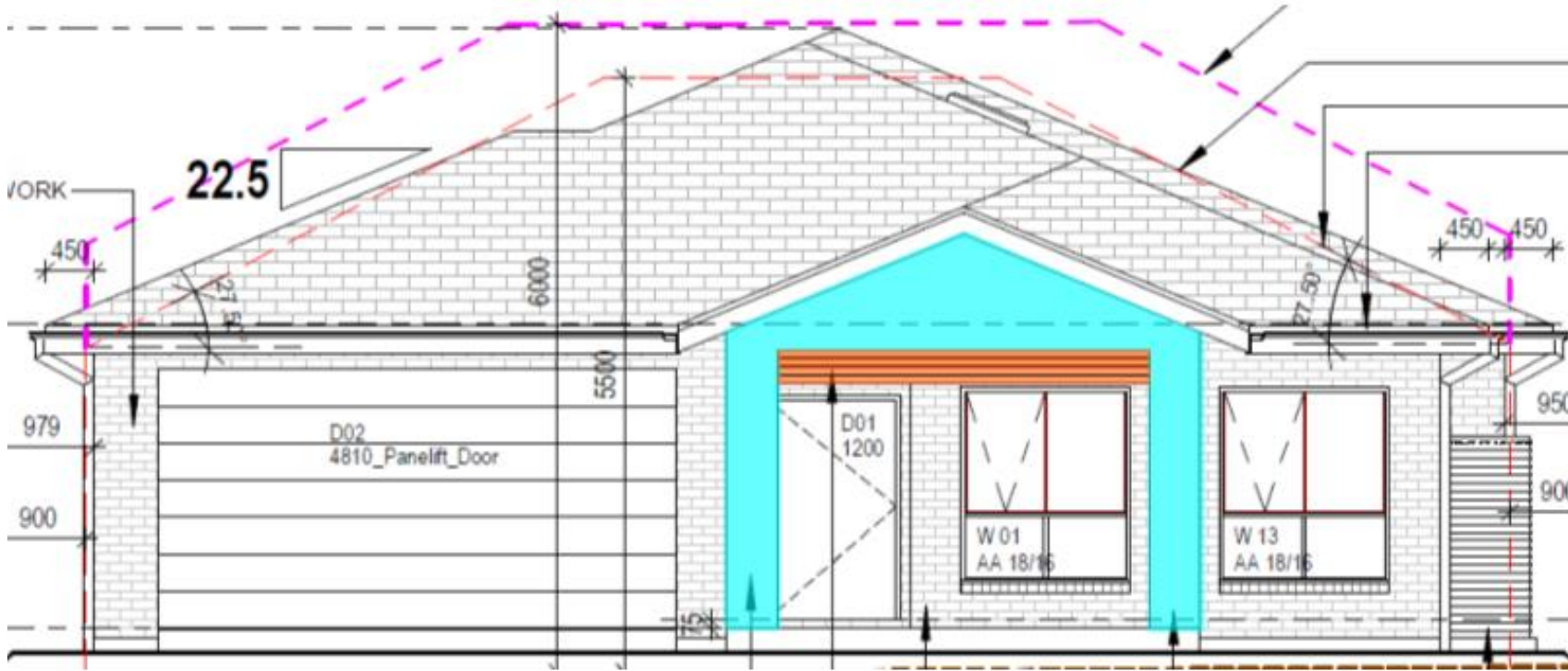
- PROPOSED DRIVEWAY. REFER TO ARCHITECTS DETAIL
- PROPOSED PAVED AREA
- LAWN AREA
- PROPOSED DECORATIVE PEBBLE MULCH AREA
- EXISTING RETAINING WALL TO BE RETAINED
- PROPOSED 1800mm HIGH SHEET METAL FENCING TO SIDE AND REAR BOUNDARIES IN 'WOODLAND GREY' OR EQUIVALENT
- TIMBER LAWN EDGE
- SITE BOUNDARY
- EXISTING TREE TO BE RETAINED
- EXISTING TREE TO BE REMOVED

DATE: 01/03/2022		REVISION: Rev_A, Amendment water tank location	
<b>PROPOSED LANDSCAPE PLAN</b>			
DRAWING		PROJECT #	
ADDRESS		KURMOND HOMES	
LOT 6002, 14 CONNOR WAY, ORAN PARK		DWG #	
CLIENT		L/01	
MARK & AMY WRIGHT		DATE #	10.12.21
A Total Concept Landscape Architects & Swimming Pool Designers 65 West Street, North Sydney NSW 2060 Tel: (02) 9957 5122 Fx: (02) 9957 5922		SCALE @ A3	1:200
		DRAWN	OC
		CHKD	JC
		REVISION	



- Notes:**
- All dimensions and levels shall be verified by Contractor on site prior to commencement of work.
  - All detailing of drainage to paved areas shall be by others.
  - All levels shall be determined by others and approved on site by client.
  - Extent, height and position of all retaining walls shall be determined by others and approved on site by client.
  - Do not scale from drawings.
  - If in doubt contact the Landscape Architect.
  - All boundaries shall be surveyed prior to commencement of construction works.
  - This plan is for DA purposes only. It has not been detailed for construction.
  - All dimensions, levels and boundaries are nominal only.
  - This design shall not be copied, utilised or reproduced in any way without prior written permission of A Total Concept Landscape Architects.

DATE	DATE: 01/03/2022	REVISION	REVISION: Rev_A, Amendment watertank location
<b>DRAWING LANDSCAPE DETAILS</b>			
ADDRESS	LOT 6002, 14 CONNOR WAY, ORAN PARK		PROJECT # KURMOND HOMES
CUSTOMER	MARK & AMY WRIGHT		DWG # L/02
A Total Concept Landscape Architects & Swimming Pool Designers		DATE #	10.12.21
65 West Street, North Sydney NSW 2060		SCALE @ A3	AS NOTED
Tel: (02) 9957 5122 Fx: (02) 9957 5922		DRAWN	OC
		CHKD	JC
		REVISION	



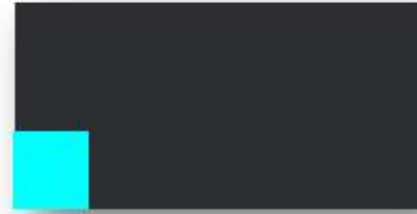
FRONT ELEVATION  
SCALE 1:100

- ATURA
- BABYLON



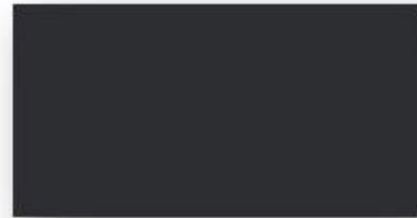
**MOROKA - TAUBMANS**

- MONUMENT CB 66



**WINDOWS - WIDE-LINE**

- MONUMENT



**GARAGE DOOR - STEELINE**

- FLATLINE
- MONUMENT CB 66



**DRIVEWAY - BY CLIENT**

- SMOKEY BLUE

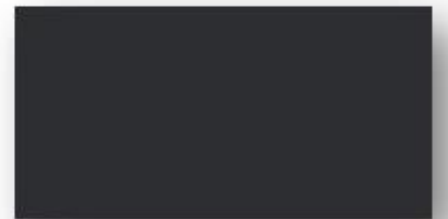


- FOUNDATIONS
- STONE



**COLORBOND - MONUMENT**

- GUTTER / BARGE
- RAINWATER TANK
- DOWNPIPE
- METERBOX
- FASCIA / BARGE FASCIA



**ALUMINIUM SLATS - DECOWOOD**

- IRONBARK



**ENTRY DOOR - HUME**

- SAVOY XS28
- CLEAR GLAZING
- CLASSIC CEDAR TINT



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CLIENT'S NAME: MR MARK WRIGHT MRS AMY WRIGHT  
 SITE ADDRESS: LOT 2000 RD 1005007

SHEET NAME: COVER SHEET  
 HOUSE NAME: OPAL 27

PROJECT STAGE: PRELIMINARY

REV NO: 1  
 JOB NO: 211  
 SHEET NO: 01

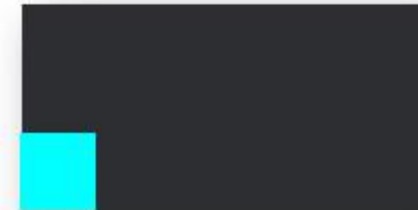


- ATURA
- BABYLON



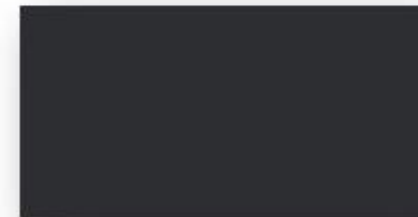
**MOROKA - TAUBMANS**

- MONUMENT CB 66



**WINDOWS – WIDE-LINE**

- MONUMENT



**GARAGE DOOR – STEELINE**

- FLATLINE
- MONUMENT CB 66



**DRIVEWAY – BY CLIENT**

- SMOKEY BLUE

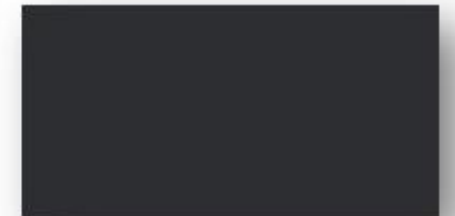


- FOUNDATIONS
- STONE



**COLORBOND – MONUMENT**

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**ALUMINIUM SLATS - DECOWOOD**

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**ENTRY DOOR –HUME**

- SAVOY XS28
- CLEAR GLAZING
- CLASSIC CEDAR TINT



RTH ELEVATION

1:100 SIDE ELEVATION

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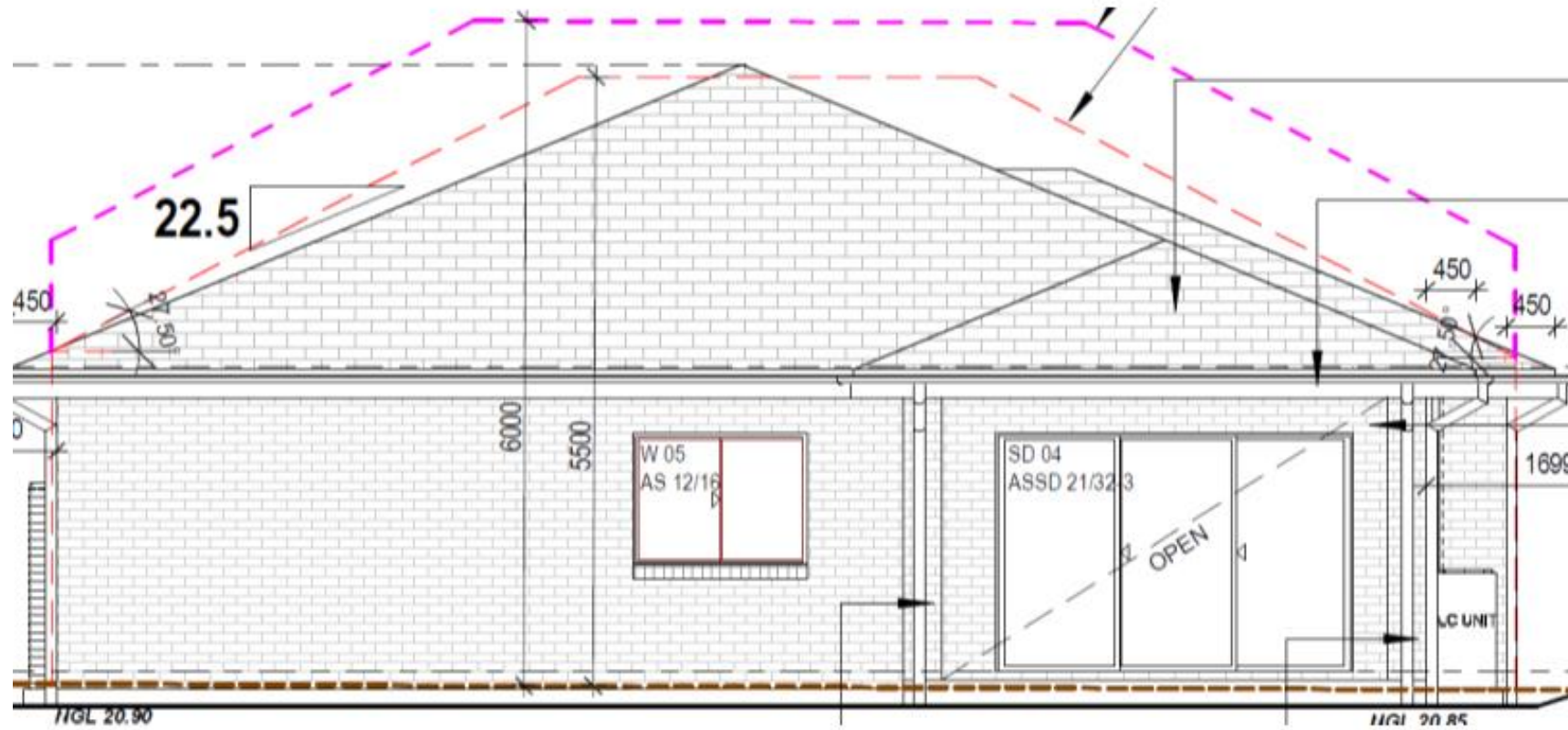
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CLIENT'S NAME: MR MARK WRIGHT MRS AMY WRIGHT  
 SITE ADDRESS: LOT 6002 DP:1235007

SHEET NAME: COVER SHEET  
 HOUSE NAME: OPAL 27

PROJECT STAGE: PRELIMINARY  
 REV NO: 4

JOB NO: 211  
 SHEET NO: A01



REAR ELEVATION

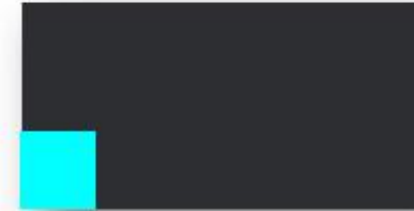
1:100 REAR ELEVATION

- ATURA
- BABYLON



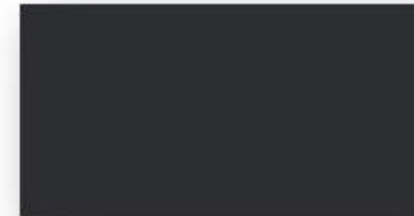
**MOROKA - TAUBMANS**

- MONUMENT CB 66



**WINDOWS - WIDE-LINE**

- MONUMENT



**GARAGE DOOR - STEELINE**

- FLATLINE
- MONUMENT CB 66



**DRIVEWAY - BY CLIENT**

- SMOKEY BLUE

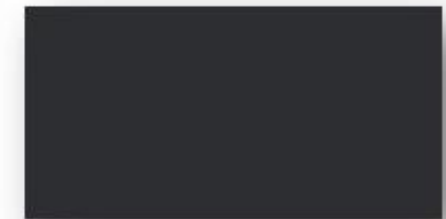


- FOUNDATIONS
- STONE



**COLORBOND - MONUMENT**

- GUTTER / BARGE
- RAINWATER TANK
- DOWNPIPE
- METERBOX
- FASCIA / BARGE FASCIA



**ALUMINIUM SLATS - DECOWOOD**

- IRONBARK



**ENTRY DOOR - HUME**

- SAVOY XS28
- CLEAR GLAZING
- CLASSIC CEDAR TINT



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 CLIENT'S SIGNATURE DATE

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 MRS AMY WRIGHT  
 SITE ADDRESS:  
 LOT 2000 RD 1005007

SHEET NAME:  
 COVER SHEET  
 HOUSE NAME:  
 OPAL 27

PROJECT STAGE:  
 PRELIMINARY

REV NO:  
 1

JOB NO:  
 211  
 SHEET NO:  
 01





- ATURA
- BABYLON

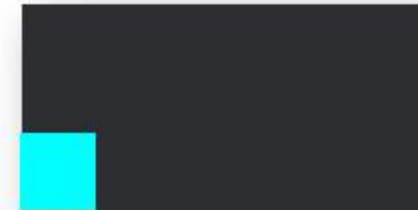


- FOUNDATIONS
- STONE



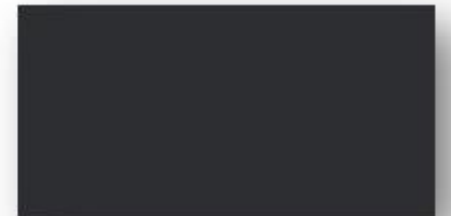
**MOROKA - TAUBMANS**

- MONUMENT CB 66



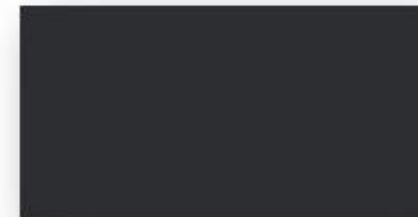
**COLORBOND – MONUMENT**

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- DOWNPIPE
- METERBOX
- FASCIA / BARGE FASCIA



**WINDOWS – WIDE-LINE**

- MONUMENT



**ALUMINIUM SLATS - DECOWOOD**

- IRONBARK



**GARAGE DOOR – STEELINE**

- FLATLINE
- MONUMENT CB 66



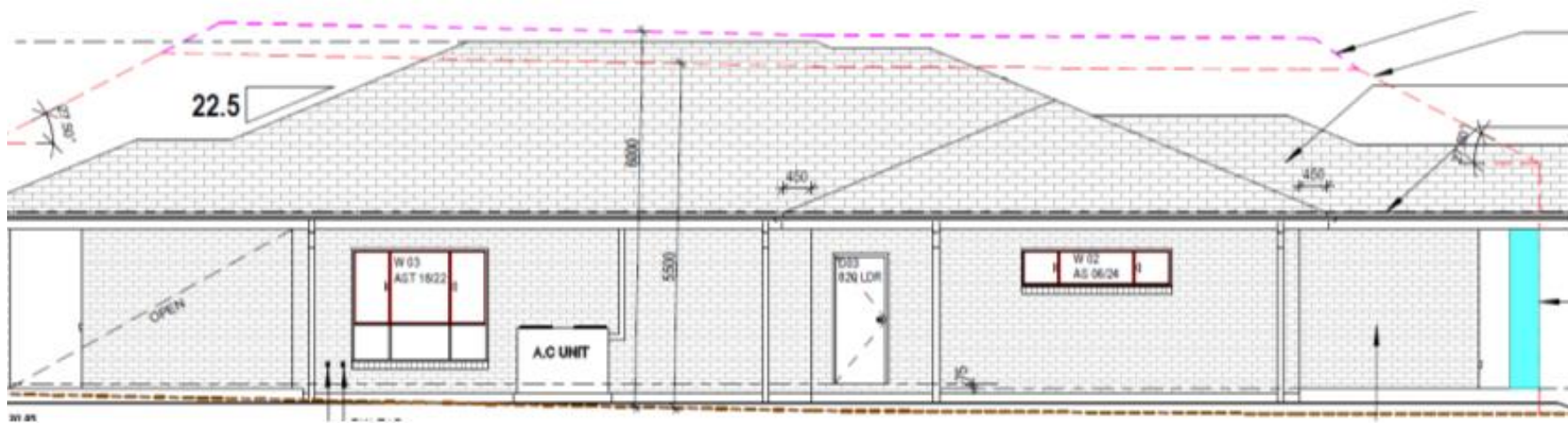
**ENTRY DOOR –HUME**

- SAVOY XS28
- CLEAR GLAZING
- CLASSIC CEDAR TINT



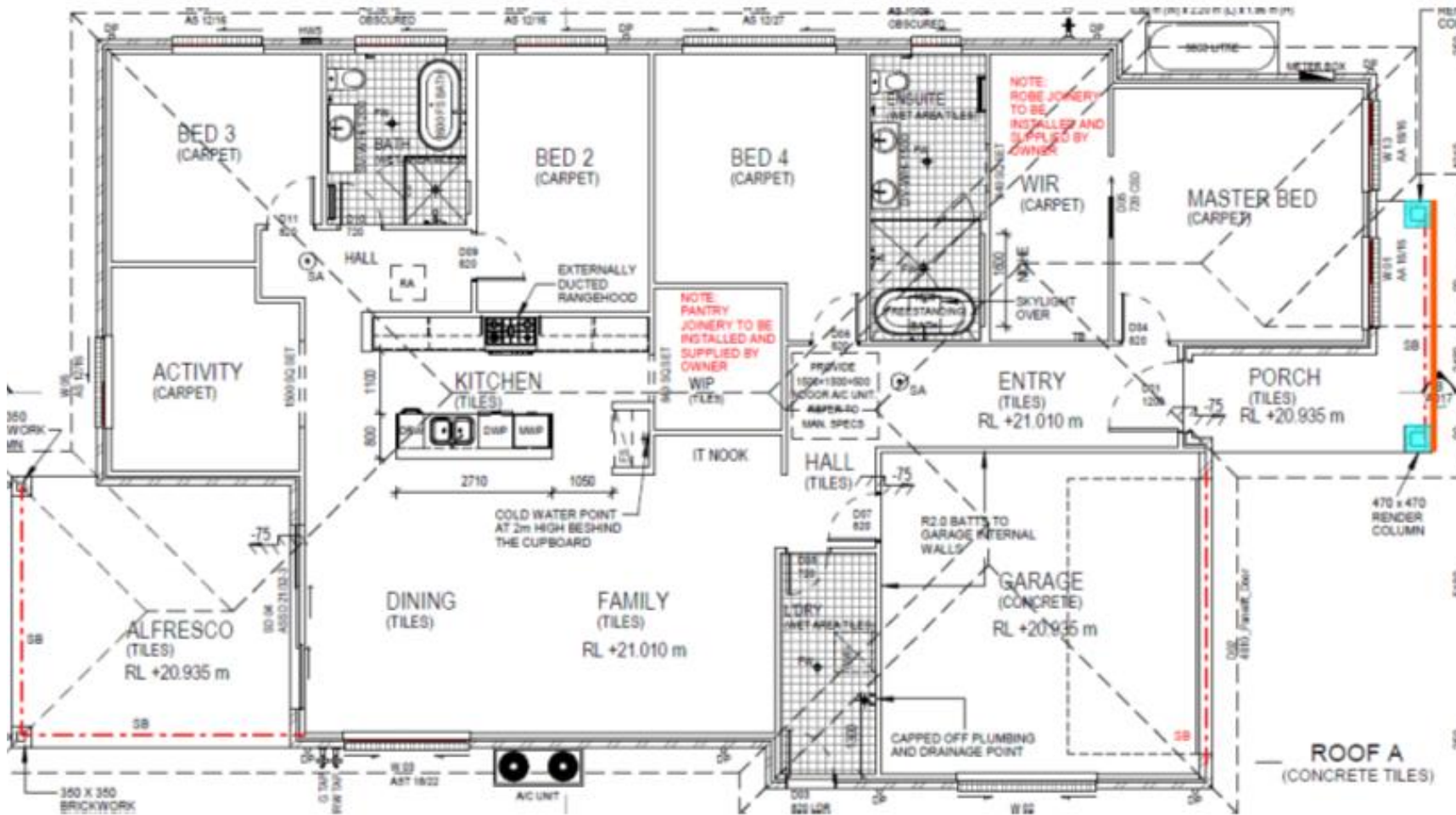
**DRIVEWAY – BY CLIENT**

- SMOKEY BLUE



JTH ELEVATION

1:100 SIDE ELEVATION

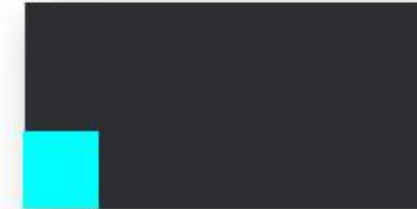


- ATURA
- BABYLON



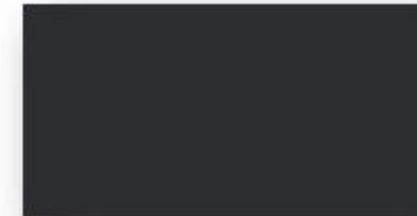
**MOROKA - TAUBMANS**

- MONUMENT CB 66



**WINDOWS - WIDE-LINE**

- MONUMENT



**GARAGE DOOR - STEELINE**

- FLATLINE
- MONUMENT CB 66



**DRIVEWAY - BY CLIENT**

- SMOKEY BLUE

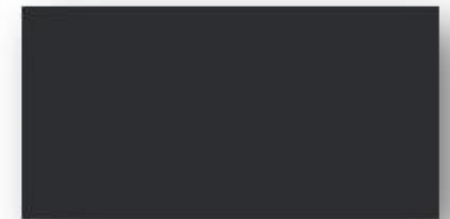


- FOUNDATIONS
- STONE



**COLORBOND - MONUMENT**

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- METERBOX
- FASCIA / BARGE FASCIA



**ALUMINIUM SLATS - DECOWOOD**

- IRONBARK



**ENTRY DOOR - HUME**

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- CLEAR GLAZING
- CLASSIC CEDAR TINT



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 MR MARK WRIGHT  
 MRS AMY WRIGHT  
 SITE ADDRESS:  
 LOT 2000 RD 1000000

SHEET NAME:  
**COVER SHEET**  
 HOUSE NAME:  
 OPAL 27

PROJECT STAGE:  
 PRELIMINARY  
 REV NO:  
 1

JOB NO:  
 211  
 SHEET NO:  
 01



**CLPP03**

**CLPP03**

**SUBJECT: DA/2022/132/1 - CONSTRUCTION OF A SINGLE STOREY DWELLING HOUSE - 47 GLEESON RISE, ORAN PARK**  
**FROM: Manager Statutory Planning**  
**EDMS #: 22/369229**

DA Number:	2022/132/1
Development:	Construction of a single storey dwelling
Estimated Cost of Development:	\$352,000
Site Address(es):	47 Gleeson Rise, Oran Park
Applicant:	Cornelus De Groot
Owner(s):	Mr Aizad Malik
Number of Submissions:	Nil
Development Standard Contravention(s):	Clause 4.3 - Height of buildings
Classification:	Nominated Integrated
Recommendation:	Approve with conditions.
Panel Referral Criteria:	Departure from Development Standards greater than 10%
Report Prepared By:	Jodie Schembri (Development Assessment Officer)

**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 a single storey dwelling house at 47 Gleeson Rise, Oran Park.

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, it is a development that contravenes the height of buildings development standard that applies to the site by more than 10%.

**SUMMARY OF RECOMMENDATION**

That the Panel determine DA/2022/132/1 for a single storey dwelling house 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 a single storey dwelling at 47 Gleeson Rise, Oran Park.

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 28 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 1 March to 28 March 2022 and no submissions were received.

The proposed dwelling house has a maximum building height of 6.59m and thereby contravenes the maximum height of buildings development standard (5m) that applies to the site under Clause 4.3, Appendix 5 of State Environmental Planning Policy (Precincts – Western Parkland) 2021.

A building height control of 9m for two-storey dwellings generally applies to residential development in this area. The 5m height control applies to this land given its proximity to the curtilage of the state heritage listed Oran Park House, with the lower building height creating a transition area of single storey dwelling houses in this location. The building height contravention is restricted to a portion of the pitched roof. The dwelling house is single storey with a design that is compatible with its heritage context (including an appropriately pitched roof).

Council has considered a draft Planning Proposal (PP/2021/1) submitted by the estate developer that seeks to amend the SEPP to address anomalies associated with the 5m height standard. The Planning Proposal seeks to increase the allowable building heights by inserting a new additional local provision that will enable a merit based assessment to be undertaken to allow building heights above 5m providing:

- the dwelling is single storey;
- the dwelling is a detached dwelling;
- the dwelling is contained within a Standard Building Height Envelope (as recommended by Heritage NSW);
- the dwelling does not exceed 7m; and
- height up to 4m at the front building line does not exceed 30% of the front elevation.

The proposed dwelling house at 47 Gleeson Rise complies with the proposed building envelope control. The Planning Proposal was recommended by the Panel (at its meeting on 21 September 2021) and endorsed by Council at its meeting on 12 October 2021. The Planning Proposal has received Gateway Determination from the Department of Planning and Environment (DPE) and has been on public exhibition (from Wednesday 9 February until Wednesday 9 March 2022). Council, at its meeting of 14 June 2022, considered a post-exhibition report and resolved to endorse the Planning Proposal and forward it to the DPE for the plan to be made.

The applicant has submitted a Clause 4.6 written request to support the height variation and provide justification for the contravention of the development standard. The proposed contravention, and the applicant's Clause 4.6 written request, have been assessed in this report and are supported by Council staff.

The proposed development with a 6.59m building height to its 22.5 degree pitched roof ridge is otherwise consistent with the objectives of the development standard. The dwelling is single storey and is also consistent with the planning proposal for a merit-based assessment of building heights above 5m, including consistency with the

proposed standard building envelope. The design is compatible with its heritage setting, including its roof pitch, which will minimise visual impacts and protect adjoining development.

Based on the assessment, it is recommended that the DA be approved subject to the conditions attached to this report.

**KEY PLANNING CONTROL VARIATIONS**

Control	Proposed	Variation
SEPP (Precincts – Western Parklands City) 2021 – Appendix 5, Clause 4.3 – Building Height – 5m	6.59m to roof ridge	1.59m 31.8%

**AERIAL PHOTO**

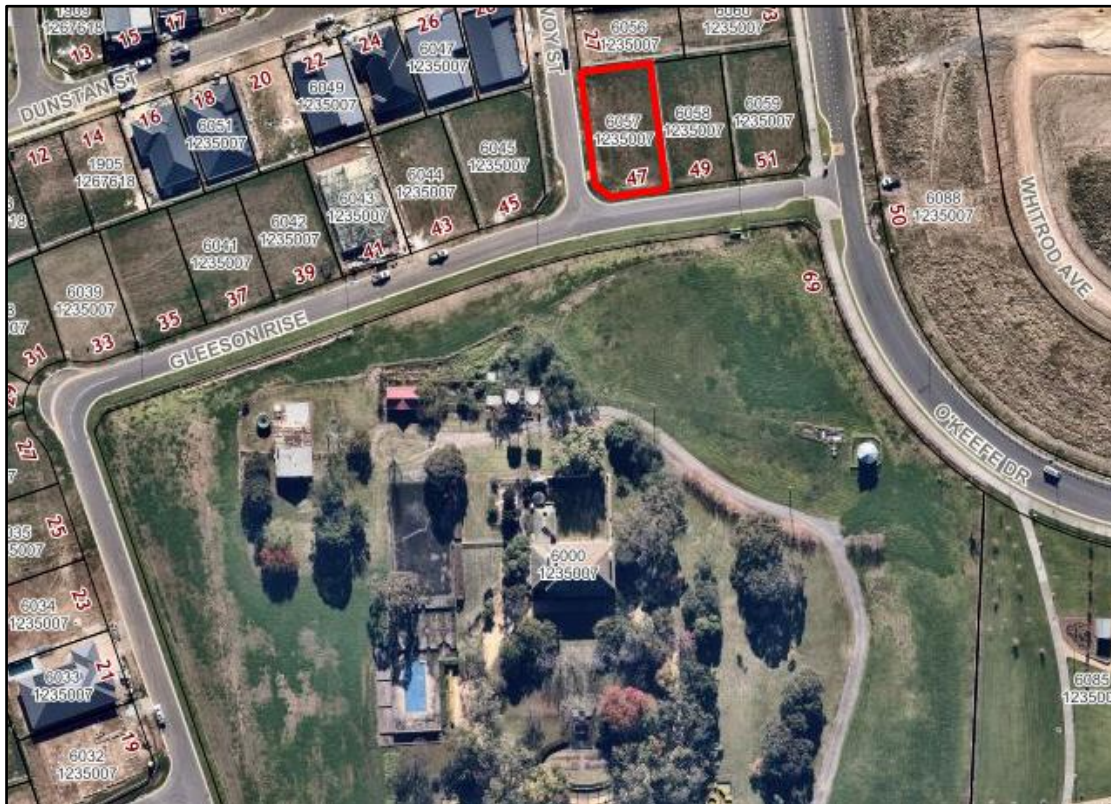


Figure 1: Aerial photo of subject site

**THE SITE**

The site is legally described as Lot 6057 DP1235007 and commonly known as 47 Gleeson Rise, Oran Park.

The site is a recently constructed lot in a ‘Greenfields’ subdivision, having been registered in May 2021. It has an area of 712.4m<sup>2</sup> with a street frontage of 19.998m and depth of 35.913m, with minimal change in level across the site. There is a 1.5m wide drainage easement along the rear of the lot with a drainage pit located in the

northeast corner and a 0.5m restriction related to the maintenance of a retaining wall along the rear boundary.

The site is located within the curtilage of an item of state heritage significance, SHR:1695 Oran Park House (also known as Catherine Park House).

**ZONING PLAN**



Figure 2: Subject site - R2 Low Density Residential zoning

**BUILDING HEIGHT PLAN**



Figure 3: Height of Building map (5m height limit shown in blue, with 9m height in green)

**HERITAGE LISTING**



Figure 4: Subject site in relation to heritage listing



**AREA MASTER PLAN**

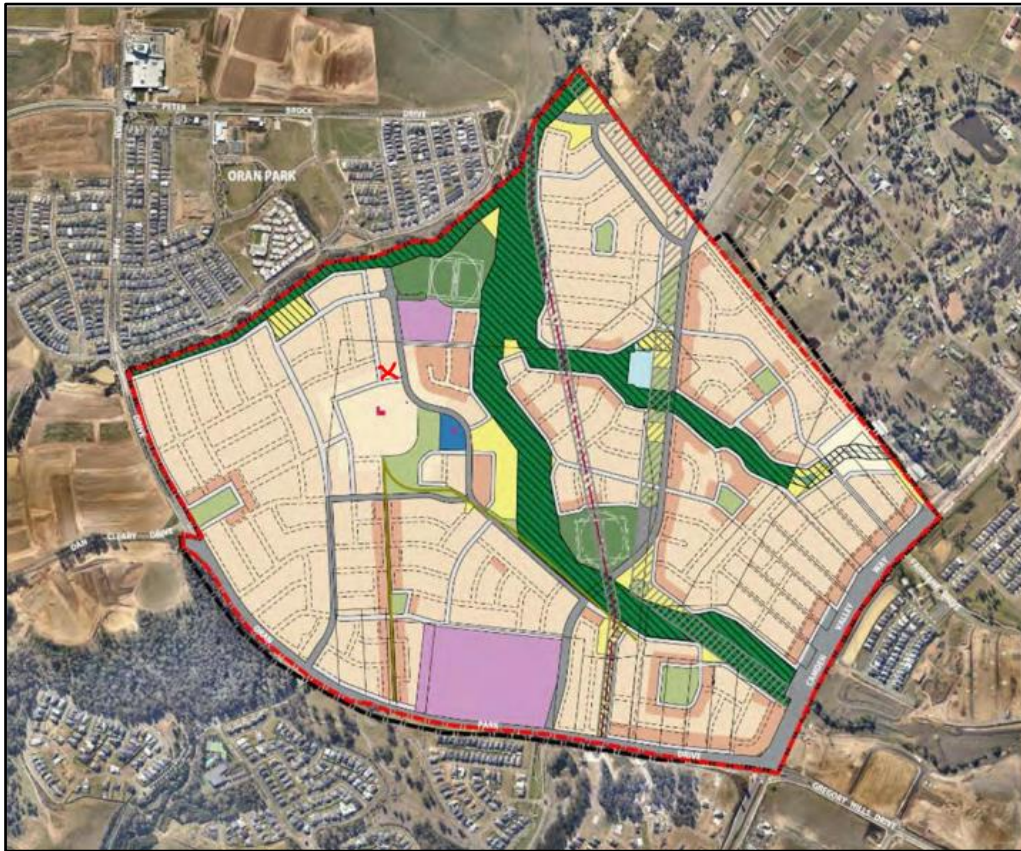


Figure 5: Red 'X' denoting approx. location of subject site in relation to Catherine Fields (Part) Precinct, Indicative Layout Plan. Source: Catherine Fields (Part) Precinct Development Control Plan, Figure 2-1, Page 4.

**HISTORY**

The relevant development history of the site is summarised in the following table:

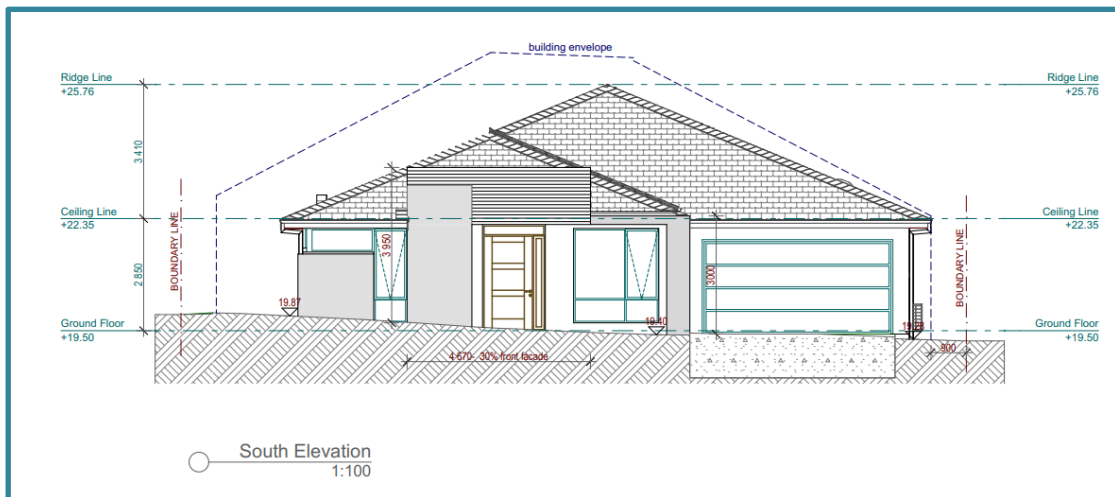
Date	Development
23 March 2018	DA/2017/491/1 – Consent was granted to a subdivision to create 141 residential lots, 2 super-lots, a lot containing Oran Park House and its improvements, 1 residue lot, 1 public reserve lot, construction of public roads, provision of services, earthworks, site works and retaining walls to be delivered in four stages. This resulted in creation of the subject lot.
29 January 2021	DA/2021/77/1 – A DA was submitted to Council that sought concept approval to establish site-specific building height development standards on 66 residential lots (8m as opposed to 5m) and stage 1 consent for the construction of 3 dwelling houses. The DA was withdrawn at the request of Council officers as it was determined that the height change should be addressed as part of a Planning Proposal. Prior to the DA being withdrawn, Heritage NSW issued GTAs for the Concept DA. The GTAs required any dwellings proposed on the subject lots to comply with a building

	<p>envelope, including:</p> <ul style="list-style-type: none"> <li>• a 3m height limit at the front building line, and up to a maximum 4m for 30% of the building frontage; and</li> <li>• the height of the building envelope increasing by 27.5 degrees from the building line to a maximum height of 7m.</li> </ul>
26 February 2021	<p>Planning Proposal (PP/2021/1/1) was submitted to Council. The Planning Proposal seeks to create additional local provisions to increase building heights for residential development surrounding Oran Park House by introducing a building envelope as a means of varying the 5m building height control (based upon the building envelope recommended by Heritage NSW in the GTAs issued for DA/2021/77/1).</p>
12 October 2021	<p>Planning Proposal (PP/2021/1/1) received Gateway Determination from Department of Planning and Environment (DPE).</p>
9 February 2022	<p>Planning Proposal (PP/2021/1/1) was placed on public exhibition from Wednesday 9 February until Wednesday 9 March 2022.</p>
14 June 2022	<p>Council, at its meeting of 14 June 2022, considered a post-exhibition report and resolved to:</p> <ul style="list-style-type: none"> <li>- endorse the Planning Proposal (as amended) and forward it to the DPE for the plan to be made; and</li> <li>- adopt related changes to Camden Growth Centre Precincts DCP, and publicly notify these, subject to finalisation of the Planning Proposal.</li> </ul>

**THE PROPOSAL**

DA/2022/132/1 seeks approval for the construction of a single storey dwelling house. The proposed dwelling consists of four bedrooms, rumpus room, formal living room, family/dining areas, kitchen, laundry, bathroom and a double garage.

The estimated cost of development is \$352,000.





**BACKGROUND**

The 5m height of buildings development standard was imposed on this land as the site is within the curtilage of a state heritage listed item Oran Park House. The lower building height development standard aims to maintain a single storey transition area around the state heritage item.

This height of buildings development standard hinders the ability for a proposed dwelling house to comply with the existing site-specific controls in Camden Growth Centre Precincts DCP and Schedule 4 Catherine Fields (Part) Precinct.

Dwelling houses with hipped and gabled roof forms (with a roof pitch greater than 12.5 degrees) will inherently exceed the 5m building height development standard given the relative size and width of the properties, coupled with the larger building footprint required for single storey dwellings. This is illustrated in the following Figures 6 and 7. Council’s development controls for dwelling houses in this area require a minimum roof pitch of 22.5 degrees.

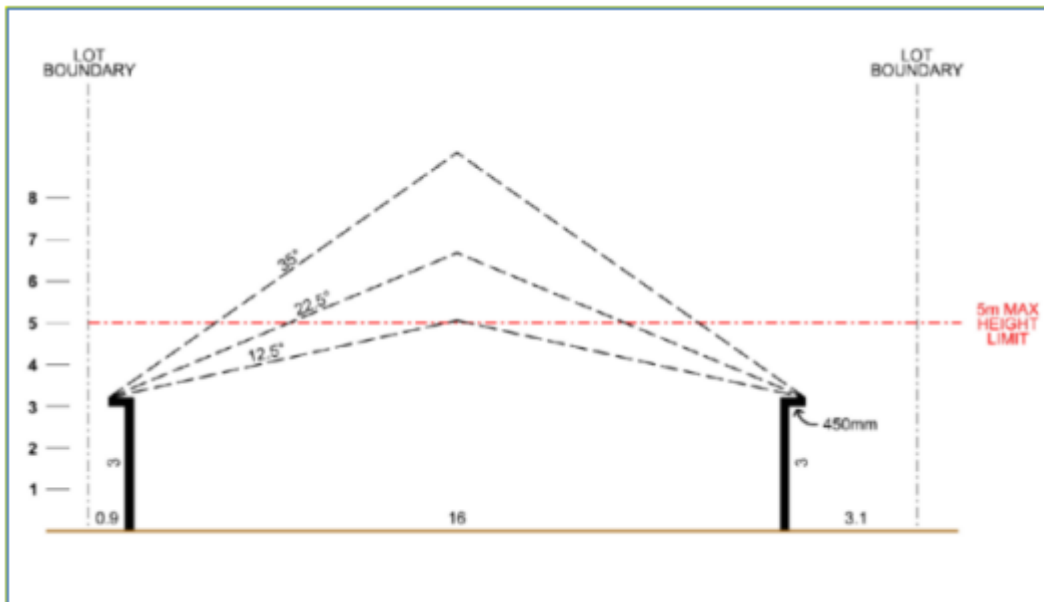


Figure 6: Five metre maximum building height limit compared to roof pitches



Figure 7: Dwelling roof forms, 15 degree and 27.5 degree roof pitches

Council has considered a draft Planning Proposal (PP/2021/1) submitted by the estate developer that seeks to amend the SEPP to address the anomalies associated with the 5m height control. The Planning Proposal seeks to increase the allowable building heights by inserting a new additional local provision that will allow building heights above 5m providing:

- the dwelling is single storey;
- the dwelling is a detached dwelling;
- the dwelling is contained within a Standard Building Height Envelope (as recommended by Heritage NSW);
- the dwelling does not exceed 7m; and
- no more than 30% of the front building line is above 4m.

The proposed dwelling house at 47 Gleeson Rise complies with the proposed building envelope control. The Planning Proposal was recommended by the Panel (at its meeting on 21 September 2021) and endorsed by Council at its meeting on 12 October 2021. The Planning Proposal received Gateway Determination from the DPE and was publicly exhibited from Wednesday 9 February until Wednesday 9 March 2022. Council, at its meeting of 14 June 2022, considered a post-exhibition report and resolved to endorse the Planning Proposal and forward it to the DPE for the plan to be made.

**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 (Building Sustainability Index – BASIX) 2004;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021; and
- State Environmental Planning Policy (Precincts – Western Parklands City) 2021.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate was submitted with the DA. The proposal has been assessed against the provided BASIX Certificate. The proposal will be able to meet the commitments and targets identified. A condition of consent is recommended to ensure compliance is achieved.

State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 9 – Hawkesbury-Nepean River

The SEPP seeks to ensure protection is maintained for the environment of the Hawkesbury-Nepean river system and that impacts of future land uses are considered in a regional context.

The proposed development will not result in detrimental impacts upon the Hawkesbury-Nepean River system. The proposed development will further adopt appropriate sediment and erosion control measures and water pollution control devices that will avoid impacts being caused to watercourses and in turn, the Hawkesbury-Nepean River system.

SEPP (Resilience and Hazards) 2021 -Chapter 4 – Remediation of Land

This SEPP provides a State-wide planning approach to the remediation of contaminated land.

Clause 4.6 Chapter 4 of this 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.

Contamination and remediation were appropriately dealt with under the parent subdivision development application DA/2017/491/1. The subject land has been validated and is suitable for the proposed residential development.

SEPP (Precincts – Western Parklands City) 2021 - Chapter 3 – Sydney Region Growth Centres

The SEPP aims to co-ordinate the release of land for residential, employment and other urban development in the South West Growth Centre.

### *Site Zoning and Permissibility.*

The site is zoned R2 Low Density Residential pursuant to Appendix 5, clause 2.2 of the SEPP. The development is characterised as a 'Dwelling House' by the SEPP, meaning a building containing only one dwelling.

The development is permitted with consent in the R2 Low Density Residential Zone pursuant to clause 2.6 and the land use table in Appendix 5 of the SEPP.

### *Planning Controls*

An assessment table in which the development is considered against the Growth Centre SEPP's planning controls is provided in the **attached** documents.

### *Clause 4.6 – Exceptions to Development Standards*

The proposed development will contravene the height of building standard which applies under clause 4.3 of Appendix 5 of the Growth Centre SEPP. The height of buildings development standard limits buildings to a maximum height of 5m from existing ground level. The proposed development is 6.59m in height, breaching the development standard by 1.59m and 31.8%.

Pursuant to clause 4.6(3) of Appendix 5 – Growth Centres SEPP, the applicant has provided a written request justifying contravention of the development standard for the following reasons:

- Compliance with the 5m height standard would detract from the design of the single storey dwelling and the overall streetscape;
- The development contravention will not impact on views and vistas from Oran Park House;
- The development contravention allows for a single storey dwelling with the appropriate roof form and pitch. The development contravention does not impact the intended type, or character of the desired development rather, aligns with the intended development of single storey dwellings;
- The development contravention facilitates orderly and proper delivery of development as intended by the DCP;
- The request also demonstrates that relevant tests established in the Land and Environment Court (as set out in the Department's 2011 guideline for varying development standards) can be met:
  - The objectives of the standard and the R2 Low Density Residential zone are achieved notwithstanding noncompliance with the standard. A single storey detached dwelling which meets combined design requirements of setbacks, floor space ratio, and hipped roof forms ensures there are no significant adverse impacts. The objectives and intent of built form surrounding Oran Park House will be preserved.
  - If compliance was required, the underlying objectives would be thwarted as the 5m height limit would not allow for a dwelling design as intended in the heritage curtilage, consistent with the DCP controls and heritage guidelines.
  - Compliance with the 5m maximum building height would be unreasonable and detrimental to the current environmental character of the site and surrounds. The dwelling is consistent with the intended outcome for residential land surrounding Oran Park House with simple hipped and/or gabled roof forms of at least 22.5 degrees.

A copy of the applicant's Clause 4.6 written request is provided as an **attachment** to this report.

The justification contained within the Clause 4.6 written request demonstrates that compliance with the development standard is unreasonable and unnecessary in the circumstances of the case and that there are sufficient planning grounds to justify contravening the development standard, in accordance with clause 4.6(3).

Council staff are also satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the R2 Low Density Residential Zone, in accordance with clause 4.6(4).

The proposed development with a 6.59m building height to its 22.5 degree pitched roof ridge is otherwise consistent with the objectives of the development standard. The dwelling is single storey. Most of the dwelling is within the maximum height and its design is compatible to its heritage setting, including its roof pitch. The design of the dwelling will minimise visual impacts and protect adjoining development.

1. Indicative Layout Plan.  
The intended outcome established within the Indicative Layout Plan (Figure 2-1) for this part of the Catherine Fields (Part) Precinct DCP is for low density residential development. The proposal is for a single storey dwelling, consistent with this outcome.
2. Clause 4.3 'Height of Buildings' – Objectives.  
Alignment with the objectives of clause 4.3 are maintained. The development contravention will not result in development greater than single storey and it will be consistent with objectives to minimise visual impact and protect the amenity of adjoining development and land in terms of solar access to buildings and open space.
3. R2 Low Density Residential Zone Objectives.  
The development contravention will not depart from the objectives of the R2 Zone and not be inconsistent with intended outcomes for the zone, as it will:
  - provide for the housing needs of the community within a low-density residential environment; and
  - provide a diverse range of housing types to meet community housing needs within a low-density residential environment.
4. Site-specific objectives and controls.  
Strict compliance with the 5-metre building height standard does not provide flexibility in achieving site-specific controls and providing for a dwelling design outcome, including roof form and pitch, that appropriately responds to the unique characteristics of the precinct, and the historically significant Oran Park House.
5. Alignment with DCP controls.  
The building height standard contravention does not result in additional non-compliances with any development controls in the Camden Growth Centre Precincts DCP and Schedule 4 Catherine Fields (Part) Precinct. The single storey development is considered to fulfill the relevant controls and their objectives.

It is noted that the Panel may assume the concurrence of the Secretary pursuant to Planning Circular PS 20-002.

Consequently, it is recommended that the Panel support this proposed contravention to clause 4.3 of Appendix 5 of the Growth Centres SEPP.

**(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 detrimental impacts upon the Hawkesbury-Nepean River system as a result of it (noting that provisions related to the Hawkesbury-Nepean River are now incorporated within the consolidated SEPP (Biodiversity and Conservation) 2021).

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

The development is consistent with the Draft Remediation SEPP in that the land has been validated and is suitable for the proposed residential use (noting that provisions related to remediation of land are now incorporated within the consolidated SEPP (Resilience and Hazards) 2021).

Draft Planning Proposal State Environmental Planning Policy (Precincts – Western Parkland City) 2021

The development is consistent with the Draft Planning Proposal that seeks to increase the allowable building heights by inserting a new additional local provision into Appendix 5 of the SEPP that will enable a merit-based assessment to allow building heights above 5m, providing:

- the dwelling is single storey;
- the dwelling is a detached dwelling;
- the dwelling is contained within the Standard Building Height Envelope (as recommended by Heritage NSW);
- the dwelling does not exceed 7m; and
- no more than 30% of the front building line is above 4m.

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

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

**(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 above assessment, the site is considered to be suitable for the development.

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

The DA was publicly exhibited for a period of 28 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 1 March to 28 March 2022. 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 2000*, environmental planning instruments, development control plans and policies. Based on the above assessment, the development is consistent with the public interest.

**EXTERNAL REFERRALS**

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

External Referral	Response
Heritage NSW Integrated Development Section 58 approval, <i>Heritage Act, 1977</i>	General Terms of Approval (GTA) were issued by the delegate of the Heritage Council of NSW on 25/01/2022

**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 request lodged pursuant to Clause 4.6(3) of Appendix 5, State Environmental Planning Policy (Precincts – Western Parklands City) 2021 to contravene the maximum height of buildings development standard in Clause 4.3 of Appendix 5, State Environmental Planning Policy (Precincts – Western Parklands City) 2021; and**
- ii. approve DA/2022/132/1 for the construction of a single storey dwelling house at 47 Gleeson Rise, Oran Park, subject to the conditions attached to this report.**

### **REASONS FOR DETERMINATION**

1. The Panel has considered the written request to contravene Appendix 5, State Environmental Planning Policy (Precincts – Western Parkland City) 2021 in relation to the maximum height of buildings standard. The Panel considers that compliance with the standard is unreasonable and unnecessary in the circumstances, and that despite the contravention of the development standard, the development satisfies the objectives of the zone and standard, will be in the public interest and is acceptable in the circumstances of the case.
2. The development is consistent with the objectives of the applicable environmental planning instrument being Appendix 5, State Environmental Planning Policy (Precincts – Western Parkland City) 2021.
3. The development is consistent with the objectives of Camden Growth Centre Precincts Development Control Plan.
4. The development is unlikely to have any unreasonable adverse impacts on the natural or built environment.
5. In consideration of the reasons, the development is a suitable and planned use of the site, and its approval is in the public interest.

### **ATTACHMENTS**

1. Recommended Conditions
2. SEPP Assessment Table
3. DCP Assessment Table
4. Clause 4.6 Written Request
5. Heritage NSW GTAs
6. Architectural Plans

## Recommended Conditions

### 1.0 - General Conditions of Consent

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

- (1) **Approved Plans and Documents** - Development shall 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
Job No. 21011, Drawing No. DA01C	Site Plan	Cactus Design & Drafting	20/02/2021
Job No. 21011, Drawing No. DA02C	Ground Floor Plan	Cactus Design & Drafting	20/02/2021
Job No. 21011, Drawing No. DA05C	Elevations (South/East)	Cactus Design & Drafting	20/02/2021
Job No. 21011, Drawing No. DA06C	Elevations (North/West)	Cactus Design & Drafting	20/02/2021
Job No. 21011, Drawing No. DA07C	Sections A-A and B-B	Cactus Design & Drafting	20/02/2021
Job No. 26-1121- 01-H, Sheet 3 of 4	Stormwater Drainage Plan	Civplex Structural Engineers Pty Ltd	05/08/2022
Job No. 21011, Drawing No. LS01B	Landscape Plan	Cactus Design & Drafting	20/02/2021

Document Title	Prepared by	Date
BASIX Certificate No. 1250052S_04	Cornelus De Groot	20 July 2022
Waste Management Plan	Applicant	Undated
Colour Schedule	Cactus Design & Drafting	28/06/2022
Undertaking Letter	Aizad Malik	04/08/2022

- (2) **Modified Documents and Plans** - The development shall be modified as follows:
- a) The Concept Landscape plan is to be amended to indicate the planting of at least two large-canopy trees, with one provided in the front setback. The tree species must be selected from the following list:
- Jacaranda (Jacaranda mimosifolia)
  - Kurrajong (Brachychiton populneum)
  - Chinese Elm (Ulmus parvifolia)
  - English Oak (Quercus robur)

- Pepper Tree (*Schinus areira*)

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

- (3) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) for the development to which this development consent applies.
- (4) **National Construction Code – Building Code of Australia (BCA)** - All building work shall be carried out in accordance with the BCA. In this condition, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (5) **Home Building Act** – Pursuant to Section 4.17(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the principal certifier for the development to which the work relates has given Council written notice of the following:
- a) for work that requires a principal contractor to be appointed:
    - i. the name and licence number of the principal contractor, and
    - ii. the name of the insurer of the work under Part 6 of the *Home Building Act 1989*,
  - b) for work to be carried out by an owner-builder:
    - i. the name of the owner-builder, and
    - ii. if the owner-builder is required to hold an owner-builder permit under the *Home Building Act 1989*, the number of the owner-builder permit.

If the above information is no longer correct, further work must not be carried out unless the principal certifier has given Council written notice of the updated information.

- (6) **Home Building Act - Insurance** - Building work that involves residential building work within the meaning of the *Home Building Act 1989* shall not commence until such time as a contract of insurance is in force in accordance with Part 6 of that Act.

This requirement does not apply:

- a) to the extent to which an exemption is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, or
  - b) to the erection of a temporary structure, other than a temporary structure to which subsection (3) of Section 69 of the *Environmental Planning and Assessment Regulation 2021* applies.
- (7) **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.

- (8) **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.

- (9) **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. Oran Park (SHR 01695) – Referrals to Heritage NSW, dated 25/01/2022.

### 1. UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

*Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.*

### 2. ABORIGINAL OBJECTS

Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the *National Parks and Wildlife Act 1974* (as amended). Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.

*Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.*

### 3. COMPLIANCE

If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

*Reason: To ensure that the proposed works are completed as approved.*

#### 4. SECTION 60 APPLICATION

An application under section 60 of the *Heritage Act 1977* must be submitted to and approved by the Heritage Council of NSW (or delegate), prior to work commencing.

*Reason: To meet legislative requirements.*

### 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) **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.
- (2) **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.

- (3) **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.
- (4) **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*.
- (5) **Salinity (Dwellings and Outbuildings)** – The approved development shall comply with the requirements of the salinity management plan "Report on Salinity Investigation and Management Plan: Proposed Residential Subdivision Catherine Park, prepared by Douglas Partners, Project 76559.00, Dated November 2015".

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

- (6) **Long Service Levy** - In accordance with Section 34 of 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 for any building work that cost \$25,000 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) **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](http://www.sydneywater.com/tapin) to apply.
- A copy of the approval receipt from Sydney Water must be submitted to the principal certifier.
- (8) **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.
- (9) **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.

- (10) **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.

#### 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) **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.

- (3) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the drainage easement.

Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.

All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The principal certifier shall not permit construction works beyond the frame inspection stage until this work has been carried out.

- (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) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.

- (6) **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.

- (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) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.
- (9) **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.
- (10) **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](http://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.
- (11) **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.
- (12) **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.
- (13) **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.
- (14) **Fill Material (Dwellings)** – Prior to the importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the principal certifier. The validation report and associated sampling location plan must:
- a) be prepared by a person with experience in the geotechnical aspects of earthworks; and
  - b) be prepared in accordance with;

For 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 (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW."

For Excavated Natural Material (ENM):

- i) compliance with the Excavated Natural Material Order 2014 and the Resource Recovery Orders and Exemptions issued under Part 9 of the Protection of the Environment Operations (Waste) Regulation 2014
  - c) confirm that the fill material 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") and is compatible with any salinity management plans approved for the site.
- (15) **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.
- (16) **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.

- (17) **Materials, colours and finishes** – The dwelling is to be constructed using the approved materials, colours and finishes.

#### 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) **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.
- (2) **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.

CLPP03

Attachment 1

- (3) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.
- (4) **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.

State Environmental Planning Policy (Precincts – Western Parkland City) 2021 Assessment Table

Clause.	Assessment.	Compliance.
<p><b>Appendix 5, 2.3 Zone objectives and land use table</b></p> <p>The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.</p> <p>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.</p> <p>The zone objectives for this site are:</p> <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community within a low density residential environment.</li> <li>• To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>• To allow people to carry out a reasonable range of activities from their homes where such activities are not likely to adversely affect the living environment of neighbours.</li> <li>• To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.</li> <li>• To provide a diverse range of housing types to meet community housing needs within a low density residential environment.</li> </ul>	<p>The lot is located in an R2 Low Density Residential zone. The proposed development can be characterised as a 'dwelling house' which is permitted with consent in the R2 Low Density Residential zone of Appendix 9 – SEPP (Sydney Region Growth Centres) 2006.</p> <p>The proposal meets the objectives of the zone as:</p> <ul style="list-style-type: none"> <li>• The proposal will provide for the housing needs of the community within the low-density residential environment.</li> <li>• The proposal is consistent with its surrounds, allowing for a reasonable range of activities to be carried out that are consistent with those surrounding it.</li> <li>• The proposal will be an addition to the existing housing type typical to the immediate surrounds.</li> </ul>	Yes
<p><b>Appendix 5, 4.3 Height of buildings</b></p> <p>Maximum buildings heights must not exceed the maximum building height shown on the Height of Buildings Map.</p> <p>Maximum height of buildings = 5.0m 'C'.</p>	<p>The proposed development has a maximum building height of 6.59m.</p>	No (Clause 4.6 written request submitted).
<p><b>Appendix 5, 4.4 Floor Space Ratio</b> Max FSR 0.4:1.</p>	<p>Site area = 712.4m<sup>2</sup>. Gross Floor Area = 287m<sup>2</sup>. FSR = 0.4:1.</p>	Yes
<p><b>Appendix 5, 4.6 Exceptions to development standards</b></p>		Yes

CLPP03

Attachment 2

State Environmental Planning Policy (Precincts – Western Parkland City) 2021 Assessment Table

CLPP03

Attachment 2

<p>Development consent may be granted for development that contravenes a development standard imposed by the SEPP or any other environmental planning instrument.</p> <p>The consent authority must consider a written request from the applicant that seeks to justify the contravention by demonstrating that:</p> <ul style="list-style-type: none"> <li>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</li> <li>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</li> </ul> <p>Development consent must not be granted unless:</p> <ul style="list-style-type: none"> <li>(a) the consent authority is satisfied that:             <ul style="list-style-type: none"> <li>(i) the applicant's written request has adequately addressed the matters required to be demonstrated, and</li> <li>(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</li> </ul> </li> <li>(b) the concurrence of the Secretary has been obtained.</li> </ul>	<p>The applicant has submitted a written request under Clause 4.6 of the Growth SEPP justifying the contravention to the maximum height of buildings development standard. The Clause 4.6 written request is assessed in the main body of the report.</p> <p>It is considered that the applicant's written request has adequately demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>It is assessed that the proposed development will be in the public interest because it is consistent with the objectives of the height of buildings development standard and the objectives for development within the R2 Low Density Residential zone.</p> <p>It is noted that the Panel may assume the concurrence of the Secretary.</p>	
<p><b>Appendix 5, 5.10 Heritage Conservation</b></p>	<p>The subject site is located within the curtilage of a State Heritage Item, namely Oran Park House. At the time of the SHR listing, site-specific exemptions were put in place to exempt certain development (including single storey dwelling houses) from the requirement for approval under the Heritage Act 1977 (<i>Catherine Park Estate – Oran Park House Heritage Exemption Guidelines</i>, prepared by Design + Planning, dated October 2014).</p> <p>The proposed development generally meets those guidelines with the exception of a control in Section 4.1 'Residential Built</p>	<p align="center">Yes</p>

State Environmental Planning Policy (Precincts – Western Parkland City) 2021 Assessment Table

**CLPP03**  
**Attachment 2**

	<p>Form' that requires that <i>"The design and building of dwellings for each street elevation and street block is to be undertaken simultaneously and delivered as a complete package by one builder."</i></p> <p>This provision cannot be complied with as the lots have been subdivided and sold to individual property owners. As the proposed development does not meet this requirement, concurrence is required from Heritage NSW.</p> <p>On 25 January 2022, Heritage NSW advised Council that (in order to streamline the assessment process) all DA's within the heritage curtilage that comply with the Exemption Guidelines (with the exception of the 'one builder' control) can be approved (without formal referral) subject to standard GTAs issued Heritage NSW.</p> <p>The proposed development fully complies with the Exemption Guidelines (with the exception of the 'one builder' control) and is therefore subject to the standard GTA's, which have been included as recommended conditions of consent.</p> <p>A copy of the advice and standard GTAs issued by Heritage NSW is <b>attached</b> to this report.</p>	
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Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

CLPP03

Attachment 3

Control	Assessment	Compliance
<p><b>4.1.1</b> <b>Site Analysis</b></p> <p>Site analysis plan is to be provided.</p>	<p>Appropriate site analysis plan provided.</p>	Yes.
<p><b>4.1.2</b> <b>Cut and Fill</b></p> <p>DAs are to illustrate where it is necessary to cut and/or fill land and provide justification for the proposed changes to the land levels.</p> <p>The maximum amount of cut shall not exceed 1m. The maximum amount of fill shall not exceed 1m.</p> <p>Fill within 2.0m of a property boundary shall be fully contained by the use of deepened (drop) edge beam construction with no fill permitted outside of this building footprint.</p> <p>The use of a deepened edge beam shall not exceed 1m above natural ground level.</p> <p>Where excavation or filling is required alongside a driveway, it shall be retained by a retaining wall.</p>	<p>Cut and fill plan provided.</p> <p>Cut and fill plan indicates cut and fill &lt;1.0m.</p> <p>DEB indicated to contain all fill within footprint.</p> <p>Less than 1m .</p> <p>NA.</p>	Yes.
<p><b>4.1.3</b> <b>Sustainable Building Design.</b></p> <p>The majority of plant species are to be selected from the preferred species listed at Appendix C and indigenous species are preferred.</p> <p>The provisions of BASIX will apply with regards to water requirements and usage.</p> <p>The design of dwellings is to maximise cross flow ventilation.</p> <p>The orientation of dwellings, location of living rooms and the positioning and size of windows and other openings is to take advantage of solar orientation to maximise natural light penetration to indoor areas and to minimise the need for mechanical heating and cooling.</p>	<p>Provided.</p> <p>The development complies with the requirements as set out by the provided BASIX certificate.</p> <p>Design of dwelling incorporates large open living spaces allowing for cross flow ventilation to occur.</p> <p>Location of living rooms and windows located appropriately so as to enable maximisation of capturing natural light.</p>	Yes.

## Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

Control	Assessment	Compliance
<p>Outdoor clothes lines and drying areas are required for all dwellings and can be incorporated into communal areas for multi-dwelling development and residential flat building developments.</p> <p>Roof and paving materials and colours are to minimise the retention of heat from the sun.</p> <p>The design of dwellings that are required to attenuate noise shall use, where possible, alternatives to airconditioning, such as acoustic wall ventilators, ceiling fans, or bulkhead-mounted ducted fans to achieve appropriate ventilation.</p>	<p>Outdoor clothes line indicated on architectural plans located appropriately with regards to solar access.</p> <p>Roof adopts lighter colour. This will assist in reducing contributions to the urban heat island effect.</p> <p>The dwelling will attenuate noise where possible through separating communal areas from private living spaces.</p>	
<p><b>4.1.4</b> <b>Salinity, Sodicity and Aggressivity.</b></p> <p>All development must comply with the Salinity Management Plan developed at the subdivision phase or at Appendix B. The actions/works from the Salinity Management Plan must be certified upon completion of the development.</p> <p>Salinity shall be considered during the siting, design and construction of dwellings including: drainage, vegetation type and location, foundation selection and cut and fill activities, to ensure the protection of the dwelling from salinity damage and to minimise the impacts that the development may have on the salinity process</p>	<p>The development will comply with the requirements of the salinity management plan as adopted under parent subdivision DA.</p> <p>Salinity will be considered during the construction the proposed dwelling via a condition of consent.</p>	Yes.
<p><b>4.2.2</b> <b>Streetscape and Architectural Design.</b></p> <p>The primary street facade of a dwelling should address the street and must incorporate at least two of the following design features:</p> <ul style="list-style-type: none"> <li>• entry feature or porch;</li> <li>• awnings or other features over windows;</li> <li>• balcony treatment to any first floor element;</li> <li>• recessing or projecting architectural elements;</li> <li>• open verandah;</li> <li>• bay windows or similar features; or</li> </ul>	<p>Primary elevation to adopt the following design features;</p> <ul style="list-style-type: none"> <li>• Entry feature/porch with hipped roof over.</li> <li>• Windows.</li> <li>• Projecting architectural elements in the form of supporting posts.</li> </ul>	Yes.

CLPP03

Attachment 3

Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

CLPP03

Attachment 3

Control	Assessment	Compliance
<ul style="list-style-type: none"> <li>• verandahs, pergolas or similar features above garage doors.</li> <li>• Corner lot development should emphasise the corner. The secondary street facade for a dwelling on a corner lot should address the street and must incorporate at least two of the above design features. Landscaping in the front setback on the main street frontage should also continue around into the secondary setback.</li> </ul> <p>Eaves are to provide sun shading and protect windows and doors and provide aesthetic interest.</p> <p>The pitch of hipped and gable roof forms on the main dwelling house should be between 22.5 degrees and 35 degrees.</p> <p>Front facades are to feature at least one habitable room with a window onto the street.</p> <p>Carports and garages are to be constructed of materials that complement the colour and finishes of the main dwelling.</p>	<p>All eaves 0.45m as identified on sectional drawings.</p> <p>Hipped roof pitch of 22.5 degrees proposed.</p> <p>Front façade to feature bedroom with windows facing the street.</p> <p>Proposed garage to complement colour and finish of main dwelling.</p>	
<p><b>4.2.3</b> <b>Front Setbacks.</b></p> <p>Dwellings are to be consistent with the front setback controls and principles in the relevant Tables 4-2 to 4-6, Figure 4-4: Minimum front setback distances and Figure 4-5.</p>	<p>The proposal has been assessed against tables 4-5 (lots &gt;15m in width) and schedule 4 controls relating to very low density residential.</p>	<p>Yes.</p>

## Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

Control	Assessment	Compliance
<p><b>4.2.4</b> <b>Side and Rear Setbacks.</b></p> <p>All development is to be consistent with the side and rear setback controls in the relevant Tables 4.2 to 4.6 and principles in Figure 4-7 Dwelling and open space siting principles for different lot orientations</p> <p>Pergolas, swimming pools and other landscape features/structures are permitted to encroach into the rear setback.</p> <p>For dwellings with a minimum 900mm side setback, projections permitted into side and rear setback areas include eaves (up to 450 millimetres wide), fascias, sun hoods, gutters, down pipes, flues, light fittings, electricity or gas meters, rainwater tanks and hot water units.</p>	<p>The proposal has been assessed against tables 4-5 (lots &gt;15m in width) and schedule 4 controls relating to very low density residential.</p> <p>Noted – None proposed.</p> <p>The proposal adopts side boundary setbacks greater than 0.9m.</p>	Yes.
<p><b>4.2.5</b> <b>Dwelling Height, Massing and Siting.</b></p> <p>All development is to comply with the maximum site coverage as indicated in the relevant Tables 4-2 to 4-6.</p> <p>Site coverage is the proportion of the lot covered by a dwelling house and all ancillary development (eg carport, garage, shed) but excluding unenclosed balconies, verandahs, porches, al fresco areas etc.</p> <p>The ground floor level shall be no more than 1m above finished ground level.</p>	<p>The proposal has been assessed against tables 4-5 (lots &gt;15m in width) and schedule 4 controls relating to very low density residential.</p> <p>Site coverage measured accordingly against tables 4-5 (lots &gt;15m in width) and schedule 4 controls relating to very low density residential.</p> <p>Less than 1m</p>	Yes.
<p><b>4.2.6</b> <b>Landscaped Area.</b></p> <p>The minimum soft landscaped area within any residential lot is to comply with the controls and principles in the relevant Tables 4-2 to 4-6. Figure 4-10 illustrates areas of a lot that can contribute towards the provision of soft landscaped area and principal private open space.</p> <p>Plans submitted with the development application must indicate the extent of landscaped area and nominate the</p>	<p>The proposal has been assessed against tables 4-5 (lots &gt;15m in width) and schedule 4 controls relating to very low density residential.</p> <p>Noted / complied.</p>	Yes.

CLPP03

Attachment 3

## Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

CLPP03

Attachment 3

Control	Assessment	Compliance
<p>location of any trees to be retained or planted.</p> <p>Surface water drainage shall be provided as necessary to prevent the accumulation of water.</p> <p>Use of low flow watering devices is encouraged to avoid over watering. Low water demand drought resistant vegetation is to be used for the majority of landscaping, including native salt tolerant trees.</p>	<p>Lot benefited by drainage easement. To drain to rear easement/pit.</p> <p>No concerns presented regarding the accumulation of surface water.</p>	
<p><b>4.2.7</b> <b>Private Open Space.</b></p> <p>Each dwelling is to be provided with an area of Principal Private Open Space (PPOS) consistent with the requirements of the relevant Tables 4-2 to 4-6.</p> <p>The location of PPOS is to be determined having regard to dwelling design, allotment orientation, adjoining dwellings, landscape features, topography.</p> <p>The PPOS is required to be conveniently accessible from the main living area of a dwelling or alfresco room and have a maximum gradient of 1:10. Where part or all of the PPOS is permitted as a semi-private patio, balcony or rooftop area, it must be directly accessible from a living area.</p>	<p>The proposal has been assessed against tables 4-5 (lots &gt;15m in width) and schedule 4 controls relating to very low density residential.</p> <p>PPOS contained and achievable to rear of lot. PPOS located appropriately.</p> <p>PPOS conveniently accessible from living and alfresco. PPOS at grade &lt;1:10.</p>	Yes.
<p><b>4.2.8</b> <b>Garages, Storage, Site Access and Parking.</b></p> <p>3 bedroom or more dwellings will provide at least 2 car spaces.</p> <p>At least one car parking space must be located behind the building façade line where the car parking space is accessed from the street on the front property boundary.</p> <p>Driveways are to have the smallest configuration possible (particularly within the road verge) to serve the required parking facilities and vehicle turning movements and shall comply with AS2890.</p>	<p>2 car parking spaces provided.</p> <p>2 car parking spaces provided behind the building line via double car garage.</p> <p>Compliant and further considered against Camden Councils Standard Residential Driveway Design Guidelines.</p>	Yes.

## Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

Control	Assessment	Compliance
<p>The location of driveways is to be determined with regard to dwelling design and orientation, street gully pits and trees and is to maximise the availability of on-street parking</p> <p>Single garage doors should be a maximum of 3m wide and double garage doors should be a maximum of 6m wide.</p> <p>Minimum internal dimensions for a single garage are 3m wide by 5.5m deep and for a double garage 5.6m wide by 5.5m deep.</p> <p>Garage doors are to be visually recessive through use of materials, colours, and overhangs such as second storey balconies.</p>	<p>Driveway located appropriately and will not conflict with said structures.</p> <p>Double garage door width = 4.885m.</p> <p>Double garage internal dimensions = 6.3m x 5.59m.</p> <p>Provided colour and material schedule demonstrates the garage doors will be visually recessive and respective to the proposed main dwelling.</p>	
<p><b>4.2.9</b> <b>Visual and Acoustic Privacy.</b></p> <p>Direct overlooking of main habitable areas and the private open spaces of adjoining dwellings should be minimised through building layout, window and balcony location and design, and the use of screening, including landscaping</p> <p>The design of dwellings must minimize the opportunity for sound transmission through the building structure, with particular attention given to protecting bedrooms and living areas.</p> <p>No electrical, mechanical or hydraulic equipment or plant shall generate a noise level greater than 5dBA above background noise level measured at the property boundary during the hours 7.00am to 10.00pm and noise is not to exceed background levels during the hours 10.00pm to 7.00am.</p> <p>Dwellings along sub-arterial or arterial roads, or transit boulevards, or any other noise source, should be designed to minimize the impact of traffic noise, and where possible comply with the criteria in Table 4-7. Note: Figure 4-11 provides guidance on measures to mitigate noise in residential buildings. Page 100 Camden</p>	<p>Proposed development is single storey only. Proposed dwelling has an FFL &lt;1.0m and therefore, presents no concerns relating to overlooking.</p> <p>The dwelling will attenuate noise where possible through separating communal areas from private living spaces.</p> <p>Noted/complied.</p> <p>Dwelling not impacted by road types.</p>	<p>Yes.</p>

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Attachment 3


Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

CLPP03

Attachment 3

Control	Assessment	Compliance
<p>Growth Centre Precincts Development Control Plan</p> <p>The internal layout of residential buildings, window openings, the location of outdoor living areas (i.e. courtyards and balconies), and building plant should be designed to minimise noise impact and transmission.</p> <p>Noise walls are not permitted.</p> <p>Development affected by rail or traffic noise is to comply with Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning 2008). The design of development is also to consider ways to mitigate noise in Principal Private Open Space areas with reference to Council's Environmental Noise Policy.</p> <p>Architectural treatments are to be designed in accordance with AS3671 - Traffic Noise Intrusion Building Siting and Construction, the indoor sound criteria of AS2107 - Recommended Design Sound Levels and Reverberation Times for Building Interiors.</p>	<p>The dwelling will attenuate noise where possible through separating communal areas from private living spaces.</p> <p>No noise wall proposed.</p> <p>Development not impacted by rail or traffic noise.</p> <p>Development does not require architectural treatments regarding acoustic impacts.</p>	
<p><b>4.2.10 Fencing.</b></p> <p>Front fencing shall be a maximum of 1.2m high above ground level (existing) and shall be an open style incorporating pickets, slats, palings or the like or lattice style panels with a minimum aperture of 25mm.</p> <p>Side and rear fences are to be a maximum of 1.8m high commencing 2m behind the building line (refer to Figure 4-12).</p>	<p>No front fencing proposed.</p> <p>Side boundary return fences indicated at 2.0m behind the building line.</p>	Yes.
<p><b>Table 4-5 – Site coverage.</b> Maximum 50% at ground floor. Maximum 30% at upper floor.</p>	<p>Single Storey Site cover: <math>335.2 / 712 = 47.1\%</math></p>	Yes.
<p><b>Table 4-5 – Soft landscaped area.</b> Minimum 30% of the allotment area.</p>	<p>Soft landscaped area: <math>239.9/712 = 33.7\%</math></p>	Yes.
<p><b>Table 4-5 – Principal Private Open Space (PPOS).</b> Minimum 24sqm with minimum dimensions of 4m.</p>	<p>PPOS = over 24sqm and 6mx4m dimension at rear of lot.</p>	Yes.

## Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

Control	Assessment	Compliance
<p><b>Table 4-5 – Solar Access.</b> 50% of the area required for PPOS (of both proposed development and adjoining properties) should receive at least 3 hours of sunlight between 9am and 3pm on June 21.</p>	<p>No overshadowing of PPOS. Proposed dwelling will not overshadow adjoining PPOS as it is single storey development only.</p>	Yes.
<p><b>Table 4-5 – Garages and carparking.</b> Maximum double car garage door width 6m. 3 bedrooms or more to provide at least 2 car spaces.</p>	<p>Double garage proposed. Width = 4.885m. 2 spaces provided/double garage.</p>	Yes.
Control	Assessment	Compliance?
<p><b>4.1 Development Surrounding Oran Park House.</b></p> <p>Proposals for subdivision and development that are seeking exemption from Integrated Development referrals to Heritage NSW and exemption from Section 60 approval under the Heritage Act 1977 must comply with the guidelines contained in the Oran Park State Heritage Register listing and with the requirements contained in the NSW Heritage Act 1977.</p> <p>Approval under the NSW Heritage Act 1977 is required for development which does not meet the guidelines of the Oran Park Heritage Exemptions.</p> <p>Development must be designed to maintain significant view lines illustrated in Figure 4-1.</p>  <p>Development in these areas must be sympathetically designed to complement</p>	<p>The proposed development generally complies with the Exemption Guidelines, with the exception that the design of dwellings for each street block is not being undertaken simultaneously and delivered as a complete package by one builder. This provision cannot be complied with as the lots have been subdivided and sold to individual property owners.</p> <p>On 25 January 2022, Heritage NSW advised Council that (in order to streamline DA's) all DA's within the heritage curtilage that comply with the Exemption Guidelines (with the exception of the 'one builder' control) can be approved (without formal referral) subject to standard GTAs issued Heritage NSW.</p> <p>The proposed development fully complies with the Exemption Guidelines (with the exception of the 'one builder' control) and is therefore subject to the standard GTA's, which have been included as recommended conditions of consent.</p> <p>A copy of the advice and standard GTAs issued by Heritage NSW is <b>attached</b> to this report.</p> <p>The site is located inside the area identified in figure 4-1. Development is for a single storey dwelling and will not result in significant view lines illustrated in figure 4-1 being compromised. The proposed dwelling house is sympathetically designed and complements the setting of Oran Park House</p>	Yes.

CLPP03



Attachment 3



Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

CLPP03

Attachment 3

Control	Assessment	Compliance
<p>the topography of the site, the setting of Oran Park House and associated outbuildings and the historical rural character without replicating architectural details.</p>		
<p><b>4.1.2</b> <b>Oran Park House and Outer Heritage Curtilage Principals.</b></p>  <p>All development within the Oran Park heritage curtilage is to be designed in accordance with Figure 4-2</p>	<p>The subject lot is located within area mapped as being 'very low density residential' and has been assessed in relation to the relevant controls.</p>	<p>Yes.</p>
<p><b>4.1.3</b> <b>Landscape Elements – Views and Vistas.</b></p> <p>Development must be designed to ensure that the significant vistas shown in Figure 4-3 are retained.</p>  <p>Figure 4.3 – Significant Vistas within the Oran Park House curtilage to be preserved</p>	<p>The development will not impact significant vistas shown in figure 4-3.</p>	<p>Yes.</p>
<p><b>4.1.11</b> <b>Residential Built Form.</b></p> <p>The design of dwellings for each street elevation and street block is to be undertaken simultaneously and delivered</p>	<p>This DA does not provide for simultaneous design and delivery of development for this street elevation/street block. However, the</p>	<p>Yes.</p>

## Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

Control	Assessment	Compliance
<p>as a complete package. The block design must be submitted and approved with the first development application for the construction of a dwelling within the street block.</p>	<p>dwelling is assessed as being suitable for the site and Heritage NSW have issued standards GTAs for instances where the development fully complies with the Exemption Guidelines with the exception of the 'one builder' requirement.</p>	
<p><b>4.1.12</b> <b>Street Facades and Visible Elevations.</b></p> <p>Residential developments are to have contemporary designs (i.e. architecture being produced now) and respect the heritage significance of Oran Park House but must not replicate historic styles.</p> <p>All dwellings in the heritage curtilage area are to have architectural merit (i.e. architecture that is enduring and respects the heritage significance of Oran Park House).</p> <p>Building facades are to be visually interesting and articulated suitably to break up the building mass. At least three of the following design features are to be incorporated into the front facade:</p> <ul style="list-style-type: none"> <li>• front doors with side lights;</li> <li>• contemporary window treatments including aluminium or timber frames in neutral colours;</li> <li>• bay Windows (rectangular only);</li> <li>• entry portico; and</li> <li>• recessed garage doors setback behind the primary facade.</li> </ul> <p>Colonial style window treatments are not appropriate where visible from the public domain.</p> <p>Window design to the front facade, or where visible from the public domain, is to have a dominant vertical proportion.</p> <p>Picture windows or fully glazed walls are permitted to the street façade.</p> <p>An entry portico is to be of contemporary design and appearance. Access to the entry portico may be from either the driveway or a separate path.</p> <p>Shadow lines are an appropriate element to complement the overall facade appearance.</p>	<p>The proposed development has a contemporary design that respects Oran Park House.</p> <p>The proposal will adopt the following design features:</p> <ul style="list-style-type: none"> <li>• Entry porch.</li> <li>• Recessed garage doors setback behind the primary façade.</li> <li>• Rectangular windows.</li> </ul> <p>Noted – no colonial style window treatments proposed.</p> <p>All windows to the front façade feature a dominant vertical proportion.</p> <p>No picture windows or fully glazed walls are proposed to the street façade.</p> <p>Noted/complied.</p> <p>Noted/complied.</p>	<p>Yes.</p>

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Attachment 3

## Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

CLPP03

Attachment 3

Control	Assessment	Compliance												
<p>The design of dwellings shall include an articulated front elevation in the direction of the Primary Street.</p>	<p>Front elevation articulated in the form of a stepped building line adopting articulation feature in the form of a porch.</p>													
<p><b>4.1.14</b> <b>Setbacks for Very Low Density Area Surrounding Oran Park House.</b></p> <p>Residential development must comply with the controls in Figure 4-8.</p> <table border="1"> <thead> <tr> <th></th> <th>Minimum</th> </tr> </thead> <tbody> <tr> <td>Front Dwelling Setback</td> <td>5m</td> </tr> <tr> <td>Front Garage Setback</td> <td>6m</td> </tr> <tr> <td>Rear Boundary Setback</td> <td>5m</td> </tr> <tr> <td>Side Boundary Setback</td> <td>3.5m (average 2m)</td> </tr> <tr> <td>Corner Lot Side Boundary Setback</td> <td>5m</td> </tr> </tbody> </table> <p><small>Note: In addition to the minimum side boundary setback of 3.5m, the siting of dwellings is required to achieve an average 4m side separation between dwellings along an entire street block. Pursuant to Section 4.1.11 of the Section, the simultaneous delivery of dwellings within the heritage curtilage by one builder will ensure the average 4m separation is achieved.</small></p>		Minimum	Front Dwelling Setback	5m	Front Garage Setback	6m	Rear Boundary Setback	5m	Side Boundary Setback	3.5m (average 2m)	Corner Lot Side Boundary Setback	5m	<p>Front setback = 5m. Front garage setback = 6.08m. Side boundary setback (east) = min 1.450m. Secondary street side boundary setback (west) = min 3m. Combined setback = 4.450m (min) Rear setback = 5.013m.</p>	<p>No. Variation supported.</p>
	Minimum													
Front Dwelling Setback	5m													
Front Garage Setback	6m													
Rear Boundary Setback	5m													
Side Boundary Setback	3.5m (average 2m)													
Corner Lot Side Boundary Setback	5m													
<p><b>4.1.15</b> <b>Building Height.</b></p> <p>Residential development in the Oran Park House heritage curtilage must comply with the Height of Buildings maps in State Environmental Planning Policy (Sydney Region Growth Centres) 2006.</p>	<p>The height will exceed the 5m control and is subject to a Clause 4.6 written request.</p>	<p>No. Variation supported.</p>												
<p><b>4.1.16</b> <b>Roofs.</b></p> <p>Roof pitches are to be between 22.5 degrees and up to 35 degrees.</p> <p>Roofs are to be of simple design and form with either simple hips or gables. Federation detailing, symbolism and Victorian inspired gables are not permitted.</p> <p>The minimum eave overhang is 450mm.</p> <p>Roofs must use neutral colour tones such as greys, greens or browns.</p>	<p>Proposed roof pitch is a maximum of 22.5 degrees.</p> <p>Roof adopts hipped formation.</p> <p>Eaves 0.45m in overhang as identified on plans.</p> <p>Colour schedule provided indicates light colours to be used which are supported by Council's Heritage Advisor.</p>	<p>Yes.</p>												
<p><b>4.1.17</b> <b>Lofts, Attics and Dormer Windows.</b></p> <p>Variations to the building height on corner lots may be appropriate when attic rooms with dormer windows are proposed, and where there will be no impact on the views</p>	<p>No lofts, attics or dormer windows proposed.</p>	<p>Yes.</p>												

## Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

Control	Assessment	Compliance
<p>and vistas to and from Oran Park House and grounds.</p> <p>Occasional lofts can go over roof pitch as long as design proportions are in harmony with the overall skyline of development.</p>	<p>It is deemed that there will be no impact on the views and vistas to and from Oran park House</p>	
<p><b>4.1.18</b> <b>Garages.</b></p> <p>Garages are required to be setback a minimum of 6m from the front boundary.</p> <p>The width of garages must not exceed 50% of the dwelling and be setback a minimum 1m behind the main part of the dwelling.</p> <p>Garages are required to be integrated into the building design and be consistent in respect of materials, colours and roof pitch.</p> <p>Garages are to accommodate two cars, with allowance for a further two cars to be parked on the residential lot in front of the garage.</p>	<p>Garage is setback a minimum of 6m from front boundary.</p> <p>Does not exceed 50%</p> <p>The garage has been considered within the overall building design and is considered as being consistent with regards to the main dwellings materials, colours and proposed roof pitch.</p> <p>Garage can accommodate two cars with the ability for an additional two cars to be parked on the residential lot in front of the garage.</p>	<p>Yes.</p>
<p><b>4.1.19</b> <b>Building Materials.</b></p> <p>Building materials and finishes are to be non-reflective.</p> <p>Neutral colour palette such as mid-range greys, olives and browns are recommended.</p> <p>Roofs may be constructed from either tiles or corrugated roofing material. When corrugated material is used, it is preferable if it is of a traditional profile and not angular or seamed.</p> <p>Clear/tinted/coloured acrylic roof material and other roof tones or colours (including black and green) are not permitted.</p>	<p>Colour and material schedule provided. Amended colours and materials provided are considered non-reflective and suitable.</p> <p>Colours and materials considered to align with recommended palette.</p> <p>Roof tiles proposed.</p> <p>Noted / complied.</p>	<p>Yes.</p>

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Attachment 3

## Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

CLPP03

Attachment 3

Control	Assessment	Compliance
<p>Front walls may be rendered and have contrasting features to the House.</p> <p>The following wall materials are appropriate:</p> <ul style="list-style-type: none"> <li>• Face brickwork with struck or tooled joints;</li> <li>• Light coloured mortar joints; and</li> <li>• Any rendered surfaces painted in neutral colours.</li> </ul>	<p>Noted, front façade will adopt variation between rendering, tiling and timber panel in neutral colours.</p>	
<p><b>4.1.20</b> <b>Landscaping.</b></p> <p>All parts of the residential allotment in front of the building and facing the street that are not built on or paved are to be landscaped, with materials such as turf, groundcover, garden beds, shrubs and trees.</p> <p>Front gardens are to be landscaped with a good balance of turf, garden beds, paving, shrubs and trees.</p>	<p>Landscape plan indicates all parts within the front setback that are not built on or paved, are landscaped with various landscaping features such as turf, groundcover, trees and plantings.</p>	Yes.
<p><b>4.1.21</b> <b>Driveways.</b></p> <p>Driveways are to:</p> <ul style="list-style-type: none"> <li>• Have a maximum width of 6m.</li> <li>• Be designed with high quality stone pavers, large tiles, selected permeable paving or exposed aggregate. The colour and finish of stone pavers and tiles is to be subdued with a natural unpolished finish.</li> </ul> <p>When concrete driveways are proposed, the design is to break up its mass through the inclusion of bands of coloured concrete. Stencilled concrete finishes on driveways are not appropriate.</p>	<ul style="list-style-type: none"> <li>• Driveway does not exceed 6m</li> <li>• driveway finish to be in keeping with roof finish of low solar absorbance</li> </ul> <p>Noted – Exposed aggregate driveway proposed.</p>	Yes.
<p><b>4.1.21</b> <b>Rooftop Fixtures, Air Conditioners, TV Antennas and Satellite Dishes.</b></p> <p>Rooftop fixtures, air conditioners, tv antennas, solar panels and satellite dishes shall be located so they are screened/minimised from public view.</p>	<p>None of the said structures are located from view of the public.</p>	Yes.
<p><b>4.1.25.</b> <b>Letterboxes</b></p> <p>Letterboxes must not be a visually prominent element on the streetscape.</p>		Yes.

Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

Control	Assessment	Compliance
Letterboxes must be designed as an integrated feature of the fence	<p>Letterbox located so as to be a visually prominent element from view of the streetscape.</p> <p>There is no front fence proposed or required</p>	

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Attachment 3



**CLAUSE 4.6 VARIATION REQUEST**  
**Environmental Planning & Assessment Act 1979**

**New Single Storey Residential Dwelling**  
**Stage 6 | Catherine Park**

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<b>Address:</b>	47 Gleeson Rise ORAN PARK
<b>Lot:</b>	6057 <b>DP1235007</b>
<b>Date:</b>	15 July 2022

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**CONTENTS**

1 Introduction..... 1

2 Statutory Planning Framework..... 2

    2.1 Clause 4.6 - Exceptions to development standards..... 2

    2.2 Development Standards..... 2

3 Proposed Variation to Development Standard..... 4

    3.1 Development Standard Subject to Variation ..... 4

    3.2 Subject Site ..... 5

    3.3 Proposal ..... 6

    3.4 Planning Context..... 6

    3.5 Extent of Variation to Development Standard ..... 6

4 Explanation for Exception to Development Standard ..... 7

    4.1 Clause 4.6(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case ..... 7

    4.2 Clause 4.6(b) There are sufficient environmental planning grounds to justify contravening the development standard ..... 11

    4.3 Clause 4.6(4)(a)(ii): In the public interest because it is consistent with the objectives of the zone and development standard ..... 14

    4.4 Considerations for the Planning Secretary ..... 14

5 Conclusion..... 16

**CLPP03**

**Attachment 4**





## Appendices

Appendix 1 – View Analysis

## Figures

Figure 1	Maximum Building Height Map
Figure 2	Lots in DP1235007 Subject to Clause 4.6 Variation
Figure 3	Catherine Park House (aka Oran Park House)
Figure 4	Building Height & Roof Pitch
Figure 5	Dwelling Roof Forms
Figure 6	Extract from View 4 in Views Analysis

## Tables

Table 1	Lots in DP1235007 Subject to Clause 4.6 Variation
Table 2	Specific Land Details
Table 3	Extent of Variation to Development Standard

## 1 INTRODUCTION

We submit a Clause 4.6 variation request to support a Development Application (DA) seeking approval to erect a detached dwelling on land described in Table 2 of this report.

The variation request relates to a building height standard under Appendix 9 Camden Growth Centres Precinct Plan in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

Catherine Park contains a State listed heritage item, an early European settlement homestead, named Catherine Park House (aka Oran Park House). The Precinct Planning for the Catherine Fields Part Precinct implemented special development standards around Catherine Park House to deliver a transition in development between the heritage item and surrounding urban development.

The site specific 5 metre maximum building height development standard imposed on land surrounding the heritage item adopted in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) does not enable all options for excellence in design of residential dwellings as was intended. A maximum building height over 5 metres will enable more and better dwelling designs with higher roof forms that will more effectively meet the design outcomes intended in the site-specific development controls in Schedule 4 of the Camden Growth Centre Precincts Development Control Plan (DCP), such as roof pitch.

The DA seeks approval for a detached dwelling with a roof form that exceeds the 5 metre height limit. This Clause 4.6 variation request seeks to vary the 5 metre maximum building height development standard to the extent described in Table 3 of this report.

This request has been prepared in accordance with the Department of Planning & Environment (DPIE) Guideline, *Varying Development Standards: A Guide*, August 2011, and relevant matters set out in the 'five-part test' established by determinations in the NSW Land and Environment Court.

This request should be read in conjunction with the Statement of Environmental Effects for the DA and supporting documentation and plans lodged with the proposal.

This report demonstrates that support for proposed building height provides better building design, enables compliance with DCP controls and achieves the intended outcomes for residential development surrounding Catherine Park House without any significant impacts.

## 2 STATUTORY PLANNING FRAMEWORK

### 2.1 Clause 4.6 - Exceptions to development standards

Clause 4.6 - Exceptions to development standards in 'Appendix 9 Camden Growth Centres Precinct Plan' of the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) allows the relevant authority to grant consent to development that varies from a development standard imposed by the Environmental Planning Instrument. The objectives of the clause include:

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

A written request to vary a development standard is required in accordance with subclause (3), which reads:

- (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.*

This document forms the written request required under Clause 4.6.

Subclauses 4 and 5 provide the considerations for approving a variation under Clause 4.6 including satisfying the requirements under subclause 3 and whether there is a public benefit of maintaining the development standard.

- (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.*
- (5) *In deciding whether to grant concurrence, the Director-General 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 Director-General before granting concurrence.*

### 2.2 Development Standards

A variation sought under Clause 4.6 needs to be a 'development standard'. A development standard is defined in the Environmental Planning & Assessment Act in Clause 1.4 as:

**development standards** means provisions of an environmental planning instrument or the regulations in relation to the carrying out of development, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that development, including, but without limiting the generality of the foregoing, requirements or standards in respect of—

Clause 4.6 Variation to Building Height  
Stage 6 | Catherine Park

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- (a) *the area, shape or frontage of any land, the dimensions of any land, buildings or works, or the distance of any land, building or work from any specified point,*
- (b) *the proportion or percentage of the area of a site which a building or work may occupy,*
- (c) *the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of a building or work,*
- (d) *the cubic content or floor space of a building,*
- (e) *the intensity or density of the use of any land, building or work,*
- (f) *the provision of public access, open space, landscaped space, tree planting or other treatment for the conservation, protection or enhancement of the environment,*
- (g) *the provision of facilities for the standing, movement, parking, servicing, manoeuvring, loading or unloading of vehicles,*
- (h) *the volume, nature and type of traffic generated by the development,*
  - (i) *road patterns,*
  - (j) *drainage,*
  - (k) *the carrying out of earthworks,*
  - (l) *the effects of development on patterns of wind, sunlight, daylight or shadows,*
- (m) *the provision of services, facilities and amenities demanded by development,*
- (n) *the emission of pollution and means for its prevention or control or mitigation, and*
- (o) *such other matters as may be prescribed.*

With reference to part (c) it is definitive the maximum building height standard is a development standard.

### 3 PROPOSED VARIATION TO DEVELOPMENT STANDARD

#### 3.1 Development Standard Subject to Variation

The proposed variation is subject to the maximum building height development standard in Appendix 9 Camden Growth Centres Precinct Plan under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP).

Clause 4.3 - Height of buildings in Appendix 9 of Growth Centres SEPP prescribes maximum building height for certain land in the Camden LGA portion of the South West Growth Area.

The Objectives of Clause 4.3 - Height of buildings 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 centres and major transport routes.

Clause 4.1(2) requires that the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

Maximum building height is shown on South West Growth Centre Height of Buildings Map Sheets HOB\_004 and HOB\_009. This map shows maximum building height of 5 metres for the residential allotments surrounding Catherine Park House. This variation applies to 66 residential allotments that are subject to the 5 metre building height limit (see Section 3.2) and specific lot details are included in Table 2.



Figure 1 – Maximum Building Height Map (Source: NSW Planning Portal)

### 3.2 Subject Site

The site is located within Stage 6 in Catherine Park Estate. The land subject to a Clause 4.6 Variation comprises 66 residential allotments on the Deposited Plan No. DP1235007 that are subject to a 5 metre building height limit. The 66 residential allotments are shown in Figure 2 and are listed in Table 1. The details of the specific lot subject to this variation request are listed in Table 2.



Figure 2 – Lots in DP1235007 Subject to a Clause 4.6 Variation

Clause 4.6 Variation to Building Height  
Stage 6 | Catherine Park

**Table 1: Lots in DP1235007 Subject to Clause 4.6 Variation**

Lot No.	Lot No.	Lot No.	Lot No.	Lot No.	Lot No.	Lot No.	Lot No.	Lot No.	Lot No.
6001	6008	6015	6022	6029	6036	6043	6050	6059	6068
6002	6009	6016	6023	6030	6037	6044	6051	6060	6069
6003	6010	6017	6024	6031	6038	6045	6052	6061	6070
6004	6011	6018	6025	6032	6039	6046	6055	6064	
6005	6012	6019	6026	6033	6040	6047	6056	6065	
6006	6013	6020	6027	6034	6041	6048	6057	6066	
6007	6014	6021	6028	6035	6042	6049	6058	6067	

The land details specific to this Clause 4.6 Variation are detailed in Table 2.

**Table 2: Land Details Subject to Clause 4.6 Variation Request**

Address: 47 Gleeson Rise ORAN PARK	
Lot:	6057 DP1235007

### 3.3 Proposal

The DA seeks to erect a single storey detached dwelling on the site described in Table 2. The proposed building height of the dwelling exceeds the 5 metre maximum building height limit imposed under the Growth Centres SEPP.

### 3.4 Planning Context

The land is zoned R2 Low Density Residential in the Growth Centres SEPP.

The land subject to the variation is within the R2 Zone, which has the following objectives:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow people to carry out a reasonable range of activities from their homes where such activities are not likely to adversely affect the living environment of neighbours.
- To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.
- To provide a diverse range of housing types to meet community housing needs within a low density residential environment.

Residential development for detached dwellings is permissible with development consent in the R2 Zone.

### 3.5 Extent of Variation to Development Standard

The proposed building height and extent of variation to the 5 metre maximum building height limit imposed under the Growth Centres SEPP is included in Table 3.

**Table 3: Extent of Variation to Development Standard**

Proposed Building Height:	6.59m
Extent of Proposed Variation*:	31.8 %

\* Note: Extent of Proposed Variation = ((BH / 5) x 100) - 100

## 4 EXPLANATION FOR EXCEPTION TO DEVELOPMENT STANDARD

### 4.1 Clause 4.6(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

The Department of Planning Industry & Environment published a guideline titled 'Varying development standards: A Guide' (August 2011), which is available on their website at: [www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/varying-development-standards-a-guide-2011-08.pdf](http://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/varying-development-standards-a-guide-2011-08.pdf)

The guideline suggests that written applications to vary a development standard could address matter outlined in the 'five part test', which is formed on determinations in the NSW Land and Environment Court. The NSW Land and Environment Court established the principle of a five-part test in determining whether compliance with a development standard is unnecessary (Refer *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 & Wehbe v Pittwater Council [2007] NSW LEC 827*).

The five part test includes five assessment criteria where one or more of the tests are to be used to demonstrate that compliance with the development standard is unreasonable or unnecessary. The five tests are as follows:

1. *the objectives of the standard are achieved notwithstanding noncompliance with the standard;*
2. *the underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;*
3. *the underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;*
4. *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;*
5. *the compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.*

An additional test is also included (Test 1(a)) which addresses the objectives of the land use zone, consistent with recent decisions of the NSW Land & Environment Court, including Preston CJ in *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118*.

#### **Test 1: the objectives of the standard are achieved notwithstanding noncompliance with the standard**

The objectives of the height of buildings development standard in Clause 4.3 of the Growth Centres SEPP are outlined below with a respective response.

##### **Objective (a) to establish the maximum height of buildings,**

The Environmental Planning Instrument imposes a maximum building height, and a variation of the building height is submitted in accordance with the allowances under Clause 4.6. The objective is upheld and proposal does remove a building height standard for the site. Therefore, the proposal is not inconsistent with Objective (a).

##### **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,**

The 66 residential allotments have a land area of 500m<sup>2</sup> or greater and all residential allotments will contain a single storey detached dwelling with a combined average side setback of 4 metres and a maximum floor space ratio of 0.4:1. Single storey dwellings with hipped and/or gabled roofs are required on all allotments. The combined design requirements of setbacks, floor space ration and hipped and/or gabled roofs ensures there will be no significant overshadowing on adjoining properties. Single storey dwellings on large lots also ensures visual privacy of large areas of private open space will be preserved and visual impact is negligible. The proposed variation therefore meets Objective (b).

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



The site is identified for lower densities of residential development. Accordingly, Objective (c) is not relevant to the site and the proposed variation does not affect noncompliance to enable higher density development around centres. Further, the Concept Proposal is not inconsistent with the objective.

### ***Test 1(a): the objectives of the zone***

The objectives of the R2 Low Density Residential Zone are as follows:

- ***To provide for the housing needs of the community within a low density residential environment.***

The 66 residential allotments are within a planned low density area to provide a transition of development between Catherine Park House and surrounding residential development.

The proposed building height will does not intensify the density of development and will maintain single story detached dwellings on large residential allotments within he R2 Low Density Residential Zone. The Concept Proposal is consistent with the objective.

- ***To enable other land uses that provide facilities or services to meet the day to day needs of residents.***

A detached dwellings is proposed on the site and there is no land within the site that has been identified or would be suitable for other land uses that provide facilities or services to meet the day to day needs of residents. The proposal is not inconsistent with the objective.

- ***To allow people to carry out a reasonable range of activities from their homes where such activities are not likely to adversely affect the living environment of neighbours.***

The 66 residential allotments are large lots to contain single storey detached dwellings. Each residential allotment will have generous indoor and private outdoor spaces that will ensure a typical low density living environment incorporating privacy and amenity is maintained. Additionally, the requirements for single storey dwelling construction with a simple hipped and/or gabled roof forms ensures negligible overshadowing impacts. The proposal is consistent with the objective.

- ***To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.***

A detached dwellings is proposed on the site and there is no land within the site that has been identified or would be suitable for other land uses that provide facilities or services to meet the day to day needs of residents. The proposal is not inconsistent with the objective.

- ***To provide a diverse range of housing types to meet community housing needs within a low density residential environment.***

The broader Stage 6 in Catherine Park includes a diverse range of residential lots sizes and types of residential dwellings, which range from large residential allotments to small lot housing. The 66 residential allotments under this Clause 4.6 are within a planned low density area to provide a transition of development between Catherine Park House and standard low density development. These lots make an important contribution to housing diversity within the locality.

The proposed building height does not intensify the density of development and will maintain single story detached dwellings on large residential allotments within he R2 Low Density Residential Zone. The proposal is consistent with the objective.

### ***Test 2: the underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary***

The proposed variation does not rely on this test.

### ***Test 3: The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable***

The underlying objective of the built form within the transition area between Catherine Park House and the broader urban development is to provide single storey homes on large allotments with greater separation between dwellings and simple hipped and/or gabled roofs with a pitch over 22.5° (refer to Test 5). The design intention for these homes is to have 'stately' houses that respect the heritage values of Catherine Park House.

Clause 4.6 Variation to Building Height  
Stage 6 | Catherine Park

If compliance was required, it will not enable the underlying objective will be thwarted as the 5 metre building height limit does not allow the range of dwelling designs as was intended in the DCP and Heritage Exemption Guidelines. Accordingly, compliance with the 5 metre maximum building height standard is considered unreasonable.

**Test 4: 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**

The proposed variation does not rely on this test.

**Test 5: The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone**

Compliance with the 5 metre maximum building height development standard development is unreasonable and detrimental to the current environmental character of the site and surrounds.

During the Precinct Planning for the Catherine Field Part Precinct prior to the zoning and development standards being adopted for the site, the intended outcome for the residential land surrounding Catherine Park House was to have single storey dwellings with simple hipped roof forms on large residential allotments. Hence minimum lot sizes of 500m<sup>2</sup> and 700m<sup>2</sup> were imposed and specific development controls were included in the Camden Growth Centre Precincts DCP to ensure this development outcome was realised. The heritage object was to ensure the housing surrounding Catherine Park House was subservient to the heritage item and have roof forms that are not detrimental to the heritage significance and character of the House.



Figure 3 – Catherine Park House (aka Oran Park House) (Source: [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au))

Schedule 4 in the Camden Growth Centre Precincts DCP includes site specific controls for the residential allotments surrounding Catherine Park House and subject to the Concept Proposal. The site specific controls include provision for roofs.

#### 4.1.16 Roofs

##### Controls

1. *Roof pitches are to be between 22.5 degrees and up to 35 degrees.*
2. *Roofs are to be of simple design and form with either simple hips or gables. Federation detailing, symbolism and Victorian inspired gables are not permitted.*
3. *The minimum eave overhang is 450mm.*
4. *Roofs must use neutral colour tones such as greys, greens or browns.*

To satisfy the site specific design standards in the DCP, a dwelling is required to have a simple hipped roof form with a minimum roof pitch of 22.5° and eaves of 450mm or larger.

There are also general development controls for roof pitch for all residential development in the DCP. Control 5 under Clause 4.2.2 'Streetscape and architectural design' states:

*The pitch of hipped and gable roof forms on the main dwelling house should be between 22.5 degrees and 35 degrees.*

A minimum roof pitch of 22.5° applies to all hipped roof forms for all detached dwellings within the Camden Council portion of the South West Growth Area.

Heritage Exemption Guidelines have been endorsed by the NSW Heritage Council and by order of the Minister for Heritage, granted an exemption from section 57(1) of Heritage Act 1977 in respect to all works and activities in accordance with 'Catherine Park Estate: Oran Park House Curtilage Exemption Guidelines' (prepared by Design & Planning for Hixson Pty Ltd, dated October 2014).

The Heritage Exemption Guidelines apply to the portion of allotments within the heritage curtilage and require the following design requirements to satisfy the exemption criteria:

#### 4.5 Building Height

##### Controls

1. *Buildings are to be single storey in height within the Oran Park House heritage curtilage.*
2. *Variations to the building height on corner lots may be appropriate where attic rooms with dormer windows are proposed, and where there will be no impact on the views and vistas to and from Oran Park House and grounds.*

And:

#### 4.6 Roofs

##### Controls

1. *Roof pitches are to be between 22.5 degrees and up to 35 degrees.*
2. *Roofs are to be of simple design and form with either simple hips or gables. Federation detailing, symbolism and Victorian inspired gables are not permitted.*
3. *The minimum eave overhang is 450mm.*

The development controls in the DCP and Heritage Exemption Guidelines demonstrate the intended outcomes for residential development surrounding Catherine Park House. Importantly, residential development is required to be single storey construction and roof pitches need to be at least 22.5°.

Figure 4 shows the relationship of the existing maximum 5 metre height limit and achieving the roof pitch controls for a single story dwelling with a simple hipped roof form. The diagram adopts a typical wall height of 3 metres for a single storey dwelling and 450mm eaves, which is a required design standard. The diagram also assumes a 20 metre lot width, which is slight less than the typical of the lots facing Catherine Park House, and a minimum side setback of 0.9 metres and average side setback of 2 metres, which reflects the minimum setback requirements in Schedule 4 of the Camden Growth Centre Precincts DCP.

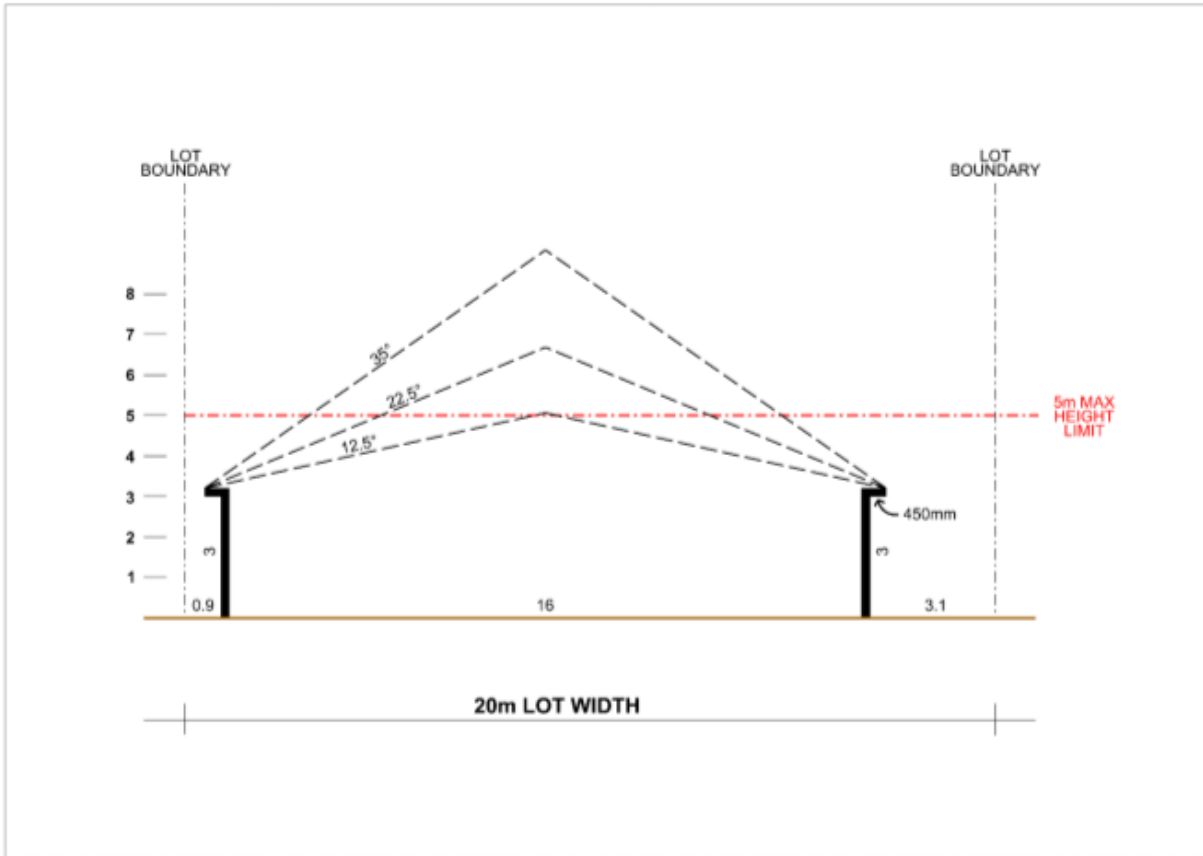


Figure 4 – Building Height & Roof Pitch

Figure 4 demonstrates roof forms that would be achieved for a single storey dwelling with a simple hipped and/or gabled roof designed with a pitch over 22.5°. The design standards for the minimum roof pitch of 22.5° and the 5 metre maximum height limit for a single storey dwelling are conflicting. In addition, a roof pitch for a hipped and/or gabled roof less than 22.5° is a poor design outcome, which is the reason the Camden Growth Centre Precincts DCP imposes a minimum roof pitch of 22.5° for all residential dwellings with a hipped and/or gabled roof.

It is evident that the 5 metre maximum building height limit does not allow for better designs with higher roof forms for single story residential dwellings, and therefore, compliance with the 5 metre maximum building height development standard is considered unreasonable. In addition, the widespread erection of dwellings with potentially compromised roof forms will be detrimental to the current environmental character of the site and surrounds with respect to the heritage values of Catherine Park House. This would also be contrary to the intended outcomes for residential development around the heritage item potentially resulting in a diminished streetscape character and appearance.

The proposed building height is necessary to achieve a quality design for the dwellings surrounding Catherine Park House, which are required to include simple hipped and/or gabled roof designs with a pitch over 22.5°. This allows for properly designed dwellings with attractive roofs.

**Conclusion**

In consideration of the five part test and the zone objectives, the proposed variation meets the objectives of maximum height of buildings development standard and zone in Test 1 and 1(a). It is also demonstrated that compliance with the 5 metre maximum building height development standard is unreasonable and detrimental to the current environmental character of the site and surrounds. Accordingly, strict compliance with the development standard is unnecessary.

**4.2 Clause 4.6(b) There are sufficient environmental planning grounds to justify contravening the development standard**

The determination in *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90* found that the environmental planning grounds presented in a Clause 4.6 variation request are to be specific to the circumstances of the proposal. There are special circumstances and sufficient environmental planning grounds to justify contravention of the maximum building

height development standard.

**Better designed single storey dwellings & streetscapes**

The basis for the development control in the Camden Growth Centre Precincts DCP that sets a minimum standard for roof pitch of 22.5° is to ensure better house design. In particular, single storey dwellings with a hipped and/or gabled roofs present significantly better with a roof form that extends above the walls. The proportion of the roof form is balanced with the rest of the dwelling and the building mass presents a stronger residential character to the street, which improved the overall streetscape character.

Figure 5 shows examples of dwellings with a compliant roof form in terms of roof pitch (Dwelling A) and a compliant dwelling in regard to the 5 metre building height.



**Figure 5 – Dwelling Roof Forms**

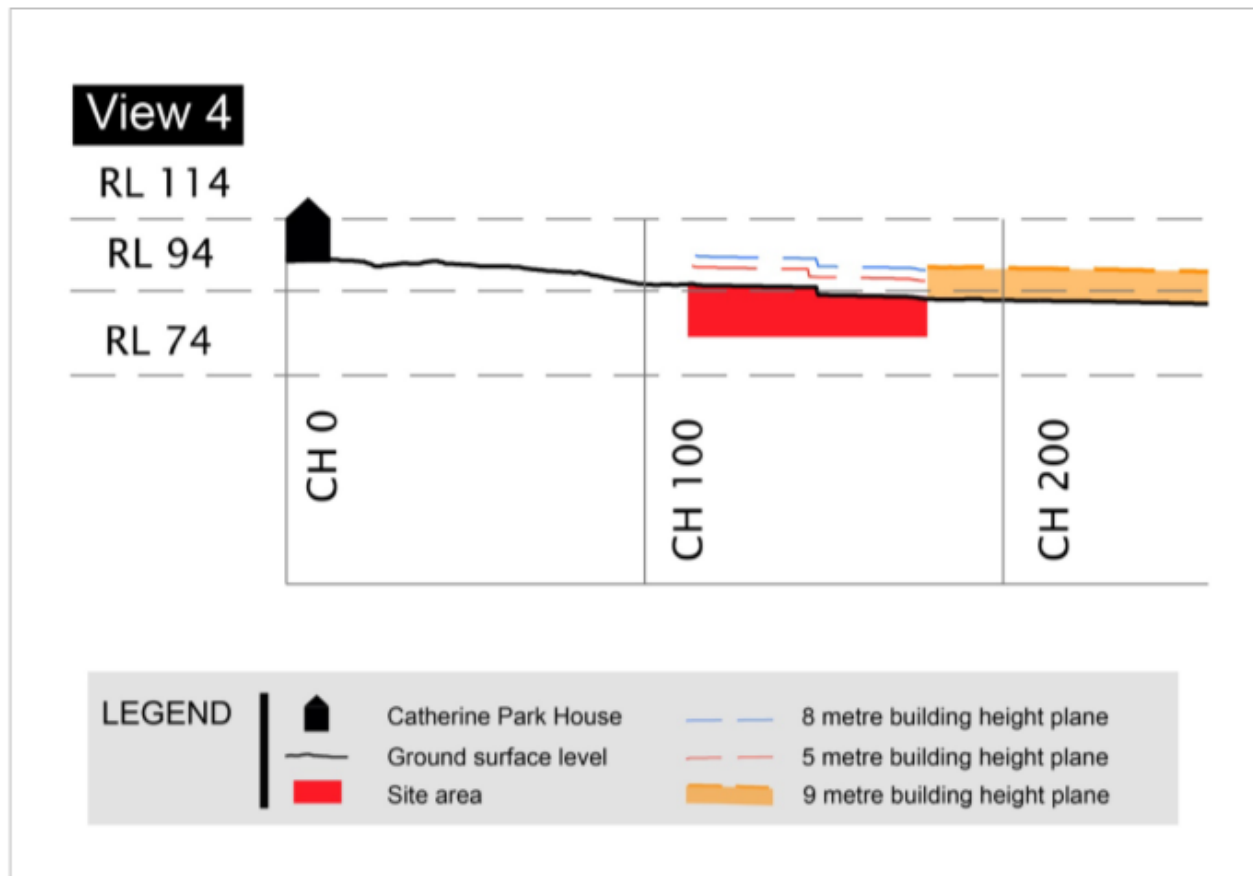
The Dwelling B roof form design is compromised by a 5 metre building height standard and presents poorly as it is not in proportion with the building. It has an underwhelming residential character due to its substandard design quality. Conversely, Dwelling A is significantly more impressive and attractive due to its extended roof form.

As the site comprises numerous rows of residential allotments, the compounding effect of several dwellings with roof forms that satisfy the 5 metre height limit will be detrimental to the streetscape and exhibit an undesirable residential character. An unattractive streetscape will also be detrimental to the heritage significance of Catherine Park House and diminish the heritage values of a State listed heritage item. This is also an outcome that the planning and heritage objectives and provisions are intending to prevent. Accordingly, the improved design quality and compliance with the heritage and planning design provisions provide strong grounds to support the variation.

**No impact on views and vistas from Catherine Park House**

Catherine Park House is located on an elevated knoll and sits proud of the 66 allotments surrounding the heritage item. An analysis of four (4) views from Catherine Park House and the surrounds that intersect the site in variation locations is included in Appendix 1. The analysis shows Catherine Park House and illustrates the section detail aligning with each of the four view lines. The section detail annotates the 5 metre and 8 metre building height limits within the site (66 lots) and also shows the adjoining 9 metre building height around the outer edge of the site.

Figure 6 is an excerpt of the views analysis and includes the section of View 4 from Catherine Park House.



**Figure 6 – Extract from View 4 in Views Analysis**

The section of View 4 illustrates that both the 5 metre and proposed 8 metre building height planes are eclipsed by the adjoining 9 metre building height. Moreover, the vistas and views from Catherine Park House are dictated by the built form within the 9 metre maximum building height area as opposed to the built form within the site. This is the case for all of the four view sections, and given the proposed building height limit in this proposal is over 1 metre less than shown in the view analysis, the impacts will be less than in the views assessment.

The other matter of consideration is the portion of the roof that will be above the 5 metre building height plane is relatively minor. The 66 dwellings within the site require larger side boundary building setbacks than typical standards to create greater separation between the dwellings. Greater separation between the dwellings will also ensure greater separation between the roof forms. With a relatively small portion of the roof form above the 5 metre height plane and the separation between buildings, wide view corridors between the roofs of adjoining dwellings are preserved and continue to allow open views within the heritage curtilage area.

The built form of new residential development around the outside of the 66 lots dictate views and vistas for Catherine Park House and closer views within the heritage curtilage including the site will be preserved within corridors between the roofs of the single storey dwellings. Accordingly, the findings in the views analysis provides strong grounds to support the variation.

### **Objectives and intent of built form surrounding Catherine Park House preserved**

The key outcome for the site (66 lots) is that all residential dwellings are to be single storey construction with hipped and/or gabled roofs on large lots. The proposed building height does not change the intended outcome for residential development surrounding Catherine Park House. The proposed building height also does not affect the intended type and character of residential development, and it will actually improve the design quality and therefore character. Accordingly, preserving the intended development outcomes and improving character provides strong grounds to support the variation.

### **No significant environmental impact**

There is no significant environmental impact resulting from the variation. The variation allows the orderly and proper delivery of development that will result in a development outcome that is essentially the same as has been planned for the Catherine Field Part Precinct and provided for in the Growth Centres SEPP and Schedule 4 in the Camden Council Growth Centres DCP. Once built, the site will form part of a larger area that will maintain a transition of development intensity from Catherine Park House and the intended urban structure will upheld. The protrusion of a small portion of the roof forms for the single storey dwellings with the site will be on no significant impact, particularly as this development will be more dominated by two storey developments around the outer edge of the locality. Accordingly, there are strong grounds to justify the proposed variation as there is no significant environmental impact and the intended development objectives for the locality are maintained.

### **Conclusion**

There are sufficient environmental planning grounds to justify variation to the maximum building height including achieving an improved building designs, no significant impacts on views and vistas from Catherine Park House, preserving a transition in development between the House and standard residential development, and having no significant impact.

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

The proposed development is consistent with the objectives of the maximum building height development standard for the reasons explained in Section 4.1 this report (refer to Test 1).

The proposed development is consistent with the zone objectives for the R2 Low Density Residential for the reasons explained in Section 4.1 this report (refer to Test 1a).

In addition, the neighbourhood character and dwelling design is complementary with the heritage values of Catherine Park House and meets the design intent of the ILP and Precinct objectives to provide for a diverse range of housing options in the South West Growth Area.

Support for the proposed variation is in the public interest as it is consistent with the objectives and will significantly and directly enhance the amenity of the area with a well-transitioned residential development away from Catherine Park House from detached dwellings on larger lots to two storey homes on smaller lots.

### **4.4 Considerations for the Planning Secretary**

Clause 4.6(5) outlines matters for the Planning Secretary to consider in approving a variation to a development standard, which reads:

- (5) *In deciding whether to grant concurrence, the Director-General 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 Director-General before granting concurrence.*

In consideration of subclause (5), the following comments are presented.

- The variation does not raise any matter of significance for State environmental planning as the proposed variation:
  - provides significantly better building designs and improved streetscapes,

Clause 4.6 Variation to Building Height  
Stage 6 | Catherine Park

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- provides site-specific reasoning to support the variation,
  - relates to a situation that has uncommon circumstances that do not occur elsewhere in the locality, and
  - is a variation of relatively minor consequences of no significant environmental impact.
- Maintaining the development standard has no discernible public benefit.

**CLPP03**

**Attachment 4**



## 5 CONCLUSION

A Clause 4.6 variation request to support a DA to seeking approval to erect a detached dwelling on land described in Table 2 of this report. This request should be read in conjunction with the associated Environmental Assessment and supporting documentation lodged with the proposal.

The variation request relates to a maximum building height development standard under Appendix 9 Camden Growth Centres Precinct Plan in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

This request has been prepared in accordance with the Department of Planning & Environment (DPIE) Guideline, *Varying Development Standards: A Guide*, August 2011, and relevant matters set out in the 'five-part test' established by the NSW Land and Environment Court.

This report and supporting information demonstrate that support for proposed building height provides better building design, enables compliance with DCP controls and achieves the intended outcomes for residential development surrounding Catherine Park House without any significant impacts.

The objective of Clause 4.6 is to provide an appropriate degree of flexibility in applying development standards and to achieve better outcomes for development by allowing flexibility circumstances. The proposed variation is respectful of the allowances under Clause 4.6 and can be supported for the following reasons:

- It has been demonstrated that compliance with the development standard is unreasonable and unnecessary in the specific circumstances for three of the tests in the five part test;
- The proposal maintains consistency with the objectives of the R2 Low Density Residential zone;
- The proposal is consistent with the objectives of Clause 4.3 Height of buildings, despite the non-compliance;
- The proposed building height in Table 3 of this report will enable better building design and improved streetscapes;
- There are sufficient environmental planning grounds to justify the variation;
- The variation upholds the design intent for the locality for a transition of residential development away from Catherine Park House; and
- Support for the proposed variation will have a positive environmental impact and is in the public interest.

**APPENDIX 1**  
**Views Analysis**

**CLPP03**

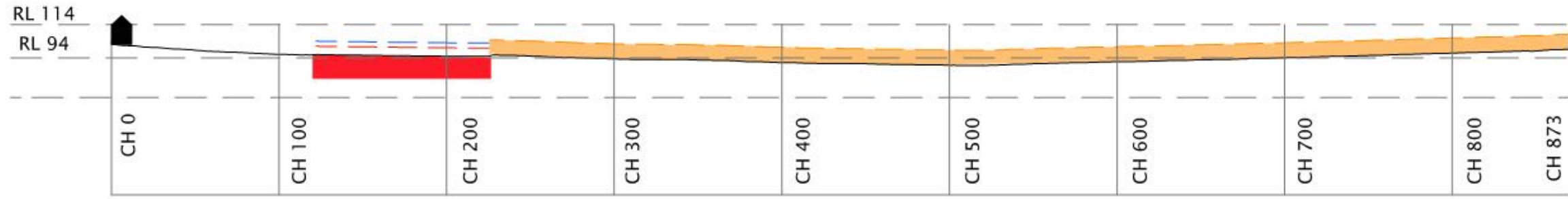
**Attachment 4**



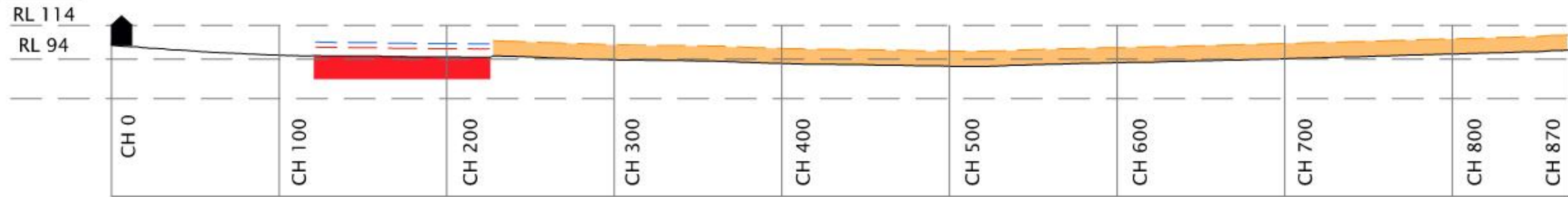
# CATHERINE PARK HOUSE & SURROUNDS - Views Analysis

[Note: long section data provided by Registered Surveyor JMD Development Consultants]

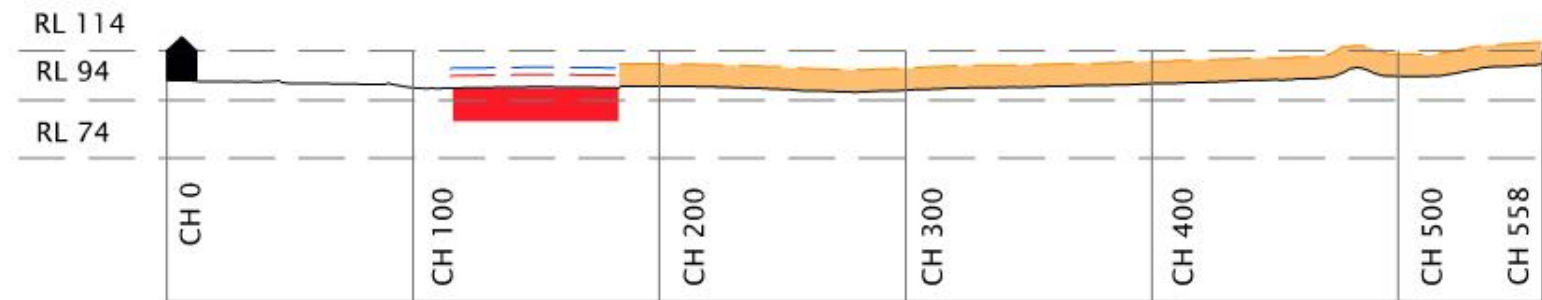
## View 1



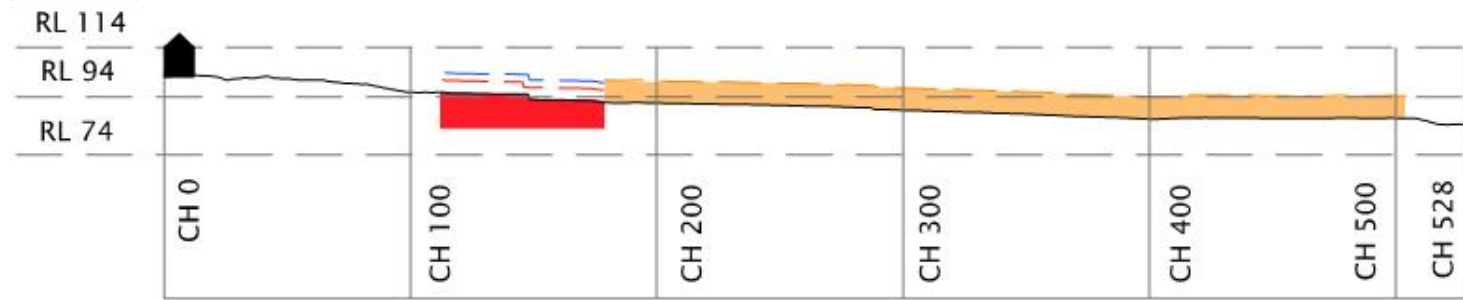
## View 2



## View 3



## View 4



**LEGEND**

- Catherine Park House
- Ground surface level
- Site area
- 8 metre building height plane
- 5 metre building height plane
- 9 metre building height plane



Attachment 4

CLPP03





Heritage NSW

Our ref: DOC22/41407

Cathryn Fuller  
 Team Leader DA Assessment  
 Camden Council  
 70 Central Avenue  
 ORAN PARK NSW 2570

By email: Cathryn.Fuller@camden.nsw.gov.au

Dear Ms. Fuller

### ORAN PARK (SHR 01695) – REFERRALS TO HERITAGE NSW

I write following our 20 January 2022 online meeting with Council where we discussed shared concerns about the planning control and current volume of work being generated by the Oran Park development. As canvassed, the volume of required referrals to Heritage NSW is against the proposed Exemption intent, and has ancillary impacts to private owners in terms of cost and time delays.

At the time of SHR listing, site-specific exemptions were put in place to exempt complying development from the requirement for approval under the *Heritage Act 1977* (*Catherine Park Estate – Oran Park House Heritage Exemptions Guidelines*, prepared by Design + Planning, dated October 2014). The control under Section 4.1 'Residential Built Form' required that '*The design of dwellings for each street elevation and street block is to be undertaken simultaneously and delivered as a complete package by one builder*'.

We note Council's advice that this has not proven practical as the developer (Harrington Estates) has sold the subject lots as individual lots to private owners. New owners have been submitting separate development applications to Camden Council, with referral to Heritage NSW required due to the 'one builder' control of the Exemptions not being compliant.

Heritage NSW understands that the 'one builder' control is not commercially viable and no longer possible at this stage in the residential development. In response, we propose a two-pronged approach. The process of amending the site-specific exemptions will be pursued with the Heritage NSW Listings Team, which will require recommendation by the State Heritage Register Committee and decision by the Minister for Heritage. In the meantime, to facilitate streamlining of the integrated development referrals, a set of standard GTA's is provided with this letter. Council can attach these standard GTA's without referral to Heritage NSW, as long as the proposals are:

- In line with Exemption Guidelines (noting that the 'one builder' control is not practical and does not need to be complied with); and
- Not within the historic archaeological potential zone (relates to 37, 39 and 41 Gleeson Rise, Oran Park).

It is also noted that some allotments are located partially within the SHR curtilage. In those cases, it is important to note that the Heritage Council does not have the authority to grant general terms of approval in relation to development to the land outside of that SHR listing boundary. In relation to the land outside of the SHR curtilage, the Heritage Council has an advisory role only.

Level 6, 10 Valentine Ave Parramatta NSW 2150 ■ Locked Bag 5020 Parramatta NSW 2124  
 P: 02 9873 8500 ■ E: heritagemailbox@environment.nsw.gov.au

CLPP03

Attachment 5

**UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS**

1. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

*Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.*

**ABORIGINAL OBJECTS**

2. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the *National Parks and Wildlife Act 1974* (as amended). Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.

*Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.*

**COMPLIANCE**

3. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

*Reason: To ensure that the proposed works are completed as approved.*

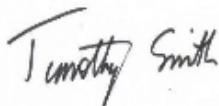
**SECTION 60 APPLICATION**

4. An application under section 60 of the *Heritage Act 1977* must be submitted to and approved by the Heritage Council of NSW (or delegate), prior to work commencing.

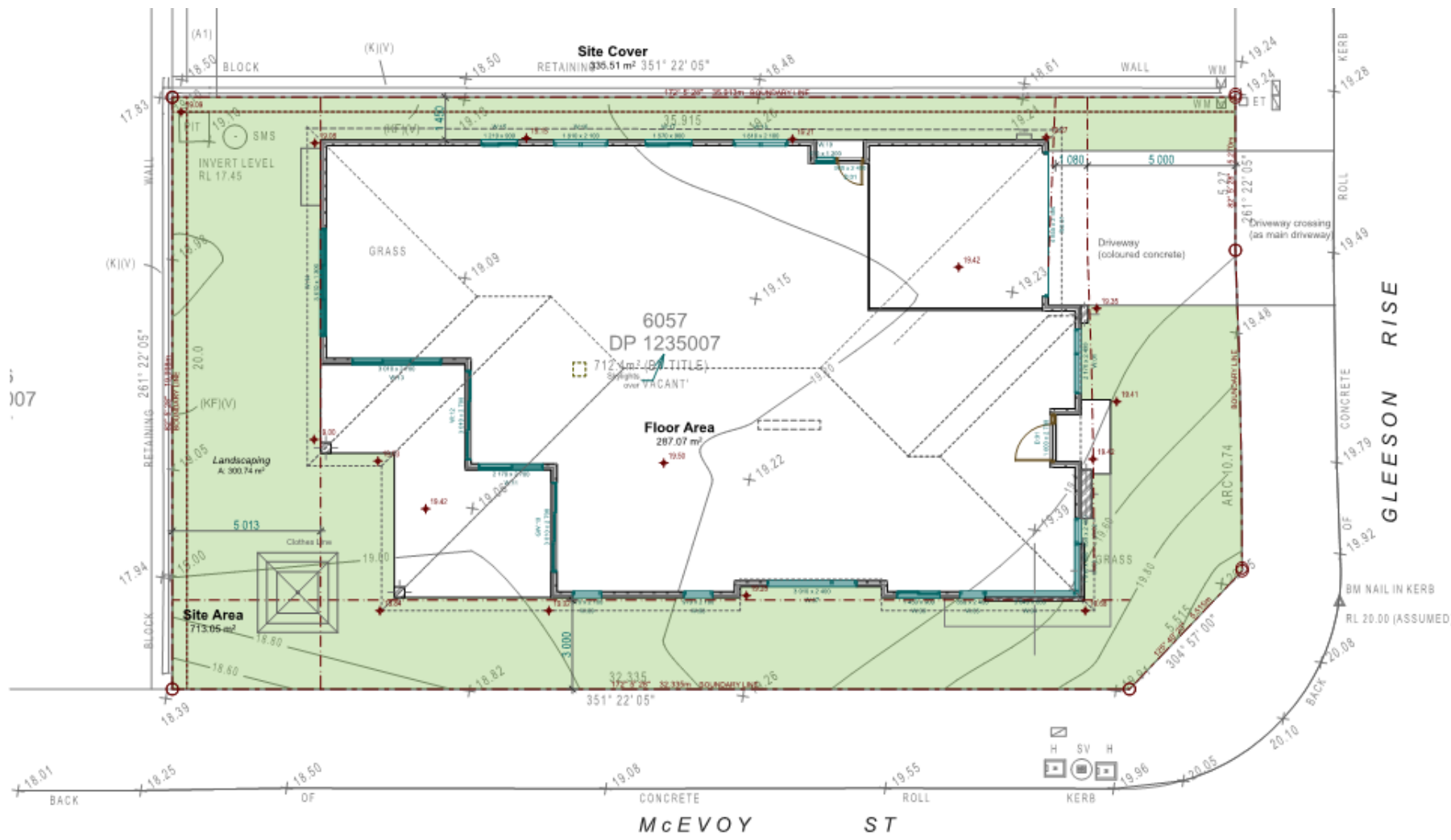
*Reason: To meet legislative requirements.*

If you have any questions about this correspondence, please contact Veerle Norbury, Senior Heritage Assessment Officer, at Heritage NSW on 9873 8616 or [Veerle.Norbury@environment.nsw.gov.au](mailto:Veerle.Norbury@environment.nsw.gov.au). I want to thank Council for working proactively with Heritage NSW to find a pragmatic response that still provides appropriate interim safeguards for the heritage place.

Yours sincerely



**Tim Smith OAM**  
 Director Assessments  
 Heritage NSW  
 Department of Premier and Cabinet  
**As Delegate of the Heritage Council of NSW**  
 25 January 2022



Site Plan  
1:200

McEVoy STREET

GLEESON RISE

SITE CALCULATIONS: COUNCIL

SITE AREA :	712.4 m <sup>2</sup>
PROPOSED DWELLING :	300.4m <sup>2</sup>
SITE COVERAGE	348.9m <sup>2</sup> (MAX 50% 356.2m <sup>2</sup> )
LANDSCAPING :	287m <sup>2</sup> (MIN 30% 213.7m <sup>2</sup> )
MIN SETBACKS:	FRONT 5m GARAGE 6m SECONDARY: 3m SIDE 900mm GROUND REAR : 5m GROUND
MAX HEIGHT :	5m
POS >24m2	(Min PPOS 24m2)

HOME WILL BE SMART WIRED IN ACCORDANCE WITH STANDARDS OUTLINED BY THE NBN NETWORK.

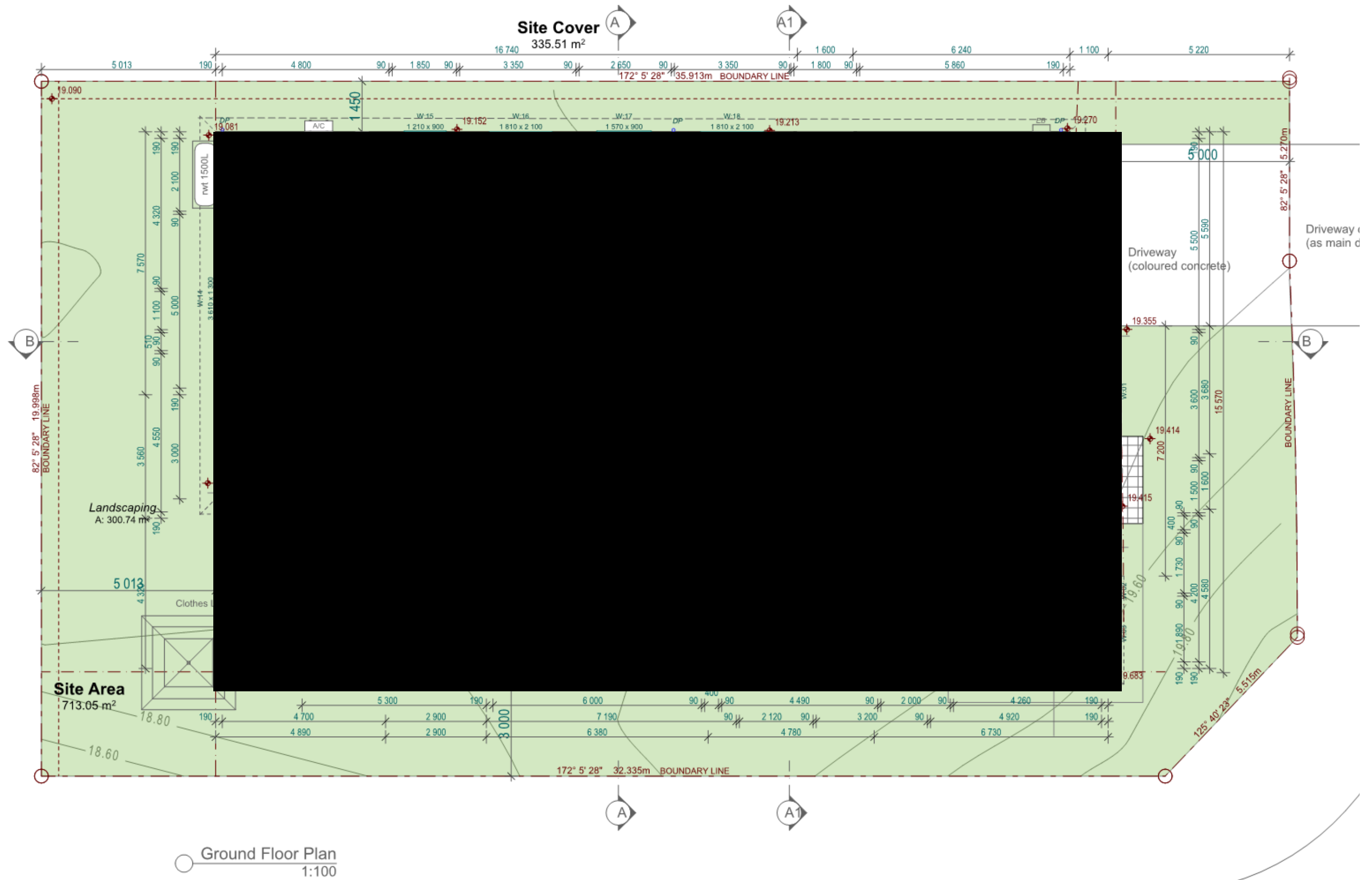


Location Plan

**Development Application Issue**

All levels and dimensions to be confirmed on site before commencing fabrication. This drawing is a copyright and must not be copied or used		Revision	Client	Project	Designer	Design	Check	Title	Dwg No.
		A. DEVELOPMENT APPLICATION ISSUE 22/01/22 B. AMENDMENTS AS PER COUNCIL LETTER DATED 9/5/22 21/05/22	Mr Aizad Malik	Single Storey Dwelling at Lot 6057 Gleeson rise, Catherine Field	CACTUS DESIGN & DRAFTING 16 Glenella Way.	C.D.G CDG	Check	Site Plan & Location CLPP03	DA0

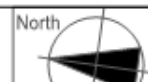




Ground Floor Plan  
1:100

Development Application Issue

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Revision  
 A. DEVELOPMENT APPLICATION ISSUE 22/01/22  
 B. AMENDMENTS AS PER COUNCIL LETTER DATED 9/5/22 21/05/22

Client  
 Mr Aizad Malik

Project  
 Single Storey Dwelling at Lot 6057  
 Gleeson rise, Catherine Field

Designer  
 CACTUS DESIGN & DRAFTING  
 16 Glenella Way,

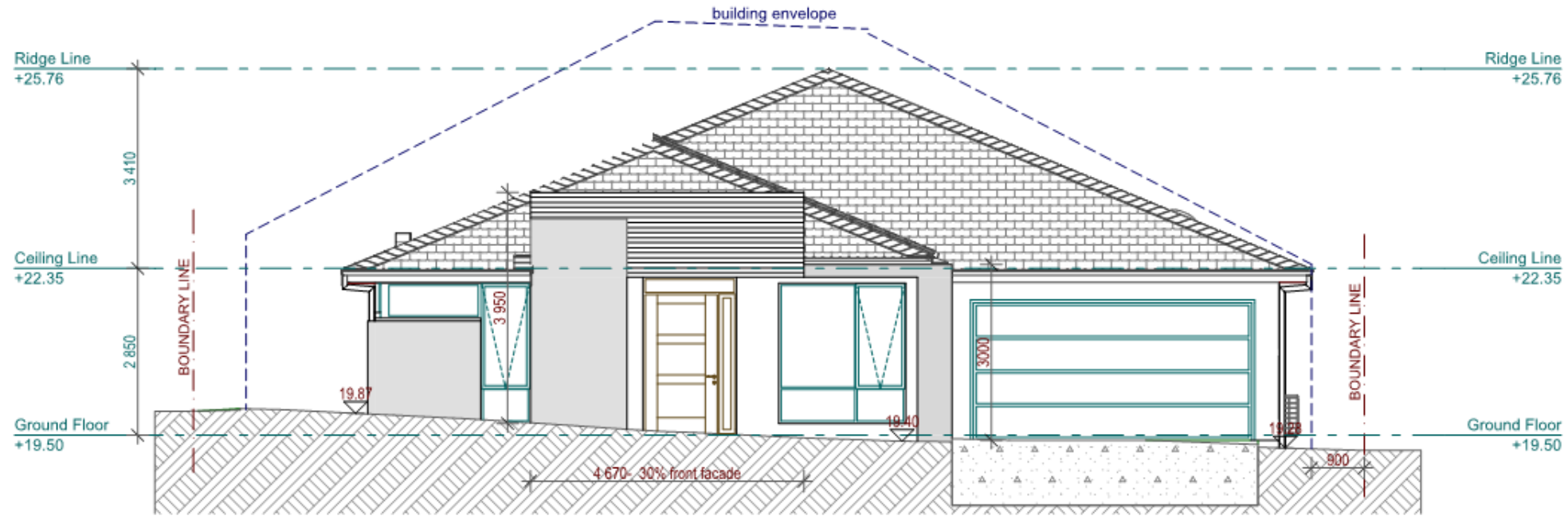


Designed C.D.G  
 Drawn CDG

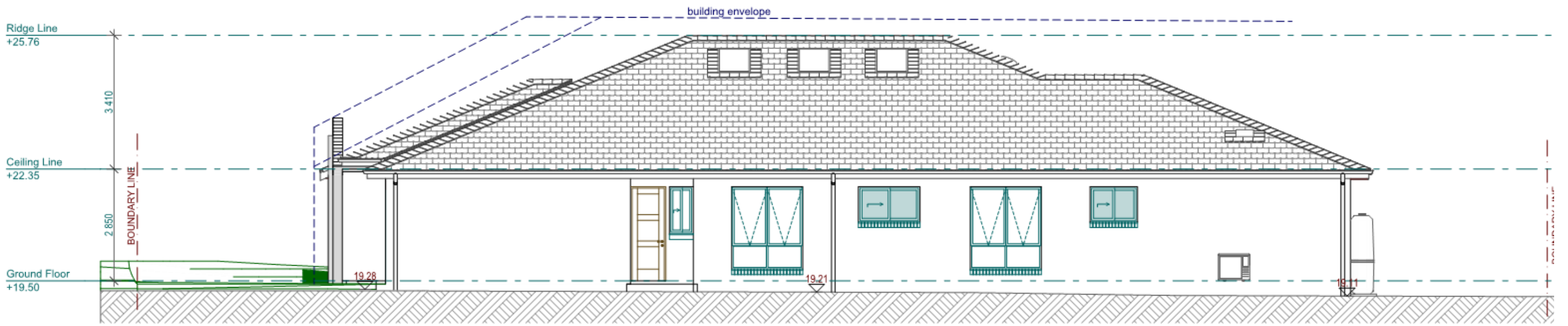
Call File  
 Lot 9057 Gleeson rise DA-8.plt  
 Check

Title  
 Ground Floor Plan

Dwg No.  
 DA01



South Elevation  
1:100



East Elevation  
1:100

### Development Application Issue

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Revision		
A. DEVELOPMENT APPLICATION ISSUE	22/01/22	
B. AMENDMENTS AS PER COUNCIL LETTER DATED 9/5/22	21/05/22	

Client  
Mr Aizad Malik

Project  
Single Storey Dwelling at Lot 6057  
Gleeson rise, Catherine Field

Designer  
CACTUS DESIGN & DRAFTING  
16 Glenella Way.

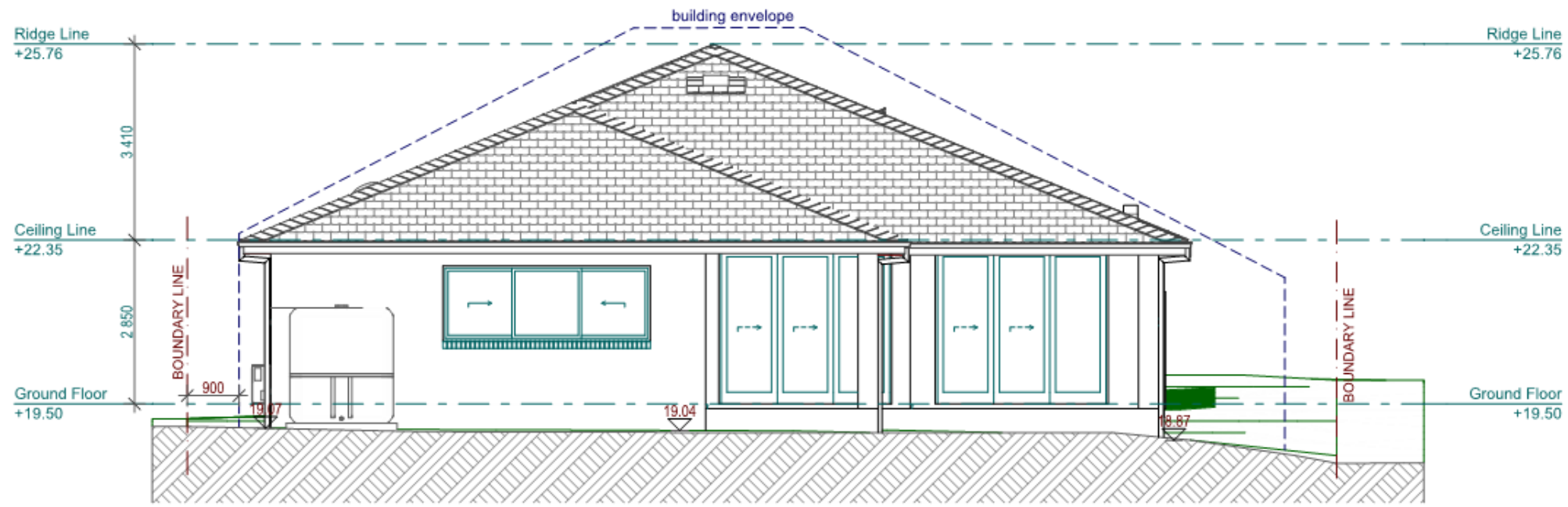


Designer	C.D.G
Drawn	CDG

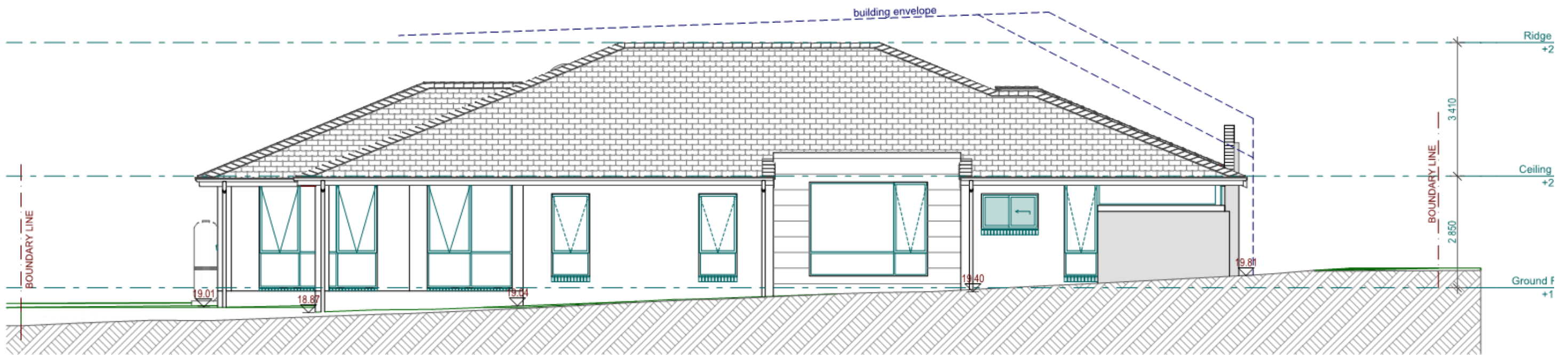
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Title  
Elevations S & E

Dwg No.  
DA01



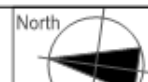
North Elevation  
1:100



West Elevation  
1:100

**Development Application Issue**

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Client  
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Single Storey Dwelling at Lot 6057  
Gleeson rise, Catherine Field

Designer  
CACTUS DESIGN & DRAFTING  
16 Glenella Way.

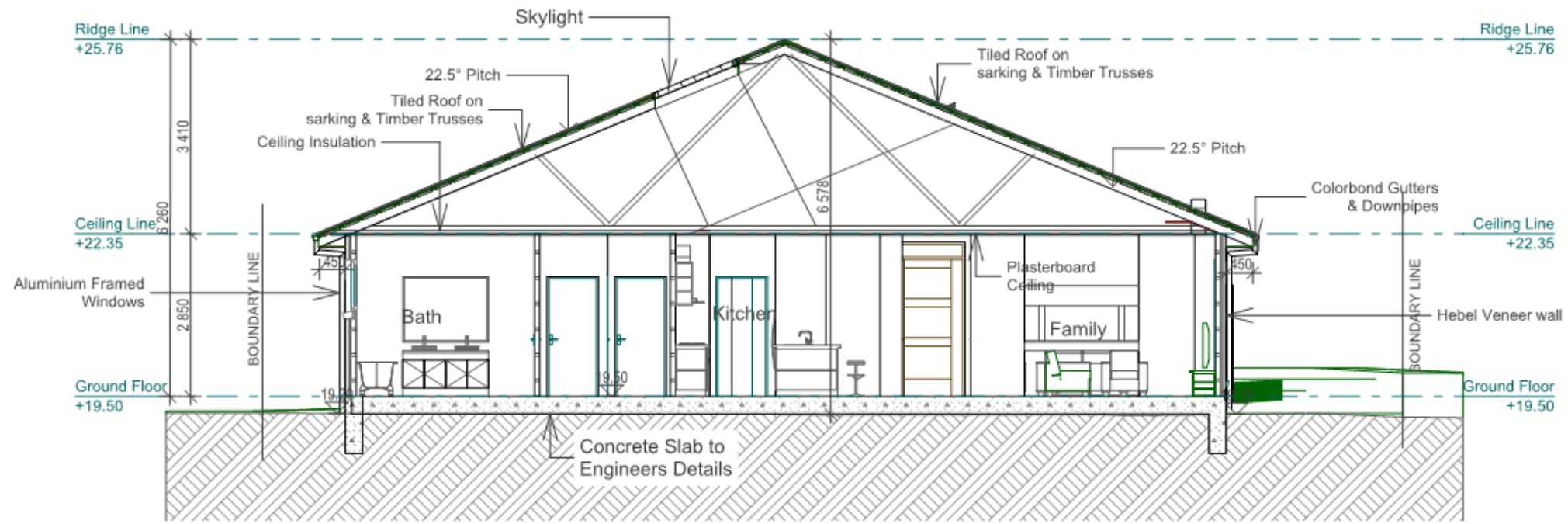


Designed C.D.G  
Drawn CDG

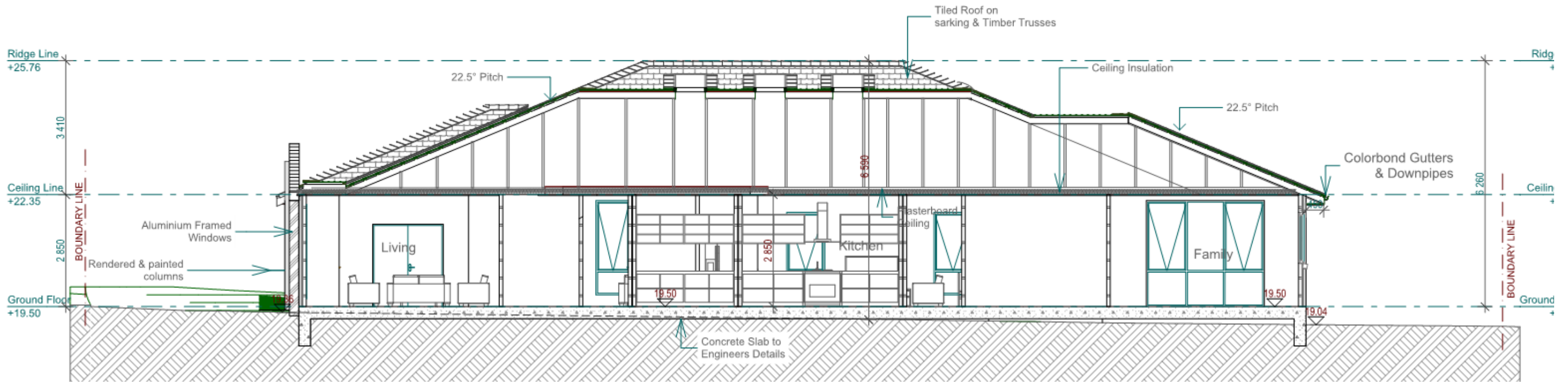
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Cadd File  
Lot 9057 Gleeson rise DA-8.ph

Title  
Elevations N & W

Dwg No.  
DA01



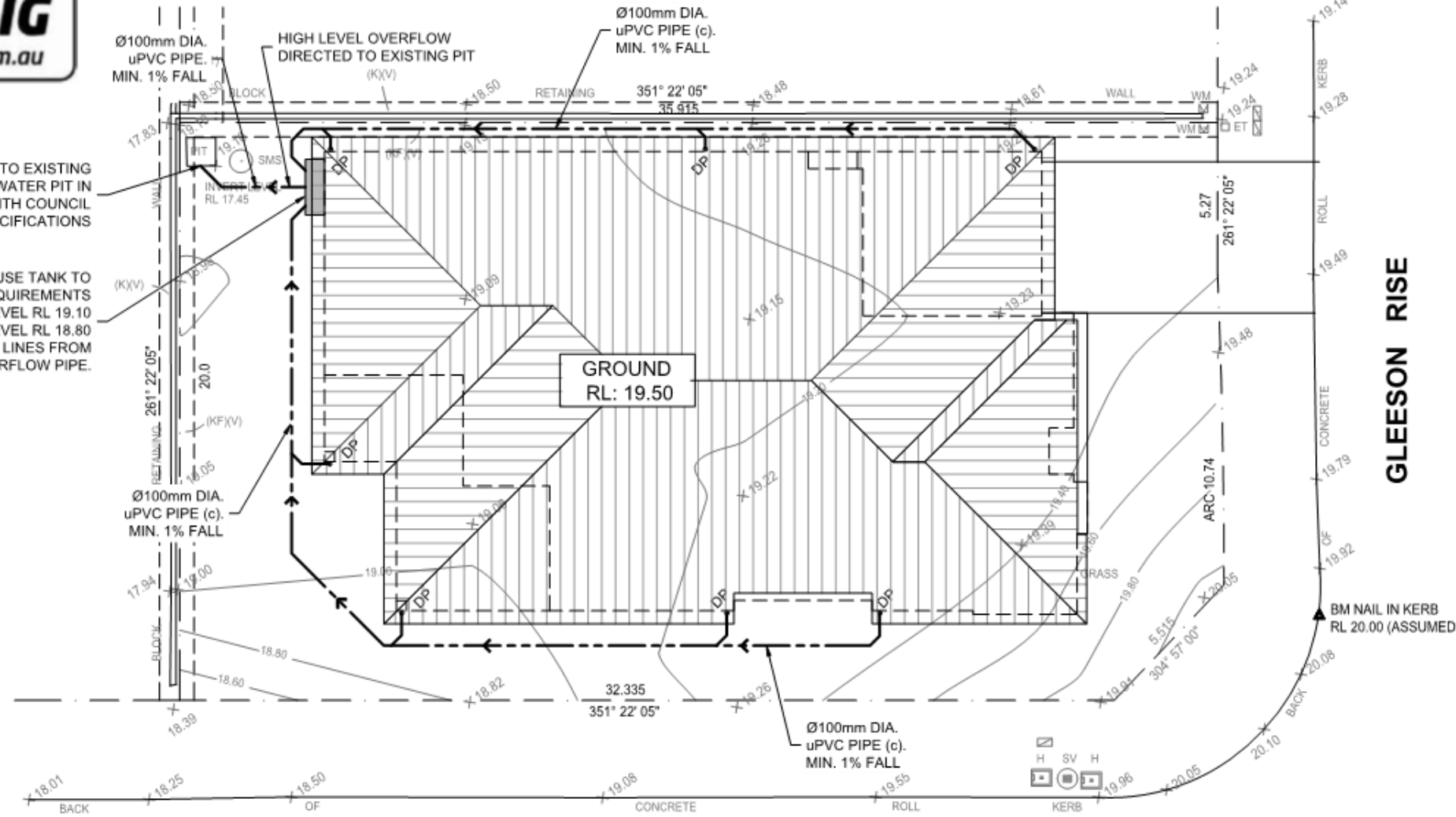
North Elevation  
1:100



Section B-B  
1:100

**Development Application Issue**

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		A. DEVELOPMENT APPLICATION ISSUE 22/01/22 B. AMENDMENTS AS PER COUNCIL LETTER DATED 9/5/22 21/05/22	Mr Aizad Malik	Single Storey Dwelling at Lot 6057 Gleeson rise, Catherine Field	CACTUS DESIGN & DRAFTING 16 Glenella Way.	C.D.G CDG	Check		



**GENERAL NOTE:**

1. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH OTHER CONSULTANTS DRAWINGS AND SPECIFICATIONS AND WITH OTHER SUCH WRITTEN INSTRUCTION AS MAY BE ISSUED DURING THE COURSE OF THE CONTRACT. ANY DISCREPANCY SHALL BE REFERRED TO THE ENGINEERS BEFORE PROCEEDING WITH THE WORK.
2. ALL DIMENSIONS ARE IN MILLIMETERS & ALL LEVELS ARE IN METERS, U.N.O. (UNLESS NOTED OTHERWISE).
3. NO DIMENSION SHALL BE OBTAINED BY SCALING THE DRAWINGS.
4. ALL LEVELS & SETTING OUT DIMENSIONS SHOWN ON THE DRAWINGS SHALL BE CHECKED ON SITE PRIOR TO THE COMMENCEMENT OF THE WORK.
5. DURING EXCAVATION WORK, THE STRUCTURE SHALL BE MAINTAINED IN A STABLE AND NO PART SHALL BE OVERSTRESSED.
6. ALL WORK IS TO BE UNDERTAKEN IN ACCORDANCE WITH THE DETAILS SHOWN ON THE DRAWINGS & SPECIFICATION.
7. EXISTING SERVICES WHERE SHOWN HAVE BEEN PLOTTED FROM SUPPLIED DATA AND SUCH THEIR ACCURACY CAN NOT BE GUARANTEED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ESTABLISH THE LEVEL OF ALL EXISTING SERVICE PRIOR TO THE COMMENCEMENT OF WORK.
8. ALL SERVICE TRENCHES UNDER VEHICULAR PAVEMENTS SHALL BE BACK FILLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL COUNCIL.
9. ALL TRENCH BACK FILL MATERIAL SHALL BE COMPACTED TO THE SAME DENSITY AS THE ADJACENT MATERIAL.
10. ON COMPLETION OF STORMWATER INSTALLATION, ALL DISTURBED AREAS MUST BE RESTORED TO ORIGINAL CONDITION, INCLUDING KERBS, FOOTPATHS, CONCRETE AREAS, GRAVEL AND GRASSED AREAS AND ROAD PAVEMENTS, UNLESS DIRECTED OTHERWISE.
11. CONTRACTOR TO OBTAIN ALL AUTHORITY APPROVALS UNLESS DIRECTED OTHERWISE.
12. EXISTING SERVICES LOCATIONS SHOWN INDICATIVE ONLY. IT IS THE CONTRACTORS RESPONSIBILITY TO LOCATE & LEVEL ALL EXISTING SERVICES PRIOR TO COMMENCEMENT OF ANY WORKS.
13. EXISTING SERVICES WHERE SHOWN HAVE BEEN PLOTTED FROM SUPPLIED DATA AND SUCH THEIR ACCURACY CAN NOT BE GUARANTEED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ESTABLISH THE LEVEL OF ALL EXISTING SERVICE PRIOR TO THE COMMENCEMENT OF WORK.
14. LOCATION OF DOWNPIPES AND FLOOR WASTES ARE INDICATIVE ONLY. DOWN PIPE AND FLOOR WASTE SIZE, LOCATION AND QUANTITY TO BE DETERMINED BY BUILDER & IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARD
15. ANY DISCREPANCIES OR OMISSIONS SHALL BE REFERRED TO THE DESIGN ENGINEER FOR RESOLUTION.
16. ALL PITS OR GRATES IN TRAFFICABLE AREAS TO BE HEAVY DUTY. ALL GRATES TO HAVE CHILD PROOF LOCKS
17. ALL GUTTERS WILL BE FITTED WITH LEAF GUARDS AND SHOULD BE INSPECTED AND CLEANED TO ENSURE LEAF LITTER CANNOT ENTER THE DOWNPIPES
18. ENSURE ALL DRAINAGE WORKS ARE AWAY FROM TREE ROOTS.

CONNECT OUTLET TO EXISTING STORMWATER PIT IN ACCORDANCE WITH COUNCIL SPECIFICATIONS

ABOVE GROUND RAINWATER RE-USE TANK TO BASIX REQUIREMENTS  
BASE LEVEL RL 19.10  
OVERFLOW PIPE INVERT LEVEL RL 18.80  
OPTIONAL: PROVIDE DRIP LINES FROM CHARGED PIPE INVERTS TO OVERFLOW PIPE.

**McEVoy STREET**

**STORMWATER DRAINAGE PLAN**

SCALE 1:200

LEGEND	
TK	TOP OF KERB
FFL	FINISHED FLOOR LEVEL
	PROPOSED BELOW GROUND STORMWATER PIPE
SIP	SURFACE INLET PIT
● IE	PVC SEWER GRADE INSPECTION EYE
(c)	CHARGED
MH	SEWER MANHOLE (EXISTING)
RWT	RAIN WATER TANK
	DOWN PIPE
	RAINWATER SPREADER

- NOTES:**
1. ALL WORK TO BE DONE TO THE SATISFACTION OF CAMDEN CITY COUNCIL.
  2. PROPOSED CONCRETE DRIVEWAY TO BE CONSTRUCTED IN ACCORDANCE WITH PLANS, SPECIFICATIONS, AND LEVEL ISSUED SEPARATELY BY COUNCIL.
  3. ALL PIPES TO BE MIN. 100mm DIA. UNLESS NOTED OTHERWISE (U.N.O.).
  4. ALL PIPES TO BE GRADE uPVC AT MIN. 1% U.N.O.
  5. THIS PLAN MUST BE READ IN CONJUNCTION WITH COUNCILS 'RAINWATER INSTALLATION GUIDE & SPECIFICATIONS'.
  6. ALL SURFACE WATERS TO BE DIRECTED TO STREET OR DRAINAGE PIT AND CONNECTED TO OVERFLOW AND EASEMENT/ STREET.

**DRAINAGE REQUIREMENTS:**

- D1. DRAINAGE WORKS TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CURRENT EDITIONS OF AS2870, AS/NZS 3500 PLUMBING & DRAINAGE, AS/NZS 2032 INSTALL OF PVC PIPES.
- D2. THE BASE OF TRENCHES SHALL BE SLOPED AWAY FROM THE BUILDING.
- D3. TRENCHES SHALL BE BACKFILLED WITH CLAY IN THE TOP 300mm WITHIN 1.5m OF THE BUILDING.
- D4. WHERE PIPES PASS UNDER THE FOOTINGS, THE TRENCH SHALL BE BACKFILLED FULL DEPTH WITH CLAY OR CONCRETE TO RESTRICT THE INGRESS OF WATER BENEATH THE FOOTING SYSTEM.
- D5. SUBSURFACE DRAINS TO REMOVE GROUNDWATER SHALL NOT BE USED WITHIN 1.5m OF THE BUILDING.
- D6. LAGGING SHALL BE USED AROUND ALL STORMWATER AND SANITARY PLUMBING DRAIN PIPE PENETRATIONS THROUGH FOOTINGS. CLASS H1 (20mm) & CLASS H2/E (40mm).
- D7. ALL STORMWATER AND SANITARY PLUMBING DRAINS ATTACHED TO OR EMERGING FROM UNDERNEATH BUILDINGS CONSTRUCTED ON HIGHLY REACTIVE CLAY SITES (H1, H2 & E) SHALL INCORPORATE FLEXIBLE JOINTS IMMEDIATELY OUTSIDE THE FOOTING/BUILDING PERIMETER TO ACCOMMODATE DIFFERENTIAL MOVEMENT.

**RAINWATER TANK INFORMATION**

1. RAINWATER TANK TO COLLECT RAIN RUNOFF FROM ROOF AREA AS PER BASIX REQUIREMENTS.
2. PROPOSED RAINWATER TANK SIZE AS PER BASIX REQUIREMENTS SUPPLIERS SPECIFICATIONS
3. RAINWATER TANKS SHALL BE CONNECTED TO MAINS WATER SUPPLY AS BACKUP.
4. PUMPS SHALL PROVIDE MINIMUM 150kPa PRESSURE.
5. RAINWATER TANK TO BE CONNECTED AS PER BASIX REQUIREMENTS.
6. A SIGN TO BE INSTALLED STATING "NOT FOR HUMAN CONSUMPTION".
7. TANKS TO BE PLUMBED TO TOP-UP FROM THE POTABLE WATER SUPPLY DURING DRY PERIODS WHEN TANKS ARE 80% EMPTY.
8. NO DIRECT CROSS-CONNECTION WITH THE SYDNEY WATER POTABLE SUPPLY AND AN AIR GAP MAINTAINED ABOVE THE OVERFLOW IN THE TANK.
9. ANY OPENINGS SHALL BE MESHED OR SEALED TO PREVENT MOSQUITOS BREEDING AND ENTRY OF ANIMALS OR FOREIGN MATTER.
10. RAINWATER TANKS TO BE CLEANED OUT EVERY 6 MONTHS.
11. ALL DOWNPIPES TO BE SEALED TO UNDERSIDE OF FIRST FLOOR GUTTER AS DRAINAGE SYSTEM IS CHARGED TO FACILITATE PROPOSED ABOVE GROUND REUSE TANK.
12. THIS SYSTEM TO BE DESIGNED WITH A 'FIRST FLUSH' DIVERSION TO REMOVE ROOF CONTAMINANTS.
13. REUSE WATER TO BE DIRECTED AS PER BASIX CERTIFICATE TO OUTDOOR TAPS AND/ OR TOILETS AND/ OR WAHING MACHINES.

REV	DESCRIPTION	DATE
C	RE-ISSUED FOR APPROVAL	05.08.22
B	ISSUED FOR APPROVAL	23.11.21
A	ISSUED FOR REVIEW	22.11.21

APPROVED BY:

Robert Corvaia  
BE (Civil) MIE Aust

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Mobile: 0411 864 076 Fax: (02) 9753 0112

<b>PROPOSED RESIDENCE</b>		TITLE: STORMWATER DRAINAGE PLAN	SHEET: 3 of 4
CLIENT: MR AIZAD MALIK	SCALE: 1:200 U.N.O.	DESIGNED BY: R.C.	DRAWN BY: H.L.
LOCATION: LOT 6057 GLEESON RISE, CATHFRINF FIFI D	JOB NUMBER: 26-1121-01-H	ISSUE: C	SHEET SIZE: A3



Sample Merbua garden bed edging

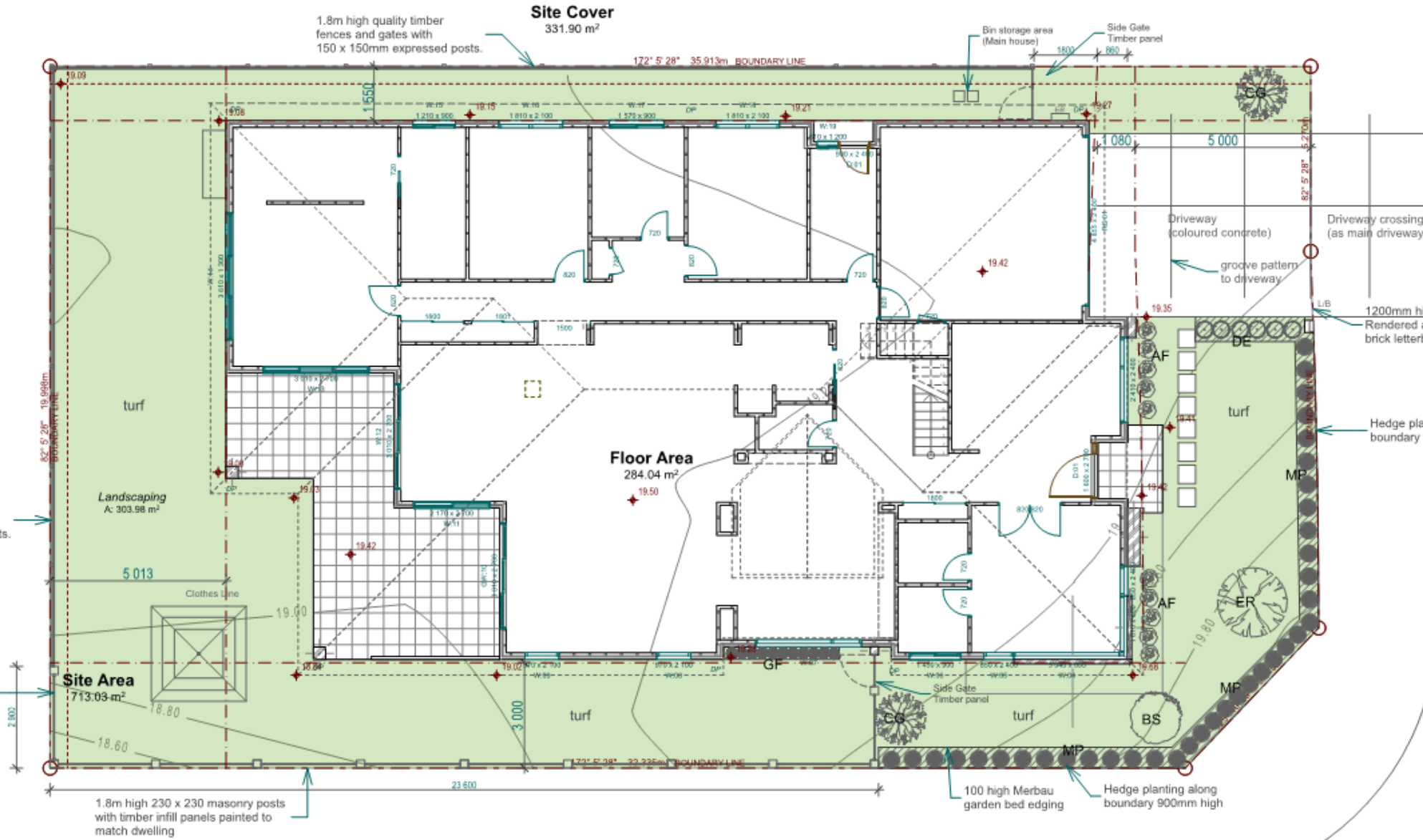


Sample Driveway pattern



Sample masonry posts with timber infill and timber gate.

GLEESON RISE



McEVOY ST

NAME	COMMON NAME	KEY	QTY	POT SIZE	EST HT X SP @ MAT
Ceratopetalum gummiferum	NSW Christmas bush	CG	2	45L	3m x 2m
Elaeocarpus reticulatus	Blueberry Ash	ER	1	45L	3m x 2m
Banksia Serrata	Old Man Banksia	BS	1	75L	3m x 2m
Gardenia florida	Gardenia	GF	11	5L	1m x 1m
Doryanthes exelsa	Gymea Lilly	DE	6	5L	2m x 1m
Murraya paniculata	Orange Jasmine	MP	38	5L	1m x 0.9m
Anigozanthos flavidus	Bush Pearl	AF	10	5L	0.5m x 0.5m

**LEGEND**

- EXISTING CONTOURS
- PROPOSED FINISHED LEVELS
- PROPOSED LEVEL TOP OF WALL
- PROPOSED STORM WATER PITS
- PROPOSED SUBSOIL DRAINAGE LINES
- NEW TREES/SHRUBS
- EXISTING TREES/SHRUBS TO BE REMOVED
- SELECTED PAVING / STENCIL CONCRETE
- CLOTHES LINE
- PROPOSED TURF AREAS
- BRICK EDGING TO MASS PLANT AREAS
- STEPPING STONES
- PEBBLE MULCH
- COLOURED CONCRETE

**Development Application Issue**

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		A. DEVELOPMENT APPLICATION ISSUE 22/01/22	Mr Aizad Malik	Single Storey Dwelling at Lot 6057 Gleeson rise, Catherine Field	CACTUS DESIGN & DRAFTING 16 Glenella Way.	C.D.G	Lot 6057 Gleeson rise DA-5.pln	Landscape Plan	LS01

**Attachment 6**

**CLPP03**



Lot 6057 Gleeson Rise, Catherine Field

### 1. Colour Schedule



- 1. Main External wall  
Dulux 'Beige Royal Quarter'



- 2. Rendered wall  
Dulux 'Taihape'



- 3. Feature rendered column  
Dulux - Western Myall



- 4. Feature tiled wall  
Beige tiles



- 5. Feature Timber wall  
Timber panel



- 6. Fascia, gutters & downpipes  
Colorbond 'Monument'



- 7. Window frames  
Colorbond 'Jasper'

- 8. Garage door  
Colorbond 'White'

CLPP03

Attachment 6



Lot 6057 Gleeson Rise, Catherine Field

CLPP03



9. Roof tiles  
Monier – Atura 'Saltspray'



10. Fence render  
Dulux 'Beige Royal Quarter'



11. Colorbond fencing  
Colorbond 'Woodland grey'



12. Driveway  
Exposed Aggregate

Attachment 6

 70 Central Ave,  
Oran Park NSW 2570

 [mail@camden.nsw.gov.au](mailto:mail@camden.nsw.gov.au)

 PO Box 183, Camden 2570

 [camden.nsw.gov.au](http://camden.nsw.gov.au)

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