

Business Paper

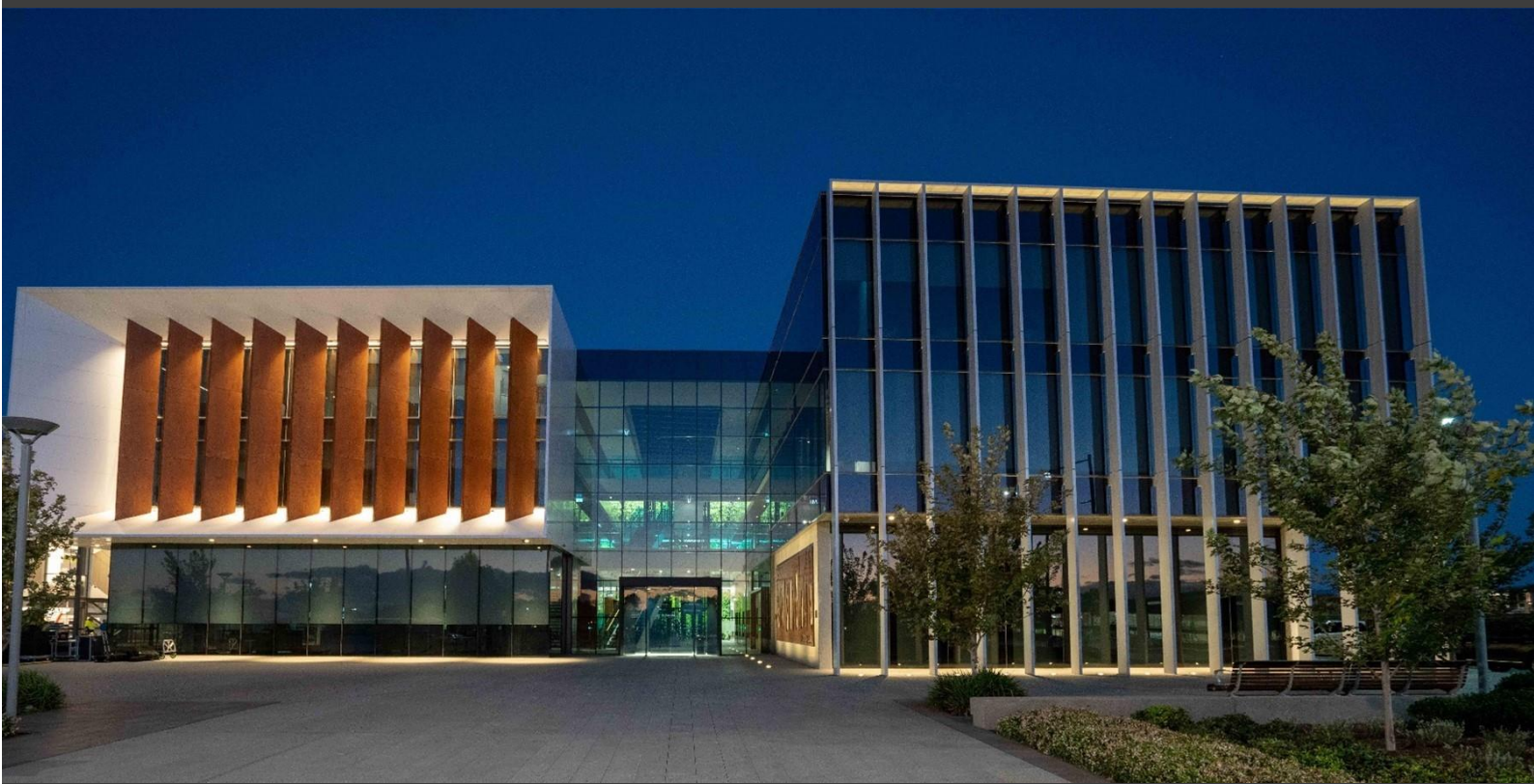
Camden Local Planning Panel

Camden Council

Administration Centre

70 Central Avenue, Oran Park

18 April 2023



camden
council

ORDER OF BUSINESS

Acknowledgement of Country	7
Recording of Local Planning Panel Meetings	8
Declaration of Interest.....	9
CLPP01 DA/2022/842/1 - Installation Of A Telecommunications Facility, Consisting Of A 25 Metre Monopole, Antennas, Outdoor Equipment Cabinets And Ancillary Equipment - 300 Macquarie Grove Road, Kirkham	10
Attachment 1: Telecommunications Facilities Guideline Assessment Table:	25
Attachment 2: Camden LEP Assessment Table:	30
Attachment 3: Camden DCP Assessment Table:	32
Attachment 6: Clause 4.6 Written Request:	33
Attachment 7: Architectural Plans:	41
CLPP02 DA/2022/959/1 - Construction Of A Two Storey Office Premises - 1-3 View Street, CAMDEN	45
Attachment 1: Recommended Conditions:	62
Attachment 2: Industry and Employment SEPP Assessment Table:	80
Attachment 3: Camden LEP Assessment Table:	83
Attachment 4: Camden DCP Assessment Table:	86
Attachment 7: Clause 4.6 Written Request:	96
Attachment 8: Architectural Plans:	105
CLPP03 DA/2022/925/1 - Construction Of A Single Storey Secondary Dwelling Above Existing Detached Garage - 216 Mount Annan Drive, Mount Annan	129
Attachment 1: Recommended Conditions:	141
Attachment 2: Camden LEP Assessment Table:	148
Attachment 3: Camden DCP Assessment Table:	150
Attachment 4: Clause 4.6 Written Request:	153
Attachment 5: Architectural Plans:	167
CLPP04 DA/2012/195/2 - Modification Of Approved Church Hall Alterations And Extensions - 6 Menangle Road, Camden.....	173
Attachment 3: Camden Local Environmental Plan 2010 assessment table:	211
Attachment 4: Camden Development Control Plan 2019 assessment table:	214
Attachment 5: State Environmental Planning Policy (Industry and Employment) 2021 assessment table:	222

Attachment 6: Conservation Management Plan and Addendum
assessment table: 225

Attachment 7: Existing conditions: 229

Attachment 8: Modified conditions: 246

Attachment 9: Approved plans: 259

Attachment 10: Proposed plans: 268

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the traditional custodians of this land on which we meet and pay our respect to elders both past and present.

SUBJECT: RECORDING OF LOCAL PLANNING PANEL MEETINGS

In accordance with Camden's Local Planning Panel Operational Procedures, this meeting is being audio recorded by Council staff for publication on Council's website.

No other recording by a video camera, still camera or any other electronic device capable of recording speech, moving images or still images is permitted without the prior approval of the panel.

SUBJECT: DECLARATION OF INTEREST

This section provides an opportunity for Panel Members to disclose any interest that they may have relating to a Report contained in this Agenda.

CLPP01

SUBJECT: DA/2022/842/1 - INSTALLATION OF A TELECOMMUNICATIONS FACILITY, CONSISTING OF A 25 METRE MONOPOLE, ANTENNAS, OUTDOOR EQUIPMENT CABINETS AND ANCILLARY EQUIPMENT - 300 MACQUARIE GROVE ROAD, KIRKHAM

FROM: Manager Statutory Planning

EDMS #: 23/113500

DA Number:	2022/842/1
Development:	Installation of a telecommunications facility, consisting of a 25 metre monopole, antennas, outdoor equipment cabinets and ancillary equipment
Estimated Cost of Development:	\$424,600
Site Address(es):	300 Macquarie Grove Road, KIRKHAM LOT 102 DP 1008458
Applicant:	Axicom Pty Ltd
Owner(s):	Camden Council
Number of Submissions:	Six submissions
Development Standard Contravention(s):	Clause 4.3 – Height of Buildings – Camden Local Environmental Plan 2010.
Classification:	Local
Recommendation:	Refuse
Panel Referral Criteria:	The site is owned by Camden Council and the application proposes departure from a development standard greater than 10%.
Report Prepared By:	Nicholas Clarke – Senior Town Planner

PURPOSE OF REPORT

The purpose of this report is to seek the Camden Local Planning Panel’s (the Panel’s) determination of a development application (DA) for the installation of a telecommunications facility, consisting of a 25 metre monopole, antennas, outdoor equipment cabinets and ancillary equipment at 300 Macquarie Grove Road, Kirkham.

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 land is owned by Camden Council and the development application proposes a contravention to the height of buildings development standard greater than 10%.

SUMMARY OF RECOMMENDATION

That the Panel determine DA/2022/842/1 for the installation of a telecommunications facility, consisting of a 25 metre monopole, antennas, outdoor equipment cabinets and ancillary equipment at John Oxley Reserve - 300 Macquarie Grove Road, Kirkham

pursuant to Section 4.16(1)(b) of the *Environmental Planning and Assessment Act, 1979*, by refusal for the reasons listed at the end of this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the installation of a telecommunications facility, consisting of a 25 metre monopole, antennas, outdoor equipment cabinets and ancillary equipment at John Oxley Reserve - 300 Macquarie Grove Road, Kirkham.

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 10 October 2022 to 24 October 2022. During the exhibition period, Council received six objections.

The issues raised in the submissions relate to:

- Potential adverse health impacts on adjoining residents and park users.
- Impact on the operations of the Camden Airport.
- Inappropriate location being close to dwellings and within a public reserve.
- Visual impact due to location on the ridgeline and being within John Oxley Reserve which has had recent revegetation and regeneration works.
- Potential to devalue nearby properties.
- Excessive height.
- Alternative sites.
- Lack of information regarding structure.
- Accuracy of measurements provided on elevation plan.
- Fourteen-day public notification period not sufficient to consider health impacts and view documents.

The matters raised in the submissions are discussed in further detail within this report.

The development seeks to contravene the height of buildings development standard prescribed under Clause 4.3 of Camden Local Environmental Plan 2010 (CLEP 2010) and the applicant has submitted a Clause 4.6 written request seeking to justify the contravention. The contravention is assessed in detail within this report.

Pursuant to Clause 7.2(2) of CLEP 2010, the Development Application was referred to Sydney Metro Airports as the proposed monopole and associated headframe will penetrate the Obstacle Limitation Surface (OLS). Aeria Management Group (formerly Sydney Metro Airports) and the Civil Aviation Safety Authority (CASA) have reviewed the proposal and advise that the proposed tower will likely infringe on the approach surface for runway 24 and the take-off surface for runway 06 of Camden Airport, and as such, would have an unacceptable impact on the safety of existing and future air transport operations at Camden Airport.

Based on the objection to the development from Aeria Management Group and CASA, pursuant to Clause 7.2(5) and 7.2(6) of CLEP 2010, the consent authority must not grant consent to the development.

It is recommended that the DA be refused for the reasons listed at the end of this report.

KEY PLANNING CONTROL VARIATIONS

Control	Proposed	Variation
4.3 Height of buildings 9.5m maximum height of buildings development standard.	28.5m maximum building height.	19m (200%)

AERIAL PHOTO

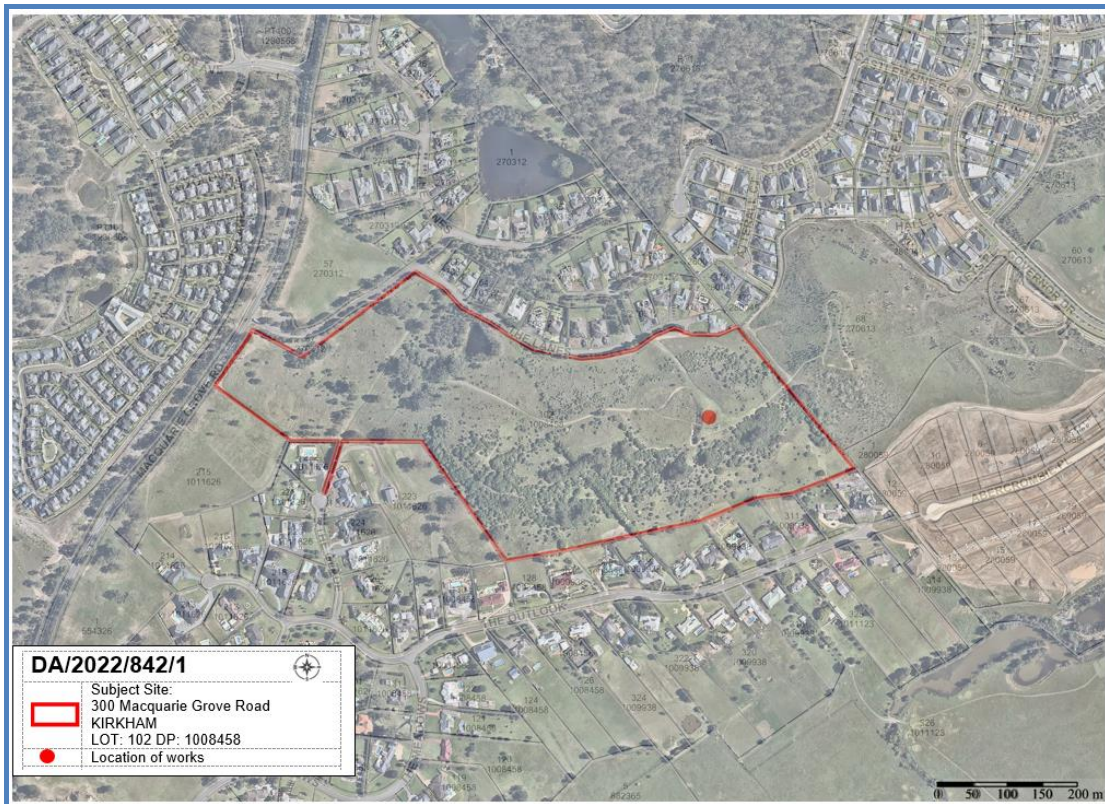


Figure 1: Aerial Photo

THE SITE

The subject site is commonly known as John Oxley Reserve at 300 Macquarie Grove Road, Kirkham and is legally described as Lot 102 in Deposited Plan 1008458.

The site is a large irregular shaped lot with an area of 19.52ha, measuring approximately 930m x 300m at its greatest extent. The site adjoins The Lanes to the north, The Outlook and The Glade to the south and Macquarie Grove Road to the west. Adjoining the site to the east is Council owned land that forms an extension of John Oxley Reserve.

Surrounding development to the north, south and west consists of low-density residential housing consisting of large lots containing single and two storey residential dwellings and public open space to the east.

ZONING PLAN

CLPP01

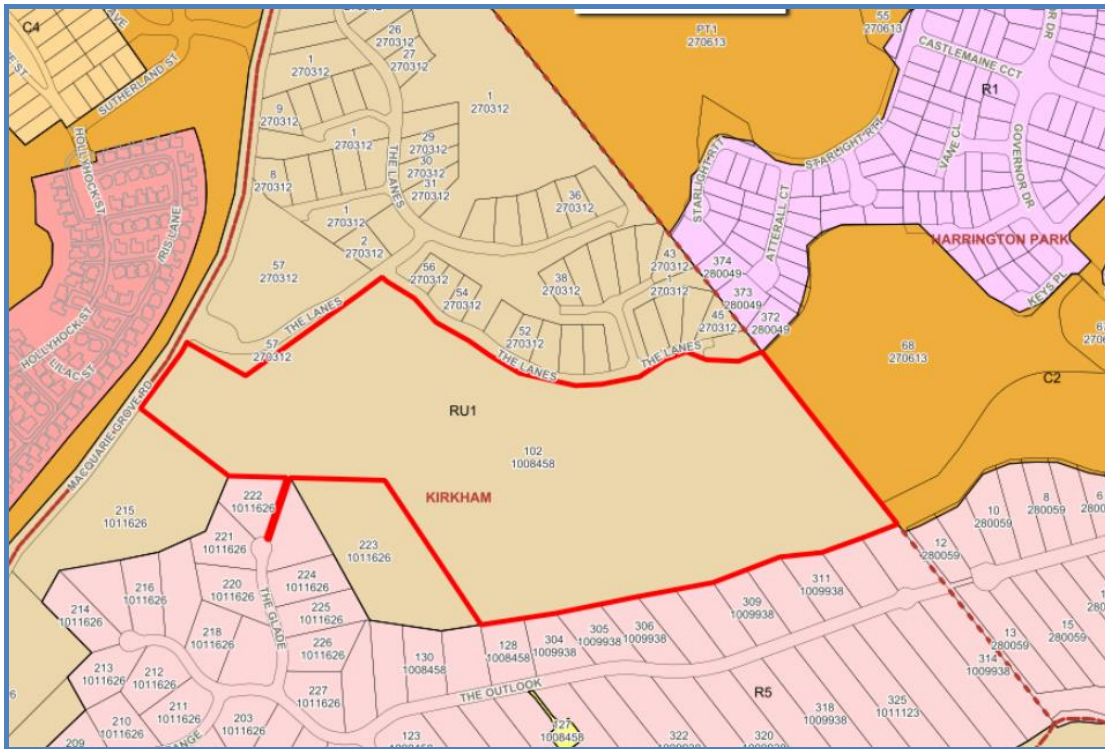


Figure 2: Zoning Map

HISTORY

There is no relevant development history for this site.

THE PROPOSAL

DA/2022/842/1 seeks approval for the installation of a telecommunications facility, consisting of a 25 metre monopole, antennas, outdoor equipment cabinets and ancillary equipment.

Specifically, the development involves:

- Construction of a new 25m monopole and installation of a new square headframe.
- The installation of 15 new panel antennas at the following centreline heights:
 - Six new panel antennas at a centreline height of 28.5m;
 - Three new panel antennas at a centreline height of 27.3m;
 - Three new panel antennas at a centreline height of 27m;
 - Three new panel antennas at a centreline height of 26.3.
- The installation of 25 new remote radio units (RRUs) mounted on the proposed headframe.
- The installation of a 6-bay outdoor cabinet on a new concrete slab foundation within the proposed Axicom compound.
- Vegetation removal to establish a 10m bushfire asset protection zone (APZ).
- The installation of ancillary equipment including a group meter panel, submains, elevated cable tray, cabling, antenna mounts, GPS antenna and security fencing with 3m wide double access gate.

- The monopole and associated equipment will be finished in pale grey, with the outdoor cabinets to be either beige or pale green in colour.

The estimated cost of the development is \$424,600.

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 (Resilience and Hazards) 2021.
- State Environmental Planning Policy (Biodiversity and Conservation) 2021.
- State Environmental Planning Policy (Transport and Infrastructure) 2021.
- Camden Local Environmental Plan 2010.

State Environmental Planning Policy (Resilience and Hazards) 2021

The SEPP requires the consent authority to be satisfied that the site is suitable for its intended use (in terms of contamination) prior to granting consent. The site is not identified as an area of environmental concern. The proposal was considered by Council's Specialist Environmental Health Officer who concurs that the site is suitable for the proposed development. As such, the consent authority can be satisfied that the site is suitable for the proposed development.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The Biodiversity and Conservation SEPP aims to protect the environment of the Hawkesbury-Nepean River system by ensuring impacts of future land uses are considered in a regional context. Council staff are satisfied there will be no detrimental impact on the Hawkesbury-Nepean River system as a result of the development.

Adequate measures to mitigate environmental harm and manage erosion, sediment and water pollution can be imposed via conditions of consent should the application be approved.

State Environmental Planning Policy (Transport and Infrastructure) 2021.

Division 21 Telecommunications and other communication facilities

As the proposed development is not being undertaken by a public authority, development consent for the development is required to be obtained. Subject to Section 2.143(1) of the SEPP, development for the purposes of a telecommunications facility may be carried out by any person with consent on any land.

Pursuant to Section 2.143(2) of the SEPP, the consent authority must take into consideration the Department of Planning and Environment's publication, NSW

Telecommunications Facilities Guideline, including Broadband. Consideration of this guideline is provided within a table provided as an attachment to this report.

The development is considered to be inconsistent with *Principle 4: Minimise disturbance and risk, and maximise compliance* (a) as the proposed structure penetrates the OLS for Camden Airport and fails to ensure the siting and height of a telecommunications facility complies with the Commonwealth Civil Aviation Regulations 1998 and Airports (Protection of Airspace) Regulations 1996.

Camden Local Environmental Plan 2010 (Camden LEP)

Camden LEP aims to make local environmental planning provisions for land in Camden in accordance with the relevant standard environmental planning instrument under Section 3.20 of the *Environmental Planning and Assessment Act, 1979*.

Site Zoning

The site is zoned RU1 Primary Production pursuant to Clause 2.2 of CLEP 2010.

Land Use/Development Definitions

The development is characterised as a *'telecommunications facility'* by CLEP 2010.

Permissibility

The development is permitted with consent in the RU1 Primary Production zone pursuant to Clause 2.3 and the land use table of CLEP 2010.

Planning Controls

An assessment table in which the development is considered against CLEP 2010 planning controls is provided as an attachment to this report.

Proposed Contravention

The applicant proposes a contravention to Clause 4.3 Height of buildings development standard that applies to the site. The development standard limits buildings to a maximum height of 9.5 metres.

The development will have a maximum height of 28.5 metres measured to the top of the headframe attached to the monopole, which exceeds the development standard by 19m, representing a 200% variation. It is recognised that an existing 18m high monopole is located in the vicinity of the proposed new monopole.

The extent of the contravention is illustrated in the proposed plans, with an extract of the plans shown in the below figure.

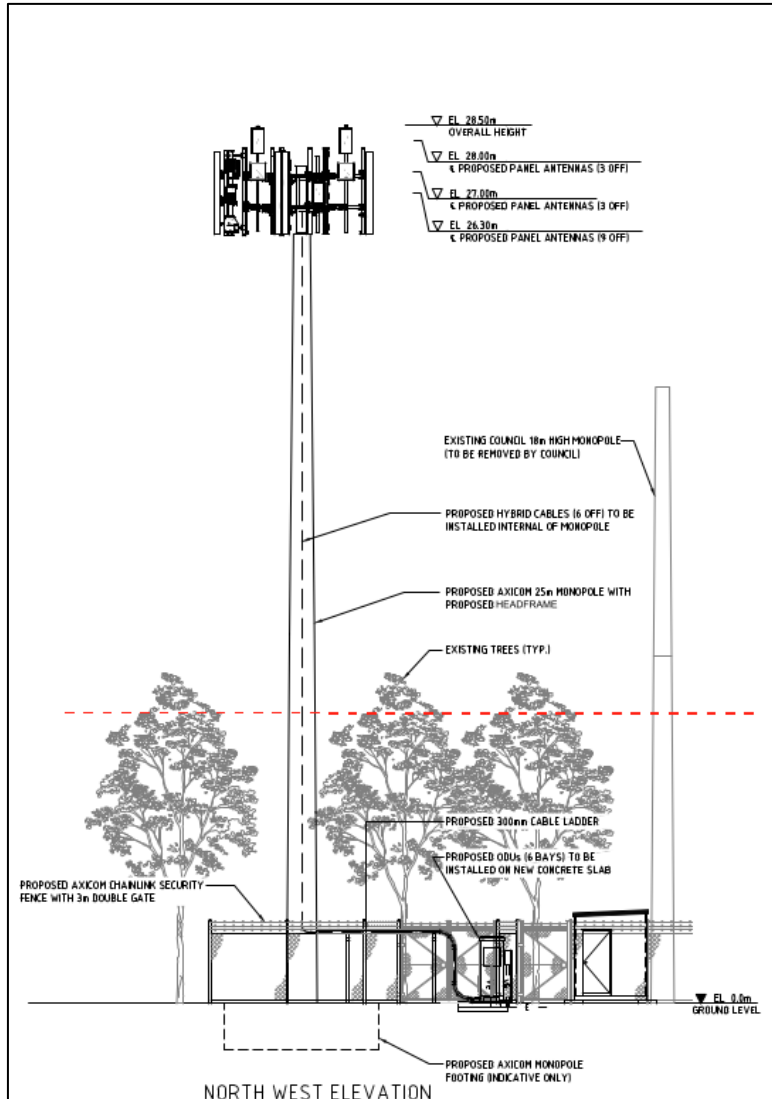


Figure 3: Extract of the elevations from the proposed plans. The dashed red line shows the 9.5 metre height of building limit.

Contravention Assessment

Pursuant to Clause 4.6(3) of CLEP 2010, the applicant has requested that the height of buildings development standard be varied. The written request has provided the following reasons seeking to justify that the development standard is unreasonable and unnecessary (each point is expanded upon in the applicant’s Clause 4.6 request).

- *There is an established community need for the improved mobile coverage in this location.*
- *There is a technical requirement for telecommunications facilities to protrude above the surrounding environment to function correctly.*
- *The majority of candidates considered for a new tower in this area are subject to a 9.5m or similar height restriction.*
- *Protrusion above the height limit is unavoidable in this location.*

The applicant has also outlined the following key environmental planning grounds particular to the proposed development and site context:

- *A taller structure will not result in an adverse planning outcome.*
- *The facility cannot function at a lower height and strict compliance with the standard would render the project unfeasible. There are precedents for telecommunications facilities to exceed the height limit.*
- *The site is well separated from community sensitive development as far as practical and is located on a ridge line next to existing communications infrastructure.*
- *The proposal will have minimal environmental impact. It will not require significant ground works, and will only require removal of two trees, scrub vegetation and regrowth along the existing access track.*
- *The proposal retains significant merit from a public benefit perspective and warrants approval.*

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

While the proposal departs from Council's building height control by a maximum 19m, representing a variation of 200%, the environmental planning grounds put forward by the applicant are considered supportable. It is considered that compliance with the building height development standard would be unreasonable and unnecessary in this instance, as Council staff are satisfied that:

- the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3) of CLEP 2010, and
- the 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 zones in which the development is proposed to be carried out.

The development standard contravention is supported for the following reasons:

- The facility will improve the capacity of Vodafone and Optus' networks in the area, relieving congestion on existing base stations in the surrounding districts. This will result in more reliable network coverage for residents and businesses, as well as emergency services.
- A 25m monopole is required at this location, based on the area the site must cover.
- The bulk and scale of the proposed development will not have an adverse impact on this area as it is sited within a large RU1 - Primary Production zoned allotment.
- Council, in partnership with Greening Australia, are currently planting trees on the lot as a future green buffer and recreation area, offsetting the facility's visual impact as the vegetation matures.
- The contravention of the maximum height of buildings development standard does not cause unacceptable privacy or overshadowing impacts for residents of surrounding properties.
- The development will be in the public interest because it is consistent with the objectives of the Clause 4.3 Height of Buildings development standard, as demonstrated below:

a) To ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality.

No issue is raised to height, bulk, scale or desired future character of the locality as the proposal is for a telecommunication facility and associated structures.

b) To minimize the visual impact, disruption of views, loss of privacy and loss of privacy and loss of solar access to existing development.

The telecommunication facility as proposed will have minimal visual impact or disruption of views and has no impact on privacy or solar access to existing residential development.

c) To minimize the adverse impact of development on heritage conservation areas and heritage items.

No issue is raised as the site is not located in the vicinity of any heritage conservation area.

- The development will be in the public interest because it is consistent with the objectives within the *RU1 Primary Production* zone in which the development is proposed to be carried out, as demonstrated below:
 - *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*

No issue is raised as the proposed telecommunication facility and associated structures do not impact upon primary industry production.

○ *To encourage diversity in primary industry enterprises and systems appropriate for the area.*

The proposed telecommunication facility and associated structures will support primary industry enterprises and systems by providing improved communication services throughout the area.

○ *To minimize the fragmentation and alienation of resource lands.*

The proposed telecommunication facility and associated structures will have minimal impact on the existing lot and will not result in fragmentation or alienation of the subject site.

○ *To minimize conflict between land uses within this zone and land uses within adjoining zones.*

The proposed telecommunication facility and associated structures will not result in a use of the site that will conflict with the residential uses of adjoining land.

○ *To permit non-agricultural uses (including tourism-related uses) that are compatible with the agriculture, environmental and conservation values of the land.*

The proposed telecommunication facility and associated structures are compatible with agricultural, environmental and conservation values by providing improved communication services throughout the area.

- *To maintain the rural landscape character of the land.*

The proposed footprint of the telecommunication facility and associated structures will not adversely impact on the rural landscape character of the land.

Based on the above, it is considered that compliance with the development standard is unreasonable and unnecessary in the circumstances of this case and there are sufficient environmental planning grounds to justify contravening the development standard in this instance.

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

7.2 Airspace operations

The development will penetrate an identified Obstacle Limitation Surface (OLS), requiring consultation with the relevant Commonwealth body, being Aeria Management Group (formerly Sydney Metro Airports) and Civil Aviation Safety Authority (CASA).

Comment was provided advising the proposed tower will likely infringe on the approach surface and take-off surface of Camden Airport, having an unacceptable impact on the safety of existing and future air transport operations at Camden Airport.

Therefore, pursuant to Clause 7.2(5) and 7.2(6), Council is unable to grant development consent as the development will penetrate the OLS and result in unacceptable impacts on the operation of the airport.

- (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 it is compliant with State Environmental Planning Policy (Resilience and Hazards) 2021.

- (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.

- (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 can be addressed via conditions should the application be approved.

(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

Safety impact

The proposed monopole and associated headframe will penetrate the OLS.

As such, pursuant to Clause 7.2(2) of CLEP 2010, the Development Application was referred to Sydney Metro Airports. Aeria Management Group (formerly Sydney Metro Airports) and the Civil Aviation Safety Authority (CASA) have reviewed the proposal and advise that the proposed tower will likely infringe on the approach surface for runway 24 and the take-off surface for runway 06 of Camden Airport. Based on the objection to the development from Aeria Management Group and CASA, pursuant to Clause 7.2(5) and 7.2(6) of CLEP 2010, the consent authority must not grant consent to the development.

Furthermore, pursuant to Division 21 Telecommunications and other communication facilities, Section 2.143(2) of the State Environmental Planning Policy (Transport and Infrastructure) 2021, the consent authority must take into consideration the Department of Planning and Environment's publication, NSW Telecommunications Facilities Guideline, including Broadband.

The development is considered to be inconsistent with *Principle 4: Minimise disturbance and risk and maximise compliance* (a) within the Guideline as the proposed structure penetrates the OLS for Camden airport and fails to ensure the siting and height of a telecommunications facility complies with the Commonwealth Civil Aviation Regulations 1998 and Airports (Protection of Airspace) Regulations 1996.

Based on the assessment, it is recommended that the DA be refused, as the proposal would have an unacceptable impact on the safety of existing and future air transport operations at Camden Airport.

(c) the suitability of the site for the development

As demonstrated by the above assessment, the site is considered unsuitable 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 10 October 2022 to 24 October 2022. During the exhibition period, Council received six objections.

The issues raised in the submissions relate to:

- Potential adverse health impacts on adjoining residents and park users.
- Impact on the operations of the Camden Airport.
- Inappropriate location being close to dwellings and within a public reserve.
- Visual impact due to location on the ridgeline and being within John Oxley Reserve which has had recent revegetation and regeneration works.
- Potential to devalue nearby properties.
- Excessive height.
- Alternative sites.
- Lack of information regarding structure.
- Accuracy of measurements provided on elevation plan.
- Fourteen-day public notification period not sufficient to consider health impacts and view documents.

The following discussion addresses the issues raised in the submissions.

1. *Potential adverse health impacts on adjoining residents and park users.*

Officer comment:

The development application has been supported by an Environmental EME Report to assess the levels of radiofrequency (RF) electromagnetic energy (EME) around the proposed wireless base station. The submitted report has been reviewed by Council's Specialist Environmental Health Officer who advises that the maximum calculated EME level (6.29% out of 100% of the public exposure limit) is well below the public exposure limit. As such, the proposed development is not considered to result in potential adverse health impacts to nearby residents or upon users of John Oxley Reserve.

2. *Impact on the operations of the Camden Airport.*

Officer comment:

As pointed out in the main body of the report, Aeria Management Group (formerly Sydney Metro Airports) and the Civil Aviation Safety Authority (CASA) have advised that the proposed tower would have an unacceptable impact on the safety of existing and future air transport operations at Camden Airport.

3. *Inappropriate location being close to dwellings and within a public reserve.*

Officer comment:

Pursuant to Clause 2.143(1) *Development permitted with consent* of the State Environmental Planning Policy (Transport and Infrastructure) 2021, development for the purposes of telecommunications facilities may be carried out by any person with consent on any land.

Council has taken into consideration the Department of Planning and Environment's publication, *NSW Telecommunications Facilities Guideline, including Broadband* concerning site selection, design, construction or operating principles for telecommunications facilities, and raises no objection to the proposed siting within John Oxley Reserve.

4. *Visual impact due to location on the ridgeline and being within John Oxley Reserve which has had recent revegetation and regeneration works.*

Officer comment:

As pointed out above, no objection is raised with the siting of the proposed telecommunication facility within John Oxley Reserve. The proposal has been reviewed by Council's Natural Resources Officer who advised the proposed works have no impact on Council's and Greening Australia's current and future planted zones.

5. *Potential to devalue nearby properties.*

Officer comment:

No evidence had been submitted to support this claim and regardless this is not a valid matter for consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979.

6. *Excessive Height.*

Officer comment:

The issue of height has been addressed in the main body of the report and the Applicants Clause 4.6 written request is considered to be well founded. Notwithstanding the application is recommended for refusal given the potential safety impacts the structure will have on the operation of Camden Airport.

7. *Alternative sites with less impact on the community.*

Officer comment:

It is noted that the applicant has submitted a list of potential sites that were considered for the proposed telecommunication facility and associated structures. The subject site was selected as the preferred location as it was able to adequately meet the coverage objectives for both Vodafone and Optus; already hosts existing communications infrastructure; is reasonably separated from sensitive land uses; and did not require significant vegetation removal.

8. *Lack of information regarding structure.*

Officer comment:

The Statement of Environmental Effects lodged with the application documents that the new monopole and associated headframe and panel antennas will support Vodafone and Optus telecommunications equipment. The purpose of the new facility is to improve Vodafone and Optus 3G and 4G mobile and data services and establish 5G services in Kirkham and surrounding areas. Sufficient information was submitted to allow a full and proper assessment of the application.

9. *Accuracy of measurements provided on elevation plan*

Officer Comment

The submitted elevation plan of the proposed monopole scales correctly, with the monopole proposing a height of 28.5 metres. However, the existing 18m high

monopole, which is not subject to the application, but which is indicated in the elevation plans scales to a height of 20 metres.

10. *Fourteen-day public notification period not sufficient to consider health impacts and view documents.*

Officer Comment

The DA was notified in accordance with the requirements of the Camden Community Participation Plan 2021.

(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, and given the potential impacts on the operation of Camden Airport, the development is not considered to be in the public interest.

EXTERNAL REFERRALS

External Referral	Response
Sydney Metro Airports	Objection to the development given it would have an unacceptable impact on the safety of existing and future air transport operations at Camden Airport.

Based on the objection to the development from Aeria Management Group (formerly Sydney Metro Airports) and CASA, pursuant to Clause 7.2(5) and 7.2(6) of CLEP 2010, the consent authority must not grant consent to the 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 refusal for the reasons outlined at the end of this report.

RECOMMENDED

That the Panel refuse DA/2022/842/1 for installation of a telecommunications facility, consisting of a 25 metre monopole, antennas, outdoor equipment cabinets and ancillary equipment at John Oxley Reserve (300 Macquarie Grove Road, Kirkham) for the following reasons:

1. **The proposed development is inconsistent with the Department of Planning and Environment’s publication, NSW Telecommunications Facilities Guideline, including Broadband, Principle 4: Minimise disturbance and risk, and maximise compliance (a), as the proposed telecommunications facility is located within the Obstacle Limitation Surface.**

2. The proposed development penetrates the Obstacle Limitation Surface and will impact on the approach surface for runway 24 and the take-off surface for runway 06 of Camden Airport. As such, the proposal would have an unacceptable impact on the safety of existing and future air transport operations at Camden Airport.
3. Based on the information submitted with the application, the site is considered unsuitable for the proposed development.
4. Given the potential safety impacts on the operation of Camden Airport, approval of the application would not be in the public interest.

ATTACHMENTS

1. Telecommunications Facilities Guideline Assessment Table
2. Camden LEP Assessment Table
3. Camden DCP Assessment Table
4. Combined Public Submissions - *Supporting Document*
5. Public Submission Map - *Supporting Document*
6. Clause 4.6 Written Request
7. Architectural Plans

NSW Telecommunications Facilities Guideline, Including Broadband Table

Principle	Assessment	Compliance?
Principle 1: Design and site telecommunications facilities to minimize visual impact		
a) As far as practical, integrate a telecommunications facility that is mounted on an existing building or structure with the design and appearance of the building or structure.	a) No existing buildings of a required design height exist to mount the proposed new infrastructure. However, the proposed monopole is located adjacent to an existing 18m monopole.	Yes
b) Minimise the visual impact of telecommunications facilities, reduce visual clutter (particularly) on tops of buildings_ and ensure physical dimensions (including support mounts) are sympathetic to the scale and height of the building to which it is to be attached and to adjacent buildings.	b) Proposed facilities are a standalone structure on a ridgeline and are not attached or adjacent to existing buildings.	Yes
c) If a telecommunications facility protrudes from a building or structure and is predominantly seen against the sky, either match the prevailing colour of the host building or structure or use a neutral colour such as pale grey.	c) Pale grey is proposed to the monopole. Carrier antennas are proposed to be grey with the base outdoor cabinets finished in either beige or pale green to blend in with the landscape.	Yes
d) Where possible and practical, screen or house ancillary facilities using the same colour as the prevailing background and consider using existing vegetation or new landscaping.	d) Base outdoor cabinets finished in either beige or pale green to blend in with the landscape.	Yes
e) Locate and design a telecommunications facility in a way that responds to its setting (rural, residential, industrial or commercial).	e) The facility is centrally located within the John Oxley reserve that is zoned RU1 Primary Production and surrounded by residential dwellings. It is considered that the development responds to the setting as the development will not have any adverse visual or environmental impact on the reserve. Furthermore, Council, in partnership with Greening Australia, are currently planting trees on the lot as a future green buffer and recreation area, offsetting the facility's visual impact as the vegetation matures.	Yes
f) Site and design a telecommunications facility located on or adjacent to a listed heritage item or within a heritage conservation area with external colours, finishes and scale sympathetic to the heritage item or conservation area.	f) The location of the proposed facility is 100m from the adjoining heritage listed property boundary and 600m from the actual item.	Yes
g) Locate telecommunications facilities to minimize or avoid obstructing significant views of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land.	g) While the facility is located on a prominent ridgeline, the location and footprint minimise obstructions to views or vistas when viewed from public and private land.	Yes
h) Consult with relevant council when	h) No tree removal is proposed or required	

NSW Telecommunications Facilities Guideline, Including Broadband Table

Principle	Assessment	Compliance?
proposing pruning, lopping or removing any tree or vegetation. Obtain a tree preservation order, permit or development consent if required.	for the development works.	Yes
i) Remove redundant telecommunications facilities and restore the site to the condition it was in prior to the facility's construction.	i) The existing facility is planned for removal.	Yes
j) Remove redundant components of existing facilities after upgrades.	j) No upgrades are proposed.	Yes
k) Where possible, consolidate telecommunications facilities to reduce visual clutter and work with other uses on co-location sites to minimize cumulative visual impact.	k) The existing monopole structure / facility is proposed to be removed.	Yes
l) Accord with all relevant industry design guides when sitting and designing telecommunications facilities.	l) The development is considered to accord with all relevant design guides in respect to sitting and design.	Yes
m) Assess potential visual impact in alternative site assessments.	m) The applicant has provided sufficient details on alternative options within the locality.	Yes
Principle 2: Co-locate telecommunications facilities wherever practical		
a) As far as practical, locate telecommunications lines underground or within an existing underground conduit or duct.	a) Proposed facilities do not operate underground.	Yes
b) Where practical, co-locate or attach overhead lines, antennas and ancillary telecommunications facilities to existing buildings, public utility structures, poles, towers or other radiocommunications equipment to minimize clutter.	b) No existing operating structures are in proximity to the proposed monopole to enable co-location to occur.	Yes
c) Consider extending an existing tower as a practical co-location to new towers.	c) No existing towers at a suitable height occur to allow the telecommunications facility to be extended.	Yes
d) Demonstration that co-location is not practicable if choosing not to co-locate a facility.	d) The applicant has demonstrated co-location is not practicable.	Yes
e) If choosing to co-locate, design, install and operate a telecommunications facility so that resultant cumulative levels of radio frequency emissions are within the maximum human exposure levels set out in RPS S-1.	e) Co-location is not practicable.	Yes

NSW Telecommunications Facilities Guideline, Including Broadband Table

Principle	Assessment	Compliance?
Principle 3: Meet health standards for exposure to radio emissions		
(a) Design, install and operate a telecommunications facility so that maximum human exposure levels to radiofrequency emissions comply with RPS S-1	a) Should the application be approved, conditions of consent could be imposed requiring that radiofrequency emissions comply with RPS S-1.	Yes
(b) Using the format required by ARPANSA, report on predicted levels of EME surrounding any development covered by the Industry Code C564:2020 Mobile Phone Base Station Deployment, and how the development will comply with ACMA safety limits and RPS S-1.	b) Information provided includes an EME report that concluded that the maximum calculated EME level is well below the public exposure limit.	Yes
Principle 4: Minimise disturbance and risk, and maximise compliance		
(a) Ensure the siting and height of a telecommunications facility complies with the Commonwealth Civil Aviation Regulations 1998 and Airports (Protection of Airspace) Regulations 1996. Avoid penetrating any obstacle limitation surface (OLS) shown on a relevant OLS plan for an aerodrome or airport (as reported to the Civil Aviation Safety Authority) within 30km of the proposed development.	a) The proposed structure penetrates the OLS for Camden airport. Pursuant to Clause 7.2(5) and 7.2(6) of CLEP 2010, Aeria Management Group (formerly Sydney Metro Airports) and CASA have reviewed the proposal and object to the development, as it would have an unacceptable impact on the safety of existing and future air transport operations at Camden Airport.	No
(b) Ensure no adverse radio frequency interference with any airport, port or Commonwealth defence navigational or communications equipment, including the Morundah Communication Facility, Riverina.	b) Should the application be approved, conditions of consent could be imposed requiring that radio frequencies used do not conflict with any nearby frequency utilised by Camden Airport.	Yes
(c) Carry out the telecommunications facility and ancillary facilities in accordance with any manufacturer's installation specifications.	c) Should the application be approved, conditions of consent could be imposed specifying that the telecommunications facility is installed / constructed in accordance with the manufacturer's installation specifications.	Yes
(d) Protect the structural integrity of any building or structure on which a telecommunications facility is erected.	d) The proposed structure is not adjacent to any existing buildings.	NA
(e) Erect the telecommunications facility wholly within the boundaries of a property as approved by the relevant landowner.	e) The telecommunications monopole is wholly located within the boundaries of the site.	Yes
(f) Ensure all construction of a telecommunications facility accords with Managing Urban Stormwater:	f) A condition of consent would be imposed as such if recommended for approval.	Yes

NSW Telecommunications Facilities Guideline, Including Broadband Table

CLPP01

Attachment 1

Principle	Assessment	Compliance?
Soils and Construction – Volume 1 (Landcom 2004), or its replacement.		
(g) Mitigate obstruction or risks to pedestrians or vehicles caused by the location of the facility, construction activity or materials used in construction.	g) Minimal obstructions or risks would result during construction.	Yes
(h) Where practical, carry out work at times that minimise disruption to adjoining properties and public access and restrict hours of work to 7.00am and 5.00pm, Mondays to Saturdays, with no work on Sundays and public holidays.	h) A condition of consent would be imposed as such if recommended for approval.	Yes
(i) Employ traffic control measures during construction in accordance with Australian Standard AS1742.3-2002 Manual of uniform traffic control devices – Part 3: Traffic control devices for works on roads.	i) A condition of consent would be imposed as such if recommended for approval.	Yes
(j) Guard open trenching in accordance with Australian Standard Section 93.080 – Road Engineering AS1165 – 1982 – Traffic hazard warning lamps.	j) A condition of consent would be imposed as such if recommended for approval.	Yes
(k) Minimise disturbance to flora and fauna and restore land to a condition similar to its condition before the work was carried out.	k) A condition of consent would be imposed as such if recommended for approval.	Yes
(l) Identify any potential impacts on threatened species and communities in consultation with relevant authorities and avoid disturbance to identified species and communities where possible.	l) None identified during assessment.	Yes
(m) Identify the likelihood of harming an Aboriginal place and/or Aboriginal object and obtain approval from the Department of Premier and Cabinet if the impact is likely, or Aboriginal objects are found.	m) None identified during assessment.	Yes
(n) Reinstate, at your expense, street furniture, paving or other facilities removed or damaged during construction to at least the same condition as that prior to installation.	n) A condition of consent would be imposed as such if recommended for approval.	Yes

NSW Telecommunications Facilities Guideline, Including Broadband Table

Principle	Assessment	Compliance?
<p>Principle 5: Undertake an alternative site assessment for new mobile phone base stations</p> <p>(a) Include adequate numbers of alternative sites in the alternative site assessment as a demonstration of good faith.</p> <p>(b) In addition to the new site selection matters in Section 4 of the Industry Code C564:2020 Mobile Phone Base Station Deployment:</p> <ul style="list-style-type: none"> • only include sites that meet coverage objectives, and that have been confirmed as available, with an owner agreeable to having the facility on their land • if the preferred site is a site owned by the Carrier, undertake a full assessment of the site • indicate the weight placed on selection criteria • undertake an assessment of each site before any site is dismissed. 	<p>a) Applicant provided a list of seven potential candidate sites in the Kirkham area.</p> <p>b) Applicant has included comment in the list of seven potential candidate sites in the Kirkham area regarding coverage objectives and the type of correspondence undertaken with the land owner.</p>	<p>Yes</p> <p>Yes</p>

CLPP01

Attachment 1

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance?
<p>4.3 Height of buildings</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 9.5m.</p>	<p>The proposed structure has a maximum height of 28.5 metres.</p>	No.
<p>4.6 Exceptions to development standards</p> <p>Development consent may be granted for development that contravenes a development standard imposed by the LEP or any other environmental planning instrument.</p>	<p>Council staff are satisfied the applicant has adequately addressed the matters required by Clause 4.6(3). Council staff have considered the applicants request and are satisfied as required by clause 4.6(4).</p> <p>The applicant's Clause 4.6 written request is provided as an attached document, with Council's staff assessment of the Clause 4.6 written request contained within the main body of the assessment report.</p>	Yes.
<p>5.10 Heritage conservation</p> <p>The consent authority may, before granting consent to any development-</p> <p>(a) On land on which a heritage item is located, or</p> <p>(b) On land that is within a heritage conservation area, or</p> <p>(c) On land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>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 heritage item or heritage conservation area concerned.</p>	<p>No issue is raised in terms of heritage conservation as the location of the proposed facility is sited approximately 100m from the boundary of an adjoining heritage listed property. The proposed works are approximately 600m from the physical item, being a colonial homestead, garden studio, grounds and outbuildings.</p>	Yes.

CLPP01

Attachment 2

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

<p>7.2 Airspace operations</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>(5) The consent authority must not grant development consent for development referred to above if:</p> <p>(a) is satisfied the development will penetrate the obstacle limitation surface map, and</p> <p>(b) objects to development consent being granted.</p>	<p>The site is located within Camden Airport OLS and is within the Inner Horizontal Surface. For development to penetrate this surface it would need to be at or exceed an AHD of RL113.</p> <p>The proposed height is approximately 140m AHD.</p> <p>Pursuant to Clause 7.2(2) of CLEP 2010, the Development Application was referred to the relevant Commonwealth body, being Aeria Management Group (formerly Sydney Metro Airports) and the Civil Aviation Safety Authority (CASA) for consideration. Referral advice was provided advising that the proposed telecommunications tower will likely infringe on the approach surface for runway 24 and the take-off surface for runway 06 of Camden Airport, and as such, would have an unacceptable impact on the safety of existing and future air transport operations at Camden Airport.</p> <p>Therefore, as per Clause 7.2(5), Council is unable to grant development consent as the development will penetrate the OLS and both Aeria and the Civil Aviation Safety Authority object to development consent being granted.</p>	<p>No.</p>
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CLPP01

Attachment 2

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Section / Control	Assessment	Compliance?
2.4 Trees and Vegetation		
Provide criteria for permitting removal and appropriate ongoing management of prescribed trees and vegetation.	The site location of the telecommunication tower is already cleared. There is no impact on Council's and Greening Australia's current and future planted zones.	Yes.
2.5 Environmentally Sensitive Land		
Protect, manage, enhance and restore as much environmentally sensitive land as possible.	The site location of the telecommunication tower is already cleared. There is no impact on Council's and Greening Australia's current and future planted zones.	Yes.
2.7 Bush Fire Risk Management		
Development on land identified as bushfire prone on Council's Bush Fire Prone Land Map must address the bush fire protection measures in the NSW RFS publication Planning for Bush Fire Protection (or equivalent)	The land will not be developed for residential or rural residential purposes or special fire purposes and therefore does not warrant referral to the NSW Rural Fire Service as Integrated Development.	Yes.
2.14 Waste Management.		
(1) Waste Management Plan to be provided.	Provided and is considered satisfactory.	Yes.



Appendix 6 - Request to Vary Development Standard Proposed Telecommunications Facility 300 Macquarie Grove Road, Kirkham NSW 2570

Axicom, on behalf of Vodafone and Optus, is seeking development approval for a new telecommunications facility located at 300 Macquarie Grove Road, Kirkham NSW 2570. The facility will be owned by Axicom, and will host Vodafone and Optus telecommunications equipment. The facility will provide improved Vodafone and Optus 3G and 4G mobile and data services, and establish 5G services in Kirkham and the surrounding areas.

The proposal exceeds the height allowable under the *Camden Local Environmental Plan 2010* (LEP).

This application seeks a variation to the Development Standard, pursuant to Clause 4.6 of the LEP. The variation request has been prepared in accordance with the format provided by the NSW Department of Planning.

1. What is the name of the environmental planning instrument that applies to the land?

Camden LEP

2. What is the zoning of the land?

RU1 – Primary Production

3. What are the objectives of the zone?

The objectives are shown below. The proposal is not at odds with the zone objectives. Also refer Section 6.3.1 and Appendix 5 of the Statement of Environmental Effects.

Compliance with RU1 – Primary Production Zone	
Objectives	
<i>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</i>	Complies as far as practical. This proposal is for the orderly development of a new telecommunications facility. The proposal will provide supporting mobile and data services for primary industry production enterprises. The proposal has been sited to avoid adverse impacts on the environment, being in an area that has been previously disturbed and currently hosts existing communications infrastructure. The proposal is not considered to adversely impact the natural resource base.
<i>To encourage diversity in primary industry enterprises and systems appropriate for the area.</i>	Complies. The proposal will provide supporting mobile and data services, which will support a diverse range of primary industry enterprises in the area.
<i>To minimise the fragmentation and alienation of resource lands.</i>	Complies. The proposal has been sited to avoid adverse impacts on the environment, being in an area that has been previously disturbed and currently hosts existing communications infrastructure. The proposal

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	is not anticipated to result in the fragmentation and alienation of resource lands.
<i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i>	Complies. The proposal will not result in any conflict between land uses within this zone or the adjoining zones, noting that telecommunications facilities are required in all zones.
<i>To permit non-agricultural uses which support the primary production purposes of the zone.</i>	Complies. The proposal will provide supporting mobile and data services for the primary production purposes of the zone.

4. What is the development standard being varied? Eg. FSR, height, lot size

Height

5. Under what clause is the development standard listed in the environmental planning instrument?

Camden LEP, Part 4 Principal Development Standards, Clause 4.3 Height of Buildings

6. What are the objectives of the development standard?

The height requirements in the standard are based on urban development rather than utility infrastructure that, from a technical perspective, needs to exceed these requirements to function correctly. Accordingly, the proposal is not at odds with these objectives. It should be noted that the subject facility is a class 10B utility structure and not a habitable building.

LEP 4.3 Height of Buildings	
Objectives:	Response:
<i>(a) To ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality.</i>	Not applicable. Proposal is for utility structure where height is required for technical reasons. The site is on a rural lot retaining an RU1 zoning; with the proposed facility being located as far from sensitive land uses as practical.
<i>(b) To minimise the visual impact, disruption of views, loss of privacy and loss of solar access to existing development.</i>	Complies. Telecommunications facilities, by their nature, must be tall enough to protrude above the surrounding environment to function. Axicom acknowledge the facility will be visible from a number of perspectives within the area – however, the visual impact of this proposal is considered appropriate in this context. Additionally, certain measures have been taken to ensure that visual impact is mitigated as much as practicable. Refer to Section 7 for further information. As an unmanned class 10B utility structure, the facility will not result in a loss of privacy, nor a loss in solar access given the separation from existing development.
<i>(c) To minimise the adverse impact of development on heritage conservation areas and heritage items.</i>	Complies. The closest State Heritage site in the vicinity of the proposal, identified as Orielton Homestead, located 645m northwest of the proposed facility location at 97 Governor Drive, Harrington Park. Given the topography of the surrounding land and separation from the homestead, the proposal is not anticipated to have an adverse impact on the heritage site. Refer to Section 7 for further information.

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7. What is the numeric value of the development standard in the environmental planning instrument?

9.5m

8. What is the proposed numeric value of the development standard in your development application?

Approximately 28.5m from ground level to apex of highest equipment

9. What is the percentage variation (between your proposal and the environmental planning instrument)?

Works represent approximately 300% of the 9.5m height restriction

10. How is strict compliance with the development standard unreasonable or unnecessary in this particular case?

- There is an established community need for improved mobile coverage in this location. The facility will improve the capacity of Vodafone and Optus' networks in the area, relieving congestion on existing base stations in the surrounding districts. This will result in more reliable network coverage for residents and businesses, as well as emergency services.
- There is a technical requirement for telecommunications facilities to protrude above the surrounding environment to function correctly. A 25m monopole is required at this location, based on the area the site must cover.
- The majority of candidates considered for a new tower in this area are subject to a 9.5m or similar height restriction.
- Protrusion above the height limit is unavoidable in this location. However, protrusion above the height limit will not have an adverse amenity impact on this area – the site is located on a large rural allotment retaining RU1 - Primary Production zoning, next to existing communications infrastructure. Additionally, it is also understood that Council, in partnership with Greening Australia, intend to plant 15,000 trees on the lot as a future green buffer and recreation area, further offsetting the facility's visual impact as the vegetation matures. The proposed facility has been separated from sensitive land uses as far as practical.

11. How would strict compliance hinder the attainment of the objects specified in Section 1.3 of the Act

Strict compliance would hinder attainment of the objects noted in the EP&A Act, as follows.

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Objects of Act
<p><i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources,</i></p> <p>The proposal will improve mobile and data services in the area around Kirkham, which is currently experiencing significant residential growth. The proposed facility will also improve the capacity of the mobile network for existing and new residences, as well as local businesses</p> <p>Strong mobile coverage has significant benefits for social welfare. It enables the community to communicate effectively, undertake everyday tasks like banking more easily, be entertained, and access educational and economic opportunities they may not otherwise have access to. Public safety – including the ability to reliably contact emergency services – is a notable benefit.</p> <p>From an economic perspective, strong mobile coverage is vital. Deloitte’s <i>Mobile Nation: Driving Workforce Participation and Productivity (2016)</i> found the Australian economy \$42.9 billion larger in 2015 than it would otherwise have been, because of mobile technologies and their take-up. Mobile technology allows flexibility in place and method of work, allows telecommuting, improves the ability of businesses to market themselves and operate efficiently, and allows disadvantaged members of the community the opportunity to participate in the workforce.</p> <p>Strict compliance with the standard would place the antennas at less than 9.5m in height. The antennas would not be capable of servicing the area effectively and the facility would not work.</p> <p>This facility will also reduce network congestion on surrounding, existing base stations. Without it, network congestion issues in the area will continue and worsen.</p> <p>The proposal has been sited to avoid adverse impacts on the environment, being in an area that has been previously disturbed, and in a location where there is existing communications infrastructure present. The facility will have significant benefit for the local area, without undue visual or environmental impact.</p>
<p><i>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i></p> <p>The proposal is appropriate given its minimal environmental impacts, and its expected contribution to social and economic well-being in the area. Strict compliance with the standard would prevent the facility from being deployed, because it would not work.</p>
<p><i>(c) to promote the orderly and economic use and development of land,</i></p> <p>This facility is proposed in response to a genuine need for improved mobile services in the surrounding area, as a result of increasing network demand and an inability of existing base stations to meet that demand. Strict compliance with the standard would prevent Vodafone and Optus from servicing Kirkham and the surrounding area effectively. The proposal is considered orderly and economically appropriate.</p>
<p><i>(d) to promote the delivery and maintenance of affordable housing,</i></p> <p>Not applicable</p>

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<i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>
The proposal will not specifically protect the environment; however it can be deployed without adverse environmental impact.
<i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>
Not applicable as the site is not heritage listed and searches indicate no record of indigenous sensitivity.
<i>(g) to promote good design and amenity of the built environment,</i>
The proposal is for utility infrastructure. This objective has been met through appropriate siting of the facility, away from sensitive land uses as far as practical, in a location where there is already established communications infrastructure. A monopole is being used, at the lowest height practicable to achieve service.
<i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>
The proposal is for a utility structure that will operate on an unmanned basis. Nevertheless, the facility will be constructed in accordance with relevant standards and best practice. The facility will operate, at all times, within the ARPANSA safety standard once operational.
<i>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>
Not applicable
<i>(j) to provide increased opportunity for community participation in environmental planning and assessment.</i>
Consultation will be undertaken with the community as part of the development application process.

CLPP01

Attachment 6

12. Is the development standard a performance based control? Give details.

No – standard is numerical.

13. Are there sufficient environmental planning grounds to justify contravening the development standard? Give details.

Yes. A taller structure will not result in an adverse planning outcome.

Firstly, the facility cannot function at a lower height and strict compliance with the standard would render the project unfeasible. There are precedents for telecommunications facilities to exceed the height limit.

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Secondly, the site is well separated from community sensitive development as far as practical, and is located on ridgeline next to existing communications infrastructure.

Thirdly, the proposal will have minimal environmental impact. It will not require significant ground works, and will only require removal of two trees, scrub vegetation and regrowth along the existing access track.

Finally, the proposal retains significant merit from a public benefit perspective and warrants approval.

14. Additional Matters to Consider

- The height limit does not account for the technical requirements of mobile base stations, which need to be taller than their environment to function. As noted above, it is also understood that Council, in partnership with Greening Australia, intend to plant 15,000 trees on the lot as a future green buffer and recreation area, further offsetting the facility's visual impact as the vegetation matures.
- Strict compliance with Council's height limits would prevent new telecommunications facilities from being deployed in much of Camden. Vodafone and Optus and other mobile carriers would be unable to deliver an effective service to the community, with significant social, economic and public safety implications.
- Part 4.6 of the LEP provides that development standards can be varied with consent of Council, where compliance is "unreasonable or unnecessary" and where there are sufficient grounds to justify contravention of the standard.
- Compliance with the standard is considered unreasonable, as it is a technical requirement that the facility be taller than 9.5m.
- The proposal does, however, have sufficient merit on environmental planning grounds. The proposal will have minimal impact on local amenity, generally complies with the LEP, and will have significant public benefit. The public benefit of approving the facility, in terms of improved communications, outweighs the public benefit of maintaining the standard.
- Contravening the development standard will not raise any matter of significance for state or regional environmental planning.
- The proposal passes the New South Wales government's five-part test for variation applications.

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Five Part Test	
Item:	Response:
<i>(1) the objectives of the standard are achieved notwithstanding noncompliance with the standard;</i>	<p>The objects are generally achieved.</p> <p>The height objectives in the standard are not strictly relevant to telecommunications proposals. The specific provisions generally consider appropriateness of building heights in urban areas. The subject site is not a building, and there are no surrounding buildings it can be compared to – though it will have a comparable appearance to established telecommunications facilities within the Camden LGA.</p> <p>However, the overarching principle of the standard is to protect amenity by preventing inappropriate development. The proposal has sufficiently low amenity impact, and sufficient planning merit, to warrant its proceeding, given the context of the surrounding area. Strict compliance is unnecessary.</p>
<i>(2) the underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;</i>	<p>The purpose of the standard is to prevent inappropriately tall development. The standard is worded to prevent construction of large buildings, with no allowance for utility structures that require height to function. The standard is not strictly relevant to the proposal on this basis.</p>
<i>(3) the underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;</i>	<p>The purpose of the standard would not be defeated if compliance was required. However, the proposal has sufficient merit that strict compliance is unnecessary. Further, the purpose of the project – to improve mobile coverage to Kirkham and surrounding areas – would be defeated if strict compliance was necessary.</p>
<i>(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;</i>	<p>Telecommunications facilities, for technical reasons, must protrude above the surrounding environment.</p> <p>There are numerous established telecommunications facilities in the Camden LGA that are taller than the height limit because of technical need. Council appear to have taken a pragmatic approach to the standard, whereby strict compliance is not necessary providing the use is otherwise appropriate.</p>
<i>(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.</i>	<p>Not applicable. The site is located in the RU1 zone and displays characteristics and existing land uses typical of this zone. Note telecommunications uses are required in all zones.</p>

Though the proposal exceeds the height limit specified by the LEP, the project is considered to have sufficient planning merit to proceed.

We therefore request that Council grant a variation to the development standard for this project.

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MACRO GREENFIELD - AXICOM

PRELIMINARY DRAWING NO. 240418-00

DATE OF ISSUE	04.08.22																					
DRAWING PACKAGE VERSION	1																					
GENERAL DRAWINGS																						
G1	SITE AND LOCALITY PLANS	A																				
G2	SITE SETOUT PLAN	A																				
G3	SITE ELEVATION	A																				
RADHAZ / EXCLUSION ZONE DRAWING																						
STRUCTURAL DRAWINGS																						
ELECTRICAL DRAWINGS																						
FITOUT ROOM DRAWINGS																						
TRANSMISSION DRAWINGS																						
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SITE LOCALITY PLAN
 NOT TO SCALE

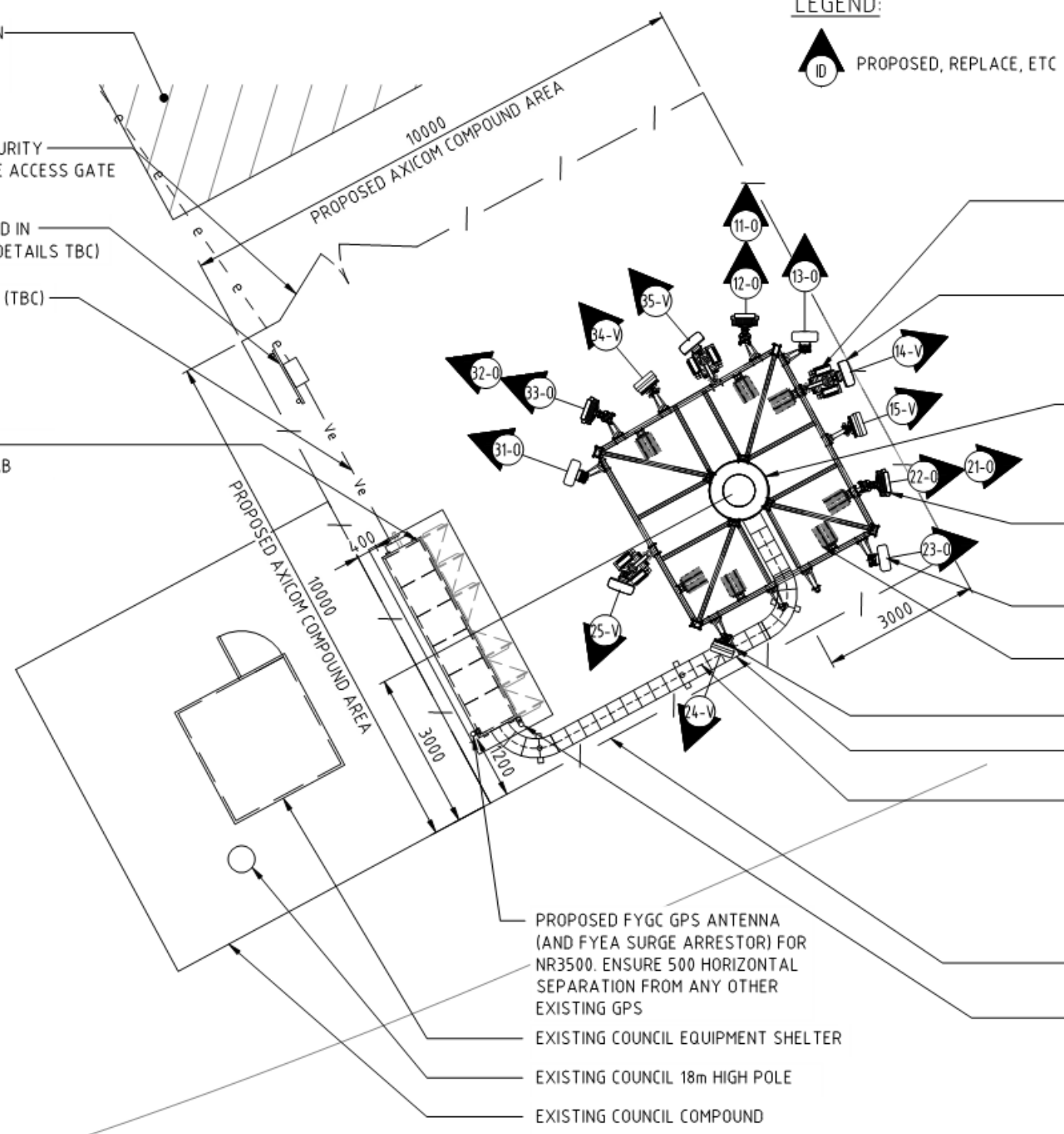
RFNSA NUMBER: 2570039		
CARRIER	SITE NAME	SITE ID

A		04.08.22	PRELIMINARY	AXICOM	HI	GH	PH	<p>AXICOM</p> <p>AXICOM SITE NO: 240418 MACRO GREENFIELD - AXICOM KIRKHAM 300 MACQUARIE GROVE ROAD KIRKHAM, NSW 2570</p>	TITLE SITE AND LOCALITY PLANS	
REV	DATE	REVISION DESCRIPTION	VENDOR	DRAWN	DESIGNED	APPROD	DRAWING STATUS PRELIMINARY		DRAWING No. 240418 - G1	REV A

A3



- PROPOSED EWP / CRANE LOCATION (TO BE CONFIRMED BY CONSTRUCTION CONTRACTOR)
- PROPOSED AXICOM CHAINLINK SECURITY COMPOUND FENCE WITH 3m DOUBLE ACCESS GATE
- PROPOSED METER TO BE INSTALLED IN PROPOSED GROUP METER PANEL (DETAILS TBC)
- PROPOSED SUBMAINS APPROX. 3m (TBC)
- PROPOSED ODUs (6 BAYS) TO BE INSTALLED ON NEW CONCRETE SLAB



- LEGEND:**
- PROPOSED, REPLACE, ETC

DATUM POINT	GDA94 CO-ORDINATES		ZONE	GROUND LEVEL
	EASTING	289 224	56	A.H.D RL. 122.00m EL 0.0m
	NORTHING	6 232 444		
	LATITUDE	-34.027507°		
	LONGITUDE	150.717075°		

- PROPOSED RRU's (9 OFF, 3 OFF PER SECTOR) TO BE INSTALLED ON PROPOSED MOUNTS BEHIND PANEL ANTENNAS
- PROPOSED PANEL ANTENNAS (3 OFF) TO BE INSTALLED ON PROPOSED SSA-1-V3 VALMONT MOUNTS ON PROPOSED HEADFRAME
- PROPOSED AXICOM 25m MONOPOLE
- PROPOSED PANEL ANTENNAS (3 OFF) TO BE INSTALLED AT THE TOP OF PROPOSED MOUNTS ON PROPOSED HEADFRAME AND PANEL ANTENNAS (3 OFF) TO BE INSTALLED BELOW
- PROPOSED PANEL ANTENNAS (3 OFF) ON PROPOSED MOUNT ON PROPOSED HEADFRAME
- PROPOSED RRUS (16 OFF, 4 PER SECTOR) TO BE INSTALLED ON PROPOSED MOUNTS ON NEW HEADFRAME
- PROPOSED PANEL ANTENNAS (3 OFF) ON PROPOSED MOUNT ON PROPOSED HEADFRAME
- PROPOSED 300mm WIDE CABLE LADDER
- PROPOSED HYBRID FEEDER CABLES (6 OFF) TO BE INSTALLED ON PROPOSED 300mm HORIZONTAL CABLE TRAY
- PROPOSED AXICOM FENCED COMPOUND 10m x 10m
- PROPOSED GPS ANTENNA

- LEGEND**
- FENCE
 - PROPOSED SUBMAINS
 - PROPOSED UNDERGROUND POWER

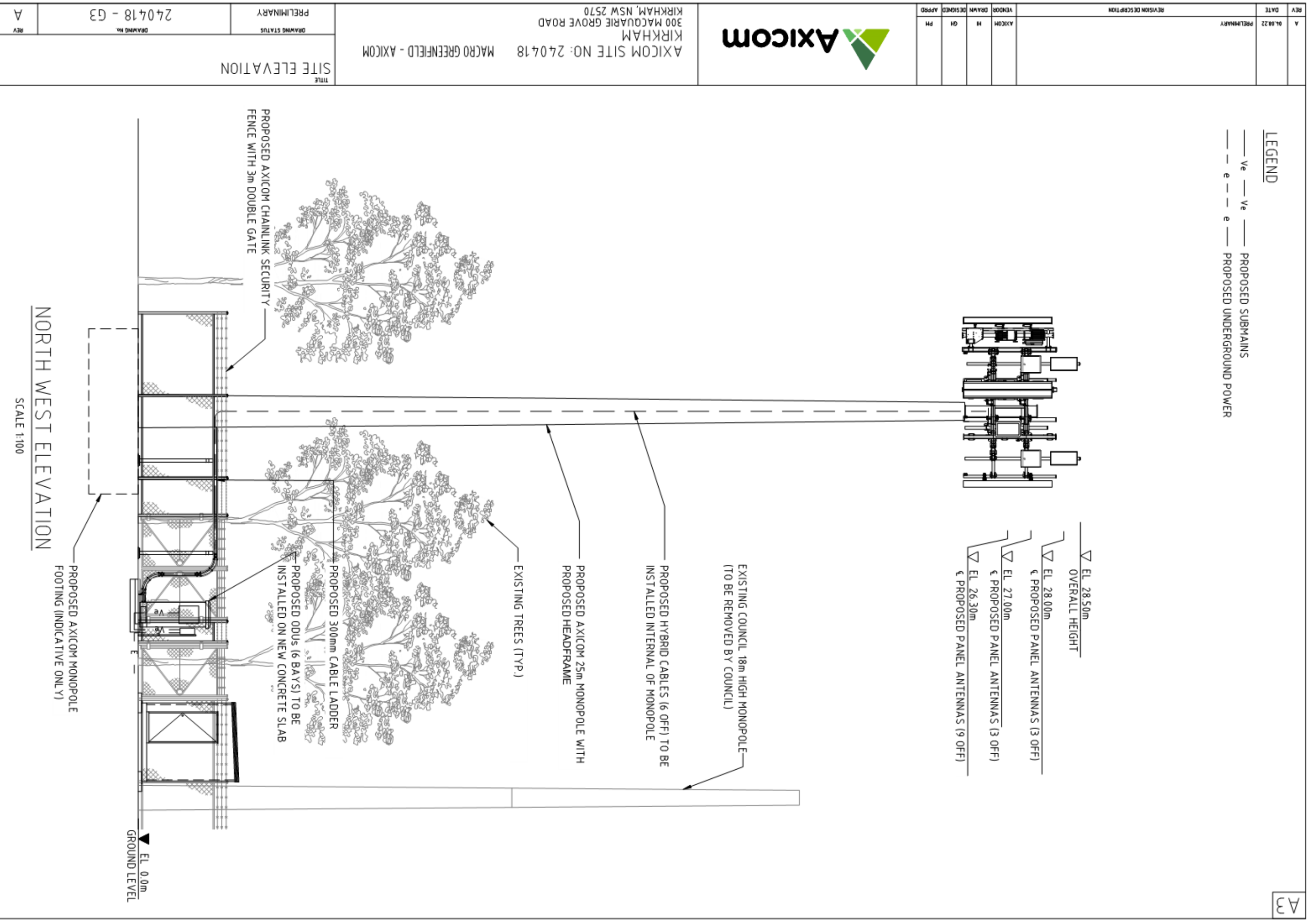
SITE SETOUT PLAN
SCALE 1:100

REV	DATE	REVISION DESCRIPTION	VENDOR	DRAWN	DESIGNED	APPROD
A	04.08.22	PRELIMINARY	AXICOM	HE	GH	PH



AXICOM SITE NO: 24.04.18 MACRO GREENFIELD - AXICOM
KIRKHAM
300 MACQUARIE GROVE ROAD
KIRKHAM, NSW 2570

TITLE		
SITE SETOUT PLAN		
DRAWING STATUS	DRAWING No.	REV
PRELIMINARY	24.04.18 - G2	A



CLPP02

CLPP02

SUBJECT: DA/2022/959/1 - CONSTRUCTION OF A TWO STOREY OFFICE PREMISES - 1-3 VIEW STREET, CAMDEN
FROM: Manager Statutory Planning
EDMS #: 23/141833

DA Number:	2022/959/1
Development:	Construction of a two storey office premises including at grade car parking, landscaping and associated site works
Estimated Cost of Development:	\$4,359,038
Site Address(es):	1-3 View Street, Camden
Applicant:	Dingo Partners Pty Ltd
Owner(s):	Macarthur Credit Union Ltd
Number of Submissions:	10.
Development Standard Contravention(s):	Height of buildings >10%
Classification:	Local development
Recommendation:	Approve with conditions
Panel Referral Criteria:	≥10 submissions and development standard contravention ≥10%
Report Prepared By:	Jordan Soldo, 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 the construction of a two storey office premises at 1-3 View Street, 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, it is subject to 10 or more submissions by way of objection and proposes to contravene the height of buildings development standard that applies to the site by more than 10%.

SUMMARY OF RECOMMENDATION

That the Panel determine DA/2022/959/1 for the construction of a two storey office premises 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 the construction of a two storey office premises at 1-3 View Street, 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 28 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 14 November to 12 December 2022 and 10 submissions were received objecting to the proposed development.

The issues raised in the submissions relate to building height, bulk and scale, privacy, overshadowing, traffic impacts and compatibility with heritage context.

The applicant proposes a contravention to the height of buildings development standard that applies to the site. The development standard limits buildings to a maximum height of 7m above finished ground level. However, the development will have a maximum height of 8.4m above finished ground level. The contravention is assessed in detail in this report and is supported by Council staff.

The applicant proposes a variation to Section 2.18.2 of Camden Development Control Plan 2019 (Camden DCP). In 1989, Council approved a development application for a two storey office building at 52 Argyle Street which was reliant on 26 car parking spaces being provided at 1-3 View Street. Considering the combined gross floor area of the office building at 52 Argyle Street and the proposed development at 1-3 View Street, the Camden DCP requires that a total of 34 off-street car parking spaces be provided. The application proposes to provide 21 car parking spaces on the site, with an additional space applied as credit based on a previous Section 7.11 monetary contribution relating to car parking. This equates to a deficit of 12 spaces. The variation is assessed in detail in this report and is supported by Council staff.

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
7m maximum building height.	8.4m maximum building height.	1.4m (20%).
34 car parking spaces.	22 (21 on-site plus 1 credit) car parking spaces.	12 car parking spaces.

AERIAL PHOTO



Figure 1: Aerial photo with the subject site outlined in blue.



Figure 2: Site context photo with the subject site outlined in blue.

THE SITE

The site comprises two properties that are commonly known as 1-3 View Street, Camden and are legally described as Lots C and D in DP157419. The site is rectangular in shape and has a combined area of approximately 1,016m². The combined frontage to View Street is approximately 25 metres and the depth of the site is approximately 40.5 metres. The site has a fall of approximately 1.2 metres from the southern corner to the northern corner of the site.

The site contains an existing asphalt surfaced car park with a vehicle crossover from View Street. The site is not an item of environmental heritage however falls within the Camden Town Centre Heritage Conservation Area (HCA). There are numerous locally listed items within the vicinity of the site including a house (also known as White House/Reeves House) (I6) at 44 Argyle Street to the north; the View Street Worker's Cottages (I77 and I78) at 5-13 and 6-20 View Street to the south-east; and two houses (I27 and I28) at 12 and 14 Hill Street to the south-west.

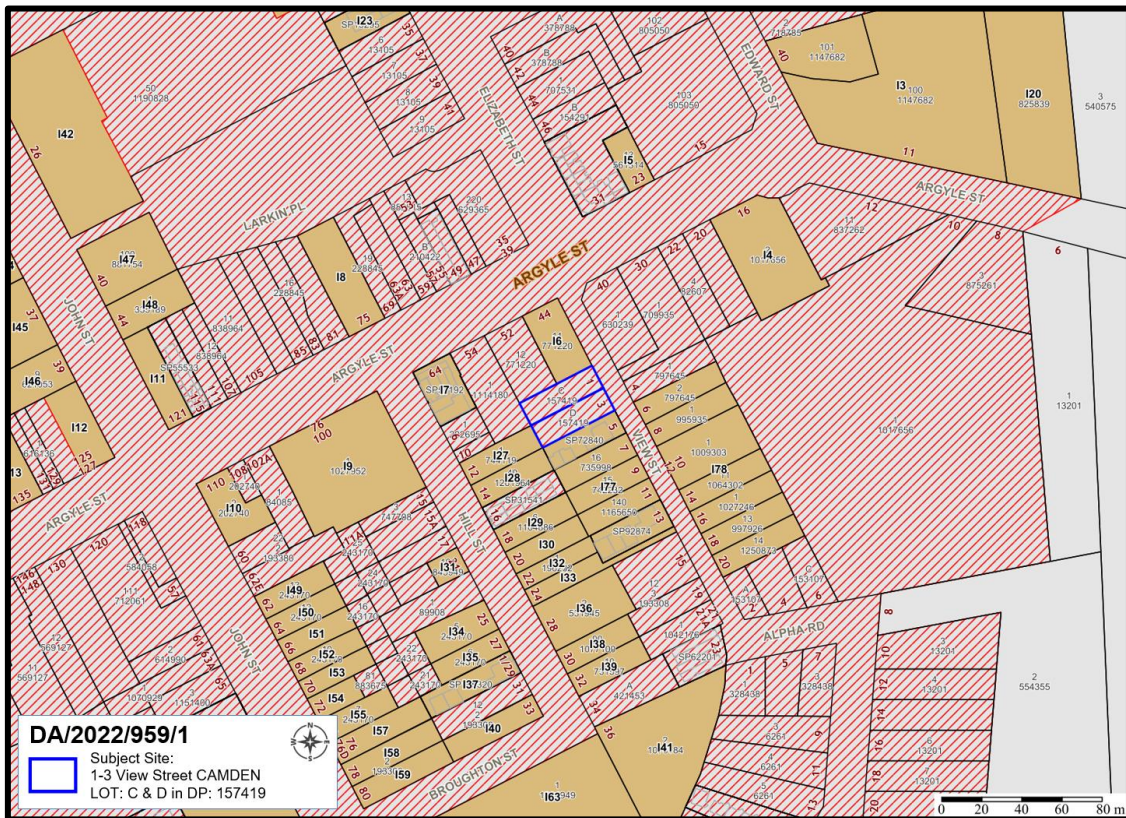


Figure 3: The subject site outlined on the Camden LEP heritage map. Gold/brown lots are items of environmental heritage, and the red shaded area is the Camden Heritage Conservation Area.

ZONING PLAN

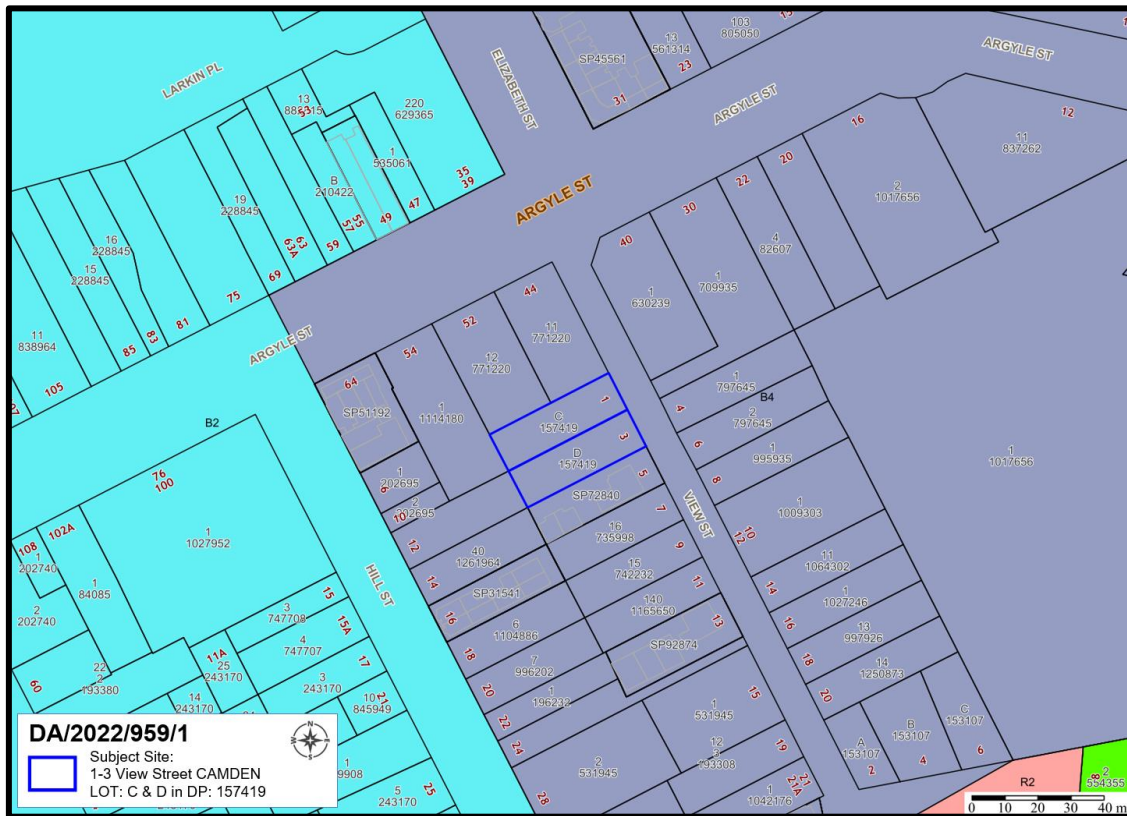


Figure 4: The subject site outlined on the Camden LEP zoning map.

HISTORY

Date	Development
5 September 1989	Approval of development application 165/00 for a commercial office facility at 52 Argyle Street, Camden. The consent required 26 car parking spaces to be provided at 1-3 View Street and contributions to be paid in lieu of 1 car parking space.

THE PROPOSAL

DA/2022/959/1 seeks approval for the construction of a two storey office premises.

Specifically, the development involves:

- Construction and use of a two storey office premises comprising:
 - Ground floor: secure car parking, reception/lobby, storage and waste room, and
 - First floor: offices, bathrooms, board room and staff break-out areas,
- Construction of 21 at grade car parking spaces,
- Construction of two wall mounted business identification signs,

- Landscaping in the form of low level planting surrounding existing trees within the front setback and green walls to the eastern and northern elevations,
- Associated site works including the construction of drainage and services, and
- Operating hours of 9am to 5pm, Monday to Friday.

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:

- Camden Local Environmental Plan 2010.
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- State Environmental Planning Policy (Biodiversity and Conservation) 2021.
- State Environmental Planning Policy (Industry and Employment) 2021.

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 a 'office premises' by the Camden LEP.

Permissibility

The development is permitted with consent in the B4 Mixed Use zone pursuant to the land use table of the Camden LEP.

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.

Proposed Contravention – Clause 4.3 Height of Buildings

The applicant proposes a contravention to the height of buildings development standard that applies to the site. The development standard limits buildings to a maximum height of 7 metres above existing ground level. However, the development will have a maximum height of 8.4 metres above existing ground level representing a variation of 1.4 metres or 20%. The extent of the contravention is shown in the proposed plans, an extract of which is shown in the below figure.

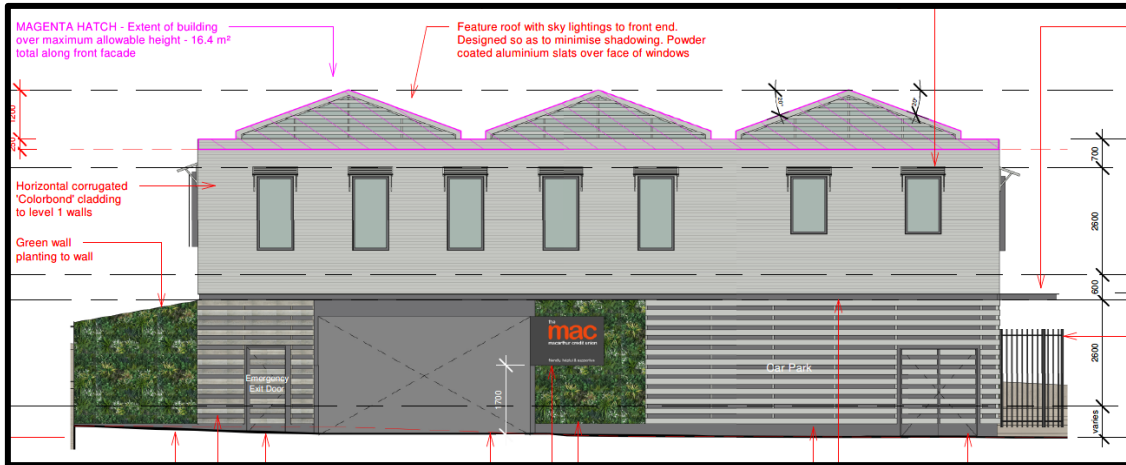


Figure 5: Extract of the elevations from the proposed plans. The magenta hatched area shows the portion of the building that is above 7 metres height of building limit.

Pursuant to Clause 4.6(3) of the Camden LEP, the applicant has submitted a written request that seeks to justify the contravention of the development standard. In summary, the applicant’s written request provides the following justification for the contravention:

- The proposed development provides a built form that responds to the heritage precinct of Camden Town Centre and minimises impact on the scenic quality of the locality. The exceedance in height is in response to the degree of roof pitch associated with heritage buildings and to the visual scale and proportion of the proposed building. To comply with the height limit would result in a flat roofed structure which would not sit well within the local surrounds and detract from heritage items within proximity of the site.
- The proposed development, including the proposed elements that exceed the height limits, will continue to achieve the objectives of the standard. It is therefore considered that the objectives of the development standard are met even with the breach of building height standard.
- It is also noted that recommendations made in the Draft Camden Town Centre Urban Design Framework report dated April-2018 prepared for Council by McGregor + Coxall includes the recommendation for a slight increase the maximum height limit of buildings from 7m to 8m within certain parts of Camden Town Centre where two storey built form is appropriate.
- The proposed development is consistent with the objectives of the zone and the building height control.
- The proposal does not result in any adverse impact to adjoining properties due to it being considerably lower than the properties to the rear and side of the proposed development.
- The height variation equates to a maximum 1.4m for the extent of the roof pitches in the interests of complimenting the heritage building within the proximity and helps screen the plant and equipment located on the rooftop from view.

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

Pursuant to Clause 4.6(4) of the Camden LEP, Council staff are satisfied that:

- the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3) of the Camden LEP, and
- the 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 zones in which the development is proposed to be carried out.

The development standard contravention is supported for the following reasons:

- the development is consistent with the objectives of the development standard as demonstrated below:

(a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,

The proposed development is compatible with the height, bulk and scale of the existing and desired character of the locality. The form of the building is similar to that of buildings on Argyle Street. The ground level is also lower than surrounding lots which will allow the building to act as a transition between the commercial and residential forms along View Street.

(b) to minimise the visual impact, disruption of views, loss of privacy and loss of solar access to existing development,

Council is satisfied that there will be minimal adverse visual impacts or disruption of views, including prominent view lines throughout the heritage conservation area. Furthermore, subject to the recommended conditions, there will be negligible loss of privacy. The applicant has also demonstrated that the proposed building will not cause an increase in overshadowing of principal private open space of adjoining dwellings (above that caused by the existing boundary fence).

(c) to minimise the adverse impact of development on heritage conservation areas and heritage items.

A Heritage Impact Statement was provided in support of the application that found the proposed development, including the height of the building, to not impact on the heritage significance of the conservation area or nearby heritage items.

The application was referred to Council's internal heritage advisor who requested minor amendments which have been incorporated into the recommended conditions of consent. Council is satisfied that, subject to the recommended conditions, the height exceedance is unlikely to have an adverse impact on the heritage significance of the conservation area or surrounding heritage items.

- the development is consistent with the objectives for development within the zones in which the development is proposed to be carried out as demonstrated below:

(a) To provide a mixture of compatible land uses.

The application seeks to provide additional office floor area which will contribute towards providing a mixture of compatible land uses within the zone.

(b) To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

The site is considered an accessible location given its proximity to the commercial core of the town centre. The accessible location will encourage public transport patronage and encourage walking and cycling.

(c) To minimise conflict between land uses within the zone and land uses within adjoining zones.

The site is located centrally within the B4 Mixed Use zone with the surrounding allotments being also zoned B4 Mixed Use.

(d) To encourage development that supports or complements the primary office and retail functions of the local centre zone.

The development will complement the primary office and retail functions of the nearby local centre zone.

- The height exceedance will not result in any significant loss of privacy or loss of amenity through overshadowing to public or private spaces.
- Earthworks have previously been carried out over the site and retaining walls constructed along the south-eastern and south-western boundaries. As a result, the existing ground level is up to 1.6 metres below adjoining lots.
- The development is two storeys which is in keeping with the height limit for the Camden Town Centre Heritage Conservation Area detailed in Section 2.16.4 of the Camden DCP.

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 the LEP.

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

The Resilience and Hazards SEPP also provides a state-wide planning approach to the remediation of contaminated land.

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

A review of the history of the site by Council officers did not reveal any potentially contaminating activities at the site and as such, a contamination assessment was not warranted. The site is suitable for the proposed development subject to the recommended standard conditions of consent relating to unexpected finds.

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

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

Section 3.6 of the Industry and Employment SEPP requires the consent authority to be satisfied that signage is consistent with the objectives of the Industry and Employment SEPP and the assessment criteria specified in Schedule 5.

Council staff are satisfied that the signage is consistent with the Industry and Employment SEPP's objectives in that it is compatible with the desired amenity and visual character of the area, will provide effective communication by displaying the development's name and will be of a high-quality design and finish. Council staff have also considered the Industry and Employment SEPP's Schedule 5 assessment criteria and are satisfied that the signage is consistent with it. An assessment table in which the development is considered against Schedule 5 is provided as an attachment to this report.

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

The Biodiversity and Conservation 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 the Biodiversity and Conservation SEPP 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.

(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 it is compliant with State Environmental Planning Policy (Resilience and Hazards) 2021.

(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.

Proposed Variation – Car Parking

The applicant proposes a variation to Section 2.18.2 of Camden Development Control Plan 2019 (Camden DCP).

The Camden DCP requires car parking at a rate of 1 space per 40m² of gross floor area for office and business premises.

In 1989, Council approved a development application for the establishment of a two storey office building at 52 Argyle Street which was reliant on 26 car parking spaces being provided at 1-3 View Street (the subject site). Figure 6 (below) identifies the location of 52 Argyle Street in relation to 1-3 View Street. As such, any development approved on this site should take into consideration the car parking demand generated by the existing office building at 52 Argyle Street.

The combined gross floor area of the building at 52 Argyle Street and the proposed development at 1-3 View Street is 1,342m² which generates a demand for 34 off-street car parking spaces (pursuant to the car parking rate contained in the DCP). The application proposes to provide 21 car parking spaces on the site, with an additional space applied as credit based on a previous Section 7.11 monetary contribution relating to car parking. This equates to a deficit of 12 spaces.

The applicant has submitted a detailed parking submission, prepared by a traffic engineer, in support of the DA / proposed variation. Council's Traffic Officer and an external independent Traffic Consultant have reviewed the parking statement submitted by the applicant and consider the non-compliance supportable. The proposed development is consistent with the underlying objectives of the control, in that sufficient car parking is provided to support the existing and proposed developments.

To ensure that car parking is maintained in perpetuity for the development at 52 Argyle Street, a condition of consent is recommended that requires the amalgamation of the three lots (i.e. 52 Argyle Street and 1-3 View Street) prior to the issue of any Occupation Certificate.

It is noted that the applicant is not required to make further monetary contributions in lieu of any deficient parking spaces as the site falls outside of the Camden Town Centre (as defined under the Camden Contributions Plan 2011).

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



Figure 6: The location of 52 Argyle Street shown in relation to the subject site.

(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.

Heritage

A Heritage Impact Statement (HIS) was submitted in support of the application that concluded that the proposal would have an acceptable heritage impact. The statement identified that a lighter more earthy tone would be preferred over the proposed

'Colorbond Monument' to the ground floor. Council's internal heritage advisor reviewed the application and identified other matters to be reviewed by the applicant.

In response to the HIS, Council's heritage advisor's comments and the submissions received from the community, the applicant provided amended plans which included changes to materials and colours.

Council's heritage advisor reviewed the amended plans and identified some minor outstanding issues including the colour/material of the car park; lack of details for the proposed sign adjacent to the driveway crossover; and the removal of timber cladding/slats. A condition of consent has been recommended requiring amended plans be provided prior to the issue of a construction certificate that address these outstanding matters.

(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 14 November to 12 December 2022 and 10 submissions were received (objecting to the development).

The following discussion addresses the issues raised in the submissions.

1. *The roof line and its integration into the building are not of a design that is appropriate in the HCA.*

Officer comment:

The HIS submitted with the application supports the roof form and concludes that the proposal has an acceptable heritage impact. The application was referred to Council's internal heritage advisor who requested minor amendments which have been incorporated into the recommended conditions of consent.

2. *Overshadowing impacts on lots in View Street and Hill Street; particularly of 5 View Street in the afternoon.*

Officer comment:

The applicant submitted detailed shadow diagrams that demonstrate that between 9am and 3pm on the winter solstice, the proposed building will not result in a significant increase in the overshadowing of principal private open space of adjoining properties (above what is caused by the existing boundary fence).

3. *The use of vertical Zincolume cladding is not supported. The argument that it harmonises with surrounding galvanised roofing materials (HIS 10.2) is rejected. Clearly the purposes of the two materials, as well as their angles and forms, are starkly different.*

Officer comment:

Amended plans were received during the assessment of the application. The vertical 'Lysaght Enseam Cladding' has now been replaced with horizontally arranged 'Lysaght Custom Orb Accent 21'. The amended plans were referred to Council's internal heritage advisor who did not raise any objections to the proposed material.

4. *The large expanse of light grey metallic vertical cladding on Level 1 is incompatible with the Heritage Conservation Area.*

Officer comment:

Amended plans were received during the assessment of the application. The originally proposed unpainted cladding has been replaced by 'Colorbond Shale Grey'. The amended plans were referred to Council's internal heritage advisor who did not raise any objection to the proposed material.

5. *There is no justification for using the almost black Monument colour when a lighter and/or earthy colour would be preferable. The metallic steel colour on the upper level is potentially glary.*

Officer comment:

Amended plans were received during the assessment of the application. The originally proposed 'Colorbond Monument' has been replaced with the lighter 'Colorbond Basalt'. Furthermore, the unpainted cladding has now been replaced with a painted 'Colorbond Shale Grey'. The amended plans were referred to Council's internal heritage advisor who did not raise any objections to proposed materials.

6. *Illumination of signs is not compliant or appropriate in the HCA.*

Officer comment:

No illumination of signage is proposed. A condition of consent has been recommended to ensure no illumination is provided.

7. *The building is over the height limit by a considerable margin.*

Officer comment:

Pursuant to Clause 4.6(3) of the Camden LEP, the applicant has submitted a written request that seeks to justify the contravention to the height of buildings development standard. Council staff are satisfied as to the required matters contained in Clause 4.6 and consider the contravention supportable.

8. *Improved landscaping and permeable surfaces for the outside parking area would also be desirable, instead of a such a large area of concrete.*

Officer comment:

Council's heritage advisor has recommended several different materials and colours for the proposed car park that would minimise the impact on adjoining heritage items and the HCA. A condition has been recommended that requires the car park to be one of the recommended materials and colours. Furthermore, Council's engineer has reviewed the proposal and is satisfied that the development is capable of complying with Council's engineering specifications relating to water quality and quantity.

9. *View St is narrow and signposted with No Stopping signs on the site's frontage. The roundabout to Argyle Street is small and awkward. Access from Alpha Road is constricted. It seems the area cannot handle additional traffic.*

Officer comment:

The application has satisfactorily demonstrated that both passenger vehicles and service vehicles can safely enter and exit the site. The proposed additional traffic generation is unlikely to have any significant impacts on View Street or the surrounding road network.

10. *The Parking Statement contains a parking survey conducted on Wednesday, 20/7/2022, which was not a typical day, nor is a single day a sufficient sample.*

Officer comment:

The parking statement has been reviewed by Council Traffic Officer, as well as an external / independent traffic consultant, who are satisfied with the assessment and consider the car parking non-compliance to be supportable.

11. *Treatment should be provided to the south-east facing windows to avoid overlooking of adjoining residential properties.*

Officer comment:

Amended plans were provided during the assessment of the application that include screening panels to first floor south-east facing windows.

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:

- i. support the applicant's written request lodged pursuant to Section 4.6(3) of the Camden Local Environmental Plan 2010 to the contravention of the height of buildings development standard in Section 4.3 of the Camden Local Environmental Plan 2010, and
- ii. approve DA/2022/959/1 for the construction of a two storey office premises at 1-3 View Street, Camden subject to the conditions attached to this report for the following reasons:
 1. The Panel has considered the written request to contravene the Camden Local Environmental Plan 2010 in relation to the height of buildings development standard. The Panel considers that the written request from the applicant adequately demonstrates that compliance with the development standard in Section 4.3 of the Camden Local Environmental Plan 2010 is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The Panel is also satisfied that the development will be in the public interest because it is consistent with the objectives of the development standard in Section 4.3 of the Camden Local Environmental Plan 2010 and the objectives for development within the B4 Mixed Use zone.
 2. The development is consistent with the objectives and controls of the applicable environmental planning instruments, being the Camden Local Environmental Plan 2010, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Industry and Employment) 2021 and State Environmental Planning Policy (Biodiversity and Conservation) 2021.
 3. The development is consistent with the objectives of the Camden Development Control Plan 2019.
 4. The development is considered to be of an appropriate scale and form for the site and the character of the locality.
 5. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.
 6. For the above reasons, the development is a suitable use of the site and its approval is in the public interest.

ATTACHMENTS

1. Recommended Conditions
2. Industry and Employment SEPP Assessment Table
3. Camden LEP Assessment Table
4. Camden DCP Assessment Table
5. Combined Public Submissions - *Supporting Document*
6. Public Exhibition/Submission Map - *Supporting Document*
7. Clause 4.6 Written Request
8. 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
Architectural Plans – Project: New Building			
A-1.1	Cover Sheet and Drawing Schedule	Dingo Partners Pty Ltd	Issue: C, Date: 25/01/23
A-3.1	Perspective		Issue: C, Date: 25/01/23
A-3.2	Perspective		Issue: C, Date: 25/01/23
A-3.3	Perspective		Issue: C, Date: 25/01/23
B-1.1	Site Plan - Existing		Issue: C, Date: 05/07/21
B-1.2	Site Plan - Proposed		Issue: C, Date: 24/01/23
B-1.3	Site Plan - Proposed, Site Details		Issue: C, Date: 24/01/23
B-1.4	Site Plan - Car Park		Issue: C, Date: 24/01/23
B-2.1	Ground Level Plan - Proposed		Issue: C, Date: 24/01/23
B-2.2	Level 1 Plan - Proposed		Issue: C, Date: 24/01/23
B-2.3	Roof Plan - Proposed		Issue: C, Date: 24/01/23
B-3.0a	Wall Schedule		Issue: C, Date: 25/01/23
B-3.0b	Window Detail		Issue: C, Date: 25/01/23
B-3.1	Ground Level Plan - Dimensioned		Issue: C, Date: 25/01/23
B-3.2	Level 1 Plan - Dimensioned		Issue: C, Date: 25/01/23
B-3.3	Level 1 Plan - Window Setout		Issue: C, Date: 25/01/23
C-1.1	Elevation - East (from street)		Issue: C, Date: 25/01/23
C-1.2	Elevation - North (entry side)		Issue: C, Date: 25/01/23
C-1.3	Elevation - West (back)		Issue: C, Date: 25/01/23
C-1.4	Elevation - South (side)		Issue: C, Date: 25/01/23

C-2.1	Sections		Issue: C, Date: 25/01/23
D-1.1	Detail 1 - Signage		Issue: C, Date: 16/03/22
Engineering Plan – Job SW-1 VIEW			
Sheet: 1	Hydraulic and Sediment Control Plan – Site and Roof Plan	M.M.Farah Civil/Structural Pty Ltd.	Rev: A, Date: 13/01/23

Document Title	Prepared by	Date
Waste Management Plan	John Kinnear	16/09/21

- (2) **Modified Documents and Plans** - The development shall be modified as follows:
- The "direction signage at entry" sign shown on plan reference D-1.1 of the approved architectural plans is not approved and must be deleted.
 - The colour/material of the car park surface forward of the building line is to be either decomposed concrete / crushed sandstone, broom finished concrete recycled aggregate and sand mix, or sandstone / earth tone coloured permeable paving.
 - The ground floor external finishes are to be modified by replacing "sections of powder coat finished aluminium slats ('Colorbond' Shale Grey)" with "sections of locally sourced reclaimed timber cladding / slats (redressed and sealed)".

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

- (3) **National Construction Code - Building Code of Australia (BCA)** - All building work shall be carried out in accordance with the BCA as in force on the relevant date. In this condition the relevant date has the same meaning as in the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, section 19.
- (4) **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:
- protect and support the building, structure or work on adjoining land from possible damage from the excavation, and
 - 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.

- (5) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.
- (6) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this development consent.

The following procedures shall be strictly observed:

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

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

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

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

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

- (7) **Outdoor Lighting** – The approved development must include lighting in all areas that complies with AS 1158 and AS 4282.
- (8) **Reflectivity** - The reflectivity of glass index for all glass used externally shall not exceed 20%.
- (9) **Roof Mounted Equipment** - All roof mounted equipment such as air conditioning units, etc., required to be installed shall be integrated into the overall design of the building and not appear visually prominent or dominant from any public view.
- (10) **Noxious Weeds Management** - Weed dispersion must be minimised and weed infestations must be managed during all stages of the development. Any noxious or environmentally invasive weed infestations that occur during or after works must be fully and continuously suppressed and destroyed by appropriate means. New infestations must be reported to Council.

Pursuant to the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*, the applicant must at all times ensure that any machinery, vehicles or other equipment

entering or leaving the site are clean and free from any noxious weed material to prevent the spread of all weeds to or from the property.

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

- (11) **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.

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) **Performance Bond** - The applicant is to lodge a bond with Council to provide security for works undertaken within the existing public domain in accordance with Council's Development Infrastructure Bonds Policy.

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

- (2) **Construction Certificate** - The following information shall be provided to the certifier with the Construction Certificate application:

a) A minimum 375 Diameter Concrete Pipe shall be provided from the boundary pit into Camden Council's existing pit in accordance with Camden Council's Engineering Specification.

- (3) **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.

- (4) **External Walls and Cladding Flammability** – The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate the accredited certifier must:

a) be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and

b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as proposed.

- (5) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic

management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.

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

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

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

Where a Construction Certificate is required by this development consent, a detailed on-site detention and water quality report reflecting the Construction Certificate plans shall be provided to the certifier with the Construction Certificate application.

- (7) **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.

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

- (9) **Garbage Room** - Plans showing the location and details of garbage room(s) and room(s) used for the washing and storage of garbage receptacles shall be provided to the accredited certifier for approval. Garbage room(s) are to be constructed of solid material and finished as a smooth even surface. Floors are to be impervious, coved, graded and drained to an appropriate floor waste connection. Walls are to be smooth impervious surfaces to ensure no moisture, oils or similar material can soak in. Ventilation, pest proofing and a hose tap must be provided.

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

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

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

- (12) **Fibre-Ready Facilities/Telecommunications Infrastructure** – Documentary evidence must be provided to the certifier demonstrating that satisfactory arrangements have been made for:

- a) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The carrier must confirm in writing that they are satisfied that the fibre-ready facilities are fit for purpose; and
- b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

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

- (13) **Damages Bond** - The applicant is to lodge a bond with Council to ensure any damage to existing public infrastructure is rectified in accordance with Council's Development Infrastructure Bonds Policy.

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

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

3.0 - Prior to Commencement of Works

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

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the certifier.
- (2) **Notice of Principal Certifier** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*. The notice shall include:
 - a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the principal certifier, and of the person by whom the principal certifier was appointed;
 - e) the certifier's registration number, and a statement signed by the certifier consenting to being appointed as principal certifier; and
 - f) a telephone number on which the principal certifier may be contacted for business purposes.

- (3) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;
 - d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the principal certifier (only where no principal certifier is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
 - f) the date on which the work is intended to commence.
- (4) **Construction Certificate Required** - In accordance with the requirements of the *EP&A Act 1979*, building or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a certifier;
 - b) a principal certifier has been appointed by the person having benefit of the development consent;
 - c) if Council is not the principal certifier, Council is notified of the appointed principal certifier at least two (2) days before building work commences;
 - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
 - e) the principal certifier is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (5) **Sign of Principal Certifier and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited,
 - b) the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c) the name, address and telephone number of the principal certifier for the work.

The sign must be maintained while the work is being carried out and removed when the work has been completed.

- (6) **Site is to be Secured** - The site shall be secured and fenced.
- (7) **Sydney Water Approval** – The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to www.sydneywater.com/tapin to apply.

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

- (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) **Dilapidation Report – Adjoining Property** – A dilapidation report prepared by a suitably qualified person, including a photographic survey of the following adjoining properties shall be prepared.
- a) SP72840,
 - b) Lot 1 DP 744119,
 - c) LOT 1 DP 1114180
 - d) Lot 11 , DP 771220

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

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

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

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

- (11) **Traffic Management Plan** - A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. The plan must be submitted to the principal certifier.
- (12) **Construction Management Plan** - A construction management plan that includes dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the principal certifier.

- (13) **Environmental Management Plan** - An environmental management plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the principal certifier.

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

- a) measures to control noise emissions from the site;
 - b) measures to suppress odours and dust emissions;
 - c) soil and sediment control measures;
 - d) measures to control air emissions that includes odour;
 - e) measures and procedures for the removal of hazardous materials that includes waste and their disposal;
 - f) any other recognised environmental impact;
 - g) work, health and safety; and
 - h) community consultation.
- (14) **Construction Noise Management Plan** – A construction noise management plan shall be provided to the principal certifier and include the following:
- a) noise mitigation measures;
 - b) noise and/or vibration monitoring;
 - c) use of respite periods;
 - d) complaints handling; and
 - e) community liaison and consultation.
- (15) **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.

- (16) **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) **Compliance with BCA** – All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Excavations and Backfilling** - All excavations and backfilling associated with the approved development must be executed safely and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

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

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

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

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

- (4) **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 approved drainage system.

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.

- (5) **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*.
- (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) **Building Height** - A survey report prepared by a registered land surveyor confirming that the building height complies with the approved plans or as specified by the development consent, shall be provided to the principal certifier prior to the development proceeding beyond frame stage.
- (8) **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.
- (9) **Traffic Management Plan Implementation** - All traffic management procedures and systems identified in the approved traffic management plan shall be introduced and

maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.

- (10) **Site Signage** - A sign shall be erected at all entrances to the site and be maintained until the development has been completed. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:

"WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution."

The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

- (11) **Vehicles Leaving the Site** - The construction supervisor must ensure that:
- all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
 - the wheels of vehicles leaving the site:
 - do not track soil and other waste material onto any public road adjoining the site; and
 - fully traverse the site's stabilised access point.
- (12) **Fill Compaction** - Any fill must be compacted in accordance with Camden Council's current Engineering Design Specifications.
- (13) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines 2014 (refer to: www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm)
- Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.
- (14) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (15) **Noise During Work** - Noise levels emitted during works must comply with:
- (a) Construction period of 4 weeks and under:
- The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).
- (b) Construction period greater than 4 weeks and not exceeding 26 weeks:

The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

- (c) Construction period greater than 26 weeks:

The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 5 dB(A).

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

- (16) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (17) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (18) **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.
- (19) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).

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

- (20) **Tree Pruning** – Minor pruning of the northern most tree to allow pedestrian access is approved.

Pruning approval of the above trees is subject to all pruning works being undertaken by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports. All works are to be undertaken in accordance with the relevant provisions of AS 4373 'Pruning of amenity trees'.

- (21) **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.
- (22) **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.

- (23) **Salinity Management Plan** - All approved development that includes earthworks, imported fill, landscaping, buildings and associated infrastructure must be carried out or constructed in accordance with the salinity / control measures contained in Council's Engineering Specifications.
- (24) **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.
- (25) **Aboriginal Objects Discovered During Works** – If any Aboriginal object (including evidence of habitation or remains) is discovered during the work:
- all excavation or disturbance of the area must stop immediately in that area,
 - Heritage NSW must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*, and
 - any requirements of Heritage NSW must be implemented.

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) **Lot Consolidation** – Lot 12 in DP 771220 and Lots C & D in DP 157419 are to be consolidated. A copy of the registered plan of consolidation shall be provided to the principal certifier.
- (2) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the principal certifier in accordance with the requirements of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.
- (3) **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.
- (4) **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.

- (5) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the principal certifier:
- a) Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development;
 - b) Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

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

- (6) **External Walls and Cladding Flammability** – The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of an Occupation Certificate principal certifier must:
- a) be satisfied that suitable evidence is provided to demonstrate that the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
 - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as built.
- (7) **Positive Covenant – OSD / On Site Retention / Water Quality Facility** - A positive covenant shall be created under Section 88E of the *Conveyancing Act 1919* burdening the owner(s) with a requirement to maintain the on-site detention, water quality facility and on-site retention/re-use facilities on the property, prior to the issue of an Occupation Certificate.

The terms of the Section 88E instrument with positive covenant shall include the following:

- a) the Proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipeline s, trench barriers and other structures;
- b) the proprietor shall have the facilities inspected annually by a competent person;
- c) the Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities; and
- d) The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component

of the OSD and OSR, or failure to clean, maintain and repair the OSD and OSR.

The proprietor or successor shall bear all costs associated in the preparation of the subject Section 88E instrument. Proof of registration with NSW Land Registry Services shall be provided to and approved by the principal certifier prior to the issue of an Occupation Certificate.

- (8) **Stormwater – Plan of Management (POM)** - The registered proprietor of the land shall prepare a Plan of Management (POM) for the on-site detention facilities. The POM shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM shall be provided to the principal certifier for approval.
- (9) **Flooding – Evacuation Management Plan** - A Flood Emergency Evacuation and Management Plan for the proposed development shall be prepared in accordance with Council's Flood Risk Management Policy (as amended).
- (10) **Completion of Road Works** - All approved road, footpath and/or drainage works, including vehicle crossings, have been completed in the road reserve in accordance with the *Roads Act* Approval.
- (11) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.
- (12) **Defects and Liability Bond** – The applicant is to lodge a bond with Council to cover any defects and liabilities of any new public infrastructure in accordance with Council's Development Infrastructure Bonds Policy.

Note. Fees are payable for the lodgement and refund of the bond.
- (13) **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.
- (14) **Waste Collection Contract** - The building owner shall ensure that there is a contract with a licensed contractor for the removal of all waste. A copy of the contract is to be held on the premises at all times.
- (15) **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.
- (16) **Inspection of Existing Street Trees** – All existing street trees must be inspected by Council to ensure that they are undamaged and in a healthy condition.

6.0 - Ongoing Use

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

- (1) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.

- (2) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.
- (3) **Hours of Operation** - The property is only to be open for business and used for the purpose approved within the following hours:

Day	Hours of Operation
Monday - Friday	9:00am – 5:00pm
Saturday, Sunday and Public Holidays	Closed

- (4) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site. The loading dock shall be used for loading and unloading operations in connection with the approved use.
- (5) **Signage** - No consent is given or implied for any form of illumination or floodlighting to any sign.
- (6) **Driveways to be Maintained** - All access crossings and driveways shall be maintained in good order for the life of the development.
- (7) **Parking Areas to be Kept Clear** - At all times, the loading docks, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.
- (8) **Amenity** - The approved development shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations or residential/business premises.
- (9) **Offensive Noise and Noise Compliance** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*. Noise must also comply with the NSW Noise Policy for Industry 2017.
- (10) **No Waste to Be Stored Outside of the Site** – No waste is to be placed on any public land (eg. footpaths, roadways, plazas, reserves, etc.) or any other properties at any time.
- (11) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.
- (12) **Landscaping Maintenance Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.

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

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

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

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

CLPP02**Attachment 1**

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

Section	Assessment	Compliance?
<p>Part 3.1, Aims, objectives</p> <p>A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied that the signage:</p> <ul style="list-style-type: none"> • is compatible with the desired amenity and visual character of an area, and • provides effective communication in suitable locations, and • is of high quality design and finish. 	<p>The application proposes two wall mounted business identification signs. One sign is located on the eastern façade and faces the street, the other sign is located on the northern façade and is unlikely to be visible from the public domain.</p> <p>The signs will complement the development, be compatible with the desired amenity and visual character of the area and commensurate with the use of the site and the scale of the proposed building.</p> <p>The signage will provide effective communication and will be of a high-quality design and finish.</p>	Yes.
<p>Schedule 5 Assessment criteria - Character of the area</p> <ul style="list-style-type: none"> • Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? • Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	<p>The two signs will complement the development, be compatible with the desired amenity and visual character of the area and commensurate with the use of the site and the scale of the proposed building.</p>	Yes.
<p>Schedule 5 Assessment criteria - Special areas</p> <ul style="list-style-type: none"> • Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? 	<p>The proposed signage will not detract from the amenity or visual quality of the heritage conservation area or nearby heritage items.</p>	Yes.
<p>Schedule 5 Assessment criteria - Views and vistas</p> <ul style="list-style-type: none"> • Does the proposal obscure or compromise important views? • Does the proposal dominate the skyline and reduce the quality of vistas? • Does the proposal respect the viewing rights of other advertisers? 	<p>The signs are integrated into the building façade and will not obscure or compromise any views or vistas including those to/from nearby heritage items.</p> <p>The signs will not detract from the rights of any other advertisers.</p>	Yes.
<p>Schedule 5 Assessment criteria - Streetscape, setting or landscape</p> <ul style="list-style-type: none"> • Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? 	<p>The application proposes two wall business identification signs. One sign is located on the eastern façade and faces the street, the other sign is located on the northern façade and is unlikely to be visible from the public domain.</p>	Yes.

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

Section	Assessment	Compliance?
<ul style="list-style-type: none"> Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management? 	<p>The signage will complement the development, be compatible with the desired amenity and visual character of the heritage conservation area and nearby heritage items. The signs will be commensurate with the use of the site and the scale of the proposed building.</p> <p>The signs are integrated into the building facade will not protrude above building, structures or tree canopies in the area or locality.</p> <p>The signs will not require ongoing vegetation management.</p>	
<p>Schedule 5 Assessment criteria - Site and building</p> <ul style="list-style-type: none"> Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	<p>The application proposes two wall business identification signs. One sign is located on the eastern façade and faces the street, the other sign is located on the northern façade and is unlikely to be visible from the public domain.</p> <p>The signage will complement the development, be compatible with the desired amenity and visual character of the heritage conservation area and nearby heritage items. The signs will be commensurate with the use of the site and the scale of the proposed building.</p> <p>The signs represent an adequate degree of innovation and imagination in its relationship to the site and buildings.</p>	Yes.
<p>Schedule 5 Assessment criteria - Associated devices and logos with advertisements and advertising structures</p> <ul style="list-style-type: none"> Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed? 	<p>The signs will not incorporate any safety devices, platforms, lighting devices or logos.</p>	Not applicable.
<p>Schedule 5 Assessment criteria - Illumination</p> <ul style="list-style-type: none"> Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft? Would illumination detract from the 	<p>The signs will not be illuminated.</p>	Not applicable.

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

Section	Assessment	Compliance?
amenity of any residence or other form of accommodation? <ul style="list-style-type: none"> • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew? 		
Schedule 5 Assessment criteria - Safety <ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<p>In consideration of the location of the signs on the site, orientation, scale and lack of illumination and moving elements, it is not considered that it will reduce safety for motorists, pedestrians or bicyclists.</p> <p>The sign will not obscure sightlines.</p>	<p align="center">Yes.</p>

CLPP02

Attachment 2

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance?
<p>2.3 Zone objectives and land use table</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"> To provide a mixture of compatible land uses. To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling. To minimise conflict between land uses within the zone and land uses within adjoining zones. To encourage development that supports or complements the primary office and retail functions of the local centre zone. 	<p>The development is characterised as an office premises which is permitted with consent in the B4 Mixed Use zone.</p> <p>The development is consistent with the objectives of the zone in that will assist in achieving a mixture of compatible uses in the area and is located in an accessible location thereby encouraging public transport patronage and walking and cycling.</p> <p>No land use conflicts are expected as a result of the development.</p>	Yes.
<p>4.3 Height of buildings</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>The proposed building has a maximum height of 8.4 metres to the ridge of the northern pitched roof. This represents a variation of 1.4 metres or 20%.</p>	No.
<p>4.6 Exceptions to development standards</p> <p>Development consent may be granted for development that contravenes a development standard imposed by the LEP 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</p>	<p>The proposal has a maximum height of 8.4 metres and thereby contravenes the maximum height of buildings development standard that applies to the site (namely 7 metres).</p> <p>This represents a variation of 1.4 metres or 20%.</p> <p>The applicant has provided a written request that justifies the contravention by demonstrating that compliance with the development standard is unreasonable in the circumstances and that there are sufficient environmental planning grounds to justify the contravention.</p>	Yes.

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

CLPP02

Attachment 3

Clause	Assessment	Compliance?
<p>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 development standard contraventions for certain subdivisions of land in some rural and environmental zones.</p>	<p>Council is satisfied that the applicant's written request has adequately addressed the required matters.</p> <p>Furthermore, the proposed development is in the public interest as it is consistent with the objectives of the height of buildings development standard, as well as the objectives of the B4 Mixed Use zone.</p> <p>A detailed assessment against the relevant matters contained in this clause is provided in the main body of the report.</p>	
<p>5.10 Heritage conservation</p> <p>Before granting development consent in respect of a heritage item 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 conservation area concerned. The submission of a heritage conservation management plan may also be required.</p>	<p>The development application seeks consent for the construction of a two storey building.</p> <p>The site is located within the Camden Town Centre Heritage Conservation Area (HCA) which is of local significance and is in close proximity to several local heritage items.</p> <p>A Heritage Impact Statement was provided in support of the application that found the proposed development does not impact on the heritage significance of the conservation area or nearby heritage items.</p> <p>Council's internal heritage advisor reviewed the application and is supportive of the proposal, subject to the resolution of some minor matters. A recommended condition of consent addresses the outstanding matters, relating to landscaping and colours and materials.</p> <p>Council staff are satisfied that, subject to</p>	<p>Yes.</p>

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance?
	the abovementioned recommended condition, that the development is unlikely to have an adverse impact on the heritage significance of the conservation area or surrounding heritage items.	

CLPP02

Attachment 3

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
1.2 Notification and Advertising Requirements		
Notification and advertising requirements are now listed in Part 3.0 of the CPP.	The application was notified for 28 days in accordance with the Camden Community Participation Plan 2021. The notification period was from 15 November to 12 December and 10 submissions were received objecting to the proposed development.	Yes.
2.1 Earthworks		
Building work must be designed to ensure minimal cut and fill is required for its construction phase.	The building has been designed to respond to the existing topography of the site. Other than minor excavation for footings, no significant earthworks are proposed.	Yes.
2.2 Salinity Management		
All development, where saline and sodic soils are identified, must incorporate soil conservation measures to minimise soil erosion and siltation during construction and following completion of development. Soil and Water Management Plans, prepared in accordance with Managing Urban Stormwater – Soils and Construction are to be submitted with each subdivision DA.	Subject to the recommended conditions, adequate sediment and erosion controls measures will be in place during construction and following completion of works.	Yes.
All sediment and erosion controls are to be installed prior to the commencement of any works and maintained throughout the course of construction until disturbed areas have been revegetated/ established. Certification is required to be submitted to Council prior to commencement of construction.	Subject to the recommended conditions, adequate sediment and erosion controls measures will be in place during construction and following completion of works.	Yes.
2.3 Water Management		
All development must demonstrate compliance with the relevant provisions of Council's Engineering Specifications including requirements for detention, drainage and water sensitive urban design.	No increase to impervious areas is proposed by the application and the development will maintain the existing method of drainage to the street. No further water quantity measures are required. The applicant has demonstrated with a MUSIC model and provision of hydrocarbon treatment that water quality is capable of complying with Council's Engineering Specifications. A standard condition of consent is recommended to ensure the development is carried out in accordance with Council's Engineering Specifications.	Yes.
2.4 Trees and Vegetation		
A person must not cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy a tree or vegetation without approval from Council authorising such works.	No tree removal is proposed as part of this application. The proposed works have been designed to retain the existing four trees adjoining the front boundary. However, minor pruning of the northern most tree is required to allow pedestrian access into the site. Conditions of consent have been	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
	recommended to ensure the pruning is carried out by a qualified arborist in accordance with the relevant standards and that all other trees are retained and protected during construction.	
2.10 Development near Camden Airport		
Buildings or structures located within the area affected by the Camden Airport OLS or PANS-OPS contained in the Camden Airport Master Plan must use materials that have low reflectivity.	The proposed materials will have low reflectivity.	Yes.
2.14 Waste Management		
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.	A satisfactory waste management plan detailing the demolition, construction and ongoing use phases of the development was provided with the application. A condition of consent has been recommended requiring compliance with the WMP.	Yes.
2.16 Environmental Heritage		
2.16.3 General Heritage Provisions		
New buildings must be of a simple, contemporary design that avoids "heritage style" replication of architectural or decorative detail.	The proposal is considered to be a simple yet contemporary design that avoids 'heritage style' replication of architectural and/or decorative detail.	Yes.
New work must be easily identified as such and is required to be sympathetic to the heritage place.	The building will be easily identifiable as a new addition to the HCA yet will be sympathetic to the nearby heritage items and HCA as it has been designed to interpret and complement the general form, scale and details of the surrounding neighbourhood.	Yes.
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.	The building has been designed to interpret and complement the general form, scale and details of the surrounding neighbourhood.	Yes.
Where there is a uniform building front setback, new development must recognise this.	The front setback of the building is consistent with the setbacks of the buildings at the rear of 5-13 View Street.	Yes.
The existing informal and irregular pattern of rear property building alignments is to be retained.	The rear setback of the building is consistent with the rear setbacks of the buildings at the rear of 5-13 View Street.	Yes.
The existing pattern, pitch, materials and details of original roof forms within the Heritage Conservation Area must be retained.	The proposed gabled roof form is an interpretation of a 'saw-tooth' roof form which is reminiscent of other roof forms in the precinct.	Yes.
Materials, finishes, and textures must be sympathetic to the historic context of the original significant buildings within the streetscape.	The proposal is a simple yet contemporary design that avoids 'heritage style' replication of architectural and/or decorative detail.	Yes.
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.	Contemporary elements are proposed however they are considered compatible with the character of the area. No large expanses of glass or reflecting cladding is proposed.	Yes.
New buildings need not employ traditional	A detailed material and colour schedule has	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
colour schemes but should use colours sympathetic to surrounding development and contribute to the cohesiveness of the Heritage Place. A material and colour palette sheet must be provided to Council for assessment.	been provided with the development application. The building will include colours that are sympathetic to the surrounding buildings and the HCA.	
Skylights, air conditioning units, antennas, solar panels, satellite dishes etc. must not be visible from the street.	The proposed roof form has been designed to ensure an adequately sized service zone is provided that will not be visible from the public domain.	Yes.
2.16.4 Camden Heritage Conservation Area		
Views associated with the St John's Church spire must not be compromised.	The application will not impact any views to/from St John's Church.	Yes.
Existing cottage dominated streetscapes must be retained, new development such as extensions/additions should be compatible with the existing streetscape.	The development has been sited at the rear of the site and will not adversely affect the View Street cottages.	Yes.
A two storey height limit must prevail except for significant architectural features incorporated into the design of buildings in significant locations.	The proposal is two storeys.	Yes.
Large built forms in cottage dominated precincts must be avoided through the use of various roof forms and pitches, wall openings and recesses, materials, recessive colours and landscaping	The proposed gabled roof form is an interpretation of a 'saw-tooth' roof form which is reminiscent of other roof forms in the precinct.	Yes.
2.16.5 View Street Workers Cottages		
Any additions or alterations to the original cottages must be of a minor nature and appear subservient to the original sections.	No original cottages remain on the site.	Not applicable.
Additions must only occur at the rear of the cottage and not be visible from the street.	No original cottages remain on the site. However, the proposed building is contained to the rear of the site.	Yes.
Additions must not extend further than half the width of the original cottage, nor include any roof openings.	No original cottages remain on the site.	Not applicable.
Open front verandahs must be retained or reinstated to their original form.	No original cottages remain on the site.	Not applicable.
New development on a site must be approved only where the faithful restoration and conservation of the existing cottage is assured and supported by appropriate heritage management documentation.	No original cottages remain on the site.	Not applicable.
New development will contribute to the streetscape by interpreting features of the prevailing character, including roof pitch and form, materials, bulk and scale, fencing styles, and front and side setbacks.	The HIS submitted with the applications finds that the proposal reflects the traditional form and detailing of buildings in the vicinity and that the design aids in maintaining a sense of continuity in the streetscape and broader HCA.	Yes.
Building height for front building must not exceed one storey, and rear building must not exceed two storeys.	The proposed building is located at rear of the site and is two storeys.	Yes.
Fencing height for the front fence must	No fencing proposed.	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
not exceed 1.0m; rear fence must not exceed 1.8m and side fence must be 1.0m grading to 1.8m at the front building alignment.		
The area of private open space per residential unit (located behind the primary building line) must have a minimum area of 25m ² (with a minimum dimension of 5m).	No residential units proposed.	Not applicable.
Car parking for commercial development must be provided at a minimum rate of 2 spaces for each unit.	Car parking exceeds 2 spaces.	Yes.
All car parking is to be provided behind the front building line.	The proposed car park in the front setback is existing. The proposal seeks to regrade the existing car park and enclose two thirds of the car parking spaces within the building footprint (and therefore building line).	Yes.
Basement car parking is encouraged provided the visual impact of the entrance to the basement car park is minimised.	Basement car parking is not proposed.	Not applicable.
Basement car parks on the high side of the street must drain by gravity to the street. For properties on the lower side of the street, drainage must be provided to an inter-allotment drainage easement.	No basement proposed. The site is located on the high side of the road and drains by gravity to the street.	Not applicable.
All other general heritage provisions must be complied with.	An assessment against the other heritage provisions is contained within this table.	
2.17.1 General Requirements for Signage		
The location, quantity, type, colour, design and size of all signage must not detract from the amenity and character of the land or building to which it relates.	The application proposes two wall mounted business identification signs. One sign is located on the eastern façade and faces the street, the other sign is located on the northern façade and is unlikely to be visible from the public domain. The proposed signage will not detract from the amenity and character of the area.	Yes.
All signage must be consistent with the scale of the building or the property on which it is located.	The proposed signage is consistent with the scale of the building.	Yes.
All signage must align with an approved or exempt land use being conducted on the land to which the sign is displayed.	The proposed signs relate to the proposed use of the building.	Yes.
All signage must remain within the property boundary except in the case of a sign attached to an awning over the footpath.	All signs are within the property boundary.	Yes.
Signage must not interfere with road and pedestrian safety	Signage is unlikely to interfere with road or pedestrian safety.	Yes.
2.17.2 Commercial and Mixed Use Zones		
The total combined signage area on a building elevation must not exceed 20% of that building elevation that is visible from a public place.	The total combined signage area on each elevation is less than 20%.	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
With the exception of under awning signs, all signs must be located wholly within the property boundaries.	All signs are within the property boundary.	Yes.
All Illumination signage must comply with AS 1158 - Lighting for Roads and Public Spaces and AS 4282 - Control of the Obtrusive Effects of Outdoor Lighting.	No illumination of signage is proposed.	Yes.
Window signs must be affixed to the inside of the window. The total combined window signage area must not exceed 20% of the visible window area.	No window signs are proposed.	Yes.
2.17.4 Signage on Heritage Items or in Heritage Conservation Areas		
Council may require a Heritage Impact Statement to accompany a development application for signage on a heritage item or in a heritage conservation area prior to the granting of development consent.	A Heritage Impact Statement (HIS) was provided in support of the application that found the proposed signage will not detract from the heritage conservation area.	Yes.
The development application will be required to demonstrate that the proposed signage will complement the historic character of the building or conservation area in terms of colour, material, proportion, positioning and font.	The HIS provided in support of the application found the proposed signage will not detract from the heritage conservation area. The proposed signage types and materials/colours are consistent with other signs in the area.	Yes.
The number of signs permitted must not exceed two per elevation that is visible from a public place.	One sign is proposed to the east and north elevations.	Yes.
New signage should have minimal impact on the character of the heritage item or heritage conservation area.	The signage is unlikely to impact the overall heritage character of the Camden Town Centre HCA and nearby heritage items.	Yes.
Signage should be appropriately designed and located, to allow the character of the building or conservation area to remain prominent.	The proposed signage will be subtle and not detract from the conservation area.	Yes.
Signage should be located in areas of the building which have been traditionally used for signage. If such areas do not exist, signage may be considered inappropriate.	The proposed location of signage is consistent with other signage throughout the HCA.	Yes.
The design of new signs should be in harmony with the character of the heritage item and heritage conservation area.	The location and colours/materials are compatible with the character of the HCA.	Yes.
The design should incorporate traditional materials, colours, fonts and size, with a high standard of materials, construction and graphics.	The location and colours/materials are compatible with the character of the HCA.	Yes.
Materials for new signage should be sympathetic to the character of the heritage item and heritage conservation area, and preferably be of a painted surface finish.	The location and colours/materials are compatible with the character of the HCA.	Yes.
External surface illumination should be discreet or concealed and is the preferred method for signage illumination.	No illumination and/or flashing is sought.	Yes.
2.18 Traffic Management and Off-Street Parking		

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
2.18.2 Off Street Car parking rates/requirements		
Office Premises and Business Premises 1 car parking space per 40m ² of GFA.	<p>The proposed gross floor area is 562m². As such 14 car parking spaces are required for the development.</p> <p>In 1989, Council approved a development application for a two storey office building at 52 Argyle Street which was reliant on 26 car parking spaces being provided on the site known at 1-3 View Street (plus a monetary contribution for one space). While the car parking was provided on the site known as 1-3 View Steet, the consent did not require the consolidation of the sites.</p> <p>The total gross floor area for the existing building at 52 Argyle Street and the building proposed under this application is 1,342m² which generates a demand for 34 car parking spaces (or 33 spaces accounting for the 1 space provided through monetary contributions).</p> <p>The application proposes 21 car parking spaces which equates to a variation of 12 spaces.</p> <p>The applicant has justified the variation through the submission of a parking statement prepared by a consultant traffic engineer. An external traffic consultant reviewed the development application on behalf of Council. Both Council's Traffic Officer and the independent / external traffic consultant consider the variation supportable. Further details are contained within the main of this report.</p>	No. Variation supported.
Council will assess the extent and size of service vehicle parking area to be provided having regard to the nature of a particular development and its likely servicing requirements.	The loading area and swept paths have been designed around the largest service vehicle being a van. Based on the type of development, Council is satisfied that proposed largest service vehicle size is appropriate.	Yes.
5.2 General Controls Applying to all Business Zone Areas		
Development within business zones must incorporate a range of local retail, commercial, entertainment, childcare, residential and community uses to serve the needs of the local community.	The application proposes an office premises. The development will serve the needs of the local community.	Yes.
The layout and location of business zone uses must consider potential future noise and amenity conflicts for both the subject development and adjoining/nearby development.	The potential for noise and amenity conflicts is considered low. Conditions relating to offensive noise have been recommended.	Yes.
Where development fronts the street or	Through the use of openings, changes in	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

CLPP02

Attachment 4

Control	Assessment	Compliance?
any other public place (including car parking areas and pedestrian thoroughfares) the development must be designed so that it addresses the street or public place.	materials, colours and vertical/horizontal articulation, the building has been designed to address the street.	
New development must not detract from significant existing views and vistas.	The proposed building is set back from the street and does not detract from any existing significant view or vistas.	Yes.
Buildings should have a similar mass and scale to create a sense of consistency. Within business zones, generally there will be gradation of massing from a dense inner core to a less dense outer edge to provide an appropriate interface with land uses in the adjoining zones and symmetry to the building.	The mass and scale of the building is consistent with the buildings at the rear of adjoining View Street lots as well as adjoining buildings fronting Argyle Street.	Yes.
Business development must feature high quality architectural design and a built form that promotes a 'sense of place' and contemporary character for all business zones	The development features openings, changes in materials and colours and vertical/horizontal articulation which will contribute an overall high-quality design.	Yes.
Development in business zones must be compatible with surrounding business development in terms of appearance, type, bulk and scale, design and character.	The building is consistent with the buildings at the rear of adjoining View Street lots as well as adjoining buildings fronting Argyle Street.	Yes.
Building wall planes must contain variations and architectural design features in their front facades in order to provide visual interest.	The proposed changes in materials and colours and vertical/horizontal articulation provide visual interest.	Yes.
Consideration is to be given to the interface where the building and awning abuts an adjoining development to ensure compatibility.	The proposed awning that abuts the northern boundary is considered compatible with the building fronting Argyle Street.	Yes.
Roof forms should be appropriately designed to respond to the built form of other nearby business development. The design of roofs may adopt traditional forms found in the immediate locality, or alternatively they may adopt a more contemporary appearance to a juxtaposition to traditional roof forms. However, it must be clearly demonstrated that the proposed roof form relates appropriately to the existing adjoining development.	The proposed gabled roof form is an interpretation of a 'saw-tooth' roof form which is reminiscent of other roof forms in the precinct.	Yes.
New development must not cause significant overshadowing or overlooking of public places, relative to the patterns of usage of those places.	No significant increase in overshadowing is proposed.	Yes.
Where a building addresses a public space, buildings must always address and embellish that public space. Public spaces may include a street, any form of urban open space (e.g. courtyard, plaza, etc), or	The building fronts View Street. The verge is not considered wide enough for any significant embellishment however the development retains the four trees within the front boundary of the site which will provide public benefit and	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
any form of landscaped open space. This must also help contribute towards place-making.	contribute towards place-making.	
Service infrastructure such as air conditioning and other plant must be screened from public view and must be incorporated into the design of the building.	The proposed roof form has been designed to ensure an adequately sized service zone is provided that will not be visible from the public domain.	Yes.
Site facilities such as loading, waste storage, servicing and other infrastructure must be designed to minimise the visual impact on the public domain and impacts on neighbours.	The waste storage room has been integrated into the front façade of the building thereby minimising visual impacts on the public domain and neighbours.	Yes.
Security devices must be integrated with the design of the building and must enable design features to be interpreted outside centre trading hours.	A security roller door and gate are proposed. These elements are setback from the street and comprise a minor portion of the overall building façade.	Yes.
Business development must be designed to facilitate high levels of pedestrian amenity and permeability, including access and facilities for cyclists.	A high level of pedestrian amenity and permeability is provided throughout the site. Facilities for cycles have been provided.	Yes.
Development is to incorporate appropriate measures for convenient, weather sheltered access for pedestrians, including access to other land.	Weather sheltered access is provided where pedestrian paths adjoining the proposed building.	Yes.
Buildings should be designed to minimise overshadowing of pedestrian thoroughfares and footpaths wherever possible.	No significant increase in overshadowing is proposed.	Yes.
Development must include a high quality landscape design including a co-ordinated package of street furniture and lighting that enhances the character of the business zone. The design of landscaping and the public domain must be generally in accordance with Council's Landscape and Streetscape Elements Manual (or equivalent).	The building fronts View Street. The verge is not considered wide enough for any significant embellishment however the development retains the four trees within the front boundary of the site which will provide public benefit and contribute towards place-making.	Yes.
The building and landscape design is to be complementary to ensure legible, safe, comfortable and easy access for pedestrian from the street frontages, within the business zone and to adjoining land, where appropriate.	The proposing building and existing landscaping satisfactorily address the CPTED principles.	Yes.
Street tree and open space plantings are to provide generous shade for pedestrians.	The existing trees along the front boundary provide generous shade for pedestrians.	Yes.
All signage and advertising is to be designed in a coordinated manner.	The proposed business identification signs have been designed in a coordinated manner.	Yes.
The visibility of parking areas at street frontages must be minimised through parking layout and design, building location and design and landscaping treatments. Bitumen and cars are not to be the dominant features of the landscape.	The proposed building will assist in minimising the visibility of the existing car park by screening the majority of the parking spaces behind the building line.	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

CLPP02

Attachment 4

Control	Assessment	Compliance?
Parking areas must be designed to enable legible, safe, comfortable and easy access for pedestrians from the street frontages, within the centre and to adjoining land, where appropriate	Parking areas consistent with this control and are capable of complying with the relevant Australian Standards.	Yes.
Car parking must be provided in accordance with Part 2 of this DCP.	An assessment of car parking has been made above.	Yes.
A detailed Waste Management Plan (WMP) must be submitted for the ongoing use of the site. A WMP must outline the waste that will be generated from the site and proposed arrangements for managing waste onsite and for collection.	A satisfactory waste management plan detailing the demolition, construction and ongoing use phases of the development was provided with the application. A condition of consent has been recommended requiring compliance with the WMP.	Yes.
The site plan and floor plans must show: the location of temporary waste and recycling storage areas within each tenancy; the location of designated waste and recycling storage room(s) or areas that are sized to meet the waste and recycling needs of all tenants (refer to Council's Waste Management Guidelines for generation rates); an identified collection point for the collection and emptying of waste, recycling and other waste bins; and the path of travel for moving bins from the storage area to the identified collection point (if collection is to occur away from the storage area). There must be step-free access between the point at which bins are collected/emptied and the waste/recycling storage room(s) or area(s).	The plans identify a satisfactory waste room and collection point.	Yes.
A swept path analysis must be prepared by a suitably qualified professional in accordance with AS2890.2. It must be demonstrated that a Heavy Rigid Vehicle: can enter, manoeuvre and exit the site in a forward direction; perform collections in a safe manner; and is provided with adequate height and width clearance to safely access the site.	HRV access to the site is not required. The largest sized vehicle to access the site will be a van. Satisfactory swept paths have been provided for this vehicle type.	Not applicable.
Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids and stored in designated waste/recycling storage room(s) or area(s).	Waste will be stored in a dedicated waste room on the ground floor. A condition of consent relating to waste storage and waste room requirements has been recommended.	Yes.
The number of bins to be provided must be calculated based on waste generation rates in Council's Waste Management Guidelines;	The number of bins proposed are consistent with Council's Waste Management Guidelines.	Yes.
In exceptional circumstances where onsite collection cannot be achieved, waste/recycling containers should be collected from a kerbside, rear laneway or	The application proposes waste and recycling to be collected at the kerbside. No collection from shop frontages is proposed.	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
service passage. Waste collection should not be provided along shop frontages.		
5.3 Camden Town Centre Development Controls		
5.3.3 Camden – B4 Mixed Use		
Development in the B4 Mixed Use zone should be complementary to the existing land uses in the B2 Local Centre zone which forms the core business and retail precinct of the Camden township.	The proposed development complements the existing land uses in the B2 Local Centre zone.	Yes.
Buildings must contribute to the local distinctiveness of the Camden township by using a varied palette of colours, materials and finishes.	A varied palette of colours, materials and finishes is proposed.	Yes.
Buildings in full corporate colours will not be permitted. Corporate colours can, however, be sensitively integrated as part of an overall design and signage strategy.	Corporate colours for the building are not proposed.	Yes.
The Camden township is located within the Camden Heritage Conservation Area. Reference must be made to Part 2 of this DCP.	An assessment against the relevant controls has been made earlier in this table.	Yes.
Development within the B4 Mixed Use zone at Camden must be consistent with the Camden Town Centre Urban Design Framework.	The development is consistent with the Urban Design Framework.	Yes.

CLPP02

Attachment 4



REQUEST UNDER CLAUSE 4.6 OF CAMDEN LEP 2010

**Proposed new fit for purpose Head Office for Macarthur Credit Union,
1 View Street Camden**



Dingo Partners Pty Limited, 10 Beach Street, PO Box 952 Wollongong
NSW 2520. Tel: 02 4229 4936 Email: john@dingopartners.com

This Request under Clause 4.6 of the Camden LEP 2010 has been prepared on behalf of Macarthur Credit Union In support of development application..... For their proposed new fit for purpose Head Office which demonstrates their ongoing commitment to their local member base, to the vitality of the local Camden Town Centre and to continued local job opportunities.

CLPP02**Attachment 7**

1.0 The Proposal

This request in support of a development application DA/2021/1691/1 that proposes the construction of a new Head Office building for Macarthur Credit Union (The Mac) at 1 View Street Camden.

This Clause 4.6 Request relates to a variation proposed to Council's Maximum Building Height control as prescribed by Camden Local Environment Plan (LEP) 2010

1.1 Clause 4.6 Request

Clause 4.6 of the camden LEP 2010 allows the consent authority to grant consent for development even though the development contravenes a development standard imposed by the LEP.

(3) Development consent must not be granted for a development that contravenes a development standard unless the consent authority has considered a written request from the the applicant that seeks to justify the contravention of the development standard by demonstrating:

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- (b) That there are sufficient environmental planning grounds to justify contravening the development standard.

Further Clause 4.6(4) provides that:

(4) Development consent must not be granted for development that contravenes a development standard unless:

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 the development within the zone in which the development is proposed to be carried out.

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

1. The objectives of the development standard are achieved notwithstanding noncompliance with the standard
2. The underlying objective or purpose of the development standard is not relevant to the development so that compliance is unnecessary;
3. Underlying objective or purpose would be defeated or thwarted if compliance was required, so that compliance is unreasonable;
4. The development standard has been abandoned by the council; or
5. The zoning of the site was unreasonable or inappropriate so that the development standard was also unreasonable or unnecessary (note this is a limited way of establishing that compliance is not necessary as it is not a way to effect general planning changes as an alternative to strategic planning powers)

The environmental planning grounds relied upon in the written request under Clause 4.6 must be sufficient to justify contravening the development standard. The focus is on the aspect of the development that contravenes the development standard not the development as a whole. Therefore, the environmental planning grounds advanced in the written request must justify the contravention of the development standard and not simply promote the benefits of carrying out the development as a whole

1.2 Relevant Development Standard

The relevant development standard to which this objection relates to is Clause 4.3 Height of Buildings which sets out the following:

- (1) The objectives of this clause are as follows:
 - (a) To ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality
 - (b) To minimise the visual impact, disruption of views, loss of privacy and loss of solar access to existing development,
 - (c) To Minimise the adverse impact of development on heritage conservation areas and heritage items.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

Comment

The applicable maximum height for the site is 7m. The development proposes a maximum building height of 8.4m at the ridge line of roof which is what adds to the buildings character and ties it back to the heritage origins of the precinct whilst providing screening of plant and equipment from the street and from adjoining properties.

The saw tooth design pays tribute to the rural heritage of the Camden area and is in keeping with the proportion and scale of the proposed building.

The proposed building has been sited within the site to minimise any shading and shadowing on adjacent properties which are on a higher ground level to the proposed site.....

1.3 Is the Planning Control in Question a development Standard?

'Development Standards' are defined under Section 1.4(1) of the EP&A Act as follows:

"development standards means provisions of an environmental planning instrument or the regulation to the carrying out of a 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 forgoing, requirements or standards in respect of: ...

(a) the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of a building or work,..."

Comment

The maximum building height control under Clause 4.3 of the Camden LEP 2010 is clearly a development standard.

Whilst it has been noted that the proposed development exceeds the Camden LEP's maximum height control for the site, the proposed commercial office building has been sited and designed to minimise impacts on adjoining properties, the existing character of the area and the public domain whilst screening rooftop mechanical plant from the street and adjoining properties, ensuring fit for purpose usability and functionality. The area of the exceedance is significantly set back from View Street (some 17.3m) and adjoining residences and is screened from Argyle Street by the existing original head office building (which is also noted as being slightly over the prescribed 7m height limit to the top of the parapet feature and curved tin roof behind it. The plant and equipment is also very exposed to view from behind and from View St currently) and the heritage building on the cnr of Argyle and View Streets (which is noted as being 9.225m h) to minimise the visual impact.

The proposed development has been designed to incorporate an acceptable level of articulation and visual interest that will positively contribute to the character of the area and identify the usage whilst paying tribute to the rural and heritage character of the precinct. The articulation ensures the visual bulk of the development is reduced and assists in the integration of the development into the surrounding area.

The site is also considerably lower than the surrounding sites to the side and rear of the Macarthur Credit Union site.

Figure 1: Elevation illustrating the context of the siting of the proposed new Head Office and how it sits in context to the surrounding buildings as seen from View Street



3.3 Consistency with Zoning

The consistency of the proposal against the objectives of the B4 Mixed Use zoning is outlined below...

Objectives of B4 zoning

o To provide a mixture of compatible land uses.

The proposed development comprises of a redevelopment of a site previously used for the purpose of storage and car parking. The parking is to be retained and reconfigured and the storage building (demolished) with a new building built for use as Head Office for Macarthur Credit Union, a local financial institution and one of the only remaining financial institutions in Camden CBD.

o To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

The proposed development is located behind the newly completed Branch Office for Macarthur Credit Union and the old Head Office building and is a suitable business usage for the location.

o To minimise conflict between land uses within the zone and land uses within adjoining zones.

The proposed building is positioned onsite to minimise conflict between land uses within the zone and land uses within adjoining zones and assists in screening of unsightly plant and equipment currently visible on the roof of the old head office building from the adjoining properties.

- o **To encourage development that supports or complements the primary office and retail functions of the local centre zone.**

The proposed office building supports and complements the primary office and retail functions of the local centre zone.

4.0 Is compliance with the Development Standard Unreasonable or unnecessary in the circumstances of this case.

Clause 4.6(3)(a) of the Camden LEP 2010 requires the departure from the development standard to be justified by demonstrating:

- o **Compliance with the standard is unreasonable or unnecessary in the circumstances of the case.**

Comment

The proposed development provides a built form that responds to the heritage precinct of Camden Town Centre and minimise impact on the scenic quality of the locality. The exceedance in height is in repose to the degree of roof pitch associated with heritage buildings and to the visual scale and proportion of the proposed building. To comply with the height limit would result in a flat roofed structure which would not sit well within the local surrounds and detract from heritage items within proximity of the site.

The proposed development, including the proposed elements that exceed the height limits, will continue to achieve the objectives of the standard. It is therefore considered that the objectives of the development standard are met even with the breach of building height standard.

It is also noted that recommendations made in the Draft Camden Town Centre Urban Design Framework report dated April-2018 prepared for council by McGregor + Coxall includes the recommendation for a slight increase the maximum height limit of buildings from 7m to 8m within certain parts of Camden Town Centre where 2 (two) storey built form is appropriate.

5.0 Are there sufficient Environmental Planning Grounds to Justify Contravening the Development Standard (Clause 4.6(3)(b))

Clause 4.6(3)(b) of Camden LEP 2010 requires the departure from the development standard to be justified by demonstrating that:

- o There are sufficient environmental planning grounds to justify contravening the development standard

Comment

It is our opinion that there are sufficient environmental planning grounds to justify contravening the building height standard in this instance. These are as follows.

- o The proposed development is consistent with the objectives of the zone and the building height control
- o The proposal does not result in any adverse impact to adjoining properties due to it being considerably lower than the properties to the rear and side of the proposed development.
- o The height variation equates to a maximum 1.4m for the extent of the roof pitches in the interests of complimenting the heritage building within the proximity and helps screen the plant and equipment located on the rooftop from view.

It is considered that the objectives of the LEP height standard are achieved in this instance where the proposed building produces a high quality built form that ensures a high level of amenity for Macarthur Credit Union and poses very little impact if any to the surrounding developments.

While the proposed building does exceed the building height control applicable to the site, it is considered that the proposed design does not unreasonably detract from the amenity of adjacent residents or the existing quality of the environment as demonstrated in the Architectural Plans prepared by Dingo Partners

Strict compliance with the building height development standard would result in a building that does not sit well within the heritage precinct or not meet the requirements of the client operationally and we believe would result in an adverse outcome for surrounding residents as they would be overlooking more rooftop plant and equipment than they currently do on the old head office building.

6.0 Conclusion

The proposed contravention of the 7m height limit is based on the reasons outlined in this request and are summarised below.

- o It is considered this proposal represents an individual unique circumstance in which clause 4.6 was intended and to be available to set aside compliance with unreasonable or unnecessary development standards.
- o The proposed development is unique in its situation and would not create an undesirable Precedent due to the siting of the building.
- o The proposed development is consistent with the objectives of clause 4.3 and clause 4.6 of the Camden LEP 2010 and is therefore in the public interest pursuant to clause 4.6 (4).

In view of the above, it is considered that this written request has adequately addressed the matters required by clause 4.6(3) of the Camden LEP 2010 and Council's support to contravene the maximum height development standard of clause 4.3 is therefore sought.

Drawing List

A-1.1	Cover Sheet and Drawing Schedule	25-01-23
A-2.1	Legend - Part 1 of 6	05-07-21
A-2.2	Legend - Part 2 of 6	05-07-21
A-2.3	Legend - Part 3 of 6	05-07-21
A-2.4	Legend - Part 4 of 6	05-07-21
A-2.5	Legend - Part 5 of 6	05-07-21
A-2.6	Legend - Part 6 of 6	25-01-23
A-3.1	Perspective	25-01-23
A-3.2	Perspective	25-01-23
A-3.3	Perspective	25-01-23
B-1.1	Site Plan - Existing	05-07-21
B-1.2	Site Plan - Proposed	24-01-23
B-1.3	Site Plan - Proposed, Site Details	24-01-23
B-1.4	Site Plan - Car Park	24-01-23
B-2.1	Ground Level Plan - Proposed	24-01-23
B-2.2	Level 1 Plan - Proposed	24-01-23
B-2.3	Roof Plan - Proposed	24-01-23
B-3.0a	Wall Schedule	25-01-23
B-3.0b	Window Detail	25-01-23
B-3.1	Ground Level Plan - Dimensioned	25-01-23
B-3.2	Level 1 Plan - Dimensioned	25-01-23
B-3.3	Level 1 Plan - Window Setout	25-01-23
B-4.0	Lighting Schedule	16-08-22
B-4.1	Ground Level Plan - Ceiling	16-08-22
B-4.2	Level 1 Plan - Ceiling	16-08-22
C-1.1	Elevation - East (from street)	25-01-23
C-1.2	Elevation - North (entry side)	25-01-23
C-1.3	Elevation - West (back)	25-01-23
C-1.4	Elevation - South (side)	25-01-23
C-2.1	Sections	25-01-23
D-1.1	Detail 1 - Signage	16-03-22
E-1.1	Shadow Diagrams	24-01-23
E-1.2	Shadow Diagrams	24-01-23
E-1.3	Shadow Diagrams	24-01-23
E-1.4	Shadow Diagrams	24-01-23
E-1.5	Shadow Diagrams	24-01-23
E-1.6	Shadow Diagrams	24-01-23
E-1.7	Solar Access Calculations	24-01-23

Proposed New Building for

Macarthur Credit Union

New Building

Lot C & D, DP 157419

Date	Revision	Int
24-09-19	Concept - Issued for Client Approval	JT
11-10-19	Concept - Issued for Client Approval	JT
15-01-20	Concept - Issued for Client Approval	JT
23-01-20	Concept - Issued for Client Approval	JT
22-04-20	Concept - Issued for Client Approval	JT
21-05-20	Concepts - Issued for Client Approval	JT
12-06-20	Concept - Issued for Client Approval	JT
01-07-20	Approval - Issued for Client Approval	JT
18-08-20	Minor Amendment; Approval - Issued for Approval	JT
25-08-20	Concept - Issued for Client Approval	JT
26-08-20	Concept - Issued for Client Approval	JT
02-09-20	Concept - Issued for Client Approval	JT
29-10-20	Approval - Issued for Client Approval	JT
20-05-21	Approval - Issued for Approval	JT
06-07-21	Approval - Issued for Approval	JT
16-03-22	Concept - Issued for Client Approval	JT
16-08-22	Approval - B - Issued for Approval	JT
25-01-23	Additional information / Minor Changes; Approval - C - Issued for Approval	JT



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Note:
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 -Colours in perspective and PDF prints are indicative only and may not be a true representation due to printer or screen limitations
-Do not measure or build from perspectives as they were never intended for this purpose.



Perspective

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union
Project: New Building
Address: Lot C & D, DP 157419
Drawn by: JT
Designed by: JK
Scale: N/A

Issue: Approval - C
Date: 25-01-23
Sheet: A3

Note: All measurements are to be confirmed on site before fabrication or construction works commence & any discrepancies reported back to the designers for clarification. The drawings referred to in this document have been produced to illustrate design intent. All shop drawings to be submitted to the designers for approval prior to manufacture or construction. © Designs and Information contained in this set of drawings and related documents are the copyright of Dingo Partners Pty Ltd



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Dwg no:

A-3.1

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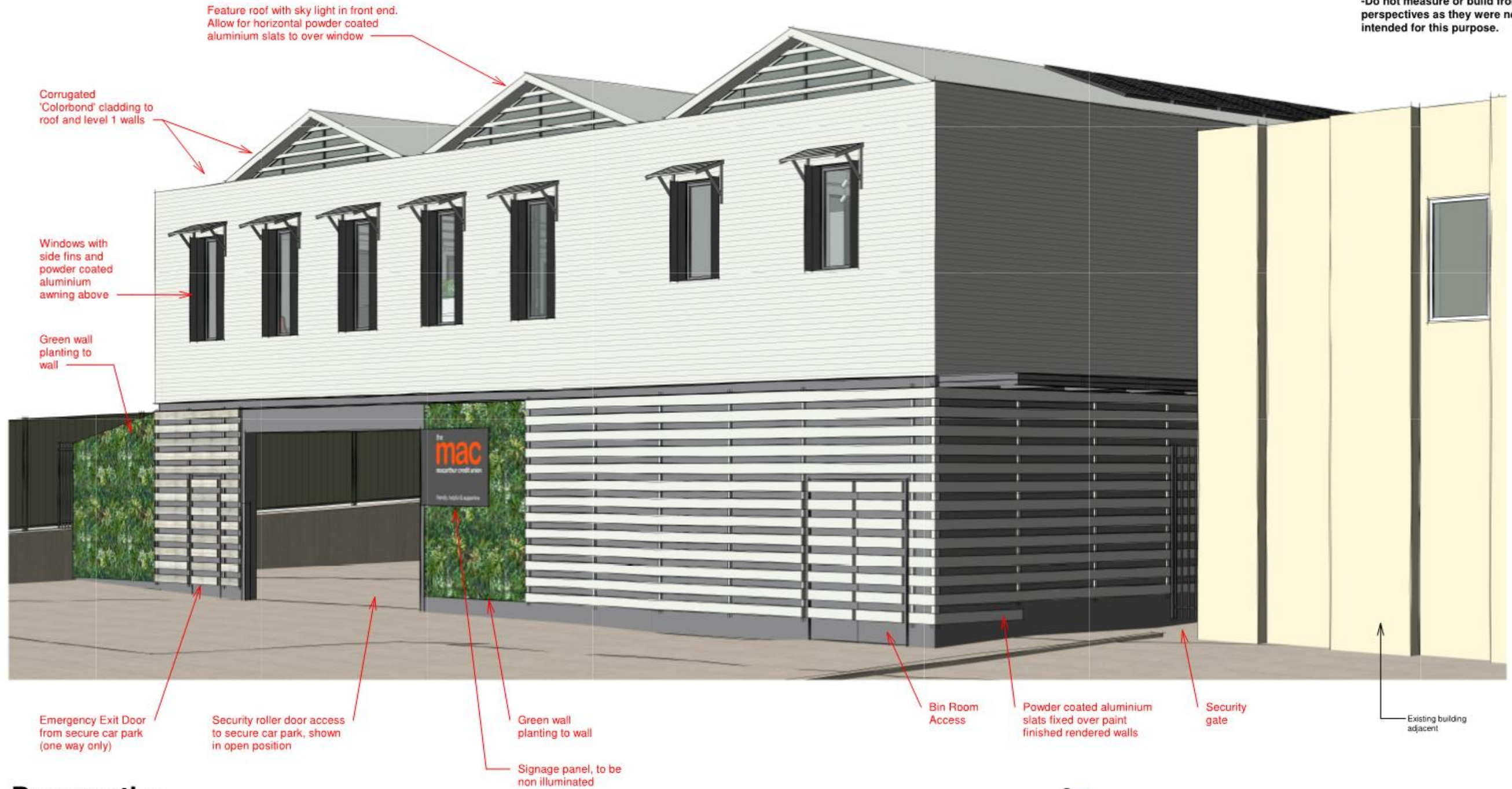
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Dwg no:

A-3.2

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Perspective

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union **Drawn by:** JT
Project: New Building **Designed by:** JK
Address: Lot C & D, DP 157419 **Scale:** N/A

Issue: Approval - C
Date: 25-01-23
Sheet: A3

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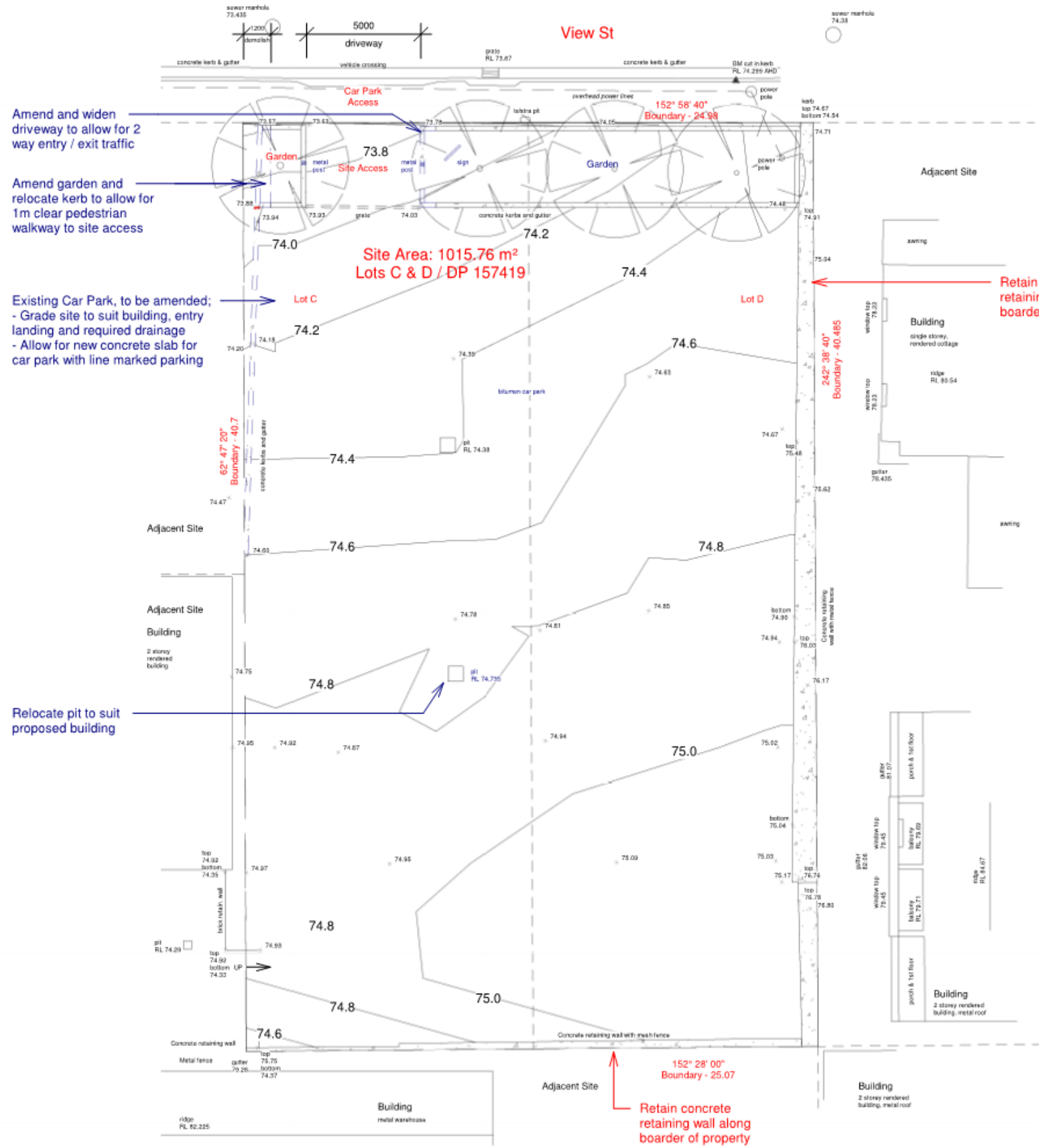


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Dwg no:

A-3.3



- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Site Plan - Existing

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union
Project: New Building
Address: Lot C & D, DP 157419
Drawn by: JT
Designed by: JK
Scale: 1 : 200
Issue: Approval - C
Date: 05-07-21
Sheet: A3

Site Notes:

- Builder to be aware of and comply with the provisions of local Council's Development Control Plans (DCP) and the Building Code of Australia (BCA) and Australian Standards (AS). All contractors are to comply with the current health and safety regulations and OH&S practices
- These drawings are to be read in conjunction with the specification and all relevant engineering documentation and with any other instructions issued
- All goods, materials and equipment shall be stored within the site boundary and no part of the land surrounding shall be used for purposes of storage
- Retain site levels. Install new building to suit existing retaining wall footings. Proposed Building Ground Floor RL 75.25. Allow for side passage to be graded to allow for accessible egress to entry door
- Amend drainage points as required, grade site to suit. Finish with concrete and line mark parking. Drainage to engineers details
- Ensure fire suppression and / or fire resistant materials (90/90/90) within 3m of site boundary

Floor Space Ratio:

- Site Area = 1015.76 m²
- Ground Floor Space = 101.1 m²
- Level 1 Floor Space = 392.5 m²
- Total Floor Space = 493.6 m²
- 512.21 ÷ 1015.76 = 0.486 therefore Floor Space Ratio = 0.486 : 1

Planting Details:

Clivia miniata (Common Names: Clivia Lilly or Bush Lilly). Chosen as suitable companion planting with existing established Jacarandas

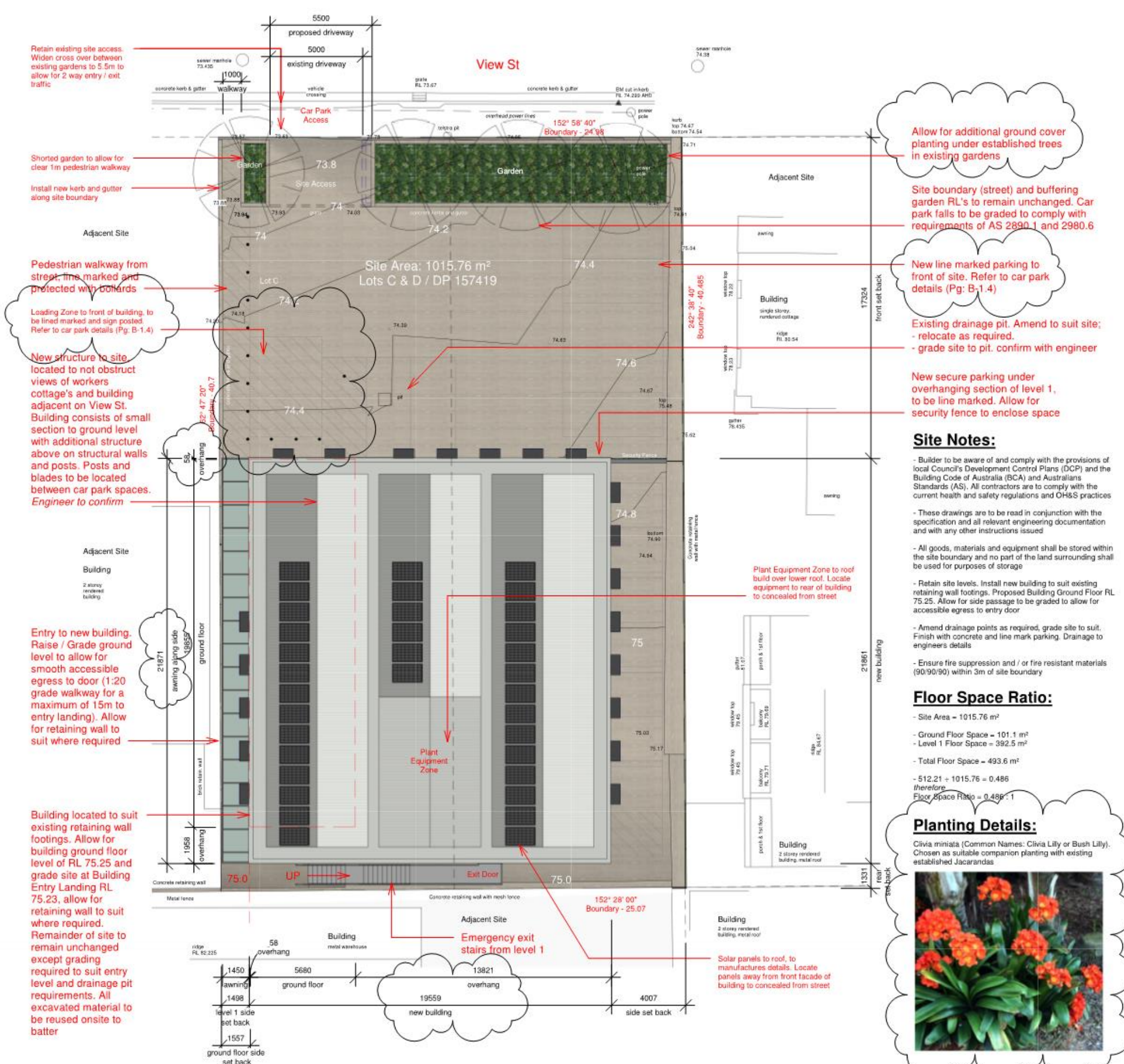


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Dwg no:

B-1.1



- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Site Plan - Proposed

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union
Project: New Building
Address: Lot C & D, DP 157419
Drawn by: JT
Designed by: JK
Scale: 1 : 200
Issue: Approval - C
Date: 24-01-23
Sheet: A3

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Dwg no:

B-1.2

Allow for additional ground cover planting under established trees in existing gardens

Site boundary (street) and buffering garden RL's to remain unchanged. Car park falls to be graded to comply with requirements of AS 2890.1 and 2980.6

New line marked parking to front of site. Refer to car park details (Pg: B-1.4)

Existing drainage pit. Amend to suit site:
 - relocate as required.
 - grade site to pit. confirm with engineer

New secure parking under overhanging section of level 1, to be line marked. Allow for security fence to enclose space

Site Notes:

- Builder to be aware of and comply with the provisions of local Council's Development Control Plans (DCP) and the Building Code of Australia (BCA) and Australian Standards (AS). All contractors are to comply with the current health and safety regulations and OH&S practices
- These drawings are to be read in conjunction with the specification and all relevant engineering documentation and with any other instructions issued
- All goods, materials and equipment shall be stored within the site boundary and no part of the land surrounding shall be used for purposes of storage
- Retain site levels. Install new building to suit existing retaining wall footings. Proposed Building Ground Floor RL 75.25. Allow for side passage to be graded to allow for accessible egress to entry door
- Amend drainage points as required, grade site to suit. Finish with concrete and line mark parking. Drainage to engineers details
- Ensure fire suppression and / or fire resistant materials (90/90/90) within 3m of site boundary

Floor Space Ratio:

- Site Area = 1015.76 m²
- Ground Floor Space = 101.1 m²
- Level 1 Floor Space = 392.5 m²
- Total Floor Space = 493.6 m²
- $512.21 \div 1015.76 = 0.486$
- therefore Floor Space Ratio = 0.486:1

Planting Details:

Clivia miniata (Common Names: Clivia Lilly or Bush Lilly). Chosen as suitable companion planting with existing established Jacarandas



Retain existing site access. Widen cross over between existing gardens to 5.5m to allow for 2 way entry / exit traffic

Shorted garden to allow for clear 1m pedestrian walkway

Install new kerb and gutter along site boundary

Pedestrian walkway from street, line marked and protected with bollards

Loading Zone to front of building, to be lined marked and sign posted. Refer to car park details (Pg: B-1.4)

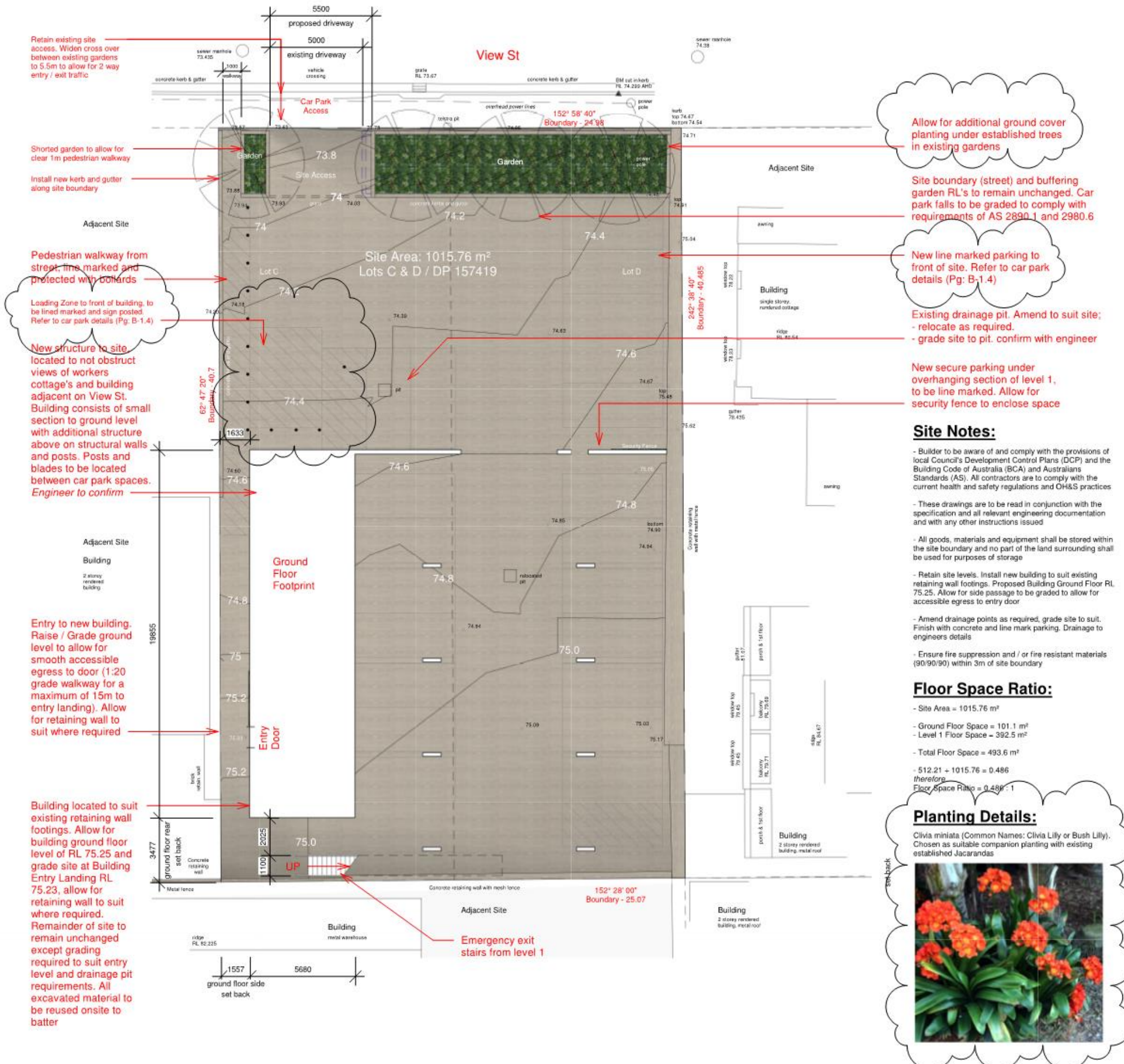
New structure to site located to not obstruct views of workers cottage's and building adjacent on View St. Building consists of small section to ground level with additional structure above on structural walls and posts. Posts and blades to be located between car park spaces. Engineer to confirm

Entry to new building. Raise / Grade ground level to allow for smooth accessible egress to door (1:20 grade walkway for a maximum of 15m to entry landing). Allow for retaining wall to suit where required

Building located to suit existing retaining wall footings. Allow for building ground floor level of RL 75.25 and grade site at Building Entry Landing RL 75.23, allow for retaining wall to suit where required. Remainder of site to remain unchanged except grading required to suit entry level and drainage pit requirements. All excavated material to be reused onsite to batter

Plant Equipment Zone to roof build over lower roof. Locate equipment to rear of building to concealed from street

Solar panels to roof, to manufactures details. Locate panels away from front facade of building to concealed from street



- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Site Plan - Proposed, Site Details

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union
Project: New Building
Address: Lot C & D, DP 157419
Drawn by: JT
Designed by: JK
Scale: 1 : 200
Issue: Approval - C
Date: 24-01-23
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Dwg no:

B-1.3

Allow for additional ground cover planting under established trees in existing gardens

Site boundary (street) and buffering garden RL's to remain unchanged. Car park falls to be graded to comply with requirements of AS 2890.1 and 2980.6

New line marked parking to front of site. Refer to car park details (Pg: B-1.4)

Existing drainage pit. Amend to suit site; - relocate as required. - grade site to pit. confirm with engineer

New secure parking under overhanging section of level 1, to be line marked. Allow for security fence to enclose space

Site Notes:

- Builder to be aware of and comply with the provisions of local Council's Development Control Plans (DCP) and the Building Code of Australia (BCA) and Australian Standards (AS). All contractors are to comply with the current health and safety regulations and OH&S practices
- These drawings are to be read in conjunction with the specification and all relevant engineering documentation and with any other instructions issued
- All goods, materials and equipment shall be stored within the site boundary and no part of the land surrounding shall be used for purposes of storage
- Retain site levels. Install new building to suit existing retaining wall footings. Proposed Building Ground Floor RL 75.25. Allow for side passage to be graded to allow for accessible egress to entry door
- Amend drainage points as required, grade site to suit. Finish with concrete and line mark parking. Drainage to engineers details
- Ensure fire suppression and / or fire resistant materials (90/90/90) within 3m of site boundary

Floor Space Ratio:

- Site Area = 1015.76 m²
- Ground Floor Space = 101.1 m²
- Level 1 Floor Space = 392.5 m²
- Total Floor Space = 493.6 m²
- $512.21 \div 1015.76 = 0.499$
- therefore Floor Space Ratio = 0.499 : 1

Planting Details:

Clivia miniata (Common Names: Clivia Lilly or Bush Lilly). Chosen as suitable companion planting with existing established Jacarandas





- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Site Plan - Car Park

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union
Project: New Building
Address: Lot C & D, DP 157419
Drawn by: JT
Designed by: JK
Scale: As indicated
Issue: Approval - C
Date: 24-01-23
Sheet: A3

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Dwg no:

B-1.4

Car Park Spaces Calculations:

Refer to traffic study by 'PDC Consultants' Ref: 0612r01v02

Facilities allowed for include:

- x21 car parking spaces have been allowed for including x2 accessible space with compliant shared zone adjacent
- x1 oversized dedicated line marked deliveries zone. Only vehicles providing delivery services with be vans and the like.
- x6 bicycle storage spaces (x3 racks which house x2 bikes each)

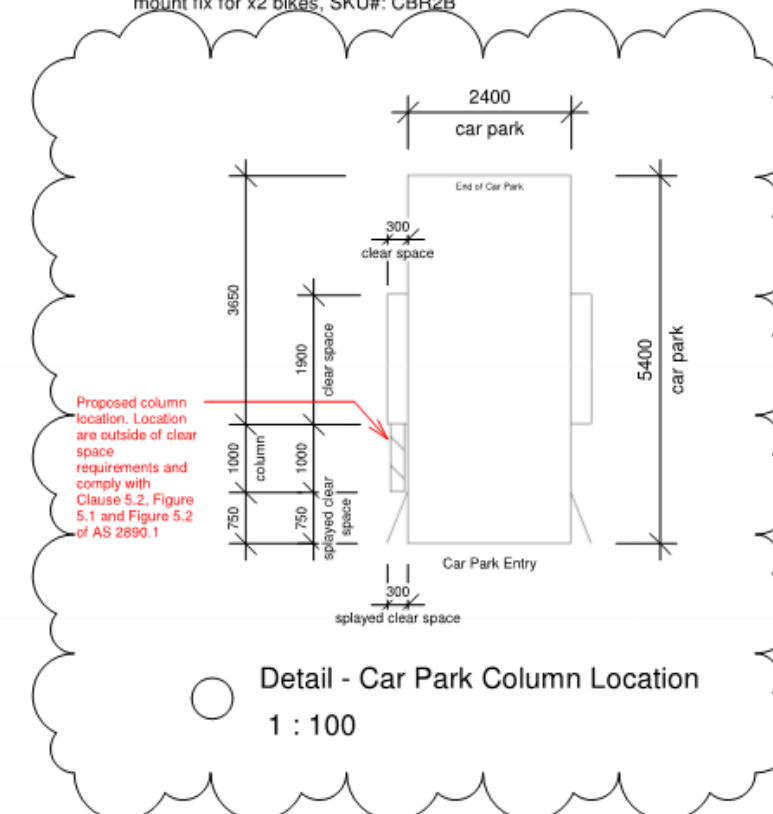
All car parking spaces to be line marked and contain fixed wheel stops

Allow for identification signage at car park entry stating car park is for private use only (for staff and invited visitors only)

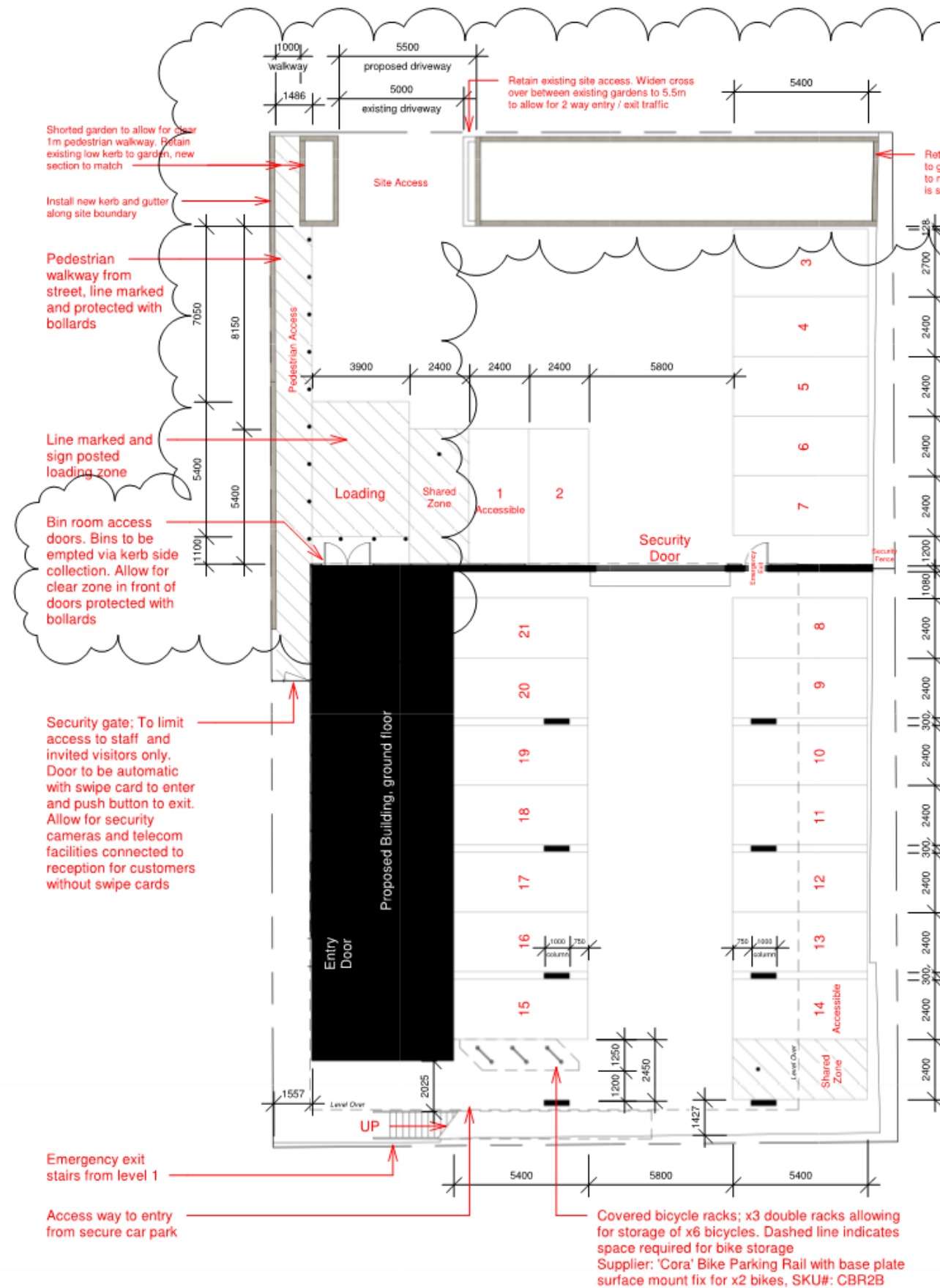


Bicycle Rack:

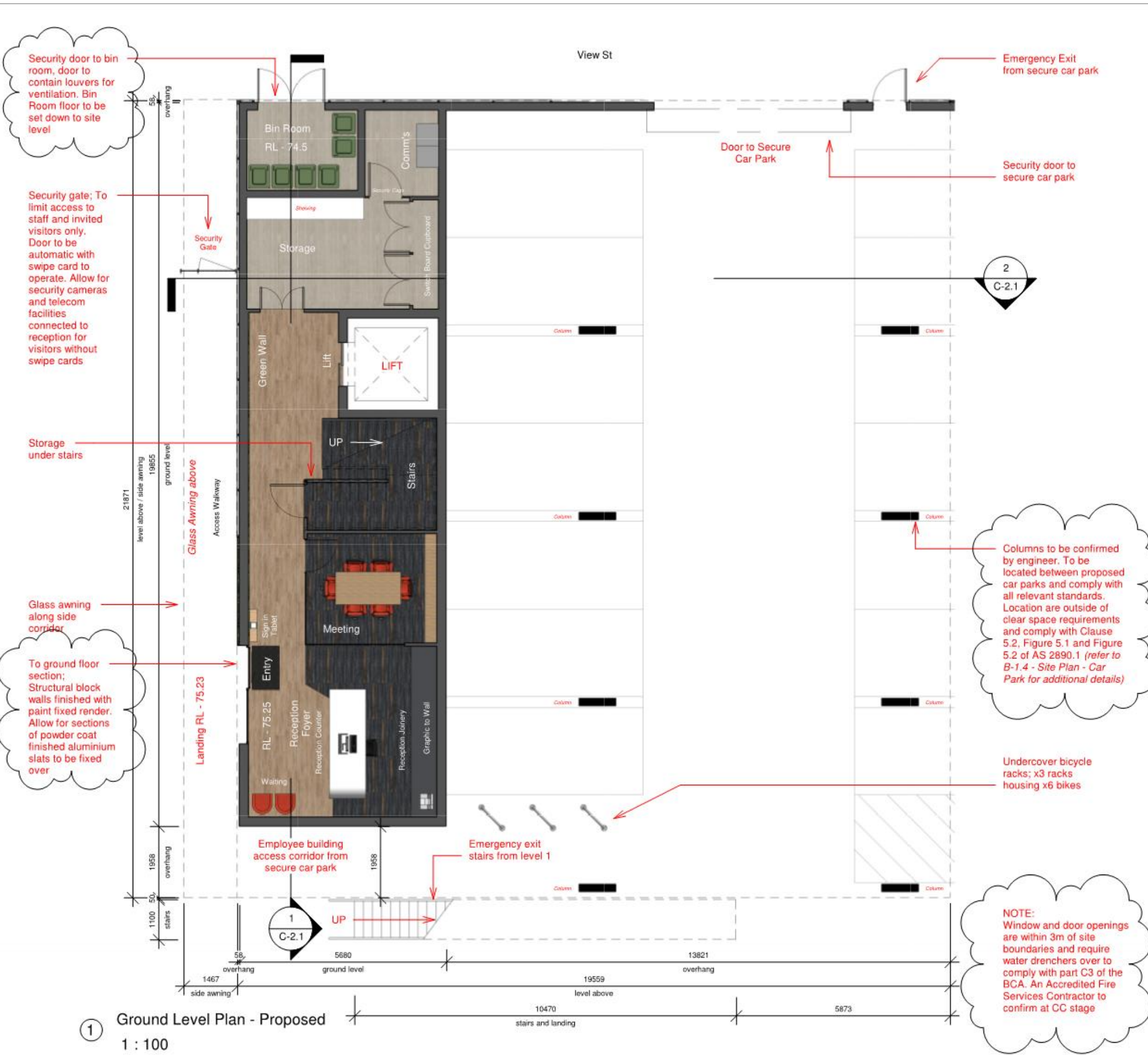
'Cora' Bike Parking Rail with base plate surface mount fix for x2 bikes, SKU#: CBR2B



Detail - Car Park Column Location
 1 : 100



1 Site Plan - Car Park
 1 : 200



- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Ground Level Plan - Proposed

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union
Project: New Building
Address: Lot C & D, DP 157419
Drawn by: JT
Designed by: JK
Scale: 1 : 100
Issue: Approval - C
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Dwg no:

B-2.1

① Ground Level Plan - Proposed
 1 : 100



- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Level 1 Plan - Proposed

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union
Project: New Building
Address: Lot C & D, DP 157419
Drawn by: JT
Designed by: JK
Scale: 1 : 100
Issue: Approval - C
Date: 24-01-23
Sheet: A3

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Dwg no:

B-2.2

2
C-2.1

Windows with side fins and powder coat finished aluminium awning above. Allow for perforated screen to selected windows to prevent overlooking neighbouring property, refer to window detail / setouts

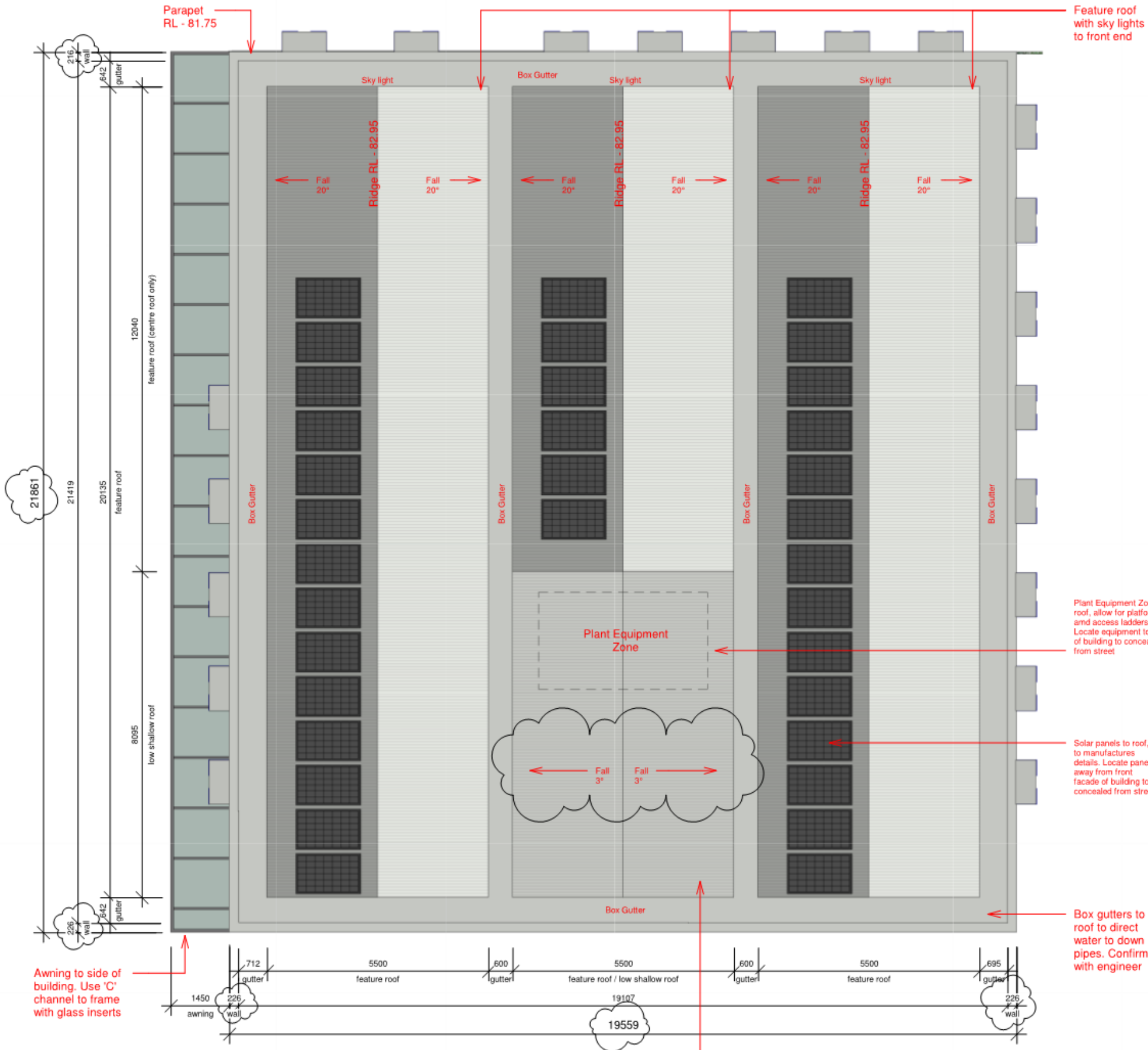
To level 1 section; 'Colorbond' cladding to level 1 walls, fixed over fire rated wall ('Hebel' panels or similar)

Wall to separate kitchenette / lunch room from workstations to reduce sound transmission. Wall to step up into feature open ceiling

NOTE:
 Window and door openings are within 3m of site boundaries and require water drenchers over to comply with part C3 of the BCA. An Accredited Fire Services Contractor to confirm at CC stage

1
C-2.1

Level 1 Plan - Proposed
 1 : 100



- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Roof Plan - Proposed

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union
Project: New Building
Address: Lot C & D, DP 157419
Drawn by: JT
Designed by: JK
Scale: 1 : 100
Issue: Approval - C
Date: 24-01-23
Sheet: A3

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Dwg no:

B-2.3

① Roof Plan - Proposed
 1 : 100

Wall Schedule:



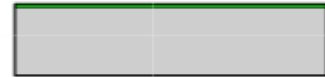
Wall A - 226mm thick;
 - 21mm cladding, 'Colorbond' Custom Orb Accent 21 (fixed of top hat, as per manufactures details)
 - 40mm top hat (fixed off 'Hebel' panel)
 - 50mm 'Hebel' panel for fire resistance (fixed of top hat, as per manufactures details)
 - 35 mm top hat (fixed off structural stud wall)
 - 70mm structural stud wall with insulation (to engineers details)
 - 10mm paint finished plasterboard (fixed off stud wall)



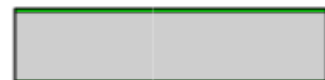
Wall B - 242mm thick;
 - 21mm cladding, 'Colorbond' Custom Orb Accent 21 (fixed of top hat, as per manufactures details)
 - 40mm top hat (fixed off 'Hebel' panel)
 - 50mm 'Hebel' panel for fire resistance (fixed of top hat, as per manufactures details)
 - 35 mm top hat (fixed off structural stud wall)
 - 70mm structural stud wall with insulation (to engineers details)
 - 6mm fibre cement sheet (fixed off stud wall)
 - 10mm grout bed
 - 10mm tile finish



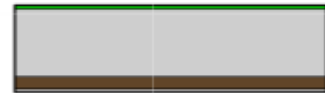
Wall C - 200mm thick;
 - 200mm structural block wall, paint finished (to engineers details)



Wall D - 210mm thick;
 - 10mm paint finished render
 - 200mm structural block wall, paint finished (to engineers details)



Wall E - 220mm thick;
 - 10mm paint finished render
 - 200mm structural block wall, paint finished (to engineers details)
 - 10mm paint finished render



Wall F - 255mm thick;
 - 10mm paint finished render
 - 200mm structural block wall (to engineers details)
 - 35mm top hat (fixed off block wall)
 - 10mm paint finished plasterboard (fixed off top hats)



Wall G - 245mm thick;
 - 200mm structural block wall (to engineers details)
 - 35mm top hat (fixed off block wall)
 - 10mm paint finished plasterboard (fixed off top hats)



Wall H - 290mm thick;
 - 10mm paint finished plasterboard (fixed off top hats)
 - 35mm top hat (fixed off block wall)
 - 200mm structural block wall (to engineers details)
 - 35mm top hat (fixed off block wall)
 - 10mm paint finished plasterboard (fixed off top hats)



Wall I - 140mm thick;
 - 10mm tile
 - 10mm grout bed
 - 110mm solid brick (for sound abetment)
 - 10mm paint finished plaster broad (direct fixed to brick)



Wall J - 150mm thick;
 - 10mm tile
 - 10mm grout bed
 - 110mm solid brick (for sound abetment)
 - 10mm grout bed
 - 10mm tile



Wall K - 90mm thick;
 - 10mm paint finished plaster broad
 - 70mm stud wall with insulation
 - 10mm paint finished plaster broad



Wall L - 32 laminate partition



Wall M - Security Cage



Wall N;
 - Glazing, confirm

Wall Schedule

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union

Drawn by: JT

Issue: Approval - C

Project: New Building

Designed by: JK

Date: 25-01-23

Address: Lot C & D, DP 157419

Scale: 1 : 20

Sheet: A3

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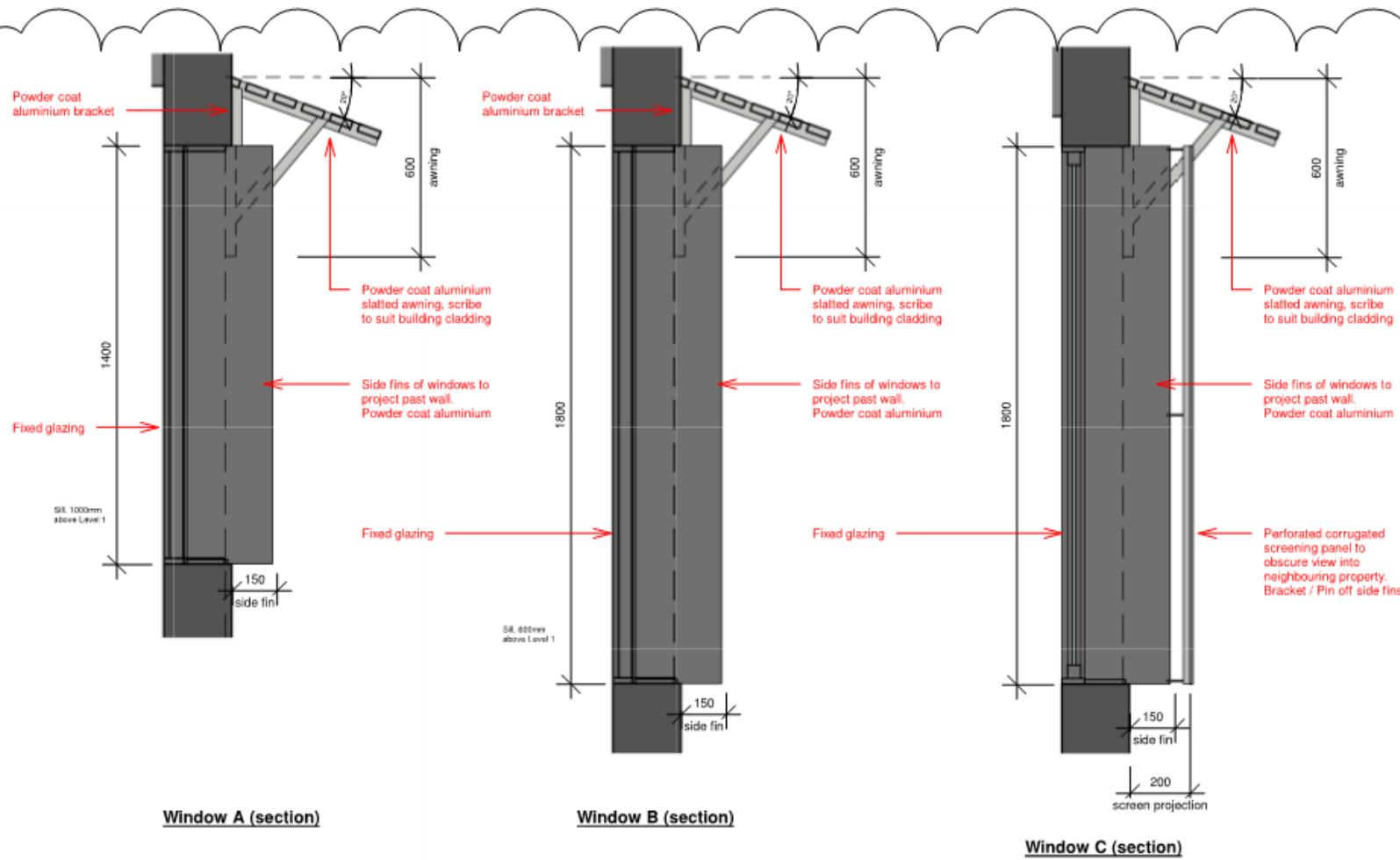


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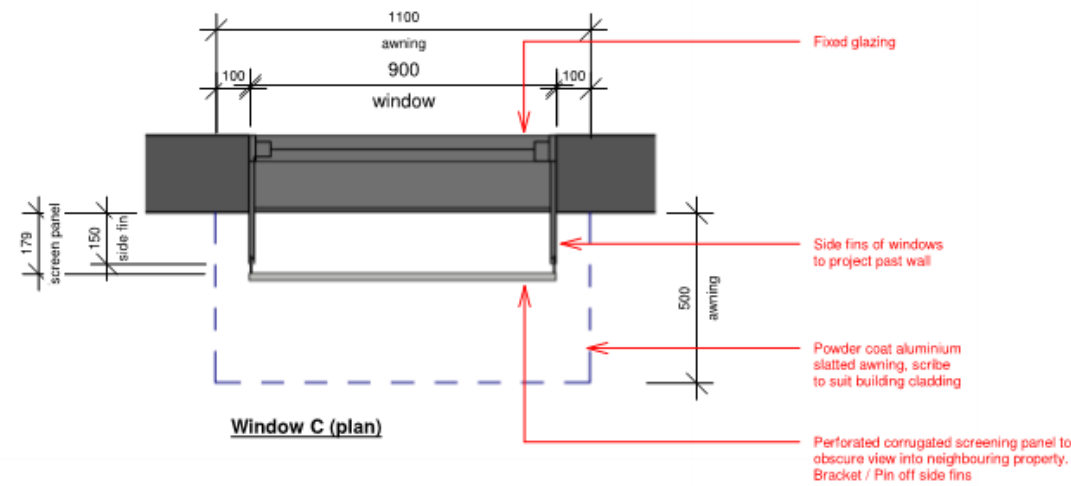
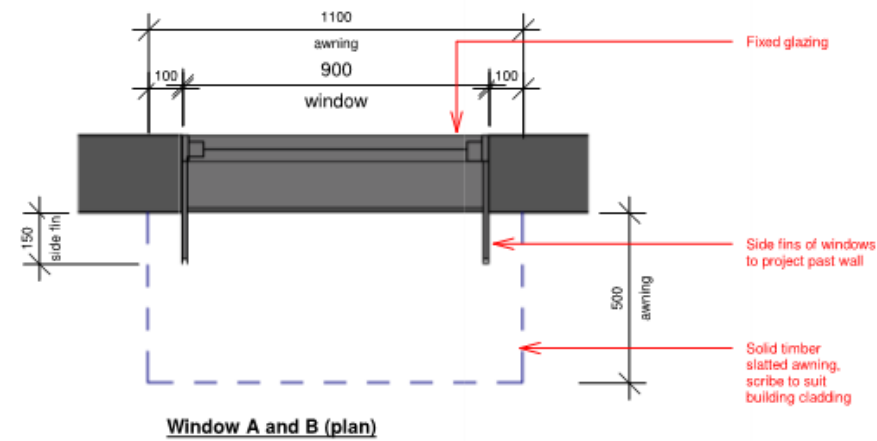
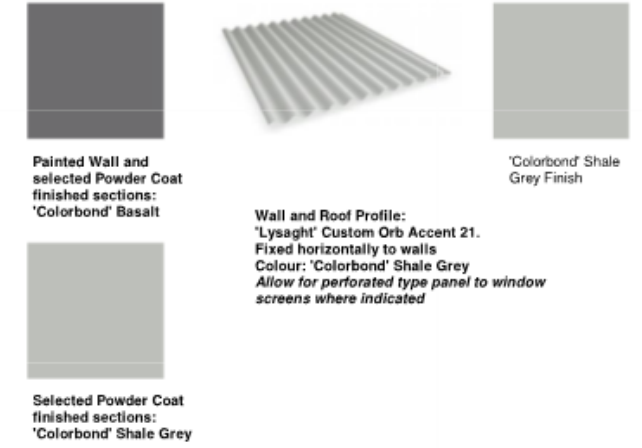
Dwg no:

B-3.0a



External Finishes:

- To Ground Floor section; Structural block walls finished with paint finished render ('Colorbond' Basalt) and sections of powder coat finished aluminium slats ('Colorbond' Shale Grey)
- To Level 1 section; 'Lysaght' Custom Orb Accent 21 clad externally ('Colorbond' Shale Grey Finish) over fire rated wall ('Hebel' panels or similar) with 'C' Channel along base ('Colorbond' Shale Grey Finish)
- To Roof section; 'Lysaght' Custom Orb Accent 21 ('Colorbond' Shale Grey Finish) with glass skylights in end. Sky lights to house powder coat finished aluminium slats fixed over ('Colorbond' Shale Grey)
- 'C' Channels and Awning; 'C' Channel frame ('Colorbond' Shale Grey Finish) with glass inserts to awning
- To Windows; 'Colorbond' Basalt finished frames and side fins. 'Colorbond' Shale Grey finishes awning and screening panel (where screening panels are required)



Window Detail

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union **Drawn by:** JT **Issue:** Approval - C
Project: New Building **Designed by:** JK **Date:** 25-01-23
Address: Lot C & D, DP 157419 **Scale:** As indicated **Sheet:** A3

Note: All measurements are to be confirmed on site before fabrication or construction works commence & any discrepancies reported back to the designers for clarification. The drawings referred to in this document have been produced to illustrate design intent. All shop drawings to be submitted to the designers for approval prior to manufacture or construction. © Designs and Information contained in this set of drawings and related documents are the copyright of Dingo Partners Pty Ltd



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Dwg no:
B-3.0b

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- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Ground Level Plan - Dimensioned

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union
Project: New Building
Address: Lot C & D, DP 157419
Drawn by: JT
Designed by: JK
Scale: 1 : 100
Issue: Approval - C
Date: 25-01-23
Sheet: A3

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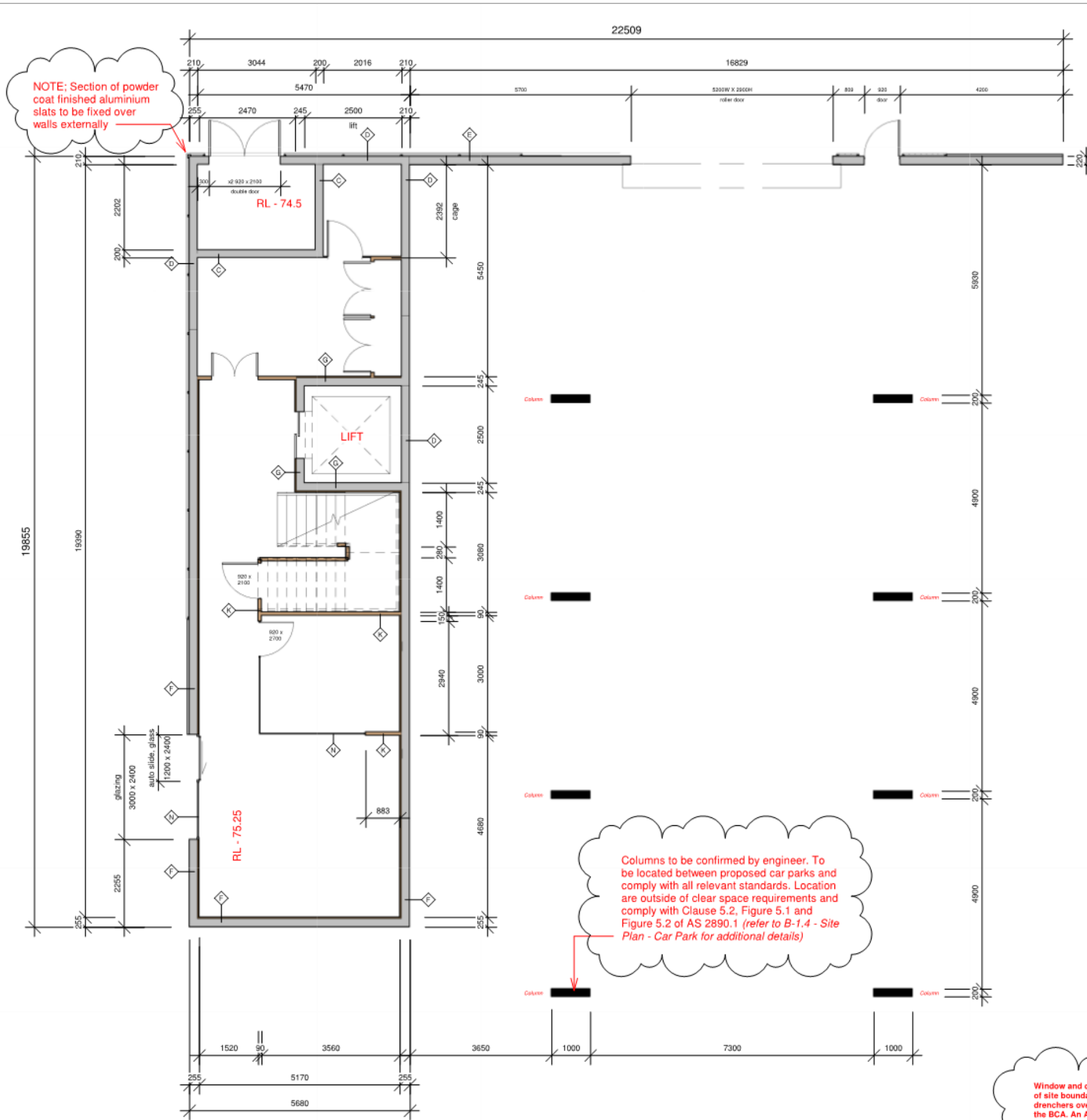
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Dwg no:

B-3.1

Window and door openings are within 3m of site boundaries and require water drenchers over to comply with part C3 of the BCA. An Accredited Fire Services Contractor to confirm at CC stage





- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Level 1 Plan - Dimensioned

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union
Project: New Building
Address: Lot C & D, DP 157419
Drawn by: JT
Designed by: JK
Scale: 1 : 100
Issue: Approval - C
Date: 25-01-23
Sheet: A3

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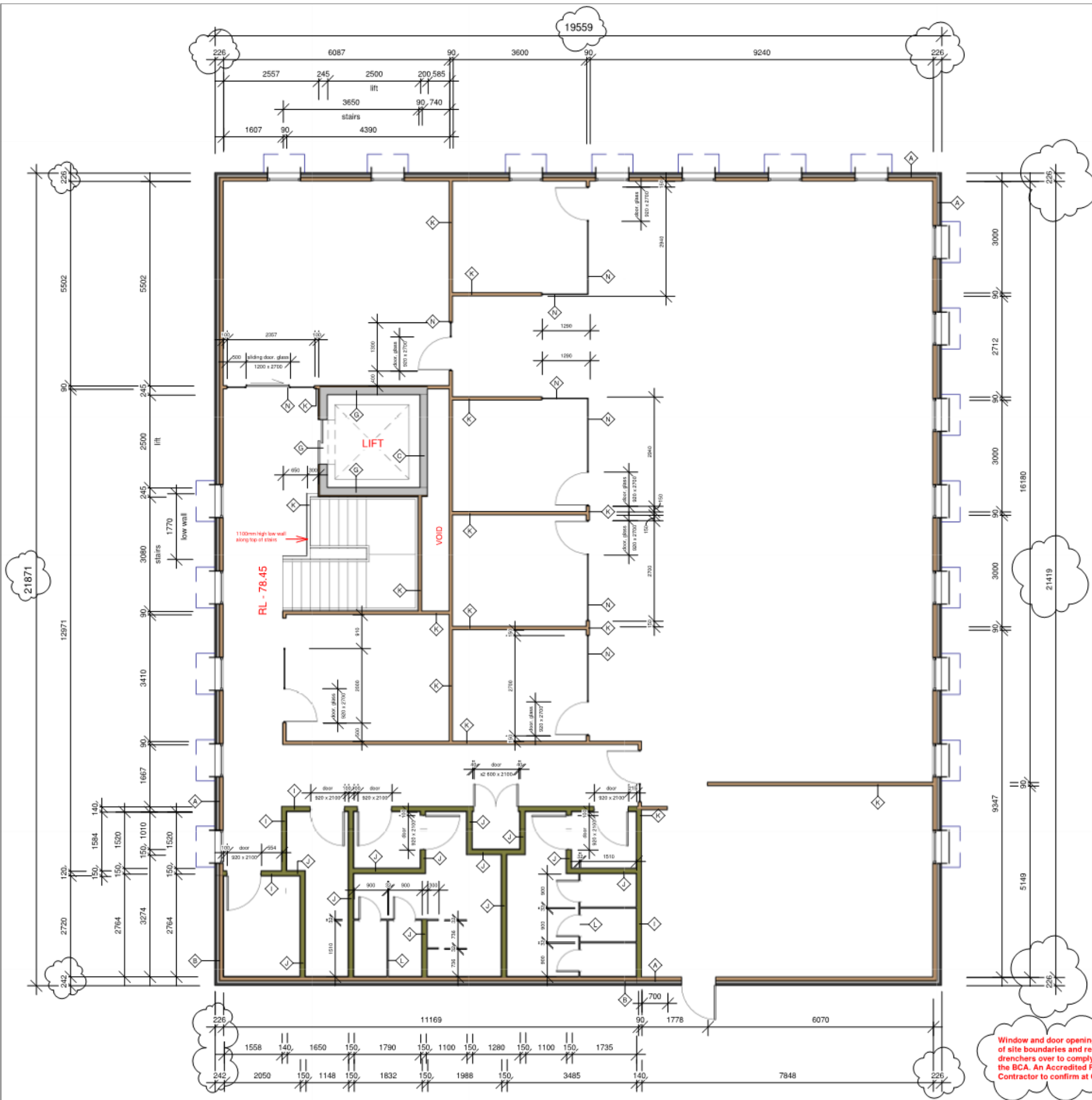
Dwg no:

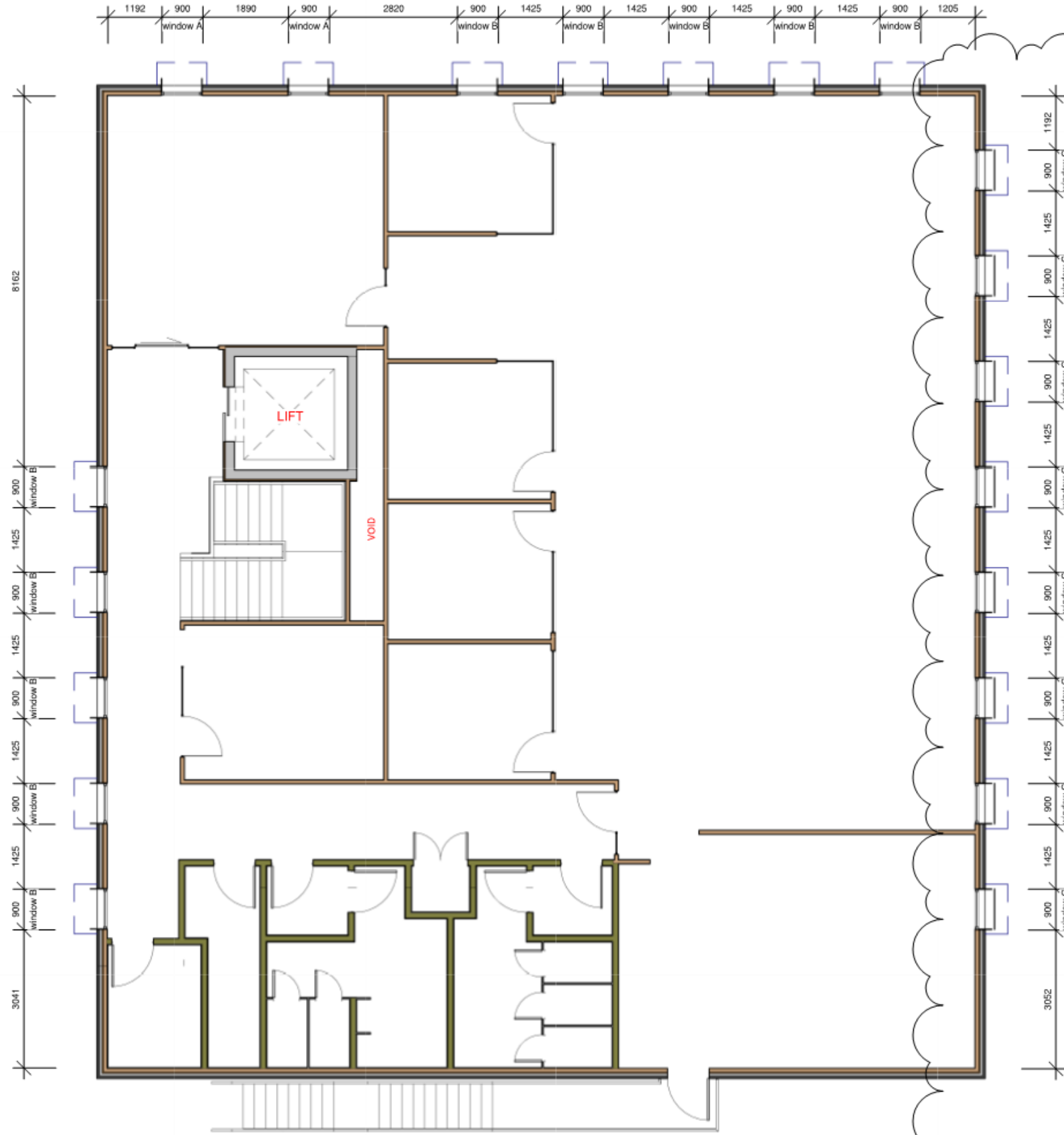
B-3.2

Window and door openings are within 3m of site boundaries and require water drenchers over to comply with part C3 of the BCA. An Accredited Fire Services Contractor to confirm at CC stage

Attachment 8

CLPP02





CONFIRM ALL DIMENSIONS ONSITE
CONFIRM POSTS AND LOCATIONS ONSITE
CONFIRM CEILING ONSITE
CONFIRM LIGHTING AND LOCATIONS ONSITE

Level 1 Plan - Window Setout

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union
Project: New Building
Address: Lot C & D, DP 157419
Drawn by: JT
Designed by: JK
Scale: 1 : 100
Issue: Approval - C
Date: 25-01-23
Sheet: A3

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Window Schedule:

- x2 Window A
Allow for Side Fins and Powder Coat Aluminium Slatted Awning above
- x10 Window B - 900w x 1800 high, 600mm sill
Allow for Side Fins and Powder Coat Aluminium Slatted Awning above
- x8 Window C - 900w x 1800 high, 600mm sill
Allow for Side Fins with Screening panel to obscure view to neighbouring property and Powder Coat Aluminium Slatted Awning above

Refer to Window Details for sizes and sill height, also side fin and awning detail

Window and door openings are within 3m of site boundaries and require water drenchers over to comply with part C3 of the BCA. An Accredited Fire Services Contractor to confirm at CC stage



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Dwg no:

B-3.3

① Level 1 Plan - Window Setout
 1 : 100



② Elevation - East (from street)
1 : 100

- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Elevation - East (from street)

All Drawings to be read in conjunction with Legend

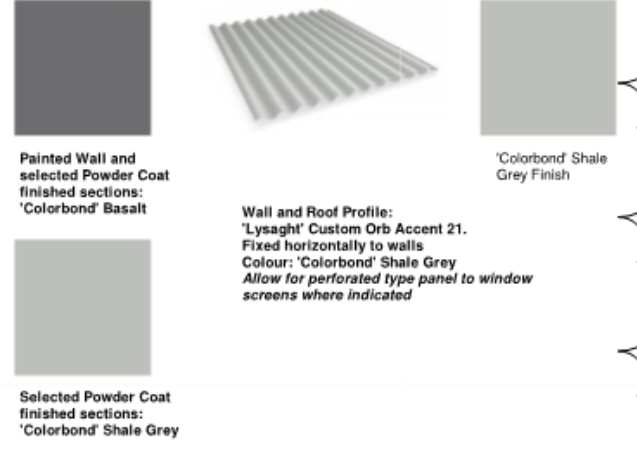
Client: Macarthur Credit Union **Drawn by:** JT
Project: New Building **Designed by:** JK
Address: Lot C & D, DP 157419 **Scale:** 1 : 100

Issue: Approval - C
Date: 25-01-23
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External Finishes:

- To Ground Floor section; Structural block walls finished with paint finished render ('Colorbond' Basalt) and sections of powder coat finished aluminium slats ('Colorbond' Shale Grey)
- To Level 1 section; 'Lysaght' Custom Orb Accent 21 clad externally ('Colorbond' Shale Grey Finish) over fire rated wall ('Hebel' panels or similar) with 'C' Channel along base ('Colorbond' Shale Grey Finish)
- To Roof section; 'Lysaght' Custom Orb Accent 21 ('Colorbond' Shale Grey Finish) with glass skylights in end. Sky lights to house powder coat finished aluminium slats fixed over ('Colorbond' Shale Grey)
- 'C' Channels and Awning; 'C' Channel frame ('Colorbond' Shale Grey Finish) with glass inserts to awning
- To Windows; 'Colorbond' Basalt finished frames and side fins. 'Colorbond' Shale Grey finishes awning and screening panel (where screening panels are required)

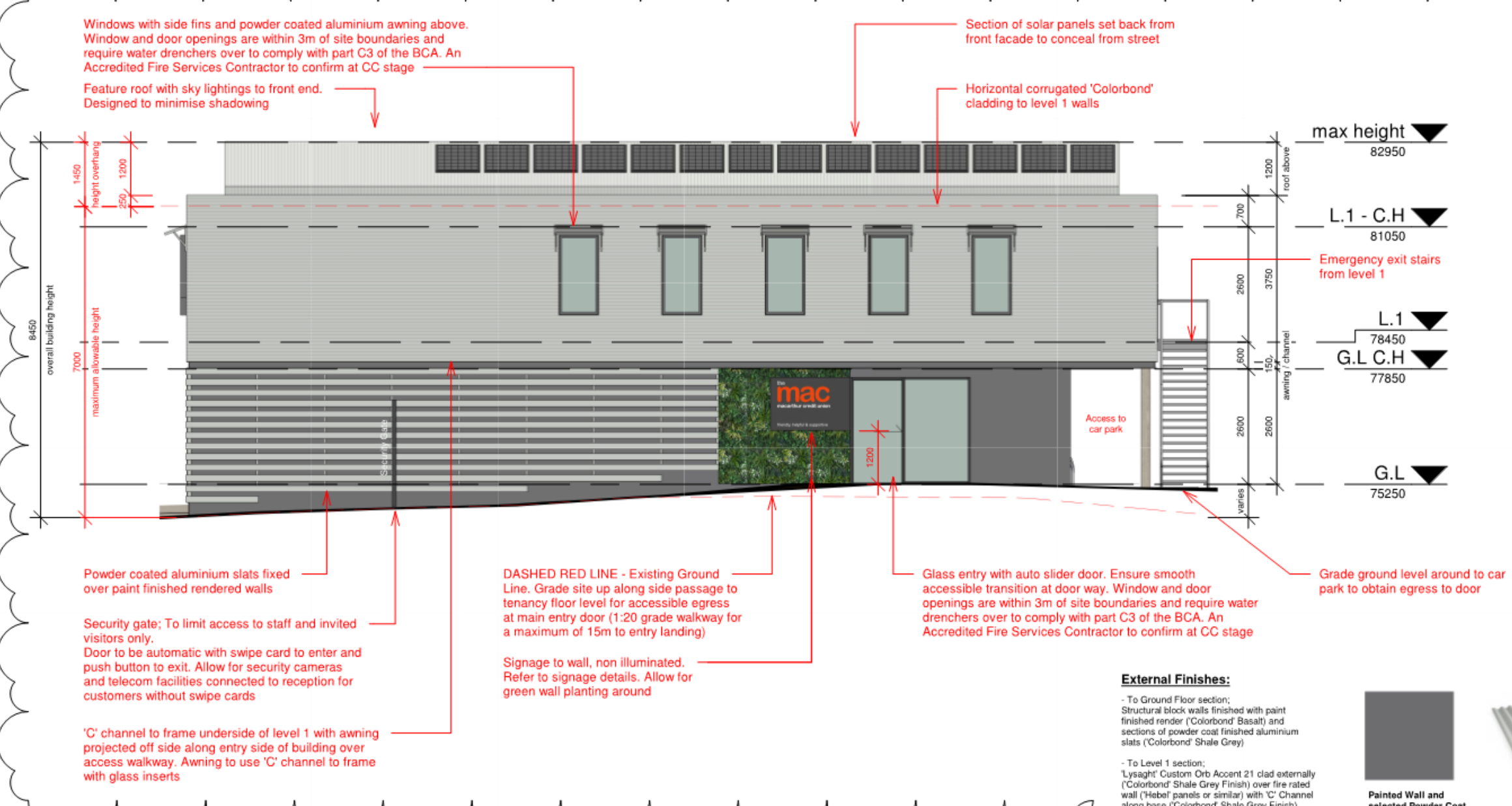


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Dwg no:

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1 Elevation - North (entry side)
1 : 100

- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Elevation - North (entry side)

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union **Drawn by:** JT
Project: New Building **Designed by:** JK
Address: Lot C & D, DP 157419 **Scale:** 1 : 100

Issue: Approval - C
Date: 25-01-23
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- To Windows; 'Colorbond' Basalt finished frames and side fins. 'Colorbond' Shale Grey finishes awning and screening panel (where screening panels are required)

Painted Wall and selected Powder Coat finished sections:
'Colorbond' Basalt

Selected Powder Coat finished sections:
'Colorbond' Shale Grey

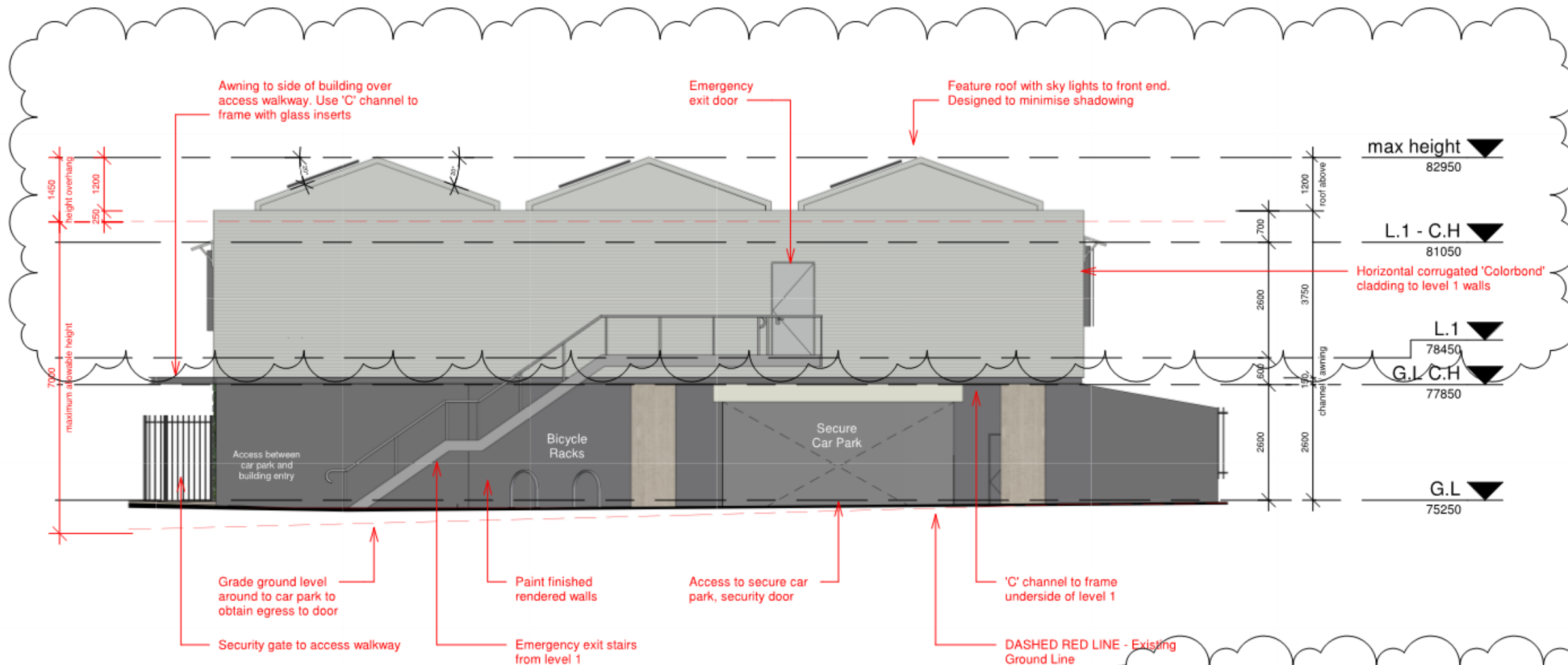
Wall and Roof Profile:
'Lysaght' Custom Orb Accent 21. Fixed horizontally to walls. Colour: 'Colorbond' Shale Grey. Allow for perforated type panel to window screens where indicated



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① Elevation - West (back)
1 : 100

- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Elevation - West (back)

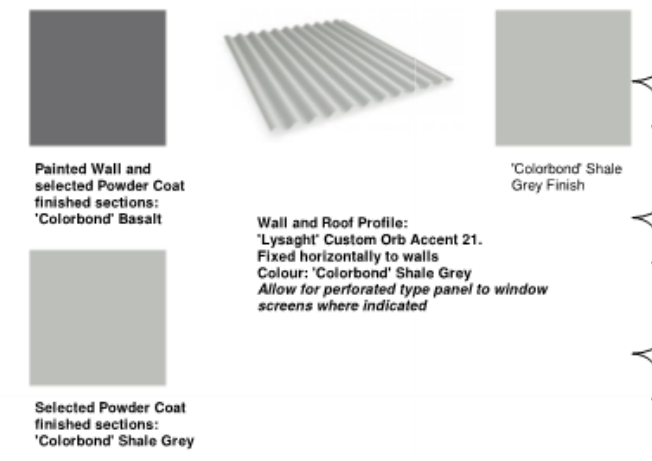
All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union **Drawn by:** JT **Issue:** Approval - C
Project: New Building **Designed by:** JK **Date:** 25-01-23
Address: Lot C & D, DP 157419 **Scale:** 1 : 100 **Sheet:** A3

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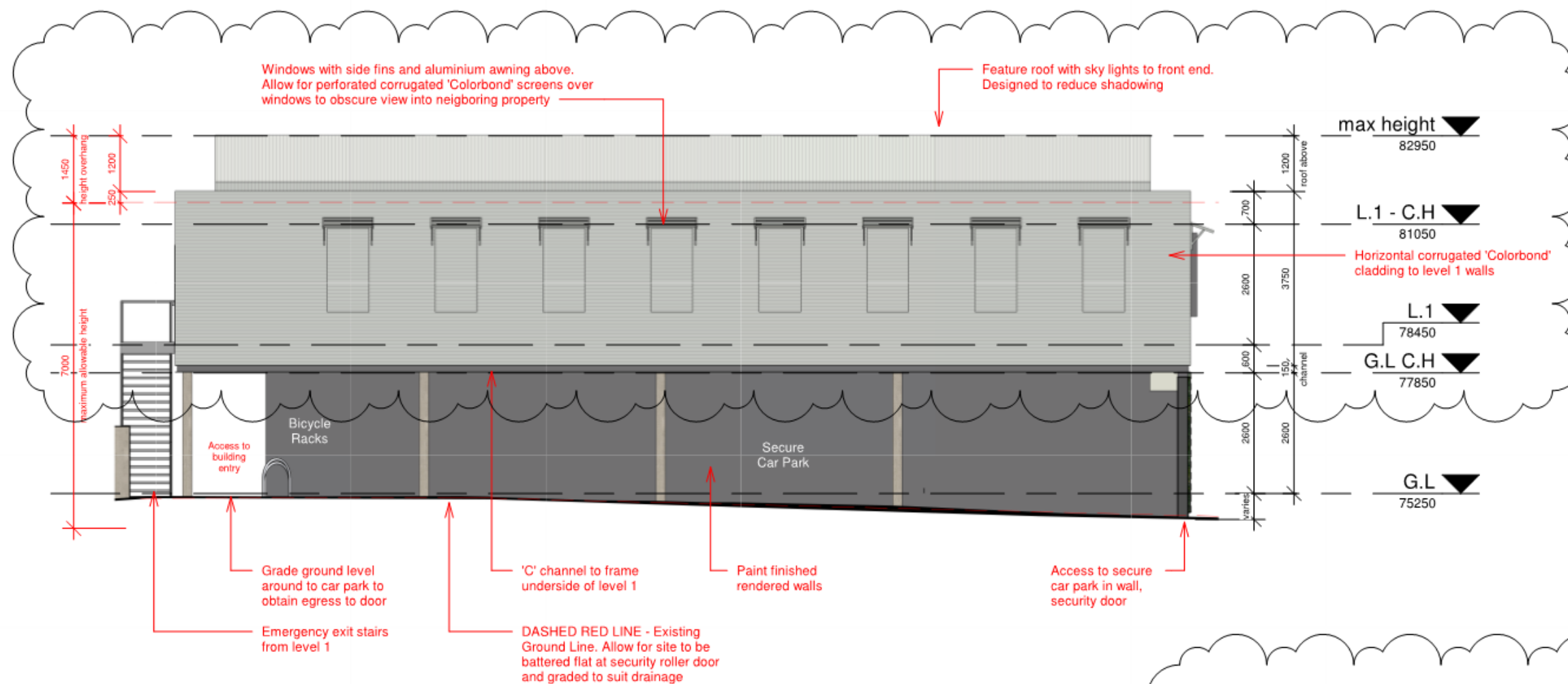


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① Elevation - South (side)
1 : 100

- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Elevation - South (side)

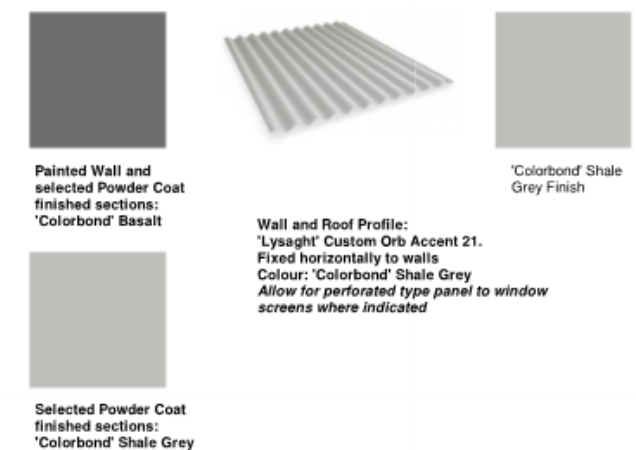
All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union	Drawn by: JT	Issue: Approval - C
Project: New Building	Designed by: JK	Date: 25-01-23
Address: Lot C & D, DP 157419	Scale: 1 : 100	Sheet: A3

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Painted Wall and selected Powder Coat finished sections: 'Colorbond' Basalt

Selected Powder Coat finished sections: 'Colorbond' Shale Grey

Wall and Roof Profile: 'Lysaght' Custom Orb Accent 21. Fixed horizontally to walls. Colour: 'Colorbond' Shale Grey. Allow for perforated type panel to window screens where indicated

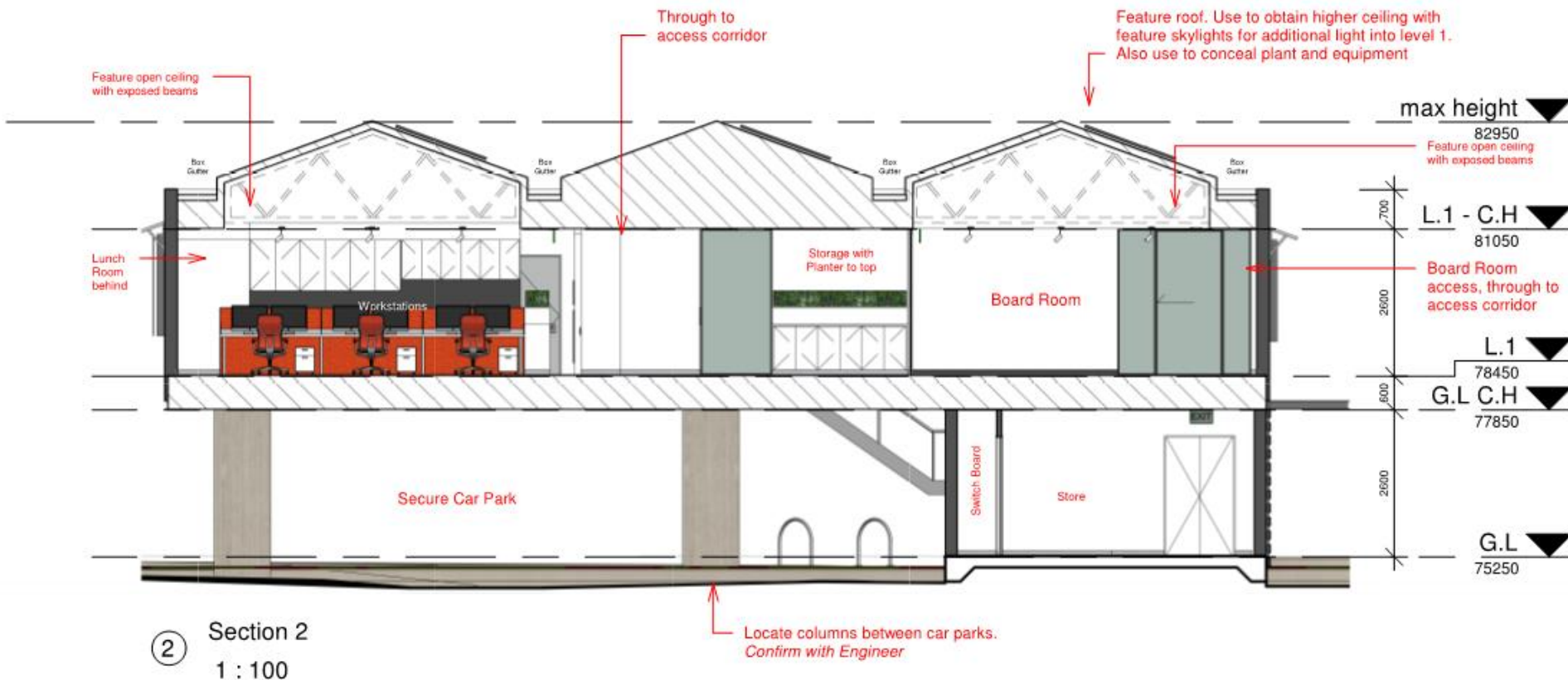
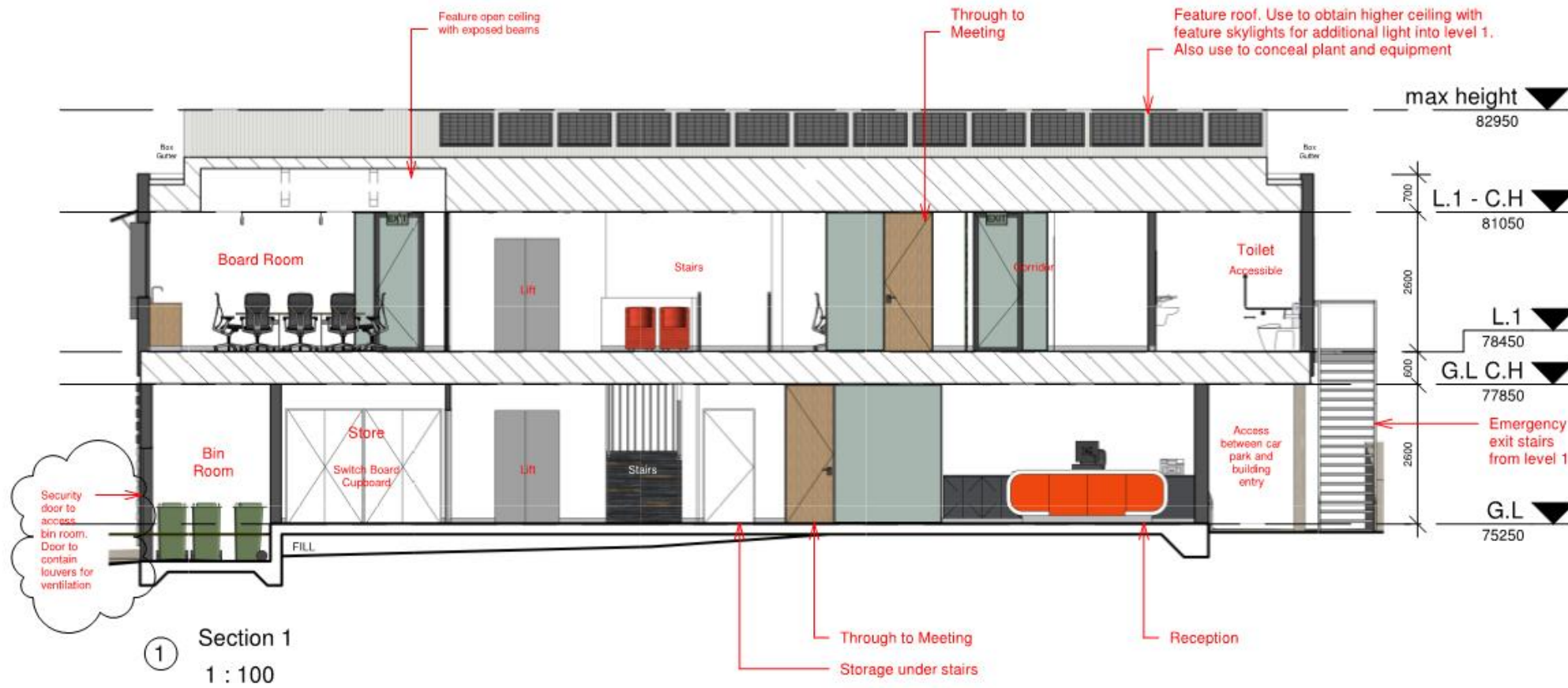


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- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Sections

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union
Project: New Building
Address: Lot C & D, DP 157419
Drawn by: JT
Designed by: JK
Scale: 1 : 100
Issue: Approval - C
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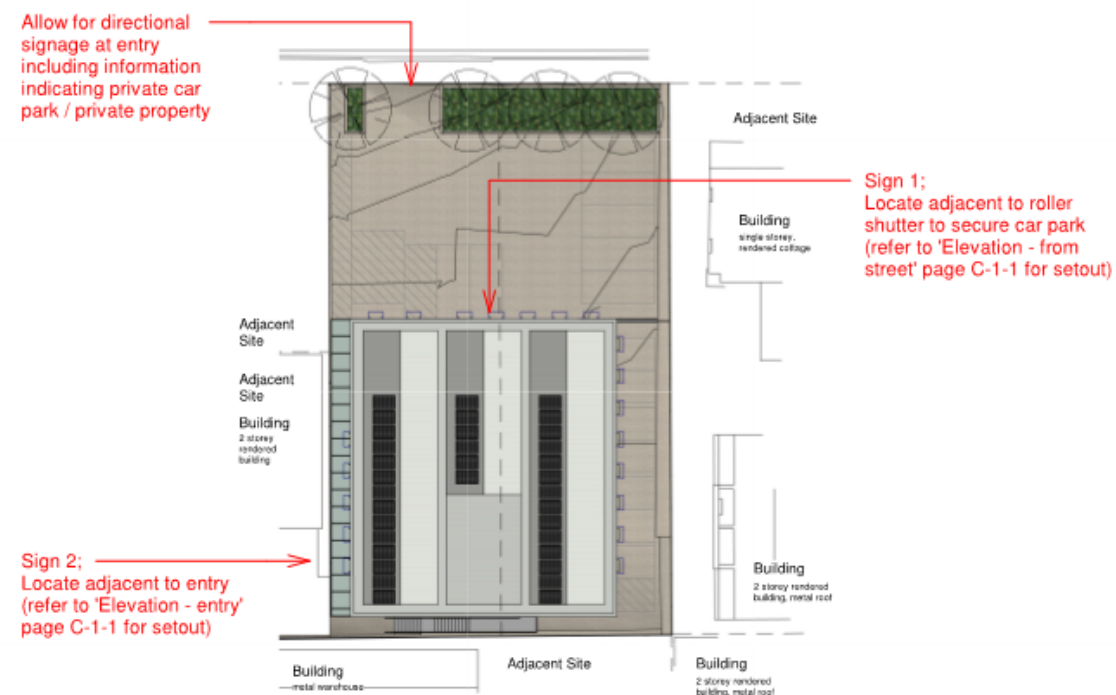


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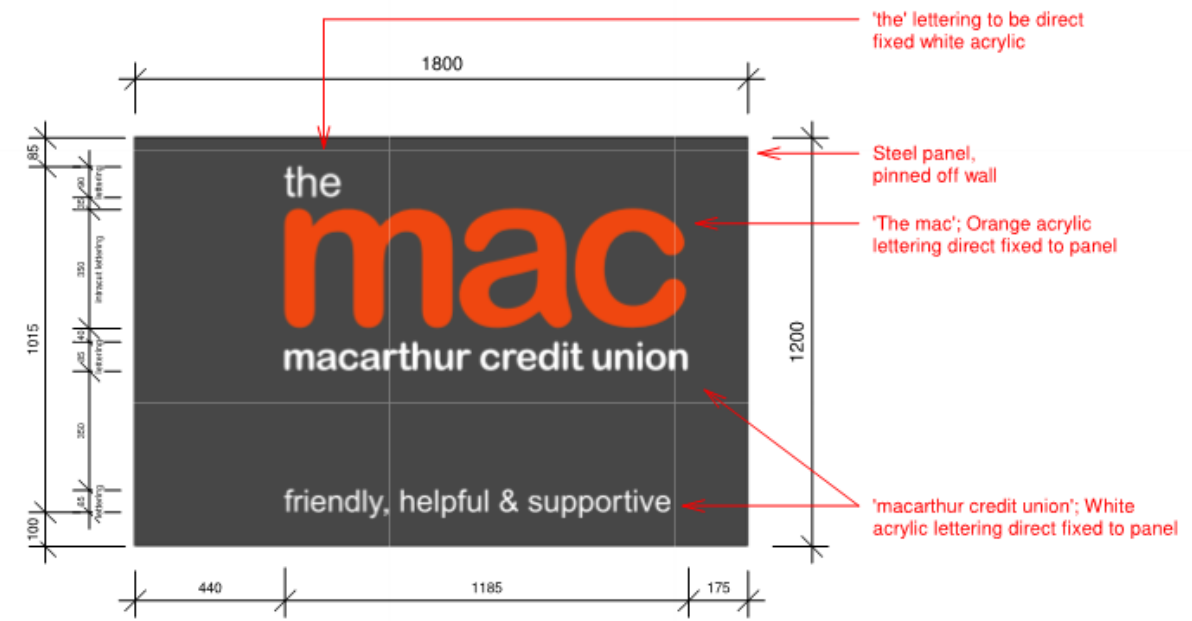
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Dwg no:

C-2.1



① Site Plan - Signage Key Plan
1 : 500



② Sign 1 and 2 - Elevation
1 : 20

- CONFIRM ALL DIMENSIONS ONSITE
- CONFIRM POSTS AND LOCATIONS ONSITE
- CONFIRM CEILING ONSITE
- CONFIRM LIGHTING AND LOCATIONS ONSITE

Detail 1 - Signage

All Drawings to be read in conjunction with Legend

Client: Macarthur Credit Union	Drawn by: JT	Issue: Approval - C
Project: New Building	Designed by: JK	Date: 16-03-22
Address: Lot C & D, DP 157419	Scale: As indicated	Sheet: A3

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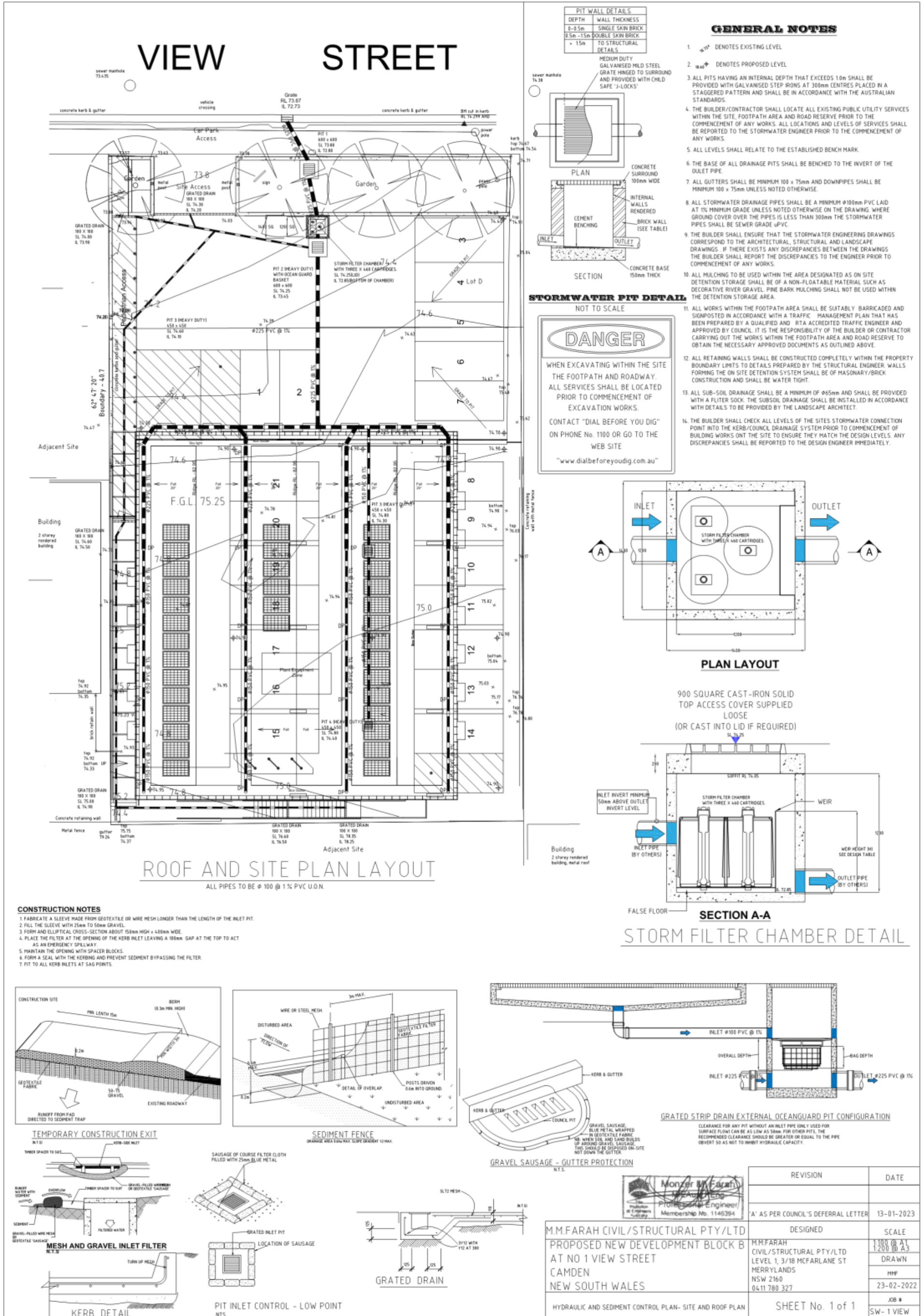


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Dwg no:

D-1.1



CLPP03

CLPP03

SUBJECT: DA/2022/925/1 - CONSTRUCTION OF A SINGLE STOREY SECONDARY DWELLING ABOVE EXISTING DETACHED GARAGE - 216 MOUNT ANNAN DRIVE, MOUNT ANNAN

FROM: Manager Statutory Planning

EDMS #: 23/200217

DA Number:	2022/925/1
Development:	Construction of a single storey secondary dwelling above existing detached garage
Estimated Cost of Development:	\$148,000
Site Address(es):	216 Mount Annan Drive, Mount Annan
Applicant:	Local Approvals
Owner(s):	Andrew Thorley & Holly Thorley
Number of Submissions:	Nil
Development Standard Contravention(s):	Clause 7.5 - Minimum lot size for secondary dwellings
Classification:	Local development
Recommendation:	Approve with conditions
Panel Referral Criteria:	Departure from development standard by more than 10%
Report Prepared By:	Emily Langford (Development Assessment 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 a secondary dwelling at 216 Mount Annan Drive, Mount Annan.

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 minimum lot size for secondary dwellings development standard that applies to the site by more than 10%.

SUMMARY OF RECOMMENDATION

That the Panel determine DA/2022/925/1 for the construction of a single storey secondary dwelling above existing detached garage 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 the construction of a single storey secondary dwelling above existing detached garage at 216 Mount Annan Drive, Mount Annan.

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 27 October to 9 November 2022 and no submissions were received.

The secondary dwelling is proposed on a site with an area of 399.4m² and thereby contravenes the minimum lot size for secondary dwellings development standard (450m²) that applies to the site under Clause 7.5 of Camden Local Environmental Plan 2010 (Camden LEP). The contravention is assessed in detail in this report and is supported by Council staff.

The applicant proposes a variation to Section 4.2.8 of Camden Development Control Plan 2019 (Camden DCP) that requires that direct sunlight reach at least 50% of the Principal Private Open Space (PPOS) of the existing principal dwelling and any adjoining dwellings for not less than 3 hours between 9:00am and 3:00pm on 21 June. The variation is assessed in detail in this report and is supported by Council staff.

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
Clause 7.5 – Minimum Lot Size – 450m ²	399.4m ²	50.6m ² or (11.24%)

AERIAL PHOTO



Figure 1: Aerial photo of subject site

THE SITE

The site is rectangular in shape and has a frontage of 12m to Mount Annan Drive (front) and Stipa Lane (rear), a maximum depth of 34m and an area of 399.4m². The site has a slope of 3.5m from the south-western corner to the north-eastern corner of the site. The site currently has an existing two storey dwelling which faces Mount Annan Drive and a detached rear accessed garage which faces Stipa Lane.

The surrounding area is characterised by developed residential land characterised by a mix of housing types. The immediate vicinity of the site includes single detached dwellings facing Mount Annan Drive, Aristida Circuit and Decora Street. Studio dwellings are found above existing detached garages accessed from Stipa Lane on 18 of the 22 sites located within Mount Annan Drive, Aristida Circuit, and Decora Street. The existing studio dwellings were approved under a previous environmental planning instrument (Camden Local Environmental Plan No. 46) which did not include a minimum lot size for secondary dwellings development standard.

Local shops, businesses and a child care centre are located 200m to the south-west of the site.

ZONING PLAN



Figure 2: Subject site – R3 Medium Density Residential zoning

HISTORY

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

Date	Development
16 October 2006	Approval of DA/2006/597/1 for a two storey dwelling and detached garage.
11 March 2022	Refusal of DA/2022/130/1 for a studio dwelling due to a lack of sufficient information and the proposed development characterisation (i.e. 'studio dwelling') not existing as a land use in the Camden LEP.
5 July 2022	Refusal of DA/2022/403/1 for alterations and additions to the existing detached garage due to the characterisation of the development resulting in multiple non-compliances with the Camden DCP.

THE PROPOSAL

DA/2022/925/1 seeks approval to construct a single storey secondary dwelling above existing detached garage at 216 Mount Annan Drive, Mount Annan. The secondary dwelling consists of a bedroom, bathroom, kitchen, laundry area, living/dining area and a balcony facing the rear lane.

The estimated cost of works for the development is \$148,000.

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:

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

Camden Local Environmental Plan 2010 (Camden LEP)

The Camden LEP aims to make local environmental planning provisions for land in Camden in accordance with the relevant standard environmental planning instrument under Section 3.20 of the Environmental Planning and Assessment Act 1979.

Site Zoning

The site is zoned R3 Medium Density Residential pursuant to Clause 2.2 of the Camden LEP.

Development Characterisation

The development is characterised as a 'secondary dwelling' pursuant to the Camden LEP.

Permissibility

The development is permitted with consent in the R3 Medium Density Residential zone pursuant to the land use table of the Camden LEP.

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.

Proposed Contravention – Minimum Lot Size

The applicant proposes a contravention to the minimum lot size for secondary dwellings development standard that applies to the site under clause 7.5 of the Camden LEP. The development standard prescribes a minimum lot size of 450sqm for secondary dwellings, while the subject site has an area of 399.4m².

Pursuant to Clause 4.6 of the Camden LEP, the applicant has submitted a written request that seeks to justify the contravention of the development standard. In summary, the applicant's written request provides the following justification for the contravention:

- The subject site is zoned R3 Medium Density Residential and the proposed development complies with the objectives of the zone in that it will achieve an appropriate bulk and scale in the context of the surrounding development and be consistent with the existing streetscape.
- The development will not result in any additional building footprint and will thus have minimal impact on the existing site coverage and landscaped area of the site.
- The amenities of the principal dwelling and the adjoining properties in terms of privacy, solar access and ventilation will be managed accordingly based on the proposed design.
- The development will contribute to providing for the housing needs of the community within the medium-density residential area. By providing a secondary dwelling that has the appropriate facilities, services, and amenities to adequately meet the daily needs of residents, it will present and respond to the demand of the currently on-going housing crisis within greater Sydney.
- The development is consistent with the desired character of the residential precinct. This is demonstrated by the ability of the proposed development to achieve compliance with the relevant zone objectives.

- The development will be consistent with the existing land use of the immediate locality. The secondary dwelling will be visible from the rear, southern side of Stipa Lane, which consist mostly double storey buildings. These are structures above the existing garages, similar to the proposal.



Figure 3: Subject site – View of site from Stipa Lane

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

Pursuant to 4.6 of the Camden LEP 2010, Council staff are satisfied that:

- the applicant’s written request has adequately addressed the matters required to be demonstrated by Clause 4.6 of the Camden LEP, and
- the 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 zones in which the development is proposed to be carried out.

The development standard contravention is supported for the following reasons:

- the development is consistent with the objectives of the development standard as demonstrated below:
 - (a) *To ensure that secondary dwellings are on appropriately sized lots.*

The development preserves the amenity of the existing developments on the subject site and adjoining sites with regard to bulk and scale, privacy, soft landscaping, parking, and private open space size requirements. The applicant has adequately demonstrated that the development is a suitable use of the site by providing dwelling plans that generally comply with the relevant development controls.

As a result of general compliance with the Camden DCP, it has been demonstrated that the overall impact of the departure from the minimum lot size for secondary dwellings development standard is minimal, and the development is reasonable despite the departure from the development standard.

- the development is consistent with the objectives for development within the zone in which the development is proposed to be carried out as demonstrated below:

R3 Medium Density Residential

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

The development will contribute to providing for housing needs within the medium-density residential area.

- (b) *To provide a variety of housing types within a medium density residential environment.*

The development contributes to a variety of housing types within the area and is compatible with the existing developed residential area, which largely consists of different types of residential accommodation.

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

The objective is not relevant to the proposed development, however the site is located in close proximity to facilities and services that meet the day to day needs of residents.

- (d) *To encourage redevelopment of land for medium density housing in locations close to main activity centres within the Camden local government area.*

The objective is not relevant to the proposed development, however the site is located in close proximity to facilities and services that meet the day to day needs of residents.

- (e) *To minimise conflict between land uses within the zone and land uses within adjoining zones*

The proposed development will not result in any land use conflict.

- The secondary dwelling will contribute to providing additional housing in the area whilst demonstrating general compliance with the relevant environmental planning instruments, development control plans and policies.
- The development is compatible with the surrounding area which is characterised by developed residential land with a mix of housing types.
- The development is consistent with the existing streetscape on Stipa Lane.
- The development provides increased activation of Stipa Lane.

State Environmental Planning Policy (Housing) 2021 (Housing SEPP)

Section 52 of the Housing SEPP prescribes that development consent must not be granted for a secondary dwelling development unless:

- *the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area permitted for a dwelling house on the land under another environmental planning instrument, and*
- *the total floor area of the secondary dwelling is:*
 - (i) no more than 60m², or*
 - (ii) if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument - the greater floor area.*

There is no maximum floor space ratio prescribed for a dwelling house on the land under another environmental planning instrument. Furthermore, the proposed secondary dwelling has an internal floor area of 53.25sqm that is less than 60sqm.

Section 53 of the Housing SEPP contains non-discretionary standards that if complied with, prevent the consent authority from requiring more onerous standards for the matters, namely:

- (a) for a detached secondary dwelling - a minimum site area of 450m²,*
- (b) the number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out.*

The subject site has an area of 399.4sqm and is therefore less than the non-discretionary standard of 450sqm. The variation to the minimum lot size development standard prescribed under the Camden LEP has been addressed above and the site is considered to of a sufficient size to support the proposed secondary dwelling.

The subject site already contains a two car garage and a single car garage. The applicant proposes that the single car garage be utilised by the secondary dwelling, while the principal dwelling will utilise the double garage. There is no change to the level of car parking provided on site, which exceeds Council requirements.

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 (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)

The Resilience and Hazards SEPP also provides a state-wide planning approach to the remediation of contaminated land.

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

A review of the history of the site by Council officers did not reveal any potentially contaminating activities at the site. The site is currently used for residential purposes and the proposed secondary dwelling is to be located above the existing detached garage that was constructed in 2006.

Accordingly, the site is considered suitable for the proposed development.

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

The Biodiversity and Conservation 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 the Biodiversity and Conservation SEPP 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 and / or will be conditioned as part of any consent granted.

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

Draft Environment State Environmental Planning Policy (Draft Environment SEPP)

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

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

The development is consistent with the Draft Remediation SEPP in that it is compliant with State Environmental Planning Policy (Resilience and Hazards) 2021.

(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.

Proposed Variation – Solar Access

The Camden DCP requires that PPOS of the principal dwelling and adjoining dwellings receive a minimum of 50% direct sunlight for equal to or more than 3 hours between 9:00am and 3:00pm on 21 June.

The PPOS of the adjoining dwellings do not currently comply with this control and it is noted that the proposed development will further reduce solar access. The proposed secondary dwelling will also reduce solar access to the PPOS of the principal dwelling.

The applicant submitted shadow diagrams that demonstrate the shadow impact of the proposed development at the winter solstice, summer solstice and equinox. It is recommended that the variation be supported for the following reasons:

- The variation is not considered to result in dwellings with substandard amenity and it has been demonstrated that reasonable solar access is achieved at other times of the year (i.e. equinox and summer solstice) when the rear yards are more likely to be actively used.
- The proposed building is single storey with a low pitched roof design to minimise the amount of overshadowing of adjoining properties.
- Given the aspect of the site the level of overshadowing in winter is considered reasonable, noting the high levels of solar access at other times of the year.
- Despite the PPOS areas not receiving direct sunlight to at least 50% of PPOS area between 9:00am and 3:00pm on 21 June, direct sunlight to a minimum of one living area of these dwellings is still achieved.
- Adjoining sites consist of identical built forms with the same level of non-compliance with regard to solar access requirements.
- The site is zoned R3 Medium Density Housing and the proposed development is identical to that provided on adjoining sites. The principal dwelling and secondary dwelling will receive high levels of solar access and as demonstrated above the level of solar access to the rear yard of the principal dwelling is considered reasonable to support the outdoor recreation needs of residents.

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

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

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

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

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

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

(c) the suitability of the site for the development

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

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

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

(e) the public interest

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

EXTERNAL REFERRALS

None.

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 of Camden Local Environment Plan 2010 to the contravention of the minimum lot size for secondary dwellings development standard in Section 7.5 of Camden Local Environmental Plan 2010, and
- ii. approve DA/2022/925/1 for a secondary dwelling at 216 Mount Annan Drive, Mount Annan subject to the conditions attached to this report for the following reasons:
 1. The Panel has considered the written request to contravene Camden Local Environmental Plan 2010 in relation to the minimum lot size for secondary dwellings development standard. The Panel considers that the written request from the applicant adequately demonstrates that compliance with the development standard in Section 7.5 of the Camden Local Environmental Plan 2010 is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The Panel is also satisfied that the development will be in the public interest because it is consistent with the objective of the development standard in Section 7.5 of Camden Local Environmental Plan 2010 and the objectives for development within the R3 Medium Density Residential zone.
 2. The development is consistent with the objectives and controls of the applicable environmental planning instruments, being Camden Local Environmental Plan 2010, State Environmental Planning Policy (Housing) 2021, State Environmental Planning Policy (Building Sustainability Index –

BASIX) 2004, State Environmental Planning Policy (Resilience and Hazards) 2021 and State Environmental Planning Policy (Biodiversity and Conservation) 2021.

- 3. The development is consistent with the objectives of the Camden Development Control Plan 2019.**
- 4. The development is considered to be of an appropriate scale and form for the site and the character of the locality.**
- 5. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.**
- 6. For the above reasons, the development is a suitable use of the site, and its approval is in the public interest.**

ATTACHMENTS

1. Recommended Conditions
2. Camden LEP Assessment Table
3. Camden DCP Assessment Table
4. Clause 4.6 Written Request
5. 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
Drawing No: 22.154 Sheet: 2/9 Rev: A	Site Plan	DBM Services Pty Ltd	January 2022
Drawing No: 22.154 Sheet: 3/9 Rev: A	Concept Drainage Plan	DBM Services Pty Ltd	January 2022
Drawing No: 22.154 Sheet: 6/9 Rev: A	Floor Plan	DBM Services Pty Ltd	January 2022
Drawing No: 22.154 Sheet: 7/9 Rev: A	Elevation Plan	DBM Services Pty Ltd	January 2022
Drawing No: 22.154 Sheet: 8/9 Rev: A	Elevation & Section Plan	DBM Services Pty Ltd	January 2022
Drawing No: 22.154 Sheet: 9/9 Rev: A	Colours & Materials Detail	DBM Services Pty Ltd	January 3033

Document Title	Prepared by	Date
BASIX Certificate No: 1278339S_02	AusDilaps	12/09/2022
Waste Management Plan	Local Approvals	09/02/2022

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

- (4) **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:
- a) in the case of work for which a principal contractor has been appointed:
 - i) has been informed in writing of the name and licence number of the principal contractor; and
 - ii) where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.
 - a) in the case of work to be carried out by an owner-builder;
 - i) has been informed in writing of the name of the owner-builder; and
 - ii) if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.

- (5) **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 clause does not apply:

- a) to the extent to which an exemption is in force under Clause 187 or 188 of the EP&A Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of the EP&A Regulation 2000; or

to the erection of a temporary building, other than a temporary structure to which subclause (1A) of Clause 98 of the EP&A Regulation 2000 applies.

- (6) **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.

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) **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.

- (3) **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*.
- (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 the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council. This applies to building and construction works with a cost of \$250,000 or more.

3.0 - Prior to Commencement of Works

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

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the certifier.
- (2) **Notice of Principal Certifier** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. 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 Clause 104 of the EP&A Regulation 2000. 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 (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
 - c) the name, address and telephone number of the principal certifier.
- The sign shall be maintained while the work is being carried out and removed upon the completion of works.
- (6) **Site is to be Secured** - The site shall be secured and fenced.
- (7) **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.
- (8) **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.

- (9) **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) **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 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.

- (3) **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*.
- (4) **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.
- (5) **Finished Floor Level** - A survey report prepared by a registered land surveyor confirming that the finished floor level complies with the approved plans or floor levels specified by the development consent, shall be provided to principal certifier prior to the development proceeding beyond floor level stage.
- (6) **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)
- 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) **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.

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) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.
- (3) **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.
- (4) **House Numbering** – The dwellings on the site (existing and approved, primary and secondary) must be readily identifiable from the street by displaying their Council allocated house numbers. The allocated house numbers will be in accordance with the current Geographical Names Board of NSW Address Policy. E-mail Council at lis.mailbox@camden.nsw.gov.au to obtain the allocated house numbers. Any alternative numbering of the dwellings is not permitted.

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

CLPP03

Attachment 2

Clause	Assessment	Compliance?
<p>2.3 Zone objectives and land use table</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"> To provide for the housing needs of the community within a medium density residential environment. To provide a variety of housing types within a medium density residential environment. To enable other land uses that provide facilities or services to meet the day to day needs of residents. To encourage redevelopment of land for medium density housing in locations close to main activity centres within the Camden local government area. To minimise conflict between land uses within the zone and land uses within adjoining zones. 	<p>The lot is located in an R3 Medium Density Residential zone. The proposed development is characterised as a 'secondary dwelling' which is permitted with consent in the R3 Medium Density Residential zone.</p> <p>The proposal meets the objectives of the zone as:</p> <ul style="list-style-type: none"> The proposal will contribute to providing for housing needs within the medium-density residential area. The development contributes to the variety of housing types and is compatible with the existing developed residential area. The development provides for additional housing in an area well serviced by facilities that meet the day to day needs of residents. The development does not result in any land use conflict. 	Yes
<p>4.3 Height of buildings</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 9.5m.</p>	<p>The proposed development has a maximum building height of 6.7m.</p>	Yes
<p>4.6 Exceptions to development standards</p> <p>Development consent may be granted for development that contravenes a development standard imposed by the LEP 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</p>	<p>The applicant has submitted a written request under Clause 4.6 of the Camden LEP 2010 justifying the contravention to minimum lot size for secondary dwellings 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>	Yes

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance?
<p>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 development standard contraventions for certain subdivisions of land in some rural and environmental zones.</p>	<p>It is assessed that the proposed development will be in the public interest because it is consistent with the objective of the minimum lot size for secondary dwellings development standard and the objectives for development within the R3 Medium Density Residential zone.</p> <p>It is noted that the Panel may assume the concurrence of the Secretary.</p>	
<p>7.5 Minimum lot size for particular secondary dwellings</p> <p>Development consent for a secondary dwelling must not be granted unless:</p> <p>(a) the size of the lot on which the proposed secondary dwelling is to be erected is at least 450 square metres, or</p> <p>(b) the land is in the urban release areas shown as Spring Farm or Elderslie on the Urban Release Area Map and:</p> <p>(i) the proposed secondary dwelling is to be located above a garage, and</p> <p>(ii) the garage is accessed from a rear lane adjacent to the land.</p>	<p>The secondary dwelling is proposed on a site with an area of 399.4m² and contravenes the minimum lot size for secondary dwellings development standard (450m²).</p> <p>The applicant has submitted a written request under Clause 4.6 of the Camden LEP 2010 justifying the contravention to minimum lot size for particular secondary dwellings development standard.</p>	No

CLPP03

Attachment 2

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
<p>4.2.1 Site Analysis</p> <p>A site analysis plan must be provided</p>	<p>The site analysis plan provided is consistent with the requirements within the Camden DCP 2019.</p>	Yes.
<p>4.2.3 Streetscape and Architectural Design</p> <p>Front facade to feature ≥ 1 ground floor habitable room with a window facing the street</p> <p>≥ 450mm eaves overhang measured from the fascia board (except for walls built to the boundary)</p> <p>Pitch of hipped and gable roof forms on main dwelling between 18° and 30°</p>	<p>The existing ground floor consists of a garage. The secondary dwelling above incorporates a lounge/dining area with a door leading to the balcony facing the rear lane (Stipa Lane).</p> <p>≥ 450mm eaves in overhang measured from the fascia board.</p> <p>Pitch of hipped roof form is 25°.</p>	Yes.
<p>4.2.4 Setbacks (Regular Lots)</p> <p>An easement for 'support and maintenance' (servicing, construction, and maintenance) of the zero lot line wall (and any services along the side of the dwelling) is to be provided on the adjoining property, except where a 450mm side boundary setback is provided.</p> <p>Walls alongside boundaries must be articulated</p> <p>1m rear lane setback (but may be reduced to 0.5m if demonstrated satisfactory waste collection can be demonstrated)</p>	<p>North-eastern side setback = 0.97m South-western side setback = 0.24m It is noted that there is a side setback non-compliance on the south-western side of the subject site, with no easement for support and maintenance provided. However, this non-compliance is considered inconsequential and is supported by Council staff.</p> <p>Walls alongside boundaries are suitably articulated.</p> <p>497mm rear setback to the first floor balcony provided. Satisfactory area for waste collection is existing on the site. It is noted that there is a very minor numerical non-compliance that is considered inconsequential and is supported by Council staff.</p>	No. Variation supported.
<p>4.2.5 Height, Site Coverage and Siting</p> <p>Compliance with the Camden LEP height of buildings development standard (9.5m)</p> <p>2 storeys where height of buildings development standard ≤ 9.5m</p> <p>For lots $< 450\text{m}^2$, $\leq 50\%$ ground floor and $\leq 35\%$ upper floor site coverage for two storey development</p>	<p>Max height from existing ground level = 6.7m.</p> <p>Max 2 storeys proposed.</p> <p>Ground floor $159/399.4 \times 100 = 39.80\%$ (existing)</p> <p>First floor $138/399.4 \times 100 = 34.55\%$ (existing dwelling first floor and proposed secondary dwelling).</p>	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
<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>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>≥1 window to a living area of neighbouring dwellings must receive ≥3 hours sunlight between 9am and 3pm on 21 June</p>	<p>1 living area receives a minimum of ≥3 hours direct sunlight between 9am and 3pm on 21 June.</p> <p>Direct sunlight does not reach ≥50% of the PPOS of the principal dwelling located on the subject site or the adjoining dwellings for ≥3 hours between 9am and 3pm on 21 June. A variation to this control has been assessed in detail in the main body of the report.</p> <p>A minimum of 1 window to a living area of neighbouring dwellings reaches ≥3 hours sunlight between 9am and 3pm on 21 June.</p>	No. Variation supported.
<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>First floor balconies or decks facing side or rear boundaries only permitted where there are no adverse privacy impacts</p> <p>≤2m depth for first floor balconies or decks</p>	<p>First floor habitable room windows overlook the rear lane. No adverse privacy impacts.</p> <p>The proposed balcony faces the rear lane. No concerns. No adverse privacy impacts.</p> <p>The proposed balcony has a maximum depth of 1m.</p>	Yes.
<p>4.2.10 Parking, Garages and Site Access (General)</p> <p>≥2 car parking spaces for 3+ bedroom dwellings</p>	<p>There is an existing single and double garage fronting the rear lane. The applicant proposes the single garage be utilised by the secondary dwelling, while the double garage will be utilised by the principal dwelling.</p>	Yes.
<p>4.2.12 Waste Storage Areas and Waste Collection Areas</p> <p>Waste storage and collections are to be shown on DA plans. Waste storage areas are to be provided behind the building line</p>	<p>Sufficient area for waste storage for both the principal and secondary dwelling.</p>	Yes.
<p>4.3 Secondary Dwellings</p> <p>Design must complement the design of the principal dwelling and be subservient in terms of visual bulk and scale</p>	<p>The design of the secondary dwelling is consistent with the built forms within the immediate vicinity of the site. The development</p>	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

CLPP03

Attachment 3

Control	Assessment	Compliance?
<p>Windows and private open spaces must not overlook the private open space of any adjacent dwellings</p> <p>No additional car parking or private open space area is required for secondary dwellings</p> <p>Clothes drying facilities in a location with adequate solar access must be provided</p> <p>Secondary dwellings must be set back behind the front building line of the principal dwelling</p> <p>Internal fences separating the principal and secondary dwellings are not permitted</p> <p>Strata or Torrens title subdivision of secondary dwellings is not permitted</p> <p>Garages may only be converted to secondary dwellings where ≥ 2 car parking spaces will be provided and ≥ 1 behind the building line of the principal dwelling</p>	<p>is also consistent with the existing streetscape and surrounding built form in terms of bulk and scale.</p> <p>First floor habitable room windows overlook the rear lane. No privacy concerns.</p> <p>A single garage and balcony are provided for the secondary dwelling.</p> <p>There is adequate room for clothes drying facilities on the site. The proposed balcony is a suitable location for clothes drying with maximum solar access achieved to the balcony facing north.</p> <p>The secondary dwelling is setback behind the primary building line and is accessed from the rear lane.</p> <p>No internal fencing is proposed.</p> <p>No subdivision is proposed</p> <p>No conversion of the existing detached garage is proposed. The site maintains adequate parking behind the building line.</p>	



CLPP03

Attachment 4

Clause 4.6 Variation Request – Min. Lot Size for Secondary Dwellings

Proposal: Construction of a Secondary Dwelling above the Existing Rear Lane Garage

Address: 216 Mount Annan Drive, Mount Annan NSW 2567 / Lot 3527 DP 1096500

To: Camden Council

Date: September 2022

Construction of a Secondary Dwelling above the Existing Rear Lane Garage
No. 216 Mount Annan Drive, Mount Annan NSW 2567



ABN: 40 615 470 356
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Web: LocalApprovals.com.au
QA Record:
Doc ID: CL4.6_2022.0609 CL
Issue Date: September 2022

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Construction of a Secondary Dwelling above the Existing Rear Lane Garage
No. 216 Mount Annan Drive, Mount Annan NSW 2567

TABLE OF CONTENTS		
1.0	INTRODUCTION	3
2.0	LOT SIZE VARIATION ASSESSMENT	4
3.0	CLAUSE 4.6 CONSIDERATIONS	5
4.0	JUSTIFICATION FOR VARIATION	5
5.0	CONCLUSION	
6.0	APPENDIX	

CLPP03

Attachment 4

Construction of a Secondary Dwelling above the Existing Rear Lane Garage
No. 216 Mount Annan Drive, Mount Annan NSW 2567

1. INTRODUCTION

This variation request has been prepared to demonstrate that the proposed departure from the applicable minimum lot size for secondary dwelling can be recommended for approval by Camden Council and determined for approval by the Local Planning Panel in accordance with the Camden Local Environmental Plan (CLEP) 2010 Clause 4.6 - Exceptions to Development Standards.

The objectives of Clause 4.6 of the CLEP 2010 are:

- (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.

The subject site is zoned R3 – Medium Density Residential. In accordance with Clause 7.5 of the CLEP, the minimum lot size for particular secondary dwellings on the subject site is 450sqm.

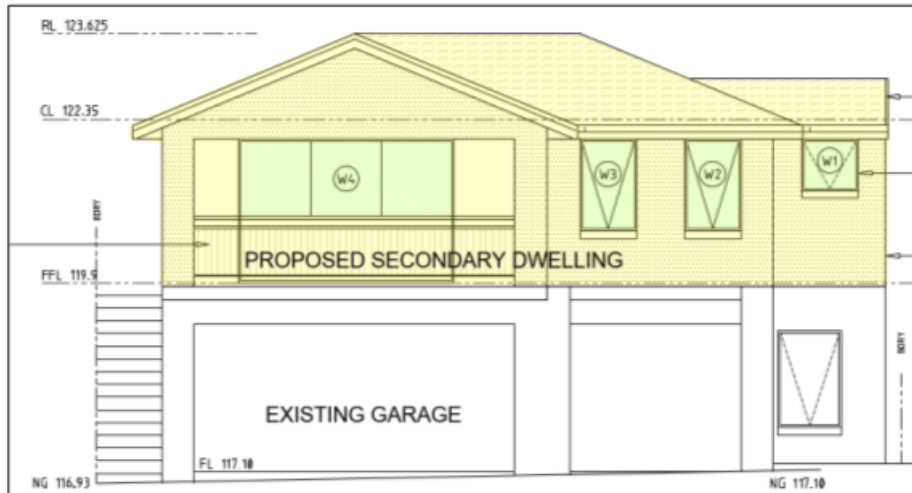


FIGURE 1 – Proposed Elevation fronting rear lane, Stipa Lane



Construction of a Secondary Dwelling above the Existing Rear Lane Garage
No. 216 Mount Annan Drive, Mount Annan NSW 2567

2. LOT SIZE FOR SECONDARY DWELLING VARIATION ASSESSMENT

The minimum lot size for secondary dwellings requirement of 450sqm applies to the subject site.

CLEP Clause 7.5 - Minimum lot size for particular secondary dwellings	Lot size of subject site	Net variation
450 sqm	399.4 sqm	Net variation = 50.6 sqm or 11.24% of the requirement

Table 1: Lot Size Variation Assessment

Lot size for secondary dwelling assessment:

The subject site has a lot area of 399.4sqm which is 50.6sqm less than the required minimum lot area of 450sqm. This equates to a variation of 11.24%.

3. CLAUSE 4.6 CONSIDERATIONS

Clause 4.6 (2) provides that:

Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

It is noted that the minimum lot size for secondary dwellings control is not expressly excluded from the operation of this clause. This Clause 4.6 request is prepared in accordance with the specific requirements of Clause 4.6 (3) and Clause 4.6 (5) and therefore includes consideration of:

- *Whether compliance with the development standard is unreasonable or unnecessary in the circumstances of the case;*
- *Whether there are sufficient environmental planning grounds to justify contravening the development standard;*
- *Whether contravention of the development standard raises any matter of significance for State or regional environmental planning; and*
- *The public benefit of maintaining the development standard.*

*Construction of a Secondary Dwelling above the Existing Rear Lane Garage
No. 216 Mount Annan Drive, Mount Annan NSW 2567*

Clause 4.6 (4) provides that 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 Planning Secretary has been obtained.*

In accordance with planning circular PS 20-002 (5 May 2020) the Secretary's concurrence can be assumed where a decision is made by an Independent Hearing and Assessment Panel such as the Camden Local Planning Panel where they are exercising the council's functions as a consent authority in accordance with the relevant notice. Concurrence can only be assumed if the consent authority has first considered (in relation to a clause 4.6 request):

- *Whether contravention of the development standard raises any matter of significance for state or regional environmental planning; and*
- *The public benefit of maintaining the development standard.*

This request for variation of the standards has also been prepared with reference to Varying development standards: *A Guide August 2011 published by the Department of Planning Infrastructure and Environment*. This request considers the three relevant sections of the Wehbe 'five part test' (*Wehbe v Pittwater Council (2007) 156 LGERA 446*):

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 (not relevant in this instance);*
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.*

Construction of a Secondary Dwelling above the Existing Rear Lane Garage
No. 216 Mount Annan Drive, Mount Annan NSW 2567

That is, the particular parcel of land should not have been included in the zone (not relevant in this instance).

This clause 4.6 request for variation of the minimum lot size for secondary dwelling development standard demonstrates that, in the circumstances of this case, there are sufficient environmental planning grounds to justify the proposed non-compliance with the lot size requirement as evidenced by the:

- a) Compliance of the proposed development with the objectives of the zone and the min. lot size for secondary dwellings standard which in turn demonstrates that the proposed development is in the public interest as detailed within this report;
- b) Consistency of the proposed in terms of streetscape, building bulk and scale with the existing character of the locality as demonstrated by the photographic context in Figures 2 and 3;
- c) Consistency of the proposed secondary dwelling with the desired future character of the residential precinct. This is demonstrated by the ability of the proposed development to help achieve the stated objectives of the subject zoning detailed within this report;
- d) Lack of any excessive adverse cumulative impact associated with the lot size non-compliance as demonstrated in the analysis of a similar local approval identified within this report;
- e) The proposed development, notwithstanding the lot size non-compliance, satisfies the revised test for Clause 4.6 and provides a better planning outcome for the site and the locality.

On this basis it can be concluded that the proposed development will achieve better planning, environmental, social and economic outcomes if flexibility is provided with regard to the lot size for secondary dwellings standard in the particular circumstances of the case in which this variation sought.

Construction of a Secondary Dwelling above the Existing Rear Lane Garage
No. 216 Mount Annan Drive, Mount Annan NSW 2567

4. JUSTIFICATION FOR VARIATION

As held by the court in *Wehbe v Pittwater Council* [2007] NSWLEC827, development standards are not an end in themselves but a means of achieving environmental and planning objectives. Where the objectives of the development standard are achieved, strict compliance with the standard would be unnecessary (it is achieved anyway) and unreasonable (no purpose would be served).

4.1 Compliance with Minimum Lot Size for Secondary Dwelling Development Standard Is Unnecessary

The following subsection of this report demonstrates that compliance with the minimum lot size for secondary dwellings standard is unnecessary in this instance because the proposed development meets the objectives of the standard and the zone. Consequently, the intent of the minimum lot size for secondary dwellings standard is achieved regardless of the non-compliance.

4.2 Compliance with The Objectives of Clause 7.5 of the CLEP

The proposed development complies with the relevant objectives of the Zone R3 – Medium Density Residential. This assessment considers only those objectives that are relevant to the proposed development, which is:

- (1) The objective of this clause is to ensure that secondary dwellings are on appropriately sized lots.

Compliance Assessment

The proposed development consists of contemporary development for a secondary dwelling above the existing garage. There will be no additional building footprint and will thus have minimal impact on the existing site coverage, landscaped area and open spaces of the site. The amenities of the primary dwelling and the adjoining properties in terms of privacy, solar access and ventilation will likewise be managed accordingly based on the submitted proposed design. As such, the lot size is deemed appropriate and sufficient for the proposed secondary dwelling, notwithstanding the non-compliance with the development standard indicated in Clause 7.5 of the CLEP.

4.3 Compliance with The Objectives of the Zone

Numerical standards are often a crude reflection of intent. Development may achieve the underlying purpose of a standard even though it does not strictly comply with the numerical control. It is widely recognised that such variations can be numerically small or large. The subject site is zoned R3 medium density residential, and the proposed development complies with the objectives of the zone which are addressed thematically as follows:

*Construction of a Secondary Dwelling above the Existing Rear Lane Garage
No. 216 Mount Annan Drive, Mount Annan NSW 2567*

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage redevelopment of land for medium density housing in locations close to main activity centres within the Camden local government area.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.

Compliance Assessment

The development proposal involves the construction of a secondary dwelling above the existing garage on the rear lane along Stipa Lane.

The proposed development will provide an additional housing option to the community. By providing a secondary dwelling that has the appropriate facilities, services and amenities to adequately meet the daily needs of a family, it will present and respond to the demand of the currently on-going housing crisis within Sydney. The public interest is thus served positively with the proposed.

Additionally, the proposed secondary dwelling will be visible from the rear, southern side of Stipa Lane which, based on Figures 2 and 3, have mostly double storey structures. These are structures above the existing garage, similar to the proposed. As such, it is deemed that the proposed will be consistent with the existing land use of the immediate locality.

Construction of a Secondary Dwelling above the Existing Rear Lane Garage
No. 216 Mount Annan Drive, Mount Annan NSW 2567



FIGURE 2 – Aerial View of the Site (Source: Google Maps)



FIGURE 3 – Existing streetscape along the southern side of the Rear Lane (Stipa Lane)
(Source: Google Maps Street View)

4.4 Compliance with the Minimum Lot Size for Secondary Dwellings Development standard is unreasonable

The subsequent section of this report demonstrates that compliance with the Minimum Lot Size for Secondary Dwellings standard is unreasonable in this instance because the cumulative impact of the non-compliance with the lot size for secondary dwelling standard is acceptable.

Construction of a Secondary Dwelling above the Existing Rear Lane Garage
 No. 216 Mount Annan Drive, Mount Annan NSW 2567

The following analysis of recent approval in the Residential Zone by Camden City Council demonstrates that compliance with the lot size standard is unreasonable in this instance (i.e. no purpose would be served). This is because Council has established a precedent for such an approval of this nature, through the granting of consent to other development that contravenes the lot size for secondary dwelling standard within the local area. Recent similar approval is illustrated in Figure 4 citing a non-compliance to the minimum lot size for a secondary dwelling at No. 78 Firewheel CCT, Gregory Hills.

The fairly recent similar approval documented herein, and the proposed development increases the efficiency with which the site and the Precinct itself can be utilised. The proposed secondary dwelling accommodates the residential needs of the premises or the locality and will not impact on the existing bulk and scale, amenity, site coverage, landscape coverage and open spaces of the site.

On this basis, the proposed development will not give rise to adverse cumulative impacts but will rather be in keeping with the existing established streetscape of locality while being responsive to the ever-growing demand for housing due to the currently on-going housing availability crisis within Sydney and in Camden, in particular.

DA no.	Lot no.	DP no.	Street no.	Street name	Suburb/Town	Postcode	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Concurring authority	Date DA determined
2019/194	980	1218 916	78	Firewheel CCT	GREGORY HILLS	2557	Residential - New second occupancy	Growth Centres SEPP	R1 GENERAL RESIDENTIAL	Clause 4.1AB Minimum Lot Size for a secondary dwelling	The contravention is relatively minor; the proposed development complies with all other controls; there are no adverse impacts on residential amenity enjoyed by adjoining properties; and the proposal is consistent with the objectives of the standard and the zone	1.6%	COUNCIL	30/07/2019

FIGURE 4: Similar Development Approval in the Camden LGA
 (Source: Camden Clause 4.6 Register)

The cumulative effect of the similar approvals granted in the locality has not been and will not be to undermine the objectives of the development standard or the planning objectives for the zone. This is because the proposed built form and use as secondary dwelling fronting the rear lane at Stipa Lane will serve the existing residential needs of the locality and will result in outcomes that are in keeping with the desired future character of the Camden local government area. Accordingly, compliance with the development standard in this instance would be unreasonable.

*Construction of a Secondary Dwelling above the Existing Rear Lane Garage
No. 216 Mount Annan Drive, Mount Annan NSW 2567*

CLPP03

Attachment 4

5 CONCLUSION

This clause 4.6 request demonstrates that there are sufficient environmental planning grounds to justify contravening the CLEP 2010 Clause 7.5 Minimum Lot Size for Particular Secondary Dwellings development standard in this instance.

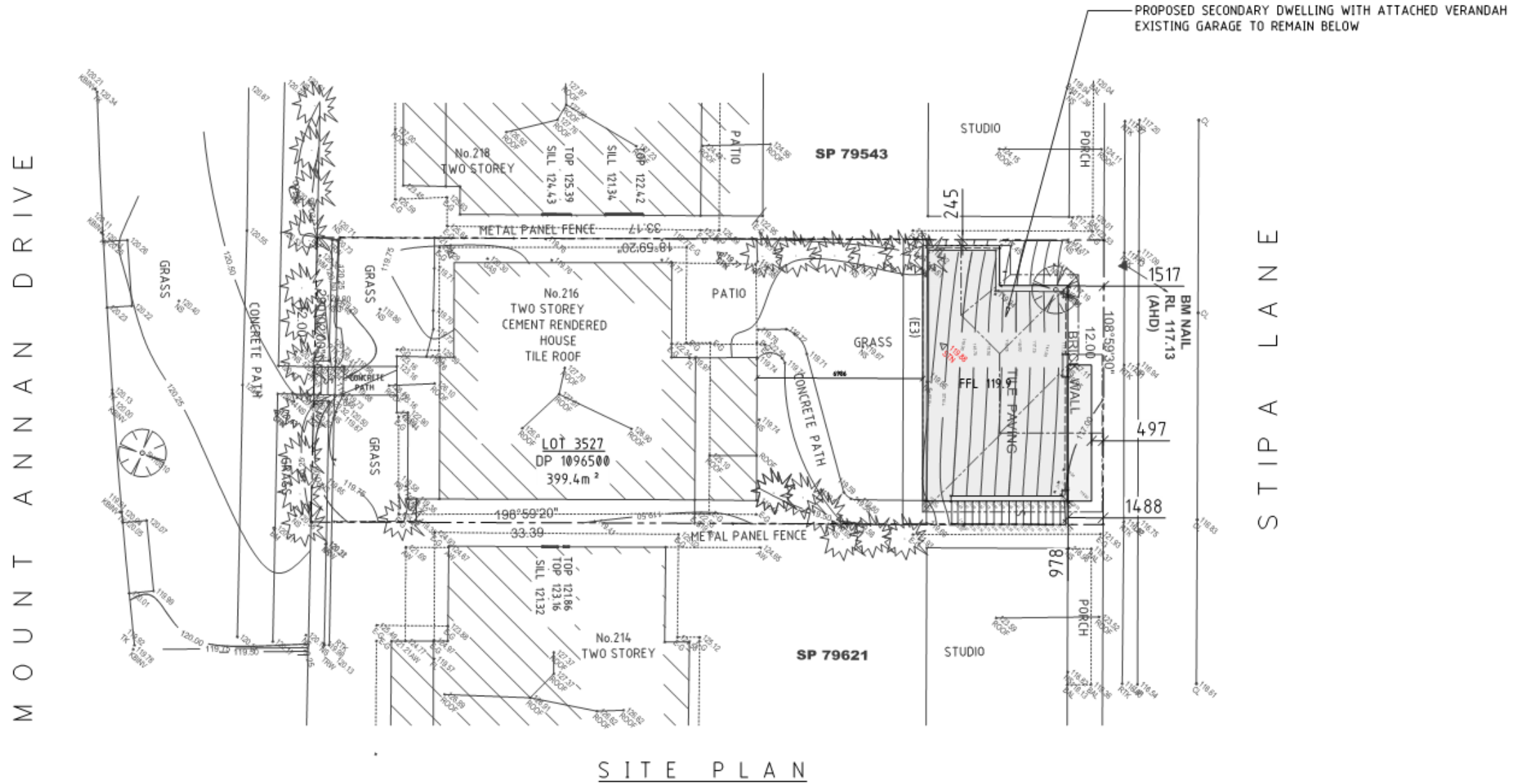
This is demonstrated by the:

- Compliance of the proposed development with the objectives of the zone and minimum lot size for secondary dwelling standard which in turn demonstrates that the proposed development is in the public interest as detailed within this report;
- Consistency of the proposed secondary dwelling design with the existing character of the locality as demonstrated by the photographic context in Figures 2 and 3;
- Lack of any adverse cumulative impact associated with the lot size non-compliance as demonstrated in the analysis of recent similar local approval within this report;

On this basis it can be concluded that the proposed development will achieve better planning, environmental, social and economic outcomes if flexibility is provided with regard to the minimum lot size for secondary dwellings standard in the particular circumstances of the case in which this variation sought.

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Attachment 4



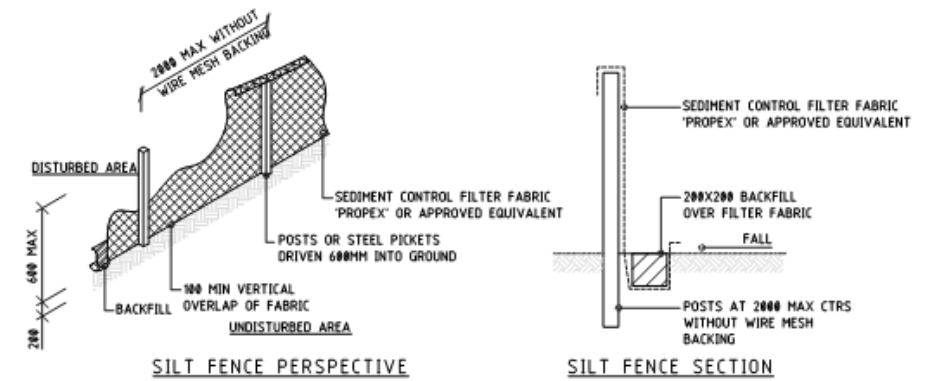
SITE PLAN

Areas:

Site Area	399.4m ²
Main Building Footprint (Existing)	112.2m ²
Garage Footprint (Existing)	60.0m ²
Porch & Alfresco	20.6m ²
Total (48.3%)	192.8m ²
Private Open Space	182.0m ²
Driveway / Paved Area	25.0m ²
Landscape Behind Build Line	119.6m ²
Landscape Front Build Line	62.0m ²

GENERAL NOTES:

1. ALL DIMENSIONS TO BE CONFIRMED ON SITE PRIOR TO COMMENCEMENT OF WORK OR ORDERING OF MATERIALS.
2. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE "BUILDING CODE OF AUSTRALIA" & RELEVANT AUSTRALIAN STANDARDS.
3. ALL STRUCTURAL REFERENCES MUST BE VERIFIED BY A LICENSED ENGINEER.
4. ALL SEWERAGE & DRAINAGE WORKS TO BE CARRIED OUT TO LOCAL COUNCIL & SYDNEY WATER REQUIREMENTS.
5. SITE WORKS ARE NOT TO START UNTIL THE SEDIMENT CONTROL MEASURES ARE INSTALLED & FUNCTIONAL.



DBM SERVICES P/L
 Level 1, 10-14 Market Lane Rouse Hill, NSW 2155
 P.: 0416 698 300
 E.: HOLD

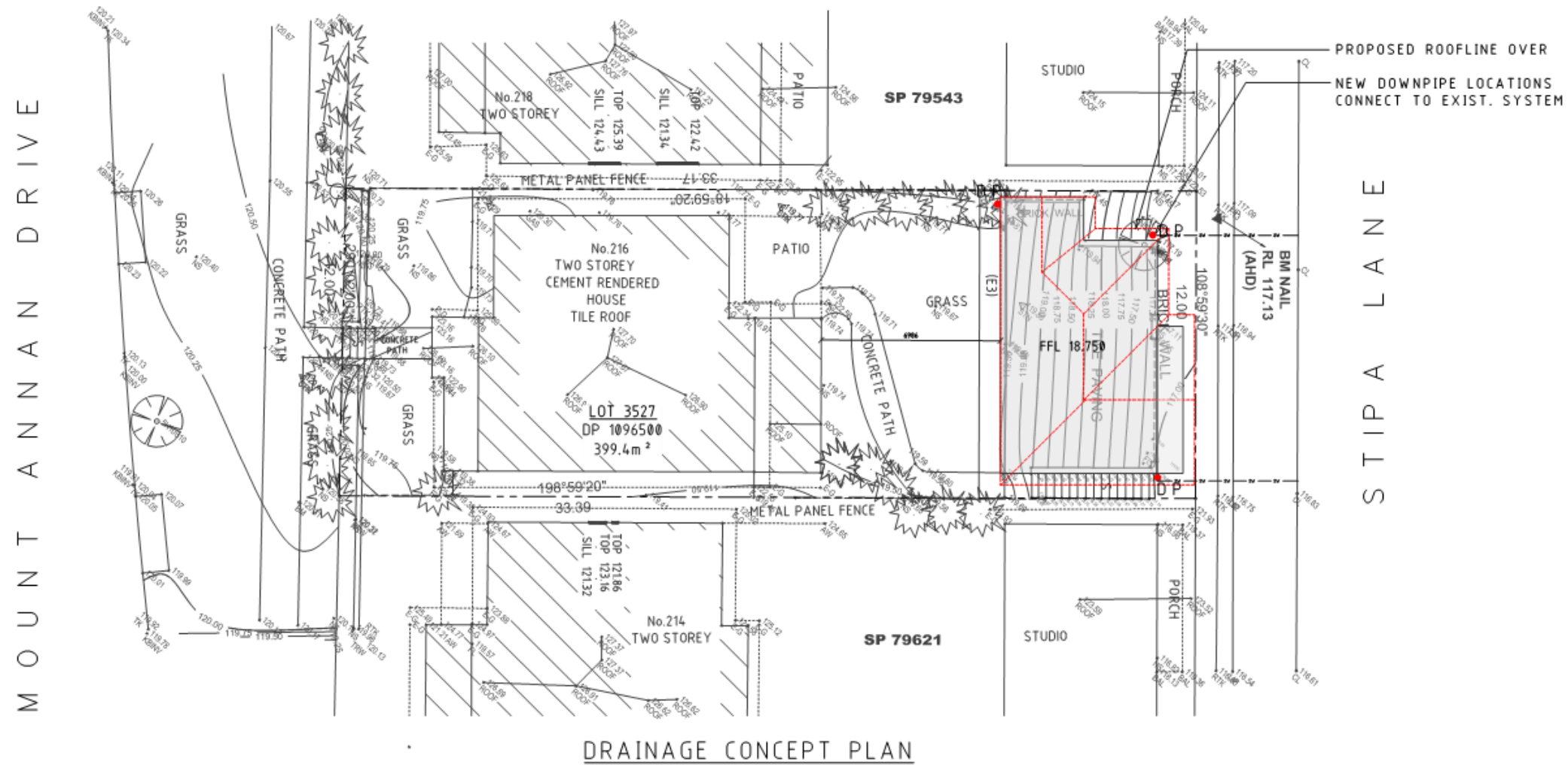
ARCHITECTURAL DRAFTING & DESIGN SERVICES
 • NEW HOMES, GRANNY FLATS, DUAL OCCUPANCY
 • ADDITIONS, ALTERATIONS
 • KITCHEN, BATHROOM DESIGN
 • DECKS, POOLS, PERGOLAS, SHEDS

REV-A	ISSUED FOR APPROVAL
-------	---------------------

Client	-
Drawn	Matthew Denne
Date	01/2022

Title :
 Proposed Secondary Dwelling
 216 Mount Annan Drive,
 Mount Annan 2567

Scale : 1:200		A3
Drawing No.	Sht.	Rev
22.154	2 of 9	A



NOTES:

1 - SUB SURFACE DRAINAGE

- 1.1 THE GROUND BENEATH A SUSPENDED TIMBER FLOOR MUST BE GRADED SO THAT THE AREA BENEATH THE BUILDING IS ABOVE THE ADJACENT FINISHED GROUND LEVEL TO PREVENT PONDING;
- 1.2 AGRICULTURAL (AG) CUT-OFF DRAINS MUST BE INSTALLED AT THE BASE OF ALL EXCAVATIONS AND ALONG THE HIGH SIDE OF A SLOPING SITE AND BE CONNECTED TO THE STORM WATER DRAINAGE SYSTEM VIA A 300MM X 300MM SILT PIT;
- 1.3 AG DRAINS MUST BE LAID A MINIMUM OF 400MM INTO THE SOIL AND 100MM BELOW ANY ADJACENT FOOTING OR PAVEMENT;

2 - SURFACE DRAINAGE

- 2.1 THE DESIGN AND INSTALLATION OF THE STORM WATER DRAINAGE SYSTEM MUST COMPLY WITH AS/NZS 3500.5 - DOMESTIC INSTALLATIONS;
- 2.2 SURFACE WATER DRAINAGE MUST BE GRADED AWAY FROM A BUILDING WITH A MINIMUM GRADIENT OF 1 IN 20 OVER THE FIRST METRE;
- 2.3 THE FINISHED SLAB HEIGHT (MEASURED AT THE SLAB EDGE) MUST BE NOT LESS THAN 50MM ABOVE ADJACENT PAVING OR CONCRETE OR 100MM ABOVE SANDY WELL DRAINED AREAS;
- 2.4 STORMWATER DRAINS SHALL BE MINIMUM 90MM CLASS 6 UPVC AND HAVE A MINIMUM FALL OF 1:100 AND 100MM COVER UNDER SOIL AND PAVED AREAS;
- 2.5 INSPECTION OPENINGS (DN 150) SHALL BE INSTALLED AT EACH CONNECTION POINT, ANY CHANGE OF DIRECTION AND AT NOT MORE THAN 30M CENTRES;
- 2.6 INLET PITS SHALL BE PROVIDED TO COLLECT STORMWATER DRAINAGE AND DISCHARGE INTO THE SURFACE WATER DRAINAGE SYSTEM;

3 - ROOF DRAINAGE

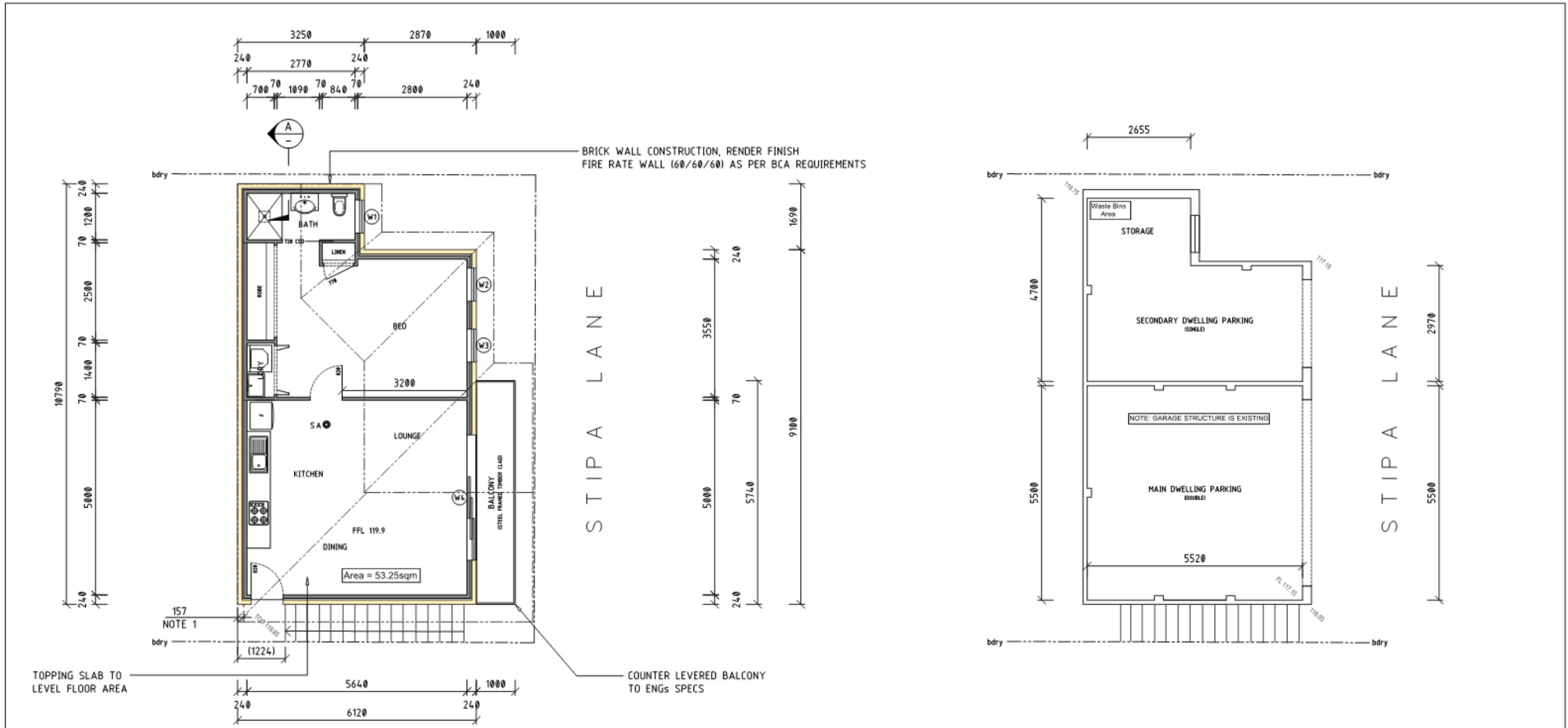
- 3.2 EAVES GUTTERS MUST HAVE A MINIMUM FALL OF 1:500 AND BOX GUTTERS A MINIMUM FALL OF 1:100;
- 3.3 EAVES GUTTERS MUST BE SUPPORTED BY BRACKETS AT MAXIMUM 1.2M CENTRES;
- 3.4 DOWNPIPES SHALL BE MINIMUM 100MM X 75MM, MUST NOT BE LOCATED MORE THAN 12M APART AND SECURELY FIXED TO WALLS WITH APPROVED BRACKETS AT MAXIMUM 2.2M CENTRES;
- 3.5 WHERE DOWNPIPES ARE LOCATED MORE THAN 1.2M FROM THE VALLEY GUTTER, PROVISION FOR OVERFLOW MUST BE MADE.

NOTE:

THE ABOVE IS A BRIEF INFORMATION SUMMARY OF DRAINAGE REQUIREMENTS TO COMPLY WITH PARTS 3.1.2 AND 3.5.2 OF THE BCA BUT IS BY NO MEANS AN EXHAUSTIVE SPECIFICATION FOR COMPLIANCE WHICH IS THE RESPONSIBILITY OF THE PROJECT BUILDER.



DBM SERVICES P/L Level 1, 10-14 Market Lane Rouse Hill, NSW 2155 P.: 0416 698 300 E.: HOLD	ARCHITECTURAL DRAFTING & DESIGN SERVICES • NEW HOMES, GRANNY FLATS, DUAL OCCUPANCY • ADDITIONS, ALTERATIONS • KITCHEN, BATHROOM DESIGN • DECKS, POOLS, PERGOLAS, SHEDS	Client -	Title : Proposed Secondary Dwelling 216 Mount Annan Drive, Mount Annan 2567	Scale : 1:200	A3
		Drawn Matthew Denne Date 01/2022	Drawing No. 22.154 Sht. 3 of 9 Rev A		
REV-A ISSUED FOR APPROVAL					



PROPOSED FLOOR PLAN
SECONDARY DWELLING

GARAGE FLOOR PLAN

NOTES
1 - EXTEND EXISTING CONCRETE SLAB - CONFIRM ON SITE

- DE-NOTES NEW FLOOR AREA
- DE-NOTES NEW EXTERIOR WALLS
- DE-NOTES NEW FRAMED WALLS
- SA ● - DENOTES SMOKE DETECTORS AS PER AS3786 & TO BE IN ACCORDANCE WITH THE BCA PART 3.7.2

Window & Door Schedule		
No.	H x W	Type
W1	770 x 850	ALUMINUM FRAMED, AWNING, FROSTED GLASS
W2	1370 x 850	ALUMINUM FRAMED, AWNING, CLEAR GLASS
W3	1370 x 850	ALUMINUM FRAMED, AWNING, CLEAR GLASS
W4	2145 x 3220	ALUMINUM FRAMED, SLIDING DOOR, CLEAR GLASS

NOTE - BUILDER TO CONFIRM ALL SIZES PRIOR TO ORDERING WINDOWS / DOORS

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Level 1, 10-14 Market Lane Rouse Hill, NSW 2155
P.: 0416 698 300
E.: HOLD

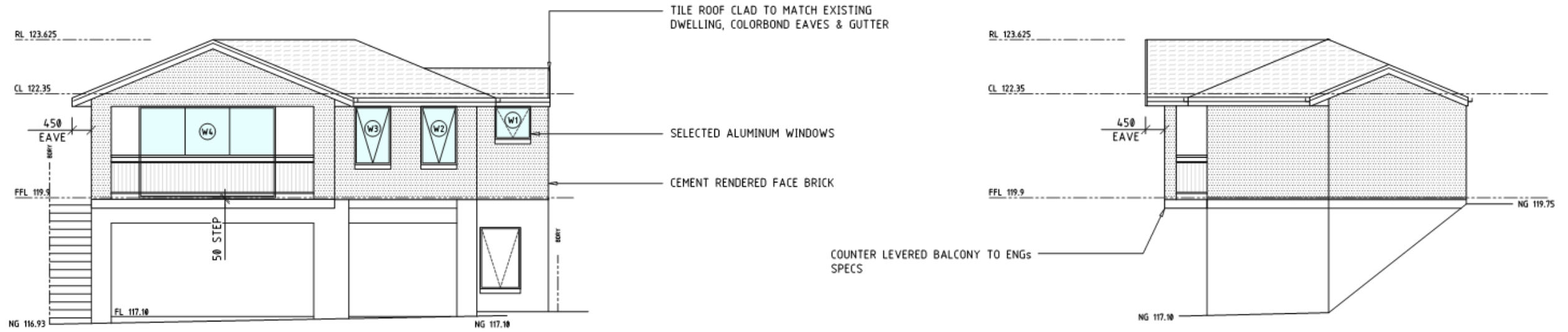
ARCHITECTURAL DRAFTING & DESIGN SERVICES
• NEW HOMES, GRANNY FLATS, DUAL OCCUPANCY
• ADDITIONS, ALTERATIONS
• KITCHEN, BATHROOM DESIGN
• DECKS, POOLS, PERGOLAS, SHEDS

REV-A	ISSUED FOR APPROVAL
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Client	-
Drawn	Matthew Denne
Date	01/2022

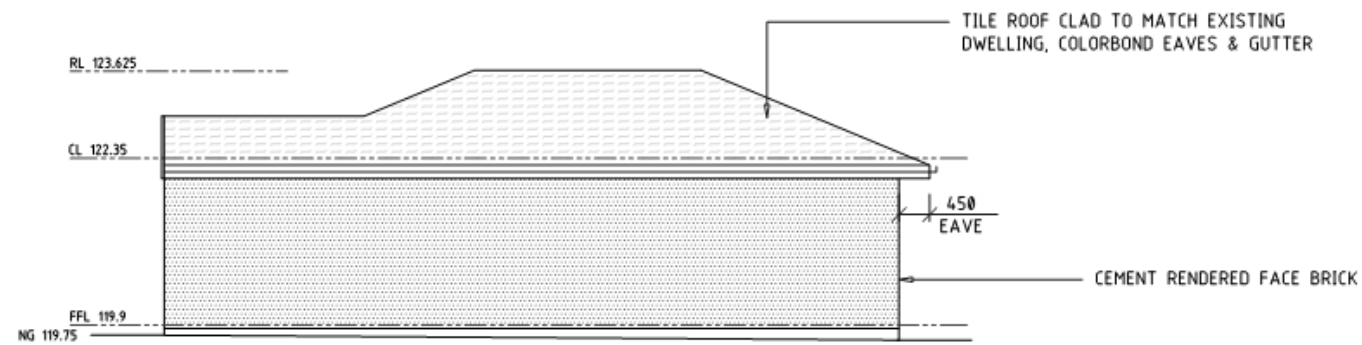
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Proposed Secondary Dwelling
216 Mount Annan Drive,
Mount Annan 2567

Scale : 1:100		A3
Drawing No.	Sht.	Rev
22.154	6 of 9	A



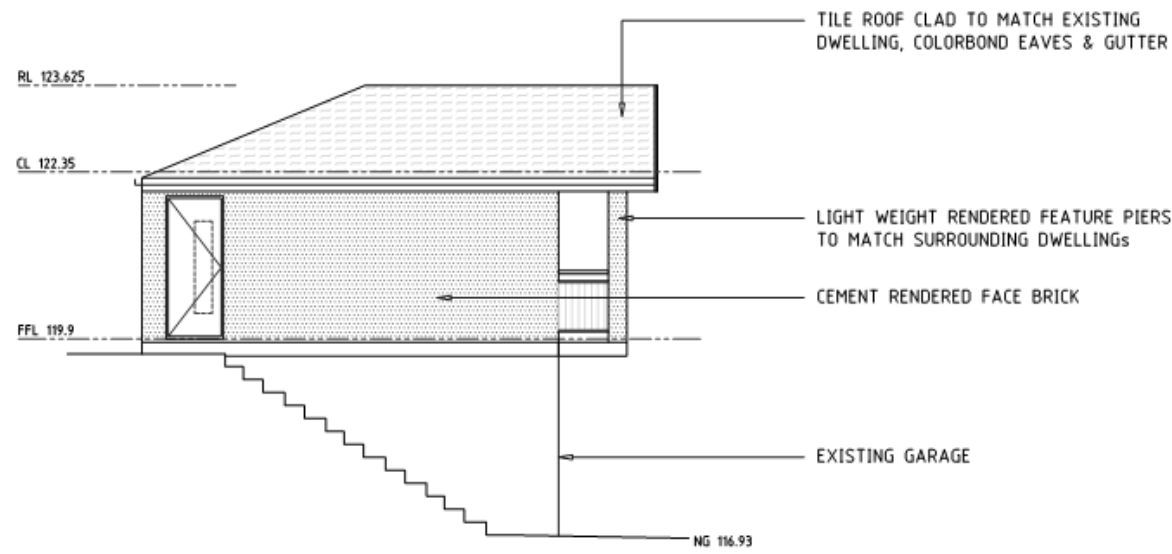
NORTH ELEVATION
STIPA LANE

WEST ELEVATION
SIDE

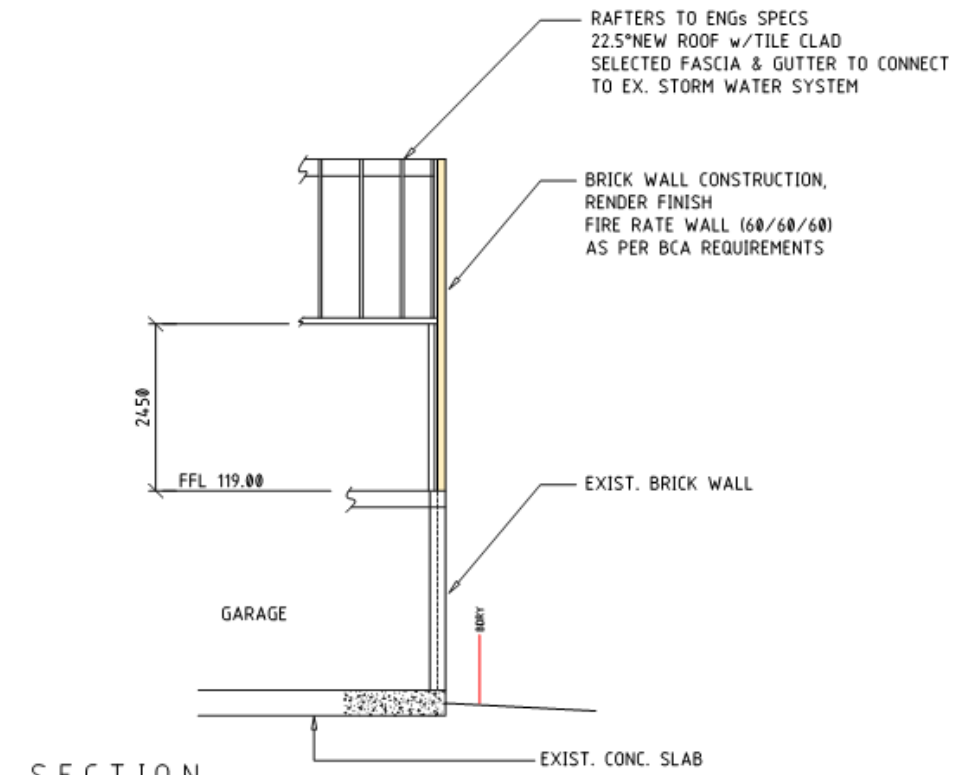


SOUTH ELEVATION
REAR

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	REV-A	ISSUED FOR APPROVAL	Drawn	Matthew Denne		Drawing No.	Sht.	Rev
			Date	01/2022		22.154	7 of 9	A

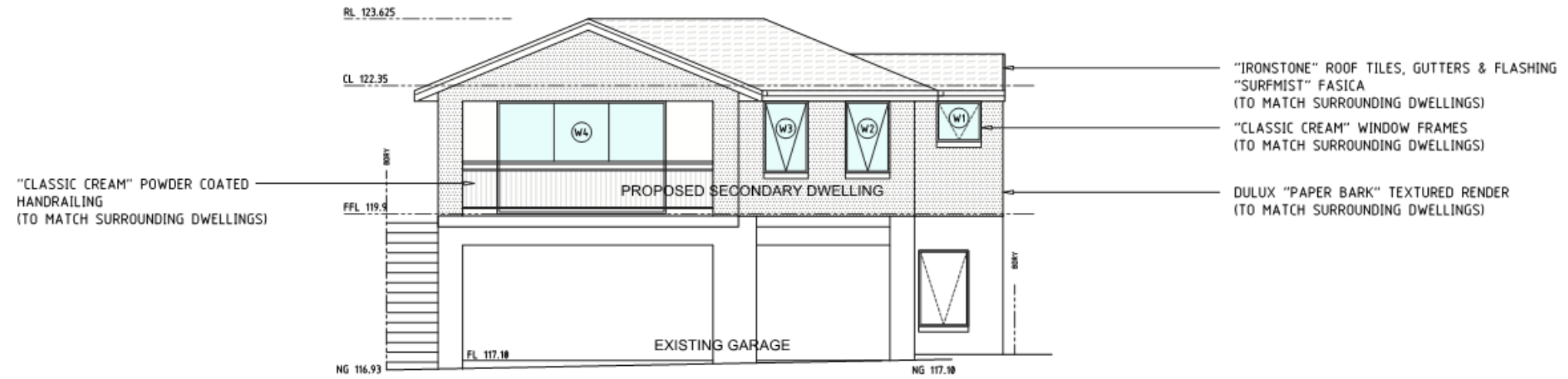


EAST ELEVATION
SIDE



ALL TIMBER FRAME WORK, CONNECTION DETAILS, & HOLDING METHOD TO BE IN ACCORDANCE WITH AS1684 - 2010 "RESIDENTIAL TIMBER FRAMED CONSTRUCTION"

DBM SERVICES P/L Level 1, 10-14 Market Lane Rouse Hill, NSW 2155 P.: 0416 698 300 E.: HOLD	ARCHITECTURAL DRAFTING & DESIGN SERVICES • NEW HOMES, GRANNY FLATS, DUAL OCCUPANCY • ADDITIONS, ALTERATIONS • KITCHEN, BATHROOM DESIGN • DECKS, POOLS, PERGOLAS, SHEDS	Client	-	Title : Proposed Secondary Dwelling 216 Mount Annan Drive, Mount Annan 2567	Scale : 1:100		A3				
		Drawn	Matthew Denne		Date	01/2022	Drawing No.	22.154	Sht.	8 of 9	Rev
REV-A		ISSUED FOR APPROVAL									



MATERIAL SCHEDULE



REFERENCE SURROUNDING DWELLING

DBM SERVICES P/L Level 1, 10-14 Market Lane Rouse Hill, NSW 2155 P.: 0416 698 300 E.: HOLD	ARCHITECTURAL DRAFTING & DESIGN SERVICES • NEW HOMES, GRANNY FLATS, DUAL OCCUPANCY • ADDITIONS, ALTERATIONS • KITCHEN, BATHROOM DESIGN • DECKS, POOLS, PERGOLAS, SHEDS		Client	-	Title : Proposed Secondary Dwelling 216 Mount Annan Drive, Mount Annan 2567	Scale : 1:100		A3
	REV-A	ISSUED FOR APPROVAL	Drawn	Matthew Denne		Drawing No.	Sht.	Rev
			Date	01/2022		22.154	9 of 9	A

CLPP04

CLPP04

SUBJECT: DA/2012/195/2 - MODIFICATION OF APPROVED CHURCH HALL ALTERATIONS AND EXTENSIONS - 6 MENANGLE ROAD, CAMDEN
FROM: Manager Statutory Planning
EDMS #: 23/200357

DA Number:	2012/195/2
Development:	Modification of approved church hall alterations and extensions
Site Address(es):	6 Menangle Road, Camden
Applicant:	Anglican Church Property Trust Diocese of Sydney.
Owner(s):	Anglican Church Property Trust Diocese of Sydney.
Number of Submissions:	59 (all objecting to the modification)
Classification:	Nominated integrated development
Recommendation:	Approve with modified conditions
Panel Referral Criteria:	≥10 submissions
Report Prepared By:	Ryan Pritchard, Coordinator Statutory Planning Services

PURPOSE OF REPORT

The purpose of this report is to seek the Camden Local Planning Panel's (the Panel's) determination of a Section 4.55(2) modification application (modification) to modify approved church hall alterations and extensions at 6 Menangle Road, Camden.

The Panel is to exercise Council's consent authority functions for this modification as it is subject to 10 or more submissions by way of objection.

SUMMARY OF RECOMMENDATION

That the Panel determine modification 2012/195/2 for the modification of approved church hall alterations and extensions pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979* subject to the modified conditions attached to this report.

EXECUTIVE SUMMARY

At the Ordinary Council meeting of 14 August 2012 Council approved development application (DA) 2012/195/1 for alterations and extensions to an existing church hall at 6 Menangle Road, Camden (the 2012 DA). Council is now in receipt of an application which proposes to modify the 2012 DA.

The 2012 DA began operating on 17 August 2012 and was due to expire two years later on 17 August 2014. In August 2013 survey work relating to the development was completed. Council staff have considered legal advice from the applicant, the community and Council's solicitor and are satisfied that the 2012 DA has not lapsed. This is explained in the "Lapsing of the 2012 DA" section of this report.

As the application is a modification its assessment is limited to the differences between what was approved in 2012 and what is proposed now. The modification does not provide an opportunity to reassess the approved development. It is noted that as the 2012 DA has not lapsed, even if the modification were to be refused the applicant would still have the right to develop the site in accordance with the 2012 DA.

The site is located within the Camden Town Centre Conservation Area and is part of a State heritage item along with two adjoining properties to the south. When the 2012 DA was approved the site was listed by Camden Local Environmental Plan 2010 (Camden LEP) as only a local heritage item. In 2018 the site was listed as a State heritage item. Due to the State heritage listing since the 2012 DA was approved the modification was referred to Heritage NSW for approval. Heritage NSW has granted general terms of approval for the modification. The applicant is also required to obtain a further approval from Heritage NSW pursuant to Section 60 of the *Heritage Act 1977*.

The modification has been assessed against the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, relevant environmental planning instruments, development control plans and policies.

The modification was publicly exhibited for a period of 35 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 27 August to 30 September 2021. 30 submissions were received (all objecting to the modification). The key issues raised in the submissions relate to the 2012 DA having lapsed and not being able to be modified, that any changes to the development should be assessed via a new DA and design related issues concerning the modified building works and car park design.

Following feedback from Council staff and Heritage NSW, the applicant submitted amended plans and additional information. The key amendments included:

- providing legal advice seeking to justify that the 2012 DA has not lapsed,
- incorporating amenities within an existing office building rather than extending the building,
- removing a utility room underneath the car park, lowering the car park and changing its rear section finish from concrete to crushed gravel,
- removing shade sails and a retaining wall from the children's play area, and
- providing a more detailed arborist report, retention of one of two trees proposed for removal (tree 64) and an amended landscaping design that includes more appropriate cultural plantings for the site.

The modification was subsequently publicly re-exhibited for a period of 28 days in accordance with Camden Community Participation Plan 2021. The re-exhibition period was from 7 June to 4 July 2022. 29 submissions were received (all objecting to the modification). The key issues raised in the submissions relate to the 2012 DA having lapsed and not being able to be modified, that any changes to the development should be assessed via a new DA and design related issues concerning the modified building works and car park design.

Council staff and Heritage NSW provided the applicant with further feedback between July 2022 and February 2023. The applicant made further amendments which included:

- providing additional legal advice seeking to justify that the 2012 DA has not lapsed,
- removing two car parking spaces to facilitate the retention of tree 53 that had been proposed for removal,
- providing a rooftop mechanical plant area that will be screened by acoustic louvres,
- managing stormwater drainage flows from the rear section of the car park via a raingarden, absorption trench and level spreader to treat and disperse flows, and
- committing to using neutral and muted tones when choosing the children’s play area equipment.

The applicant proposes a contravention to the height of buildings development standard that applies to the site. The development standard limits buildings to a maximum height of 7m above existing ground level. However, the modified development will have a maximum height of 9.95m above existing ground level. This is 350mm lower than the maximum height of the 2012 DA which was 10.3m above existing ground level.

Case law has established that the power to modify a development consent is a ‘free-standing provision’ meaning that a modification can be approved notwithstanding that it would contravene a development standard. Consequently, the contravention does not require a written request pursuant to Clause 4.6 of the Camden LEP. Notwithstanding, the development’s modified height has been assessed in the “Heritage and Character” section of this report and is considered to be acceptable in the context of the 2012 DA.

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

KEY PLANNING CONTROL VARIATIONS

Control	Proposed	Variation
7m maximum building height.	9.95m maximum building height (0.35m lower than the 2012 DA).	2.95m (42%).
67 car parking spaces.	32 car parking spaces (two less than the 2012 DA).	35 car parking spaces

CLPP04

AERIAL PHOTOS





THE SITE

The site is commonly known as 6 Menangle Road, Camden and is legally described as Lot 1, DP1024949.

The site is located at the corner of Broughton Street and Menangle Road in Camden. The site is irregular in shape, has a frontage of 165m to Broughton Street and 164m to Menangle Road and has an area of 1.991ha. The site generally slopes upwards from Broughton Street to the 1849 church and then slopes downwards towards the horse paddock lot and residential properties off Alpha Road.

The site contains a church complex that includes the following key features:

CLPP04

- the Gothic Revival style St John’s Anglican church (the 1849 church),
- a Federation Gothic style church hall (the 1906 hall),
- a Post-War Sydney Regional School style church hall (the 1973 hall),
- a cemetery containing approximately 1,600 graves and a columbarium,
- a small office building and a children’s play area,
- driveways from Broughton Street and Menangle Road and a pedestrian path network, and
- landscaped grounds containing a range of mature exotic and native trees including kurrajongs, conifers, bunyas, forest red gums and Chinese elms.



Looking south west towards the 1849 Church



Looking south west towards the 1973 Hall

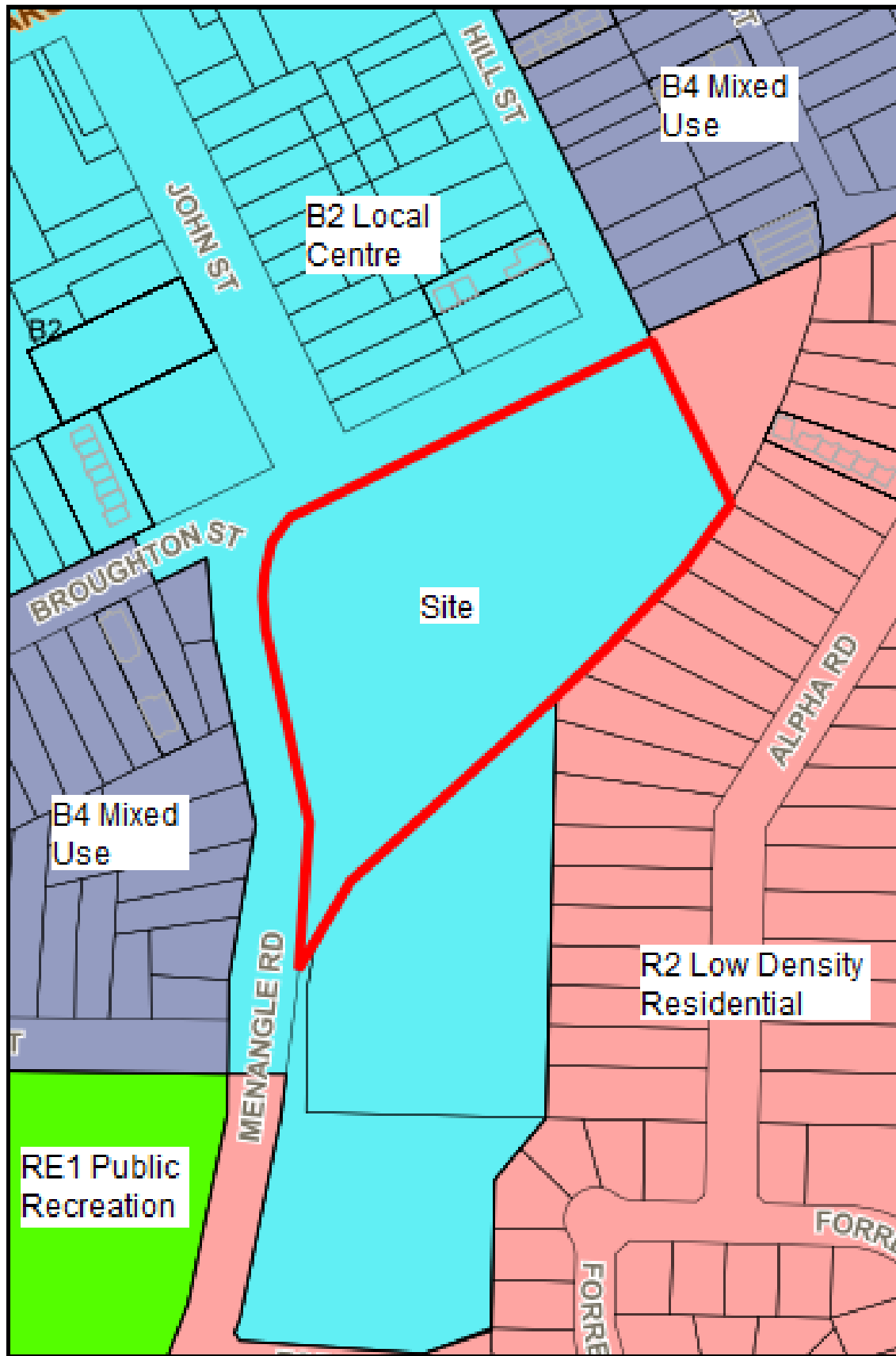
The site is located within the Camden Town Centre Conservation Area and is listed by the Camden LEP as being part of a State heritage item (I63). The site is also listed in the NSW State Heritage Inventory as being part of a State heritage item. Two adjoining properties to the south, the horse paddock lot and the rectory lot, form the remainder of the State heritage listing but are not the subject of this modification.

The surrounding area is characterised by single and two storey detached brick and weatherboard buildings set within landscaped gardens. Many of the buildings have been converted from residential to various types of commercial uses. The Camden Masonic Lodge adjoins the site to the east. Many of the properties surrounding the site are listed as local heritage items by the Camden LEP.

The Camden Town Centre is located to the north along with two public car parks located off John Street and Hill Street. To the east and south lie low density residential properties. To the west lie properties that have been converted from residential to various types of commercial uses. Macarthur Park lies to the south west.

CLPP04

ZONING PLAN



HERITAGE PLAN

CLPP04



HISTORY

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

Date	Development
14 August 2012.	Approval of DA/2012/195/1 for alterations and extensions to an existing church hall and its use as a place of public worship.

THE PROPOSAL

2012 DA

The 2012 DA involved:

- demolishing part of the 1973 hall,
- constructing and using a two storey extension to the 1973 hall as a place of public worship with capacity for up to 400 people,
- operating hours of 8am-9.30pm Monday to Saturday and 8am-10pm on Sundays,
- making alterations to the 1973 hall,
- constructing a 34 space car park, manoeuvring areas and a driveway,
- removing 9 trees and providing replacement landscaping, and
- adopting a conservation management plan addendum.

Modification

The modification involves:

- reducing the maximum building height by 350mm,
- increasing the extension’s setback to Broughton Street by 845mm,
- modifying the extension’s roof form and providing 1.8m high acoustic louvres to screen and mitigate noise from a rooftop mechanical plant area,
- modifying the extension’s materials and colours from off-white aluminium panels, terracotta cladding, face brick and glazing to zinc standing seam cladding, sandstone wall cladding, fibre cement cladding, light grey cement rendered brickwork and glazing,
- making a minor reduction in the eastern extent of the building envelope,
- adding a balcony facing Broughton Street to the eastern side of the extension,
- reducing the scale of an approved awning over the porte cochere on the eastern side of the extension,

- reconfiguring the extension's internal layout,
- demolishing an existing pedestrian path connecting the office building with the 1849 church and providing a replacement accessible pedestrian path,
- modifying the stairs and paths on the southern side of the office building to ensure accessibility,
- modifying the existing office building by:
 - converting to a Sunday school room,
 - providing amenities, and
 - replacing a timber deck with a concrete patio,
- modifying the 1973 hall by:
 - applying light grey cement render to its façade
 - extending an existing timber deck facing Broughton Street,
 - reconfiguring the internal layout,
- modifications in the vicinity of the 1906 hall including:
 - replacing an existing concrete path near it's north eastern corner with a new concrete path,
 - removing two car parking spaces to facilitate the retention of tree 53,
 - increasing the car park levels by between 120mm and 450mm,
 - installing a maximum 1.05m high balustrade along the north eastern side of the car park,
 - modifying the earthworks along the southern side of the car park,
 - providing a removable basketball hoop in one of the car parking spaces,
 - installing a raingarden, absorption trench and level spreader to the south of the car park,
- modifying the approved signage by:
 - adding the words 'St Johns Anglican Centre' in 450mm high flat cut metal letters above the east facing awning adjoining the car park (sign 1),
 - modifying an approved wall mounted sign facing Broughton Street (church logo and name) to be only a church logo relief cut into the wall's sandstone cladding (sign 2),

- adding 3.35m high sandstone wall cladding in front of the extended deck around the western end of the 1973 hall. The wall will display the church's name and logo (sign 3),
- relocating and reducing an approved free-standing sign at the car park entry from 6.575m high to 2m high (sign 4),
- removing 2 trees that were not identified in the 2012 DA's tree management plan. These trees are located within the approved building footprint,
- making associated earthwork, retaining wall, drainage and landscaping design amendments, and
- extending the operating hours for Monday to Saturday to finish at 10pm instead of 9.30pm.

The development will be staged with stage 1 being the provision of amenities and an accessible path from the 1849 church to the amenities. Stage 2 will be all other works.

The following table details the key numerical modifications to the 2012 DA:

Metric	Approved DA	Modification	Change
Maximum Building Height	10.3m	9.95m	-350mm
Building Setback to Broughton Street	5.455m	6.3m	+0.845m
Tree Removal	9 trees	11 trees*	-2 trees
New Trees Along Broughton Street Frontage	5 trees	8 trees	+3 trees
Total Trees Proposed	28 trees	32 trees	+4 trees
Car Parking	34 spaces	32 spaces	-2 spaces
Free-Standing Sign Height	6.575m	2m	-4.575m
Hall Extension Capacity	400 people	400 people	No change

*The 2 trees being removed were not identified in the 2012 DA's tree management plan. These trees are located within the approved building footprint.

LAPSING OF THE 2012 DA

The 2012 DA began operating on 17 August 2012 and was due to expire two years later on 17 August 2014 unless building, engineering or construction work relating to the development was physically commenced. In August 2013 survey work relating to the development was carried out. Council staff inspected the site in September 2013 and confirmed that the survey work had physically been carried out. A copy of the

survey report (prepared at that time) and the site inspection note by the Council officer is attached to this report.

Council staff have considered if the 2012 DA has lapsed and in doing so have considered legal advice from the applicant, the community and Council's solicitor. The legal advice from Council's solicitor has considered the legal advice from the community. The legal advice from the applicant, the community and Council's solicitor is attached to this report.

Council staff are satisfied that the 2012 DA has not lapsed. The rationale for this is explained below with reference to relevant Land and Environment Court of NSW (the Court) case law:

1. The expression 'engineering work' can include survey work (*Hunter Development Brokerage Pty Ltd v Cessnock City Council* [2005] NSWCA 169).
2. Work must have a real nexus to the development and must be more than notional. The relationship is genuine where it is a necessary step in the process required for work approved by the development consent (*Hunter Development Brokerage Pty Ltd v Cessnock City Council* [2005] NSWCA 169 and *JMS Capital Pty Limited v Tweed Shire Council* [2006] NSWLEC 535).
3. Conditions 2.0(3), 2.0(8) and 2.0(19) of the 2012 DA all require the preparation of engineering related plans and details prior to the issue of a construction certificate. Survey work is a necessary step in the process to produce this information (*Reysson v Roads and Maritime Services* [2012] NSWLEC 17).
4. Works will not prevent a development consent from lapsing if they are not lawful (*Iron Gates Developments Pty Ltd v Richmond-Evans Environmental Society Inc* (1992) 81 LGERA 132).
5. The 2013 survey work was lawful because it was a necessary precursor to comply with conditions 2.0(3) and 2.0(8). These conditions must be complied with prior to the issue of a construction certificate. Therefore, the survey work must also be completed prior to the issue of a construction certificate. Otherwise, it would be impossible to comply with the development consent and contrary to the principle that conditions must be construed to achieve practical and substantive outcomes (*Reysson v Roads and Maritime Services* [2012] NSWLEC 17).
6. It is noted that condition 3.0(8) prohibits the commencement of site works, building works or demolition works until after a construction certificate has been issued and a principal certifier has been appointed. However, the Court has recognised that preliminary work and investigations can occur before a construction certificate is issued (*K and M Prodanovski Pty Ltd v Wollongong City Council* [2013] NSWCA 202, *Sharp v Hunters Hill Council* [2002] NSWLEC 27 and *Cumberland Council v Cando Management and Maintenance Pty Ltd* [2018] NSWLEC).
7. The Court has cautioned against interpreting conditions in a literal way that would result in absurd or nonsensical outcomes. Development consents must be interpreted not as documents drafted with legal expertise but to achieve practical results. Development consents must be construed fairly and liberally, with the meaning of their text to be determined objectively, having regard to the context in which the consent was issued (*Westfield Management Ltd v Perpetual Trustee*

Company [2006] NSWCA 245, *Baulkham Hills Shire Council v Koveda Holiday Park Estate Ltd* [2009] NSWCA 160 and *House of Peace Pty Ltd v Bankstown City Council* [2000] NSWCA 44).

8. Survey work is not considered to be within the meaning of 'site works, building works or demolition works' stated in condition 3.0(8). Doing so would create a 'catch 22' scenario where survey work is required before the issue of a construction certificate but can only be completed after the issue of a construction certificate. This outcome is impossible to achieve, nonsensical and inconsistent with the case law outlined in point 7.
9. It is noted that condition 4.0(2) requires a survey report to be prepared prior to the placement of any concrete. The condition does not otherwise specify when the survey report can be prepared and therefore the 2013 survey work is not contrary to it.
10. On 15 May 2020 Clause 124AA was added to the *Environmental Planning and Assessment Regulation 2000*. Subclause (1) prohibited survey work from physically commencing a development consent. However, subclause (2) made clear that this provision is not retroactive and does not apply to a DA approved before 15 May 2020. As the 2012 DA was approved on 14 August 2012 Clause 124AA does not apply to it.

Therefore, as the 2012 DA has not lapsed it may, in principle, be modified.

MODIFICATION OF CONSENTS

Pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*, Council staff are satisfied that:

- the development to which the consent as modified relates is substantially the same as the development for which consent was originally granted.

The Court has held that the modified development must be essentially or materially the same as the approved development. The modified development will be essentially or materially the same as the approved development as:

1. the modified building works will remain generally within the envelope of the 2012 DA, both in terms of area and maximum building height,
2. the form of the modified development is essentially the same as the 2012 DA, i.e., a two storey extension to the eastern side of the 1973 hall with a landscaped car park to the west and south of the 1906 hall,
3. the modified building materials will swap the approved off-white aluminium panels (metal), terracotta cladding (masonry), face brick (masonry) and glazing (glass) for zinc standing seam cladding (metal), sandstone wall cladding (masonry), fibre cement cladding (masonry), rendered brickwork (rendered masonry) and glazing (glass). This modified mix is generally consistent with the approved materials mix,
4. whilst the modification will remove two approved car parking spaces to facilitate the retention of tree 53, sufficient car parking spaces will be provided for the development though the proposed 32 space off-street car park, the existing 63

car parking spaces available around and in the vicinity of the 1849 church, informal parking on the horse paddock lot to the south, on-street car parking in the surrounding streets and two public car parks to the north. This is consistent with the approved car parking space variation, and

5. the use of the development will remain virtually unchanged with a consistent maximum capacity of 400 people and a 30 minute increase in operating hours from 9.30pm-10pm Monday to Saturday,
- the development consent was not subject to a concurrence or general terms of approval from a Minister, public authority or approval body. However, as the site is now listed as being part of a State heritage item the modification was referred to Heritage NSW for approval. Heritage NSW has granted general terms of approval for the modification,
 - the application has been publicly exhibited in accordance with the *Environmental Planning and Assessment Regulation 2000* and Camden Community Participation Plan 2021, and
 - all submissions received have been considered.

CONSIDERATION OF REASONS FOR THE GRANT OF THE CONSENT

Section 4.55(3) of the *Environmental Planning and Assessment Act 1979* requires the reasons why Council approved the 2012 DA to be considered. Schedule 1, Section 20 of the *Environmental Planning and Assessment Act 1979* requires reasons to be given for approving a DA. However, this requirement was only introduced on 1 March 2018 so there were no reasons given for approving the 2012 DA as this was not required at the time.

ASSESSMENT

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

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

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

The environmental planning instruments that apply to the modification are:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021.
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- State Environmental Planning Policy (Industry and Employment) 2021.
- Camden Local Environmental Plan 2010.

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

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

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

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

The contamination status of the site was investigated as part of the 2012 DA and Council staff were satisfied that it was suitable for the development from a contamination perspective. The modification does not change this conclusion.

A standard contingency condition (condition 4.0(16) of the 2012 DA) requires any contamination found during works to be managed with development consent obtained for remediation if required.

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

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

Section 3.6 of the Industry and Employment SEPP requires the consent authority to be satisfied that signage is consistent with the objectives as set out in Section 3.1(1)(a) of the SEPP and the assessment criteria specified in Schedule 5 of the SEPP. An assessment table in which the development is considered against these matters is provided as an attachment to this report.

Camden Local Environmental Plan 2010 (Camden LEP)

The Camden LEP aims to make local environmental planning provisions for land in Camden in accordance with the relevant standard environmental planning instrument under Section 3.20 of the *Environmental Planning and Assessment Act 1979*.

Site Zoning

The site is zoned B2 Local Centre pursuant to Clause 2.2 of the Camden LEP.

Development Characterisation

The modification will still result in the development being characterised as a 'place of public worship' by the Camden LEP which is an innominate permissible land use in the B2 Local Centre zone.

Permissibility

A modification to the 2012 DA is permitted pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*.

Planning Controls

An assessment table in which the modification 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 modification is consistent with the Draft Environment SEPP in that there will be no unreasonable adverse impacts upon the Hawkesbury-Nepean Catchment as a result of it.

Draft Remediation of Land SEPP

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

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

Camden Development Control Plan 2019 (Camden DCP)

Planning Controls

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

Proposed Variation

The applicant proposes a variation to Section 2.18.2 of the Camden DCP regarding off-street car parking provision.

The Camden DCP requires that places of public worship provide 1 off-street car parking space for every 6 seats. The hall extension will have capacity for 400 people which generates a requirement for 66.7 (67) spaces. The 2012 DA would have provided 34 spaces and the modification will provide 32 spaces.

Variation Assessment

The variation to the Camden DCP is supported for the following reasons:

- the variation has largely already been approved by the 2012 DA. The difference between the approved variation and the modified variation is two spaces,
- when the modification was originally lodged tree 53 was proposed for removal in order to facilitate the approved 34 space car park. The 2012 DA did not

acknowledge the 34% encroachment the car park would have upon tree 53's tree protection zone. This encroachment would have significantly compromised the tree.

Following feedback from Council staff and Heritage NSW, the applicant has proposed to remove two of the 34 approved spaces to facilitate the retention of tree 53. This will reduce the encroachment into its tree protection zone to 9.4% which is acceptable and will allow it to be retained. The retention of this significant forest red gum outweighs the loss of two car parking spaces,

- the increased car parking space variation can be accommodated by a mix of the 32 space car park, the existing 63 car parking spaces available around and in the vicinity of the 1849 church, informal parking on the horse paddock lot to the south, on-street car parking in the surrounding streets and two public car parks to the north, and
- existing condition 1.0(3) of the 2012 DA prohibits the hall extension from being used at the same time as the 1849 church. This will help maximise the amount of available off-street car parking spaces on the site.

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

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

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

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

The *Environmental Planning and Assessment Regulation 2000* is applicable to the modification due to the savings provisions in Schedule 6, Section 3 of the *Environmental Planning and Assessment Regulation 2021*. The modification was lodged and not determined before 22 March 2022. The regulation prescribes several matters that will continue to be addressed through existing conditions despite the modification.

(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 modification is unlikely to have any unreasonable adverse impacts on either the natural or built environments, or the social and economic conditions in the locality.

Heritage and Character

Background

The site is located within the Camden Town Centre Conservation Area and is listed by the Camden LEP as being part of a State heritage item (I63). The site is also listed in the NSW State Heritage Inventory as being part of a State heritage item. Two adjoining

properties to the south, the horse paddock lot and the rectory lot, form the remainder of the State heritage listing but are not the subject of this modification.

Assessment

As the site is listed as a State heritage item the modification was referred to Heritage NSW for approval. Heritage NSW requested various amendments to the modification which the applicant has made. Heritage NSW has granted general terms of approval for the modification. The applicant is also required to obtain a further approval from Heritage NSW pursuant to Section 60 of the *Heritage Act 1977*.

Council staff engaged an independent heritage consultant to assess the modification. The heritage consultant supported the modification subject to various recommendations which the applicant has adequately addressed. Council's heritage officer has also assessed the modification, including all amendments made, and supports it subject to the modified conditions.

The modification is considered acceptable in terms of its effects on the heritage significance of the site and the Camden Town Centre Conservation Area, in the context of the 2012 DA, for the following reasons:

- in 2004 a conservation management plan (CMP) was prepared for the site. In 2010 an addendum to the CMP was prepared to support the 2012 DA. The CMP and addendum are not formal planning controls such as local environmental plans or development control plans but have nonetheless been considered. An assessment table in which the modification is considered against the relevant policies in the CMP and addendum is provided as an attachment to this report. The modification is consistent with the relevant policies of both,
- the modification will reduce the approved maximum building height by 350mm. It is noted that some elements of the building will increase in height, for example, the secondary walls facing Broughton Street will increase in height by 755mm (however they will still be lower than the maximum building height). This increase is offset by the reduction in upper floor bulk to the eastern and western elevations by the removal of the approved 'rotunda' from atop the roof. Overall the modified development will generally remain within the envelope of the 2012 DA,
- the design modifications to the extension's form (including its easternmost roof) are considered to be an improvement when compared to the 2012 DA. The 2012 DA used parapets which resulted in a 'boxier' presentation to Broughton Street. The modified easternmost roof is more contemporary and uses eaves however it is also more aesthetically pleasing and visually interesting. The remainder of the Broughton Street façade will have a general form consistent with the approved development,
- the modified building materials and colours are also considered to be an improvement when compared to the 2012 DA. The approved materials were a vibrant mix of off-white aluminium panels, terracotta cladding, face brick and glazing. The modified materials will be a more muted mix of zinc standing seam cladding, sandstone wall cladding, fibre cement cladding, light grey cement rendered brickwork and glazing. The modified materials and colours will be more

recessive than those approved by the 2012 DA which is consistent with policy 85 of the CMP addendum. This policy advises that new work should:

- be subservient to the architectural and landscape character of the place and not seek to dominate it,
- not overwhelm or take precedence over the existing character, and
- use recessive colours so the heritage fabric is given prominence.

This is also consistent with Section 2.16.3 of the Camden DCP which:

- allows new development to use contemporary design and materials provided it maintains and does not adversely affect the heritage significance of the place and conservation area,
- requires new buildings to be of a simple, contemporary design that avoids 'heritage style' replication of architectural or decorative detail, and
- does not require new buildings to use traditional colour schemes provided they use colours that are sympathetic to surrounding development.

The use of more recessive materials and colours is supported. The 1973 hall has little heritage significance and rendering it with a light grey cement render will help join it with the new building work on its eastern side. This will visually separate the newer building work from the older 1906 hall to the east and the 1849 church to the west, allowing their more significant heritage fabric and colours to dominate. The duller textures and more recessive colours are compatible with several neutral-coloured walls and roofs used for buildings opposite the site at 76, 78 and 80 John Street, 33 Hill Street and 29 Hill Street,



Impression of 2012 DA looking south west from the corner of Hill Street and Broughton Street



Render of Modified Development looking south west from the pedestrian entry path (full extent of landscaping not shown)



Impression of 2012 DA looking south east from the corner of John Street and Broughton Street

CLPP04

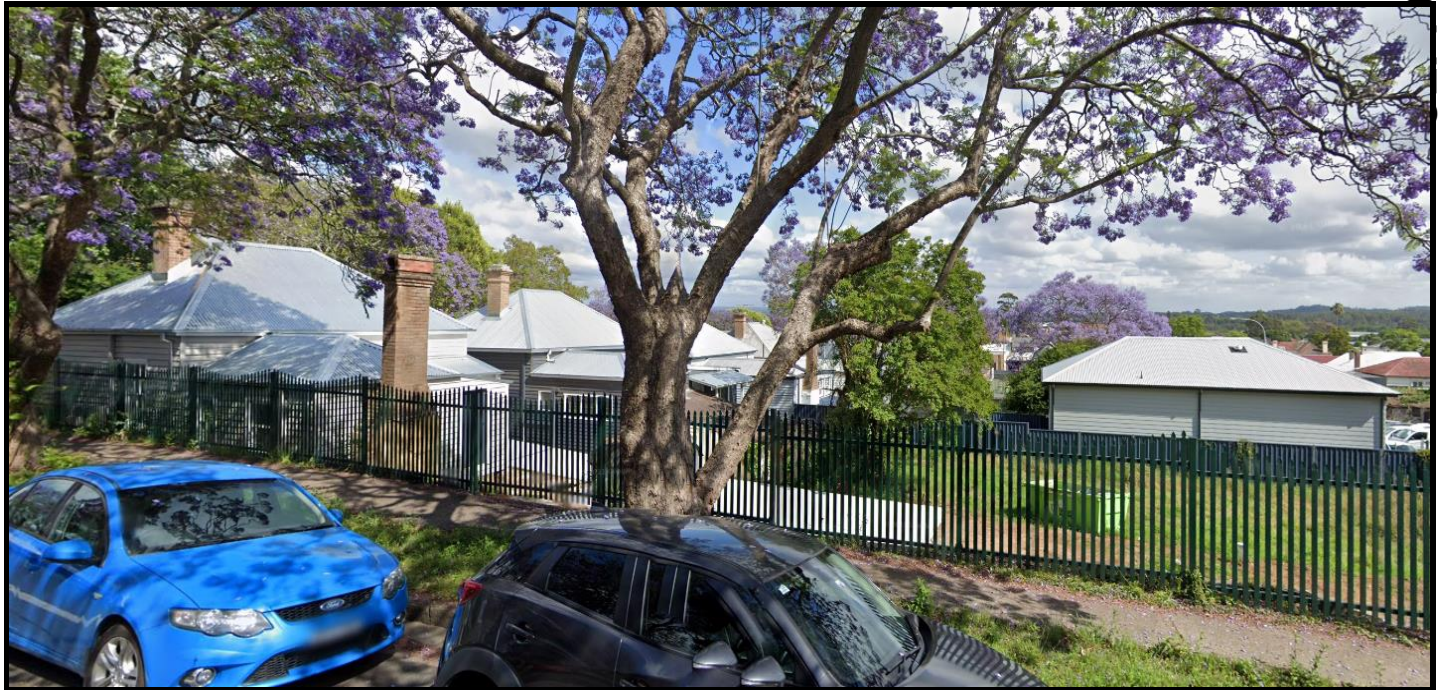


Render of Modified Development looking south west from the western side of the 1973 Hall (full extent of landscaping not shown)



Render of Modified Development looking south from the northern side of Broughton Street (full extent of landscaping not shown)

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Neutral-coloured wall and roofs opposite the site at 76, 78 and 80 John Street



Neutral-coloured walls and roofs opposite the site at 33 and 29 Hill Street

- the modification has increased the proportion of glazing used facing Broughton Street but not excessively so. The Camden DCP advises that large expanses of glass are not appropriate however the overall amount of glazing that will be visible from Broughton Street is generally comparable to that of the 2012 DA, and
- the site is heavily screened by mature Jacaranda street trees along it's Broughton Street frontage. The modified landscaping design will provide eight new trees along

CLPP04

this frontage (as opposed to the originally approved five new trees) which will provide additional screening for the hall extension. Overall the modification will provide 32 new trees for the site versus the 28 trees approved by the 2012 DA which is a better outcome given the importance that landscaping plays in the character of the site.



Looking south west from the corner of Hill Street and Broughton Street



Looking west along Broughton Street

Heritage NSW Condition 2

Condition 2 of Heritage NSW's general terms of approval recommends that condition 1.0(3) of the 2012 DA be reconsidered. This condition prohibits the hall extension from

being used at the same time as the 1849 church. The rationale for this recommendation is to avoid any potential impact on the 1849 church’s social significance and use.

The need for this condition has been reconsidered however it is recommended that it be retained for the following reasons:

- the condition is an existing condition on the 2012 DA and the applicant has not proposed to modify or delete it,
- the condition aims to ensure there are sufficient off-street car parking opportunities on the site given that the 2012 DA approved a variation to Council’s off-street car parking requirements. This condition formed part of the justification for the variation, and
- the applicant has submitted a statement of current and continuing use in support of the modification. This statement, whilst not legally binding, explains the intention to continue using the 1849 church for various activities including weddings, baptisms, small funerals, the Sunday 8am traditional worship service and special event meetings. It is considered that the 1849 church’s social significance and use will be maintained.

Existing Condition 1.0(2) of the 2012 DA

Existing condition 1.0(2) of the 2012 DA requires the approved development to be modified so that it does not intrude into a view corridor between the 1906 hall and the 1849 church. The view corridor was identified in the 2012 DA and policy 55 of the CMP addendum recommends that visual access between the 1906 hall and the 1849 church be conserved. The modified development will involve some encroachment into the view corridor identified in the 2012 DA. This encroachment is supported as visual access between the 1906 hall and the 1849 church will still be conserved (as visually demonstrated below). Therefore, it is recommended that existing condition 1.0(2) be deleted as it is no longer required.



Impression of visual access between the 1906 Hall and the 1849 Church

All other likely impacts have been assessed in other sections of this report.

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

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

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

The modification was publicly exhibited for a period of 35 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 27 August to 30 September 2021. 30 submissions were received (all objecting to the modification).

The modification was subsequently publicly re-exhibited for a period of 28 days in accordance with Camden Community Participation Plan 2021. The re-exhibition period was from 7 June to 4 July 2022. 29 submissions were received (all objecting to the modification).

The following discussion addresses the issues raised in the submissions.

1. *The 2012 DA has lapsed and cannot be modified.*

Officer comment:

Council staff are satisfied that the 2012 DA has not lapsed. This is explained in the "Lapsing of the 2012 DA" section of this report.

2. *The modified development is not substantially the same as the approved development.*

Officer comment:

Council staff are satisfied that the modified development is substantially the same as the 2012 DA. This is explained in the "Modification of Consents" section of this report.

3. *The development should be reassessed as a new DA given that when the DA was approved the site was not on the State heritage inventory.*

Officer comment:

As the application is a modification its assessment is limited to the differences between what was approved in 2012 and what is proposed now. The modification does not provide an opportunity to reassess the approved development.

The applicant has the legal right to apply to modify the approved development pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*. This right is not affected by the site's State heritage listing since the 2012 DA was approved.

The modification was referred to Heritage NSW for approval. Heritage NSW has granted general terms of approval for the modification. The applicant is also required to

obtain a further approval from Heritage NSW pursuant to Section 60 of the *Heritage Act 1977*.

4. *The condition of the site is poor in many respects but these issues are being ignored in favour of the proposed development.*

Officer comment:

As the application is a modification its assessment is limited to the differences between what was approved in 2012 and what is proposed now. The modification does not provide an opportunity to evaluate the current state of the site.

5. *The modification proposes to move the worship activities from the 1849 church to the hall extension.*

Officer comment:

The applicant has submitted a statement of current and continuing use in support of the modification. This statement explains the intention to continue using the 1849 church for various activities including weddings, baptisms, small funerals, the Sunday 8am traditional worship service and special event meetings.

6. *The development will be a function centre.*

Officer comment:

The 2012 DA approved the use of the hall extension as a 'place of public worship' and the modification does not propose to change that use. A place of public worship allows for non-worship functions including counselling, social events, instruction or religious training.

7. *Concerns regarding how the conservation management plan conditions imposed on the 2012 DA have been complied with, and the intent of the applicant to undertake the required conservation management works for the site.*

Officer comment:

The 2012 DA has not progressed beyond survey work. The applicant will be responsible for complying with all conditions in the development consent.

8. *The submitted heritage impact statement is inadequate.*

Officer comment:

The submitted heritage impact statement is adequate to assist Council staff to assess the modification's heritage impacts.

9. *The development will destroy much of the heritage significance of the site and is incompatible with the Camden Town Centre Conservation Area.*

Officer comment:

Council staff are satisfied that the modified development is an appropriate design outcome for the site, in the context of the 2012 DA. This is explained in the “Heritage and Character” section of this report.

10. *The materials and colours palette will be in stark contradiction to the 1849 church and the 1906 church hall and have little resemblance to the Camden Town Centre Conservation Area.*

Officer comment:

Council staff are satisfied that the modified development is an appropriate design outcome for the site, in the context of the 2012 DA. This is explained in the “Heritage and Character” section of this report.

11. *The plans should be amended to ensure that the new building work will more closely match the style of the older church buildings on the site.*

Officer comment:

Council staff are satisfied that the modified development is an appropriate design outcome for the site, in the context of the 2012 DA. This is explained in the “Heritage and Character” section of this report.

12. *The modified materials and colours are historically inappropriate, too numerous and not harmonious with each other, the 1849 church or the 1906 hall, or consistent with the Camden DCP.*

Officer comment:

Council staff are satisfied that the modified development is an appropriate design outcome for the site, in the context of the 2012 DA. This is explained in the “Heritage and Character” section of this report.

13. *The increased glazing is not consistent with heritage conservation and the Camden DCP.*

Officer comment:

Council staff are satisfied that the modified development is an appropriate design outcome for the site, in the context of the 2012 DA. This is explained in the “Heritage and Character” section of this report.

14. *The roof colour is being changed from warmer bushland grey to cooler windspray.*

Officer comment:

Council staff are satisfied that the modified development is an appropriate design outcome for the site, in the context of the 2012 DA. This is explained in the “Heritage and Character” section of this report.

15. *Despite the reduction in the maximum building height the hall extension’s bulk is likely to be perceived as greater and impact rural and open space views. Various*

parts of the roof, despite not being at the maximum building height, are higher than originally approved.

Officer comment:

Council staff are satisfied that the modified development is an appropriate design outcome for the site, in the context of the 2012 DA. This is explained in the “Heritage and Character” section of this report.

16. *The modified design has removed the curved architectural features which softened the hall extension.*

Officer comment:

Council staff are satisfied that the modified development is an appropriate design outcome for the site, in the context of the 2012 DA. This is explained in the “Heritage and Character” section of this report.

17. *The modified roof design lacks a parapet and so will not shield mechanical plant from view. The location of mechanical plant must be detailed and its noise impacts assessed.*

Officer comment:

Following feedback from Council staff and Heritage NSW, the modification was amended to add a rooftop mechanical plant area that will be screened by acoustic louvres. Council’s environmental health officer is satisfied that this area will comply with the Camden DCP’s noise criteria and not have any unreasonable adverse noise impacts upon surrounding properties.

18. *The cross on the front façade of the hall extension facing Broughton Street is large and unnecessary*

Officer comment:

A similar cross feature was approved by the 2012 DA. The modified cross feature is considered to be acceptable in that context.

19. *The encroachment of the toilet block and paths within the curtilages of the 1849 church, the cemetery and the columbarium is not supported*

Officer comment:

Following feedback from Council staff and Heritage NSW, the modification was amended to incorporate amenities within the existing office building rather than extending the building to the west towards the 1849 church as originally proposed.

The demolition and replacement of an existing path between the office building and the 1849 church is required to ensure accessibility. The crushed granite path between the columbarium and the cemetery identified as ‘The Walk’ has already been approved by the 2012 DA.

20. *Impacts on graves.*

Officer comment:

The modification does not propose any works within the cemetery. The modified development is generally consistent with the 2012 DA regarding works near the cemetery. It is noted that condition 5 of Heritage NSW's general terms of approval requires that significant built form and landscape elements must be protected from damage during site preparation and works.

21. *The children's play area is too close to the columbarium and the use of modern play equipment is inappropriate.*

Officer comment:

The children's play area has already been approved by the 2012 DA. The applicant has committed to using neutral and muted tones when choosing the play equipment which is appropriate given its proximity to the columbarium. A condition is recommended to enforce this requirement.

22. *Three shade sails have been indicated in the children's play area. They are likely to be in the view corridor and visible from public vantage points.*

Officer comment:

Following feedback from Council staff and Heritage NSW, the modification was amended to remove the proposed shade sails from the children's play area.

23. *The child proof fence is very close to the columbarium and may impede access for mourners.*

Officer comment:

A child proof fence has already been approved by the 2012 DA. A condition is recommended that requires that the fence be installed such that it does not restrict access to the columbarium.

24. *The deck extension and sign wall (sign 3) at the western end of the 1973 hall facing Broughton Street is not supported.*

Officer comment:

It is noted that the western end of the 1973 hall already has a deck and that the modification seeks to extend it. The extended deck is supported as it will connect into an existing path along the western side of the hall and provide users with another means of access to and from the building. The sign wall is also supported as it will identify the site in a manner that is not visually dominant. It is noted that the applicant proposes to plant Indian hawthorn around the sign and below the deck which will help soften the appearance of both.

25. *The balcony facing Broughton Street proposed as part of the hall extension will likely provide an elevated view into the backyards of properties in John Street and Hill Street.*

Officer comment:

The properties opposite the site that face John and Hill Street are commercial in nature except for 33 Hill Street. Any potential overlooking is not considered to be unreasonable given that people on the deck will be separated from the backyard of 33 Hill Street by the front building setback and Broughton Street which contains mature street trees along both sides.

26. *The hall extension will lack light and ventilation due to it being partially underground.*

Officer comment:

The ground floor toilets, a cry room and a store will be below ground as they will extend into the site's rising topography from Broughton Street. These are supported as they are small, generally non-habitable areas that will not be used for extensive periods of time.

27. *Solar panels were previously approved and should be retained.*

Officer comment:

The plans for the 2012 DA indicate an area atop the roof for solar panels but no specific details as to numbers and capacity. The modification does not propose any solar panels. Whilst solar panels are positive there are no applicable planning controls requiring them to be provided.

28. *No allowance has been made for lift overruns.*

Officer comment:

The applicant has advised that low head height passenger lifts will be used which will allow them to be contained with the modified roof and not protrude.

29. *A fire rated ceiling should be installed above the undercroft of the 1973 hall.*

Officer comment:

Any need for building upgrades will be determined as part of the detailed design at construction certificate stage.

30. *The pedestrian entry has been moved closer to Hill Street and a tree has been deleted.*

Officer comment:

The pedestrian entry to the site from Broughton Street has been moved closer to Hill Street to the west and will replace a tree that was approved in that position. It is noted that existing condition 2.0(16) of the 2012 DA requires the pedestrian entry to be relocated to avoid clashing with an existing lintel pit in Broughton Street. However, a replacement tree has been proposed where the pedestrian entry was originally approved. It is also noted that the approved landscaping along the site's Broughton Street frontage would have provided five trees however the modified landscaping design will provide eight trees which is a superior outcome.

31. *Overshadowing of residential properties along Alpha Road.*

Officer comment:

Both the 2012 DA and the modified development are set back sufficiently from the site's boundaries with the residential properties off Alpha Road to the south east to ensure that there are no overshadowing impacts.

32. *The design modifications represent a minor improvement as the 2012 DA was grossly inappropriate.*

Officer comment:

It is agreed that the modified design is superior to the 2012 DA as assessed in this report.

33. *Insufficient off-street car parking spaces will be provided.*

Officer comment:

Council staff are satisfied that the modification will provide sufficient off-street car parking spaces. This is explained in the "Camden Development Control Plan 2019" section of this report.

34. *A utility room is underneath the car park but will not have an entry door.*

Officer comment:

Following feedback from Council staff and Heritage NSW, the modification was amended to remove a utility room from underneath the car park.

35. *The raised car park levels are not acceptable as they will affect the outlook from and solar access to properties off Alpha Road that are at a lower level.*

Officer comment:

Following feedback from Council staff and Heritage NSW, the modification was amended to remove a utility room from underneath the car park and lower the car park levels. The result is that the modification proposes the car park to be raised by between 120mm and 450mm above the level of the 2012 DA. This level increase is minimal and will not have any unreasonable adverse outlook or solar access impacts upon residential properties off Alpha Road.

36. *The design of the off-street car park, in relation to its materials, noise and overlooking to properties off Alpha Road is not supported.*

Officer comment:

The car park was approved by the 2012 DA and the modification proposes only minor changes to its design. Following feedback from Council and Heritage NSW, the applicant amended the rear section of the car park from concrete to crushed granite to ensure consistency with the 2012 DA. Noise from the car park has been assessed in an acoustic report and will comply with Council's noise criteria. Potential overlooking from the car park will be minimised by tree planting along its rear boundary.

37. *Stormwater run-off impacts from the car park towards the rear of the site.*

Officer comment:

Stormwater run-off from the rear section of the car park will be drained towards the rear of site in a controlled manner, treated for pollutant removal and dispersed via a raingarden, absorption trench and level spreader. The applicant has demonstrated that the post-development run-off towards the rear of the site will be less than the pre-development run-off as required by Council's engineering specifications.

38. *The raising of the plaza element of the car park will deflect water underneath footings of the 1906 hall.*

Officer comment:

The modified civil design will direct stormwater into a series of pits, pipes, detention and treatment systems and not towards the 1906 hall. A modified condition is recommended that requires that the detailed drainage design at construction certificate stage ensures that stormwater is not directed towards the 1906 hall.

39. *Landscaping along the rear boundary of the off-street car park must be of sufficient maturity to create a privacy screen.*

Officer comment:

The rear boundary of the car park will be planted with six willow bottlebrushes and one Chinese elm in 75 litre pots. This will ensure an installation height of approximately 1.5m and a sufficient privacy screen.

40. *The basketball hoop located in the car park is dangerous and such activities may cause noise impacts on properties off Alpha Road.*

Officer comment:

The modification proposes a removable basketball hoop located in the rear section of the car park. A condition is recommended that only allows the hoop to be used when the car park is not in use (to avoid damage to parked cars). It is not anticipated that the use of the hoop will generate substantial noise impacts however existing condition 6.0(4) of the 2012 DA prohibits the development's operations from making offensive noise as defined by the *Protection of the Environment Operations Act 1997*. Council can enforce this prohibition if the need arises.

41. *Will the car park be gated and secured outside of operating hours? Will security monitoring be implemented? What lighting is proposed and will lighting spill onto nearby residential properties?*

Officer comment:

The 2012 DA did not approve gating, security or lighting for the car park and the modification does not propose to change this.

42. *The horse paddock lot cannot be counted towards parking as the church is actively trying to sell it.*

Officer comment:

Parking for the development will be provided in the modified car park and around the 1849 church. The horse paddock lot is not considered a significant parking component but is noted as an option if the lot is not sold.

43. *Approximately 50% of the existing trees will be removed from the site but there is no proposal to replace those trees at a rate of four trees per each one removed in accordance with the Camden DCP. The modified landscaping design is inadequate, particularly regarding the site's Broughton Street frontage.*

Officer comment:

The Camden DCP does not require that every tree removed is replaced with four trees. The Camden DCP's requirement is that each tree removed is replaced at a rate of up to four trees each. The modification does not propose to remove any trees from the site that were not already approved for removal by the 2012 DA. It is noted that the 2012 DA did not identify two trees that are located within the approved building footprint and will be removed. The modified landscaping design will result in 32 replacement trees being planted as opposed to the 28 replacement trees approved by the 2012 DA which is a better outcome.

44. *The arborist report incorrectly ignores trees and shrubs less than 3m high which is inconsistent with the Camden DCP.*

Officer comment:

As the modified development will be generally within the footprint of the approved development it is not anticipated that there will be a need to remove substantial vegetation over what has already been approved for removal by the 2012 DA. Council's landscape officer has assessed the arborist report, considered the existing vegetation on the site and is satisfied that any elements less than 3m high are not significant.

45. *The proposed removal of trees 53 and 64 is unacceptable and will have a significant impact upon the heritage and landscape character of the site.*

Officer comment:

Following feedback from Council staff and Heritage NSW, the modification was amended to retain trees 53 and 64.

46. *The DA approved a small, recessed garden to visually separate the hall extension from the 1973 hall. The modification will remove this.*

Officer comment:

The modification will remove an approved tree between the 1973 hall and the building however the mature Jacaranda street trees along Broughton Street and the additional trees proposed along the site's Broughton Street frontage is sufficient to offset this loss and provide softening and visual break-up of this facade.

47. *Two approved trees facing Broughton Street have been removed and replaced with a paved foyer spill out area.*

Officer comment:

The modification will remove two approved trees facing Broughton Street and replace them with a paved foyer spill out area. However, the removal of these trees will be offset by the provision of three additional trees along the site's Broughton Street frontage. Combined with the mature Jacaranda street trees along Broughton Street, this will provide adequate softening for the development.

48. *Concerns regarding noise impacts from the extended operating hours due to the proximity of residential properties. Has an acoustic report been prepared?*

Officer comment:

The applicant has submitted an acoustic report in support of the modification. Council's environmental health officer has reviewed the report, is satisfied that the modification will comply with the Camden DCP's noise criteria and will not have any unreasonable adverse noise impacts upon surrounding properties. This includes consideration of the rooftop mechanical plant area that will be screened by acoustic louvres.

49. *The acoustic report does not adequately consider the use of the church for other functions such as community uses.*

Officer comment:

The acoustic report included acoustic modelling of 400 people singing with a 7-piece amplified band. Council's environmental health officer is satisfied that the modified development will adequately mitigate potential noise impacts subject to the recommendations in the acoustic report relating to wall, roof, door and glazing construction.

50. *Traffic impacts.*

Officer comment:

The modification will not cause any additional traffic impacts given that it does not propose to increase the capacity of the hall extension.

51. *No explanation or justification has been provided for the proposed staging of the development.*

Officer comment:

The applicant has advised that they propose to stage the works to maintain the site's functionality during construction in accordance with their construction programme. This will involve providing amenities and an accessible path from the 1849 church before other works. This staging is acceptable.

52. *The development will be funded by the sale of the horse paddock lot and the rectory lot which is contrary to the heritage assessment completed as part of the 2012 DA and the conservation management plans for the site.*

Officer comment:

How the development will be funded is not a matter for consideration in the assessment of this modification.

53. *An updated conservation management plan should be provided as the conservation management plan addendum approved with the 2012 DA recommended that it be reviewed within 5 years.*

Officer comment:

The modification does not warrant an update to the conservation management plans that were previously prepared for the site.

54. *A bond should be required to ensure that the works required within the site's conservation management plans are carried out.*

Officer comment:

It is not possible for Council to require a bond for incomplete works on private land. Such a bond can only be required for incomplete public works pursuant to Section 4.17(6) of the *Environmental Planning and Assessment Act 1979*.

55. *Negative impacts upon property values.*

Officer comment:

Potential impacts upon property values are not a valid matter for consideration as part of this modification.

56. *The need for the development has not been justified.*

Officer comment:

The *Environmental Planning and Assessment Act 1979* does not require the applicant to demonstrate the need for the development.

57. *The development violates the original grant of the site by the Macarthur family.*

Officer comment:

This is not a matter for consideration as part of this modification.

(e) *the public interest*

The public interest is served through the detailed assessment of this modification 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 assessment, the modification is consistent with the public interest.

EXTERNAL REFERRALS

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

External Referral	Response
Heritage NSW.	No objection and general terms of approval granted.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The modification has been assessed in accordance with Sections 4.55(2) and 4.15(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. The modification is recommended for approval subject to the modified conditions attached to this report.

RECOMMENDED

That the Panel approve modification 2012/195/2 for the modification of approved church hall alterations and extensions at 6 Menangle Road, Camden subject to the modified conditions attached to this report for the following reasons:

1. **The Panel is satisfied that the consent that is sought to be modified has not lapsed pursuant to Section 4.53(4) of the *Environmental Planning and Assessment Act 1979*.**
2. **The Panel is satisfied that the development as modified is substantially the same development as the development for which the consent was originally granted.**
3. **The modification is consistent with the objectives and controls of the applicable environmental planning instruments, being State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Industry and Employment) 2021 and Camden Local Environmental Plan 2010.**
4. **The modification is consistent with the objectives of Camden Development Control Plan 2019.**
5. **The development as modified is considered to be of an appropriate scale and form for the site and the character of the locality.**
6. **Subject to the modified conditions, the modification is unlikely to have any unreasonable adverse impacts on the natural or built environments.**
7. **For the above reasons, approval of the modification is in the public interest.**

ATTACHMENTS

1. Applicant, community and Council legal advice - *Supporting Document*
2. Survey Report and Site Inspection Note - *Supporting Document*
3. Camden Local Environmental Plan 2010 assessment table
4. Camden Development Control Plan 2019 assessment table

CLPP04

5. State Environmental Planning Policy (Industry and Employment) 2021 assessment table
6. Conservation Management Plan and Addendum assessment table
7. Existing conditions
8. Modified conditions
9. Approved plans
10. Proposed plans
11. Submissions (part 1) - *Supporting Document*
12. Submissions (part 2) - *Supporting Document*
13. Public exhibition and submissions map - *Supporting Document*

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance?
<p>2.3 Zone objectives and land use table</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"> • To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. • To encourage employment opportunities in accessible locations. • To maximise public transport patronage and encourage walking and cycling. • To ensure that mixed use developments present an active frontage to the street by locating business, retail and community uses at ground level. • To minimise conflict between land uses within the zone and land uses within adjoining zones. • To enable other land uses that are complementary to and do not detract from the viability of retail, business, entertainment and community uses within the zone. 	<p>The modified development will remain a place of public worship which is an innominate permitted land use in the applicable B2 Local Centre zone. A modification to the 2012 DA is permitted pursuant to Section 4.55(2) of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>The modification is consistent with the relevant objectives of the B2 Local Centre zone in that:</p> <ul style="list-style-type: none"> • the modification will still result in a community use for people who live in, work in and visit the local area, • the modified development's location within a town centre environment will help encourage public transport patronage, walking and cycling. It is noted that three bus routes use Menangle Road and that a bus stop exists by the rectory lot to the south of the site, • the modified development will still remain for a place of public worship at both ground and first floor levels, and • the modification will not result in any unreasonable adverse conflicts with other land uses in the B2 Local Centre zone or the adjoining R2 Low Density Residential zone to the east and south east. As detailed in the assessment report and subject to the modified conditions, the applicant has adequately addressed potential conflicts including heritage, landscaping, noise and stormwater drainage. 	Yes.
<p>2.7 Demolition requires development consent</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>	<p>The modification includes demolition works to the 1973 hall similar to those that were approved by the 2012 DA.</p>	Yes.
<p>4.3 Height of buildings</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>The applicant proposes a contravention to the height of buildings development standard that applies to the site. The development standard limits buildings to a maximum height of 7m above existing ground level. However, the modified development will have a maximum height of 9.95m above existing ground level. This</p>	No. Variation supported.

CLPP04

Attachment 3

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

CLPP04

Attachment 3

Clause	Assessment	Compliance?
	<p>is 350mm lower than the maximum height of the 2012 DA which was 10.3m above existing ground level. This contravention is assessed in the assessment report.</p> <p>Case law has established that the power to modify a development consent is a 'free-standing provision' meaning that a modification can be approved notwithstanding that it would contravene a development standard. Consequently, the contravention does not require a written request pursuant to Clause 4.6 of the Camden LEP.</p>	
<p>5.10 Heritage conservation</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 conservation area concerned.</p> <p>The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan.</p> <p>Before granting consent to the demolition of a State heritage item the consent authority must:</p> <p>(a) notify the Heritage Council about the application, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	<p>As detailed in the assessment report, Council staff are satisfied that the modification is unlikely to have any unreasonable adverse heritage impacts, in the context of the 2012 DA.</p> <p>The applicant has submitted an adequate heritage impact statement in support of the modification.</p> <p>In 2004 a conservation management plan was prepared for the site. An addendum to the plan was prepared in 2010 in support of the 2012 DA. Compliance with both plans forms part of the 2012 DA conditions. The plans are considered sufficient to address the conservation of the site.</p> <p>As the site is listed as a State heritage item the modification was referred to Heritage NSW for approval. Heritage NSW requested various amendments to the modification which the applicant has made. Heritage NSW has granted general terms of approval for the modification. The applicant is also required to obtain a further approval from Heritage NSW pursuant to Section 60 of the <i>Heritage Act 1977</i>.</p>	Yes.
<p>7.4 Earthworks</p> <p>Before granting development consent for earthworks the consent authority must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p>	<p>The matters listed by this clause have been considered and, subject to the existing and modified conditions, the modification is considered to be acceptable in terms of them.</p>	Yes.

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance?
(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.		

CLPP04

Attachment 3

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
<p>2.1 Earthworks</p> <p>Building work should be designed to respond to the natural topography of the of the site wherever possible and minimise the extent of cut and fill.</p> <p>All proposed retaining walls are to be identified, a maximum of 1m high and of masonry construction (or the like).</p> <p>All land forming operations should involve the use of clean fill with salinity characteristics matching the receiving land.</p>	<p>The modified levels and retaining walls are generally consistent with the approved levels and retaining walls.</p> <p>Existing condition 4.0(15) will ensure the use of suitably clean fill with consistent salinity characteristics if required.</p>	Yes.
<p>2.2 Salinity Management</p> <p>Groundwater recharge is to be minimised.</p> <p>Development must incorporate soil conservation measures. Sediment and erosion controls are to be installed prior to works commencing.</p> <p>Where salinity is identified on the site a salinity report and management plan must be prepared.</p>	<p>Existing condition 2.0(1) requires the development to comply with Council's salinity management requirements. Existing condition 3.0(11) requires the development to comply with a previously completed salinity investigation for the site.</p>	Yes.
<p>2.3 Water Management</p> <p>Development must comply with Council's engineering specifications including requirements for detention, drainage and water sensitive urban design.</p>	<p>Subject to the existing and modified conditions, the modification will be consistent with Council's engineering specifications.</p>	Yes.
<p>2.4 Trees and Vegetation</p> <p>Development consent is required for tree removal.</p> <p>Council must consider several matters including the aesthetic, botanical, ecological, cultural and heritage importance of the trees and whether the trees are likely to obstruct accessways, footpaths, roads, utility services, drainage lines or the like.</p> <p>If an approval is granted for tree removal, up to four replacement trees are required to be planted for every tree removed.</p>	<p>The modification does not propose to remove any trees from the site that were not already approved for removal by the 2012 DA. It is noted that the 2012 DA did not identify two trees that are located within the approved building footprint and will be removed.</p> <p>The modified landscaping design will result in 32 replacement trees being planted as opposed to the 28 replacement trees approved by the 2012 DA which is a better outcome. The replacement trees have been assessed by Council's landscape officer and are considered to be aesthetically, botanically and culturally appropriate for the site and the Camden Town Centre Conservation Area.</p>	Yes.
<p>2.9 Contaminated and Potentially Contaminated Land Management</p> <p>An assessment as to whether or not the land is contaminated and its suitability for development must be made.</p>	<p>The contamination status of the site was investigated as part of the 2012 DA and Council staff were satisfied that it was suitable for the development from a contamination perspective. The modification does not change this conclusion.</p>	Yes.
<p>2.12 Acoustic Amenity</p> <p>Acoustic reports (where required) must be</p>	<p>The applicant has submitted an acoustic report in support of the modification. Council's environmental health officer has reviewed the</p>	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
prepared by a suitably qualified consultant.	report, is satisfied that the modification will comply with the Camden DCP's noise criteria and will not have any unreasonable adverse noise impacts upon surrounding properties. This includes consideration of the rooftop mechanical plant area that will be screened by acoustic louvres.	
<p>2.16.2 Heritage Concepts</p> <p>A heritage impact statement is required where, in the opinion of Council, the heritage significance of the following could be affected:</p> <p>(a) a heritage item,</p> <p>(b) a heritage conservation area,</p> <p>(c) a culturally significant place (built environment, cultural landscape or an archaeological site) identified in Table 2-2, 2-3 and 2-4 and Figures 2-8 and 2-9,</p> <p>(d) development in the vicinity of any of the above and in the vicinity of St Thomas Chapel and the area shown on Figure 2-7.</p>	The applicant has submitted an adequate heritage impact statement in support of the modification.	Yes.
<p>2.16.3 General Heritage Provisions - Compatibility of New Work</p> <p>Ensure development is based on, and sympathetic to, an understanding of the heritage significance of the place.</p> <p>Ensure that any development within a heritage conservation area is compatible with and sympathetic to the significant characteristics of the conservation area as a whole and makes a positive contribution to the area.</p> <p>Ensure that the development in the vicinity of a heritage place is undertaken in a manner that does not detract from the heritage significance of the place.</p>	The intent of these controls has been assessed in the "Heritage and Character" section of the assessment report. The modification is supported in the context of the approved development.	Yes.
<p>2.16.3 General Heritage Provisions - Development Details</p> <p>Ensure the integrity of the heritage item and its setting (including landscape visual catchment and significant characteristics); or the Heritage Conservation Area is retained by the careful design, scale and siting of new buildings and alterations and additions to existing buildings.</p> <p>New development may use contemporary</p>	The intent of these controls has been assessed in the "Heritage and Character" section of the assessment report. The modification is supported in the context of the approved development.	Yes.

CLPP04

Attachment 4

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

CLPP04

Attachment 4

Control	Assessment	Compliance?
<p>design, materials and construction techniques; but must maintain and not adversely impact the heritage significance of the place, and the significant elements that make up the character of the Heritage Conservation Area.</p> <p>Promote the use of high quality design, materials, finishes and detailing which is appropriate sympathetic to the architectural style, building type and historic context of a heritage place.</p> <p>Promote the use of colour schemes that are sympathetic to the character of the individual building, group of buildings and the historic context of a heritage place.</p>		
<p>2.16.3 General Heritage Provisions - Associated Details</p> <p>Ensure that fences, gates, and outbuildings and other ancillary structures are sympathetic to the significance of the heritage place.</p> <p>Promote landscaping that is consistent with appropriate to the significance of the heritage place.</p> <p>Minimise the impact of new driveways on heritage items and the streetscape and retain an active retail street frontage.</p>	<p>The intent of these controls has been assessed in the "Heritage and Character" section of the assessment report. The modification is supported in the context of the approved development.</p>	Yes.
<p>2.16.3 General Heritage Provisions - Design</p> <p>New buildings must be of a simple, contemporary design that avoids 'heritage style' replication of architectural or decorative detail.</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>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 intent of these controls has been assessed in the "Heritage and Character" section of the assessment report. The modification is supported in the context of the approved development.</p>	Yes.
<p>2.16.3 General Heritage Provisions - Siting</p> <p>Alterations and additions to a heritage item or within a conservation area will be</p>	<p>The intent of these controls has been assessed in the "Heritage and Character" section of the assessment report. The modification is supported in the context of the approved development.</p>	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
<p>sited and designed to retain the intactness and consistency of the streetscape and the significance of the conservation area.</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>Additions to the side of existing buildings will be considered where it is substantially set back from the front building alignment and the style and character of the building or conservation area will not be compromised.</p>		
<p>2.16.3 General Heritage Provisions - Roofs and Roofscape</p> <p>Secondary roof forms should be subservient in form, scale and location to the main roof.</p>	<p>The intent of this control has been assessed in the "Heritage and Character" section of the assessment report. The modification is supported in the context of the approved development.</p>	Yes.
<p>2.16.3 General Heritage Provisions - Verandas and Balconies</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.</p>	<p>The intent of this control has been assessed in the "Heritage and Character" section of the assessment report. The modification is supported in the context of the approved development.</p>	Yes.
<p>2.16.3 General Heritage Provisions - Materials and Finishes</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>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>The intent of these controls has been assessed in the "Heritage and Character" section of the assessment report. The modification is supported in the context of the approved development.</p>	Yes.
<p>2.16.3 General Heritage Provisions - Colours</p> <p>Colour schemes on heritage items must be appropriate and sympathetic to the building type period and architectural style</p> <p>New buildings need not employ traditional colour schemes, but should use colours sympathetic to surrounding development and contribute to the cohesiveness of the</p>	<p>The intent of these controls has been assessed in the "Heritage and Character" section of the assessment report. The modification is supported in the context of the approved development.</p>	Yes.

CLPP04

Attachment 4

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
<p>Heritage Place. A material and colour palette sheet must be provided to Council for assessment.</p> <p>Original significant masonry that is unpainted or unfinished must not be rendered, bagged, painted or otherwise refinished in a manner inappropriate to the architectural style of the building.</p>		
<p>2.16.3 General Heritage Provisions - Landscaping</p> <p>Landscaping in a heritage place should, retain the original design elements, paths, significant trees and established gardens.</p>	<p>The modification will retain significant landscape elements, paths and trees consistent with the 2012 DA as detailed in the assessment report.</p>	Yes.
<p>2.16.3 General Heritage Provisions - Demolition</p> <p>The demolition of a heritage place is contrary to the intent of heritage listing. It will only be considered as a last resort.</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>The proposed demolition works are generally consistent with the 2012 DA and have been approved by Heritage NSW.</p> <p>Condition 9 of Heritage NSW's general terms of approval requires the preparation of a photographic archival record prior to the commencement of works, during works and at the completion of works.</p>	Yes.
<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>Opportunities for enhanced pedestrian linkages must be sensitively promoted.</p>	<p>The intent of these controls has been assessed in the "Heritage and Character" section of the assessment report. The modification is supported in the context of the approved development.</p> <p>The development will not impact sight lines to the 1849 church spire.</p> <p>A crushed granite path between the 1849 church and the new building (identified as 'The Walk') has already been approved by the 2012 DA. The modification maintains this path and will provide other appropriate accessible paths through the site that have been approved by Heritage NSW.</p>	Yes.
<p>2.17.1 General Requirements for Signage</p> <p>The location, quantity, type, colour, design and size of all signage must not detract from the amenity and character of the land or building to which it relates.</p> <p>All signage must be consistent with the</p>	<p>The signage is considered appropriate for the development considering its location, quantity, type, colour, design and size. The modified signage will not detract from the amenity and character of the site.</p> <p>The signage will be consistent with the scale of the extended hall.</p>	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
<p>scale of the building or the property on which it is located.</p> <p>All signage must align with an approved or exempt land use being conducted on the land to which the sign is displayed. Signs or banners approved by Council under Policy 2.8 Signs and Banners are exempted.</p> <p>All signage must remain within the property boundary except in the case of a sign attached to an awning over the footpath.</p> <p>Signage must not interfere with road and pedestrian safety</p> <p>The location of signs must not obscure views of traffic signs or traffic signals or have the potential to cause confusion with traffic signs or traffic signals.</p> <p>The location of signs must not interfere with the view of oncoming vehicles, pedestrians or a road hazard or obstruction which should be visible to drivers or other road users.</p> <p>Signs must not be located at a major intersection, pedestrian crossing or at merging or diverging lanes.</p> <p>Signs must not consist of flashing, electronic, running or moving signs or signage with an intensity of lighting sufficient to impair driver vision or distract driver attention.</p>	<p>The signage will relate to the use of the extended hall as a place of public worship.</p> <p>All signage will be within the property boundaries.</p> <p>The signage will not interfere with road or pedestrian safety, nor obscure views of motorists, pedestrians or road hazards. The signs will be well set back within the site.</p> <p>The signs will not be located at a major intersection, a pedestrian crossing or at merging or dividing lanes.</p> <p>The signs will not contain flashing, electronic, running or moving components. Uplighting is proposed for signs 1 and 3 and a standard condition is recommended to ensure that the lighting complies with AS 1158 - Lighting for Roads and Public Spaces and AS 4282 - Control of the Obtrusive Effects of Outdoor Lighting.</p>	
<p>2.17.2 Commercial and Mixed Use Zones</p> <p>The total combined signage area on a building elevation must not exceed 20% of that building elevation that is visible from a public place.</p> <p>With the exception of under awning signs, all signs must be located wholly within the property boundaries.</p> <p>All Illumination signage must comply with AS 1158 - Lighting for Roads and Public Spaces and AS 4282 - Control of the Obtrusive Effects of Outdoor Lighting.</p> <p>A maximum of one pole or pylon sign per street frontage, not exceeding 6m above existing ground level is permitted.</p>	<p>The total combined area of the signage will not exceed 20% of a single building elevation.</p> <p>All signage will be located wholly within the property boundaries.</p> <p>A standard condition is recommended to ensure that signage lighting complies with AS 1158 - Lighting for Roads and Public Spaces and AS 4282 - Control of the Obtrusive Effects of Outdoor Lighting.</p> <p>Approved free-standing sign 4 facing Broughton Street will be relocated and reduced to 2m high.</p>	Yes.

CLPP04

Attachment 4

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

CLPP04

Attachment 4

Control	Assessment	Compliance?
<p>2.17.4 Signage on Heritage Items or in Heritage Conservation Areas</p> <p>Council may require a Heritage Impact Statement to accompany a development application for signage on a heritage item or in a heritage conservation area prior to the granting of development consent.</p> <p>The application will be required to demonstrate that the proposed signage will complement the historic character of the building or conservation area in terms of colour, material, proportion, positioning and font.</p> <p>The number of signs permitted must not exceed two per elevation that is visible from a public place.</p> <p>New signage should have minimal impact on the character of the heritage item or heritage conservation area.</p> <p>Signage should be appropriately designed and located, to allow the character of the building or conservation area to remain prominent.</p> <p>The design and location of new signage should not dominate or obscure the architectural details of a heritage item. For example, signage should not break the parapet or roofline of a building or buildings, be placed on cast iron balustrades or in front of cast iron verandah frieze work or on top of awnings.</p> <p>Signage should be located in areas of the building which have been traditionally used for signage. If such areas do not exist, signage may be considered inappropriate.</p> <p>The design of new signs should be in harmony with the character of the heritage item and heritage conservation area.</p> <p>The design should incorporate traditional materials, colours, fonts and size, with a high standard of materials, construction and graphics.</p> <p>Materials for new signage should be sympathetic to the character of the heritage item and heritage conservation area, and preferably be of a painted surface finish.</p>	<p>The applicant has submitted an adequate heritage impact statement in support of the modification.</p> <p>The signs are appropriate for the development, being well set back, scaled to the extended hall, simple in design and compatible with the modified materials colours.</p> <p>Signs 2, 3 and 4 will be located along the development's Broughton Street elevation. However, given the substantial separation between signs 2 and 4 from sign 3, they will be read as two distinct signage elements which is consistent with the underlying intent of this control.</p> <p>The signage will have a minimal impact upon the character of the site and the Camden Town Centre Conservation Area, being well set back, scaled to the extended hall, simple in design and compatible with the modified materials colours.</p> <p>The signage will be mounted on or around the extended 1973 hall which has little historic significance.</p> <p>The signage will be located in areas of the site and building that are appropriate and expected given the 2012 DA and the modification.</p> <p>The signs will be in harmony with the extended hall and compatible with the Camden Town Centre Conservation Area, being well set back, scaled to the extended hall, simple in design and compatible with the modified materials colours.</p> <p>Uplighting is proposed for signs 1 and 3.</p> <p>No internally illuminated signage is proposed.</p> <p>No neon, flashing, pulsing or moving signage is proposed.</p> <p>Approved free-standing sign 4 facing Broughton Street will be relocated and reduced to 2m high.</p>	<p>No. Variation supported.</p>

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
<p>External surface illumination should be discreet or concealed and is the preferred method for signage illumination.</p> <p>Internally illuminated signage is restricted to under awning signs only.</p> <p>Neon, flashing, pulsing or moving signage is not permitted.</p> <p>Pole signs are preferred over pylon signs. Pole and pylon signs, if appropriate, must not exceed the predominant roof height of the conservation area or heritage item or 6m above ground level, whichever is the lesser.</p>		
<p>2.18.2 Off-Street Car Parking Rates/Requirements</p> <p>Places of public worship require 1 car parking space per 6 seats.</p>	<p>The modification's car parking variation has been assessed in the "Camden Development Control Plan 2019" section of the assessment report. The variation is supported in the context of the 2012 DA.</p>	<p>No. Variation supported.</p>
<p>2.19 Landscape Design</p> <p>A landscape plan is to be submitted for all development that, in Council's opinion, will significantly alter the existing and intended landscape character of the land.</p>	<p>An amended landscaping plan has been submitted in support of the modification. The amended landscaping design has been assessed by Council's landscape officer, is considered appropriate for the site and area and includes a suitable mix of trees, shrubs, ground covers and grasses.</p>	<p>Yes.</p>
<p>5.3.1 Camden - B2 Local Centre - Heritage and Character</p> <p>The Camden township is located within the Camden Town Centre Heritage Conservation Area. Reference must be made to Part 2 of the Camden DCP.</p> <p>Development within the B2 Local Centre zone at Camden must be consistent with the Camden Town Centre Urban Design Framework.</p>	<p>The relevant controls in Part 2 of the Camden DCP have been considered.</p> <p>The Camden Town Centre Urban Design Framework provides a framework for the development of the Camden Town Centre. The framework does not provide statutory planning controls but articulates the 2018 strategic intent for the town centre. The modification is not considered to be inconsistent with the framework, in the context of the 2012 DA.</p>	<p>Yes.</p>

CLPP04

Attachment 4

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

CLPP04

Attachment 5

Section	Assessment	Compliance?
<p>Part 3.1, Aims, objectives, etc.</p> <p>A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied that the signage:</p> <ul style="list-style-type: none"> is compatible with the desired amenity and visual character of an area, and provides effective communication in suitable locations, and is of high quality design and finish. 	<p>The signage will be compatible with the desired amenity and character of the area, being well set back, scaled to the extended hall, simple in design and compatible with the modified materials colours. The signs will provide effective communication through words and logos in suitable locations along the extended hall's Broughton Street frontage. The signs will be of a high quality and finish.</p>	Yes.
<p>Schedule 5 Assessment criteria - Character of the area</p> <ul style="list-style-type: none"> Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	<p>The signs will be in harmony with the extended hall and compatible with the Camden Town Centre Conservation Area, being well set back, scaled to the extended hall, simple in design and compatible with the modified materials colours.</p>	Yes.
<p>Schedule 5 Assessment criteria - Special areas</p> <ul style="list-style-type: none"> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? 	<p>The signs will not detract from the amenity or visual quality of the area as they will be well set back, scaled to the extended hall, simple in design and compatible with the modified materials colours.</p>	Yes.
<p>Schedule 5 Assessment criteria - Views and vistas</p> <ul style="list-style-type: none"> Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers? 	<p>The signs will be substantially lower than their parent building and will not obscure or compromise important views, dominate the skyline, reduce the quality of vistas or impact other advertisers.</p>	Yes.
<p>Schedule 5 Assessment criteria - Streetscape, setting or landscape</p> <ul style="list-style-type: none"> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? 	<p>The signage scale, proportions and form will relate well to the extended hall and contribute some visual interest to the streetscape without being visually dominant.</p>	Yes.

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

Section	Assessment	Compliance?
<ul style="list-style-type: none"> Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management? 		
<p>Schedule 5 Assessment criteria - Site and building</p> <ul style="list-style-type: none"> Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	<p>The signage will be compatible with the desired amenity and character of the area, being well set back, scaled to the extended hall, simple in design and compatible with the modified materials colours. The signage will not obscure important features of the site or building and will have a compatible, understated relationship with both.</p>	Yes.
<p>Schedule 5 Assessment criteria - Associated devices and logos with advertisements and advertising structures</p> <ul style="list-style-type: none"> Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed? 	<p>Logos and uplighting will be included in the signage and are considered appropriate given their locations and proportions.</p>	Yes.
<p>Schedule 5 Assessment criteria - Illumination</p> <ul style="list-style-type: none"> Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft? Would illumination detract from the amenity of any residence or other form of accommodation? Can the intensity of the illumination be adjusted, if necessary? Is the illumination subject to a curfew? 	<p>A standard condition is recommended to ensure that signage lighting complies with AS 1158 - Lighting for Roads and Public Spaces and AS 4282 - Control of the Obtrusive Effects of Outdoor Lighting.</p>	Yes.

CLPP04

Attachment 5

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

Section	Assessment	Compliance?
<p>Schedule 5 Assessment criteria - Safety</p> <ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<p>The signage will not interfere with road, pedestrian or bicyclist safety, nor obscure sightlines from public areas.</p>	<p>Yes.</p>

CLPP04

Attachment 5

Conservation Management Plan and Addendum Assessment Table

Policy	Assessment	Compliance?
2004 Conservation Management Plan		
<p>Policy 3</p> <p>Continue to use St. John's as the prime place of Anglican worship in Camden.</p>	<p>The applicant has submitted a statement of current and continuing use in support of the modification. This statement explains the intention to continue using the 1849 church for various activities including weddings, baptisms, small funerals, the Sunday 8am traditional worship service and special event meetings. This is considered reasonable, noting that the 2012 DA has already approved a 400 seat place of public worship.</p>	Yes.
<p>Policy 15</p> <p>Preserve the topography and landscape of the place including all original fabric and as established in the early 19th and 20th centuries up to when the church was essentially complete.</p>	<p>The modification is generally consistent with the 2012 DA and will preserve the topography and landscape of the site to a similar degree.</p>	Yes.
<p>Policy 16</p> <p>Maintain use of the church landscape and the church yard in its various elements and in particular maintain the use of paths and entry points and car parking restrictions.</p>	<p>The modification is generally consistent with the 2012 DA and will facilitate the use of the church landscape and the church yard to a similar degree.</p>	Yes.
<p>Policy 18</p> <p>Reinstate the historic path between the 1906 hall and the 1849 church.</p>	<p>A crushed granite path between the 1849 church and the hall extension (identified as 'The Walk') has already been approved by the 2012 DA. The modification maintains this path.</p>	Yes.
<p>Policy 20</p> <p>Where the opportunity arises, remove the 1973 hall.</p>	<p>The 2012 DA approved the extension of the 1973 hall rather than its demolition. The modification maintains this approach.</p>	Yes.
<p>Policy 31</p> <p>The 1973 hall is of low significance and ideally should be removed.</p>	<p>The 2012 DA approved the extension of the 1973 hall rather than its demolition. The modification maintains this approach.</p>	Yes.
<p>Policy 37</p> <p>The historical archaeological potential parts of the place should be conserved in accordance with a ranking table contained within the CMP and Figure 8.5.</p>	<p>The 2012 DA and the modification relates to parts of the site that this policy ranks as having low, medium and high archaeological potential. Existing condition 1.0(6) requires compliance with the CMP and this condition will be maintained to ensure compliance with the policy's ranking table and Figure 8.5. An additional condition is recommended that requires any relics found during works to be managed in accordance with the requirements of the <i>Heritage Act 1977</i> and Heritage NSW.</p>	Yes.
<p>Policy 42</p> <p>Respect the character of the existing significant fabric were introducing new materials, matching like with like. Do not damage or obscure any significant.</p>	<p>The 2012 DA and the modification primarily relate to the 1973 hall which has low historical significance and is not significant fabric.</p>	Yes.
<p>Policy 44</p> <p>Adopt these guidelines as the conservation policy for St John's, Camden to guide the</p>	<p>Existing condition 1.0(6) requires compliance with the CMP.</p>	Yes.

CLPP04

Attachment 6

Conservation Management Plan and Addendum Assessment Table

Policy	Assessment	Compliance?
operation of the management body and avoid ad hoc policy changes.		
<p>Policy 48</p> <p>Engage personnel skilled in disciplines of conservation practice at a professional level as appropriate to advice on and implement conservation aspects of St. John's, Camden.</p>	<p>Condition 3 of Heritage NSW's general terms of approval requires a suitably qualified and experienced heritage consultant to be engaged. The consultant must provide input into the detailed design, be involved in the selection of tradespersons and oversee the works.</p> <p>Condition 4 of Heritage NSW's general terms of approval requires all work affecting significant fabric to be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.</p>	Yes.
2010 Conservation Management Plan Addendum		
<p>Policy 44</p> <p>Whilst the parish hall is assessed of being if little heritage significance within the church grounds, it provides amenity for parishioners. There is opportunity to remove or alter this church hall to provide a larger multi-purpose hall facility. Consideration could be given to altering and extending the existing facility to the east. Ensure any development sits back from the alignment of the 1906 hall north elevation. The height of any development should be below the RL of the 1906 hall ridge line</p>	<p>The 2012 DA approved the extension of the 1973 hall rather than its demolition. The modification maintains this approach. The modified development will increase the building's setback to Broughton Street by 845mm and it will remain behind the alignment of the 1906 hall's north elevation. The 2012 DA approved the hall extension above the RL of the 1906 hall however the modification will reduce the maximum building height by 350mm.</p>	Yes.
<p>Policy 45</p> <p>Ensure significant views to the church spire from Broughton Street are retained.</p>	<p>The modification will not significantly impact views to the 1849 church spire from Broughton Street. The maximum height of the building has been lowered by 350mm and its upper bulk reduced by the removal of the approved rotunda from atop the roof.</p>	Yes.
<p>Policy 55</p> <p>There is the potential for development along Broughton Street between the 1973 hall and the 1906 hall. Ensure access to the cemetery and visual access between the 1906 hall and church is conserved.</p>	<p>The 2012 DA approved the extension of the 1973 hall. The modification will ensure that access to the cemetery and visual access between the 1906 hall and the 1849 church are retained.</p>	Yes.
<p>Policy 56</p> <p>Reinstate early footpaths to assist in interpretation of routes through the church yard from the surrounding streets.</p>	<p>A crushed granite path between the 1849 church and the hall extension (identified as 'The Walk') has already been approved by the 2012 DA. The modification maintains this path.</p>	Yes.
<p>Policy 61</p> <p>Reinstate the footpath connecting the 1906 hall and the 1849 church as evident in historic aerial photographs.</p>	<p>A crushed granite path between the 1849 church and the hall extension (identified as 'The Walk') has already been approved by the 2012 DA. The modification maintains this path.</p>	Yes.
<p>Policy 64</p>	<p>The modification will not significantly impact views as the maximum height of the building has been lowered by 350mm and its upper bulk</p>	Yes.

CLPP04

Attachment 6

Conservation Management Plan and Addendum Assessment Table

Policy	Assessment	Compliance?
Preserve significant views from the church to the town of Camden and the riverbanks. In particular preserve views to church, tower and spire from John, Broughton and Hill Street and Menangle Road. Conserve the visual connection between the 1849 church and the rectory.	reduced by the removal of the approved rotunda from atop the roof.	
Policy 81 Any new parking areas should rationalize parking provisions, rather than add to existing paved areas. Parking areas are to be designed so as not to impact on heritage items or remove significant landscape features.	The modification will amend the approved car park by removing two parking spaces to facilitate the retention of tree 53. This is consistent with this policy.	Yes.
Policy 83 Existing pathways adjacent leading from the boundary entries allow visitors access to the cultural significance of the area. These pathways should be retained and enhanced to ensure continued access is maintained.	The modification will not remove existing pathways leading into the site from its boundaries. A crushed granite path between the 1849 church and the hall extension (identified as 'The Walk') has already been approved by the 2012 DA. The modification maintains this path.	Yes.
Policy 84 In interpreting the 19 th century design of pathways throughout the church grounds, consideration should be given to reinstating the alignment of the former pathway from Broughton Street to the 1849 church, north of the cemetery and the early road alignment between the church and the horse paddock, in use until circa 1850.	A crushed granite path between the 1849 church and the hall extension (identified as 'The Walk') has already been approved by the 2012 DA. The modification maintains this path.	Yes.
Policy 85 Ensure any new work harmonises with the cultural landscape and architectural character of the existing heritage significant buildings. New works should respect and complement the architectural style of the existing heritage significant buildings without imitation of heritage detailing. New work should be subservient to the architectural and landscape character of the place and should not seek to dominate it. New work should be compatible in scale, form and massing to the significant fabric. New work should not overwhelm or take precedence over the existing character. Generally materials selected should be high quality products, well detailed and complementary to those already in the church grounds. Colours for new work	This policy is assessed in the "Heritage and Character" section of the assessment report.	Yes.

CLPP04

Attachment 6

Conservation Management Plan and Addendum Assessment Table

Policy	Assessment	Compliance?
should be recessive so the heritage fabric is given prominence.		

CLPP04

Attachment 6

EXISTING CONDITIONS

1.0 - General Requirements

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

- (1) **Development in Accordance with Plans** - The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

Plan / Development No.	Description	Prepared by	Dated
09081-LP01B 09081-DA01B 09081-DA02B 09081-DA03B 09081-DA04B 09081-DA05B 09081-DA06B 09081-DA07B 09081-DA08B	Landscape Plan Site Analysis Demolition Plan Ground Floor Plan First Floor Plan Roof Plan Elevations Elevations/Section Section	NBRS+Partners	16 May 2012
	Conservation Management Plan Addendum	NBRS+Partners	2010
	Statement of Heritage Impacts	NBRS+Partners	7 February 2012
	Statement of Environmental Effects	Ross Newport	
	Supplementary Details	NBRS+Partners	21 May 2012
Report No. TF229-02F03(rev1)DA	Noise Impact Assessment for proposed Church Auditorium Acoustic Assessment	Renzo Tonin and Associates	24 July 2012

Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions of this consent override the approved plans/documentation to the extent of the inconsistency.

- (2) **Protection of View Corridor** - The applicant is to demonstrate that there is no additional building intrusion into the view corridor as identified on Drawing No 09081-DA01-B prepared by NBRS & Partners, through amended plans prior to the issue of a Construction Certificate.
- (3) **Use of New Hall** - The new hall shall not exceed a capacity of 400 people. The new hall must not be used at the same time as the existing St John's Church.
- (4) **Hours of Operation** - The hours of operation for the approved land-use are:

Monday to Saturday:	8.00 am to 9.30 pm
Sunday:	8.00 am to 10.00 pm

All vehicle movements, deliveries and any other operations associated with the use of the premises must be restricted to approved hours of operation. Any alteration to these hours will require the prior approval of the Consent Authority.

- (5) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (6) **Conservation Management Plan** - The St John's Church Precinct Conservation Management Plan prepared by Clive Lucas, Stapleton and Partners, prepared in 2004 and the Conservation Management Plan Addendum, prepared in 2010 by NBRSPartners must be complied with and used to guide all current and future work.
- (7) **Historical Significance** - Given the location of the subject site and its proximity to other sites and buildings of historical significance, no alterations to the external appearance of the building including painting must be carried out unless the prior written approval of Camden Council has been obtained.
- (8) **Damaged Assets** - Any work and public utility relocation within a public place shall incur no cost to Council.
- (9) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The 12 month maintenance and establishment period includes (but not limited to) the Applicant's responsibility for the establishment, care and repair of all landscaping elements including softscape elements such as plantings and lawn and all hardscape elements.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation and mulching.

It is the Applicant's responsibility to arrange a site inspection with the Principal Certifying Authority (PCA), upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

At the completion of the maintenance and establishment period, the landscaping works must comply with the approved Landscaping Plans.

2.0 - Construction Certificate Requirements

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

- (1) **Salinity** - Council's Salinity Management Policy is to be implemented in this development. Details of compliance shall be forwarded to the certifying authority for approval with the Construction Certificate application.
- (2) **Fire Safety Measures** - Prior to the issue of the Construction Certificate, the following information is to be submitted to the certifying authority:
 - (a) a list of any fire safety measures that are proposed to be implemented in the building or on the land on which the building is situated, and

- (b) if the application relates to a proposal to carry out any alteration or rebuilding of, or addition to, an existing building, a separate list of those measures currently implemented in the building or on the land on which the building is situated.
- (3) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with the relevant Development Control Plan and Council's Engineering Specifications and are to be submitted for approval to the Principal Certifying Authority prior to the Engineering Construction Certificate being issued.
- (a) under the *Roads Act 1993*, only the Council can issue a Construction Certificate for works within an existing road reserve.
- (b) under section 109E of the *Environmental Planning and Assessment Act 1997*, Council must be nominated as the Principal Certifying Authority for subdivision work and has the option of undertaking inspection of physical construction works.
- (4) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council prior to the issuing of the Construction Certificate.
- The survey must include descriptions of each photo and the date when each individual photo was taken.
- (5) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following:
- (a) all matters associated with Council's Erosion and Sediment Control Policy.
- (b) all matters associated with Workplace Health and Safety.
- (c) all matters associated with Traffic Management/Control.
- (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (6) **Performance Bond** - Prior to the issue of the Construction Certificate a performance bond of \$10,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (7) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with: -
- (a) Camden Council's current Engineering Specifications, and
- (b) Camden Council's Development Control Plan 2011

It should be noted that designs for line marking and regulatory signage associated with any proposed public road within this subdivision MUST be submitted to and approved by the Roads and Maritime Services, Camden Council prior to the issue of any Construction Certificate

- (8) **Civil Engineering Details** - The developer must submit details of all engineering works on engineering plans to the Certifying Authority for approval prior to a Construction Certificate being issued.
- (9) **Public Risk Insurance Policy** - Prior to the issue of the Construction Certificate, the owner or contractor is to take out Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications. Further, such insurance shall also cover the cost associated with rectification work of any potential damage to public assets.
- (10) **Drainage Design** - Detail drainage design for the proposed drainage system shall be prepared by an engineer or qualified and experienced person on hydraulics and hydrology in accordance with the Council's Design Specifications and also comply with the approved architectural plans. All pipes used in trafficable areas shall be sewer grade. The drainage system shall be connected to the drainage pit provide in the road.
- (11) **Stormwater Management Plan** - A stormwater management plan is to be prepared prior to the Issue of a Construction Certificate to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This Plan must be submitted and approved by the Principal Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.
- (12) **Stormwater Detention** - The capacity of the existing stormwater drainage system must be checked to ensure its capability of accepting the additional run-off from this development. If necessary an on-site detention system must be provided to restrict stormwater discharges from the site to pre-development flows in accordance with Camden Council's current Engineering Design Specifications.

On completion of the on-site detention system, Works-as-Executed plans are to be prepared by a registered surveyor or the design engineer and submitted to the Principal Certifying Authority. If Camden Council is not the Principal Certifying Authority, a copy is to be submitted to the Council Prior to the Issue of the Occupation Certificate. The plans are to be certified by the designer and are to clearly make reference to:

- (a) the works having been constructed in accordance with the approved plans,
- (b) actual storage volume and orifice provided,
- (c) the anticipated performance of the system with regard to the design intent.

The developer must prepare a Section 88b Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:

Restriction as to user indicating that the on-site detention basin must be maintained at all times to a level sufficient to ensure efficient operation of the basin, and that the Consent Authority (i.e. Camden Council) must have the right to enter upon the burdened lot with all necessary materials and equipment at all reasonable times and

on reasonable notice (but at any time and without notice in the case of an emergency) to:

- (a) view the state of repair of the basin;
 - (b) to execute any work required to remedy a breach of the terms of this covenant if the proprietor has not within fourteen (14) days of the date of receipt by the proprietor of written notice from the Council, requiring remedy of a breach of the terms of this covenant, taken steps to remedy the breach and without prejudice to the Council's other remedies the Council may recover as a liquidated debt the cost of such remedial work from the proprietor forthwith upon demand.
 - (c) Restriction as to user indicating that the on-site detention basin must not be altered, or removed in part, or structures erected thereon without the prior consent of Council.
- (13) **Pre-Treatment of Surface Water** - The external ground surface of the site must be graded to a collection system and covered with a suitable hard surface. The drainage system must flow to a suitable pre-treatment device prior to discharge. The applicant is advised to contact the Appropriate Regulatory Authority for the design criteria.
- (14) **Car Parking** - A minimum of an additional 34 car parking spaces must be provided on site. The car parking layout, spaces, aisles and the grades of the proposed car parking area shall be amended to comply with Australian Standard 2890.1. All disabled parking shall be designed and constructed to comply with AS 2980.6. The proposed granite surface treatment of the car park shall be laid on a spray bitumen seal as part of the construction of the car park pavement in order to prevent generation of dust and transfer of sediment.
- (15) **Compaction** - Any filling up to a 1.0m on the site must be compacted in accordance with Camden Council's current Engineering Design Specifications.
- (16) **Pedestrian Entrance** - Proposed pedestrian entrance shall be relocated away from the existing lintel pit on the road in order to improve the safety.
- (17) **Public Domain** - Any improvement to the footpath on Broughton Street should be based on Camden Council's Camden Town Centre Strategy, dated June 2008.
- (18) **Traffic Management Plan** - A construction traffic management plan is required in accordance with Camden Council's current Engineering Design Specifications.
- (19) **Roads Act 1993 Consent** - Prior to the issue of a Construction Certificate, consent pursuant to s.138 of the *Roads Act 1993* must be obtained from the Roads Authority for the design and construction of all the proposed work in, on or over the road reserves adjacent to the subject site.

The design must include, but not be limited to, plans/documents associated with:

- (a) the construction of kerb and gutter, road shoulder and drainage
- (b) footway formation
- (c) public utility service adjustment or installation
- (d) an Environmental Site Management Plan.

Further, all such plans and documents associated with the design must be certified by:

- (a) persons who are suitably accredited by a scheme approved by the NSW Department of Planning or where no scheme exists,
- (b) persons who are suitably qualified, are specialists and in that regard, currently practising in that specialist area, or
- (c) in the case of a Public Utility Authority, an appropriately delegated officer of that Authority or accredited person by that Authority,

and prepared in accordance with Camden Council's current Engineering Design Specifications.

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

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

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

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

- (21) **Street Tree Protection Standards During all Development and Construction Works** - The protection of existing nature strip street trees, other than any existing street trees authorised by the Consent Authority (i.e. Camden Council) for relocation, removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites. The Consent Authority (i.e. Camden Council) must approve and authorise any works or impacts on any existing nature strip street tree prior to those works or impacts occurring.

The works and procedures involved with the protection of existing street trees are to be carried out by a suitable qualified and experienced Arborist or organisation. Minimum suitable qualifications for the Arborist are to be at a standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture.

Prior to the issue of the Construction Certificate, all initial procedures for the protection of existing trees as detailed in AS 4970-2009, must be installed. All procedures for the protection of existing street trees must be applied, functioning and appropriately maintained during any earthworks, demolition, excavation (including any driveway or construction access installation) and construction works applicable to this Consent.

- (22) **Acoustic Treatment** - All recommendations outlined in Section 7 of the Acoustic report prepared by Renzo Tonin and Associates namely "St Johns Anglican Church, Camden Environmental Noise Impact Assessment for proposed Church Auditorium, Report No. TF229-02F03(rev1) DA Acoustic Assessment dated 24 July 2012" shall be

implemented. This includes roof/ceiling construction, external wall construction, doors, glazing and ventilation.

3.0 - Prior To Works Commencing

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

- (1) **Demolition Australian Standard** - Demolition of the building shall be carried out in accordance with the requirements of Australian Standard *AS2601:2001 - Demolition of Structures*.
- (2) **Demolition WorkCover NSW Notifications and Permits** - All demolition work must be notified to WorkCover NSW at least seven (7) days before work starts in accordance with Clauses 333 and 345 of the *Occupational Health and Safety Regulation 2001*.

Demolition work must not begin until a WorkCover NSW stamped copy of the notification has been received and is displayed on site for inspection by any interested party.

- (3) **Information Required Prior to Demolition** - The demolisher shall lodge with Camden Council or the Principal Certifying Authority at least 48 hours prior to the commencement of demolition work the following details:
 - (a) written notice indicating the date when demolition of the building is to commence;
 - (b) copy of the demolition licence and details of name, address and business hours contact telephone number;
 - (c) a copy of the applicable asbestos licence (if required for demolition works involving asbestos);
 - (d) copy of the WorkCover NSW permit for the demolition works;
 - (e) copy of the WorkCover NSW stamped notification form including any asbestos removal notification.
- (4) **Notice to Adjoining Properties of Demolition** - The following matters must be satisfied prior to and during demolition:
 - (a) seven days prior to the commencement of demolition, the applicant shall give written notice to adjoining land owners and residents, advising of the commencement date for the demolition works;
 - (b) safe access to and from adjoining buildings shall be maintained at all times;
 - (c) no demolition activity shall cause damage to or adversely affect the structural integrity of any adjoining building;
 - (d) consideration shall be given to the need for shoring and underpinning, and to changes in soil conditions as a result of the demolition, and appropriate measures implemented;

- (e) the affects of vibration and concussion on adjoining buildings and their occupants must be minimised;
 - (f) where the surface of an adjoining building is exposed by demolition, the need for weatherproofing the exposed surface shall be investigated and temporary or permanent protection provided as appropriate; and
 - (g) the demolition of below ground walls which support the adjoining ground shall not be undertaken until it is established that demolition will not cause the collapse of the adjoining ground, or effective lateral support is provided to prevent collapse.
- (5) **Erection of Signs** - Shall be undertaken in accordance with Clause 98A of the *Environmental Planning and Assessment Regulation 2000*.
- (6) **Toilet Facilities** - Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
 - (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
 - (c) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (7) **Notice of Commencement of Work and Appointment of Principal Certifying Authority** - Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act 1979* and clauses 103 and 104 of the *Environmental Planning and Assessment Regulation 2000* shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building or subdivision works.
- (8) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of *Building Code of Australia*. Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.
- (9) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

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

Where a soil erosion and sediment control plan (or details on a specific plan) has been approved with the development consent, these measures must be implemented in

accordance with the approved plans. In situations where no plans or details have been approved with the development consent, site soil erosion and sediment controls must still be implemented where there is a risk of pollution occurring.

Provide a stabilised entry/exit point. The access should be a minimum of 2.5m wide and extend from the kerb to the building line. The access should consist of aggregate at 30-40mm in size.

Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

- (10) **Rubbish Removal** - All rubbish and fill containing building material (eg concrete, bricks, pipes) if encountered during earthworks must be removed from the site and disposed of to an EPA licensed landfill.
- (11) **Soil and Water Management** - Soil and water management strategies outlined in Section 10.2 of the Preliminary Contamination and Salinity Investigation proposed church development prepared by GeoEnviro ref: JC12115A dated March 2012 shall be implemented.

4.0 - During Construction

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

- (1) **Fill Quality** - Any fill material brought in for the construction of the development must only contain uncontaminated soil, clay, shale or rock. No effluent, garbage or trade waste, including building or demolition waste, must be included in the fill. The extent and depth of filling must only occur in accordance with the approved plans and any other conditions of the Development Consent. Evidence of the certification of the fill as uncontaminated shall be provided to the Principal Certifying Authority.
- (2) **Survey Report (Peg Out)** - The building must be set out by a registered Land Surveyor. A Survey Report detailing the siting of the building in relation to the allotment boundaries shall be submitted to the Principal Certifying Authority (PCA) prior to the placement of any concrete.
- (3) **Building Platform** - This approval restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2m from the external walls of the building. Where the external walls are within 2m of any property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level must be used.
- (4) **Retaining Walls** - If the soil conditions require it:
 - (a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and
 - (b) retaining walls must be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property.

The following restrictions apply to any retaining wall erected within the allotment boundaries:

- (a) where the height of an approved retaining wall exceeds 600mm above or below natural ground level, structural engineering details must be provided to the Principal Certifying Authority, prior to any works commencing on the site. Manufacturers' installation details may satisfy this requirement for treated timber products and some dry stacked masonry products;
- Note:** Where Council is nominated as the Principal Certifying Authority, construction of the retaining wall must be inspected at critical stages as nominated in the Mandatory Inspection Notice. Prior to issue of an Occupation Certificate, certification will also be required attesting that the wall has been built in accordance with the relevant standard.
- (b) adequate provisions must be made for surface and subsurface drainage of retaining walls and all water collected must be diverted to, and connected to, a stormwater disposal system within the property boundaries;
- (c) retaining walls shall not be erected within drainage easements;
- (d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited by the easement or entitled to release or vary the restrictions applying to the easement (electrical easement and the like), or if the erection of the retaining wall makes the purpose of the easement inconvenient or redundant (such as easements for support and maintenance).
- (5) **Hours of Work** - The hours for all construction and demolition work are restricted to between:
- (a) 7.00am and 6.00pm, Monday to Friday (inclusive);
- (b) 7.00am to 4.00pm on Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8.00am to 4.00pm;
- (c) work on Sunday and Public Holidays is prohibited.
- (6) **Site Management** - To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
- (a) the delivery of material shall only be carried out between the hours of 7.00am and 6.00pm, Monday to Friday, and between 8.00am and 4.00pm on Saturdays;
- (b) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb, footpath or road surface and shall have measures in place to prevent the movement of such material off the site;
- (c) 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;
- (d) waste must not be burnt or buried on site, nor should wind-blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot;
- (e) a waste control container shall be located on the development site.

- (7) **Protection of Public Places** - If the work involved in the erection or demolition of a building:

- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 (b) building involves the enclosure of a public place,

a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

- (8) **Footpath Levels** - The ground levels of the footpath area within the road reserve (between the boundary of the subject site to the kerb and gutter) must not be altered (by cut or fill) as a consequence of building design and/or construction.
- (9) **External Materials and Finishes** - The development shall be completed in accordance with the approved schedule of external materials, colours and finishes.
- (10) **Construction Noise Levels** - Noise levels emitted during construction works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

- (11) **Removal Of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill / rubbish / asbestos, this material will need to be assessed in accordance with the NSW DECC Waste Classification Guidelines (April 2008) (refer www.environment.nsw.gov.au/waste/envguidlms/index.htm) Once assessed, the materials will be required to be disposed to a licensed waste facility suitable for the classification of the waste with copies of tipping dockets supplied to Council.
- (12) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point

- (13) **Civil Engineering Inspections** - Where Council has been nominated as the Principal Certifying Authority, inspections by Council's Engineer are required to be carried out at the following Stages of construction:

- (a) prior to installation of sediment and erosion control measures;
- (b) prior to backfilling pipelines and subsoil drains;
- (c) prior to casting of pits and other concrete structures, including kerb and gutter, roads, accessways, aprons, pathways and footways, vehicle crossings, dish crossings and pathway steps;
- (d) proof roller test of subgrade and sub-base;
- (e) roller test of completed pavement prior to placement of wearing course;
- (f) prior to backfilling public utility crossings in road reserves;
- (g) prior to placement of asphaltic concrete;
- (h) final inspection after all works are completed and "Work As Executed" plans, including work on public land, have been submitted to Council.

Where Council is not nominated as the Principal Certifying Authority, documentary evidence in the form of Compliance Certificates, stating that all work has been carried out in accordance with Camden Council's Development Control Plan 2011 and Engineering Specifications must be submitted to Council prior to the issue of the Subdivision/Occupation Certificate.

- (14) **Services** - All services affected due to the proposed work shall be adjusted in consultation with the appropriate Service Authority at no cost to Council.
- (15) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be submitted to and approved by the Principal Certifying Authority.

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 endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- (c) 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".
- (d) confirm that the fill material:
 - (i) provides no unacceptable risk to human health and the environment;
 - (ii) is free of contaminants;

- (iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
- (iv) is suitable for its intended purpose and land use; and
- (v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

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

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

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

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

Note 1: Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (16) **Unexpected Finds Contingency (General)** - Should any further suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material etc) be encountered during any stage of earth works/ site preparation/ construction, then such works must cease immediately until a qualified environmental consultant has been contacted and conducted a thorough assessment. In the event that contamination has been identified as a result of this assessment and remediation is required, site works must cease in the vicinity of the contamination and the Consent Authority must be notified immediately.

Where remediation work is required the applicant will be required to comply fully with Council's Policy - Management of Contaminated Lands with regards to obtaining consent for the remediation works.

5.0 - Prior To Issue Of Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate** - An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) prior to occupation or use of the development. In issuing an Occupation Certificate, the PCA must be satisfied that the requirements of Section 109H of the *Environmental Planning and Assessment Act 1979* have been satisfied.

The PCA must submit a copy of the Occupation Certificate to Camden Council (along with the prescribed lodgement fee) within two (2) days from the date of determination and include all relevant documents and certificates that are relied upon in issuing the certificate.

The use or occupation of the approved development must not commence until such time as all conditions of this development consent have been complied with.

- (2) **Damage to Public Infrastructure** - All public infrastructure that adjoins the development site on public land shall be protected from damage during construction works.

Public infrastructure includes roadways, kerb and guttering, footpaths, service authority infrastructure (such as light poles, electricity pillar boxes, telecommunication pits, sewer and water infrastructure), street trees and drainage systems.

The applicant shall advise Council, in writing, of any existing damage to Council property before commencement of the development. Where existing damage is present, a dilapidation survey of Council's assets, including photographs (with evidence of date) and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of construction works.

The applicant shall bear the cost of all restoration works to public property damaged during the course of this development. Any damage to public infrastructure will be required to be reinstated to Council's satisfaction prior to the issue of a Final Occupation Certificate.

- (3) **Fire Safety Certificates** - A Fire Safety Certificate is to be submitted to the Principal Certifying Authority (PCA) prior to the issue of an Occupation Certificate in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*. The Fire Safety Certificate is to certify that each fire safety measure specified in the current fire safety schedule for the building to which it relates:

- (a) has been assessed by a properly qualified person; and
- (b) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

As soon as practicable after the Final Fire Safety Certificate has been issued, the owner of the building to which it relates:

- (a) must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of Fire & Rescue New South Wales, and
- (b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

- (4) **Street Trees, their Tree Root Barrier Guards, Protective Guards and Bollards** - During any earthworks and development works relating to this Consent, the Applicant is advised:

- (a) That any nature strip street trees, their tree guards, protective bollards, garden bed surrounds or root barrier installation which are disturbed, relocated,

removed, or damaged must be successfully restored at the time the damage or disturbance occurred.

- (b) Any repairs, relocations, reinstallations or replacements needed to the street trees, bollards, garden bed surrounds, tree guards or existing root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees carried out prior to the issue of the Occupation Certificate.
 - (c) An inspection must be arranged with Council's Landscape Development Officer, to determine that the Street Trees and any protective or installation measures have been restored correctly and some degree of reestablishment has occurred.
 - (d) The inspection must occur prior to the issue of the Occupation Certificate.
- (5) **Sydney Water Clearance** - Prior to the issue of an Occupation Certificate a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water and submitted to the Principal Certifying Authority.
- (6) **Acoustic Report Compliance** - A report from a qualified acoustic consultant that contains a certifying statement confirming that the recommendations of the approved Acoustic Report "St Johns Anglican Church, Camden Environmental Noise Impact Assessment for proposed Church Auditorium, Report No. TF229-02F03(rev1) DA Acoustic Assessment dated 24 July 2012 ."have been implemented and are compliant must be submitted to the Principal Certifying Authority for inclusion in any Occupation Certificate application.

The acoustic consultant providing the compliance report must conduct sufficient inspections to verify that all construction aspects of the noise attenuation/control components or measures are being carried out in accordance with the approved acoustic report recommendations and any acoustic conditions of this consent.

Should the acoustic consultant confirm that:

1. any specific construction aspect does not comply with the acoustic report recommendations; or
2. that the constructed noise attenuation /control components or measures do not achieve the criteria set by the approved acoustic report; and
3. the cumulative affect of all mechanical plant operating at the premises does not exceed the project noise goals when measured within any residential property boundary.

The acoustic consultant must advise the applicant and the Principal Certifying Authority of such non-compliance. The applicant must arrange for the submission of an application pursuant to Section 96 of the Environmental Planning and Assessment Act 1979 for the modification of the issued development consent to the Consent Authority (Camden Council) for determination.

- (7) **Trade Waste** - The applicant shall enter into a commercial contract for the collection of trade waste and recycling. A copy of this agreement shall be held on the premises at all times.

(8) **Works As Executed Plan** - prior to the Occupation Certificate being issued, a works-as-executed drawing must be submitted in accordance with Camden Council's current Engineering Construction Specifications to the Principal Certifying Authority.

(9) **Gutter/Footway Crossings** - The following works must be constructed prior to the issue of the Occupation Certificate and under the *Roads Act 1993* must be approved by Camden Council provision of a light duty footway crossing at all points of ingress and egress.

All works must be carried out strictly in accordance with Camden Council's current Engineering Specifications. Prior to works commencing the applicant must contact Council on (02) 4654 7777 to arrange payment of fees and inspection of the works.

(10) **Crossings** - Footpath crossing at the entrances and drainage work off Broughton Street shall be carried out to council's standard subject to approval under the Roads Act.

6.0 - Operational Conditions

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

(1) **Graffiti Management Plan** - A graffiti management plan needs to be incorporated into the maintenance plan for the development. All graffiti shall be removed within 48 hours of the offence.

(2) **Plant Noise Restriction** - The level of total continuous noise emanating from operation of all the plant or processes in all buildings (LAeq) (measured for at least 15 minutes) or in, the above premises must not exceed the background level by more than 5dB(A) when measured at any point on any residential boundary."

(3) **Air Conditioning Units** - All air conditioning units that include those located on the roof and their use must operate at all times so:

- as to be inaudible in neighbouring dwellings during the hours of 10.00pm to 7.00am on weekdays and 10.00pm to 8.00am on weekends and public holidays; and
- as to comply with the relevant noise criteria as contained within the New South Wales Environment Protection Authority's Industrial Noise Policy.

(4) **Offensive Noise** - The use and occupation of the premises including all plant and equipment must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997*.

(5) **Conservation Works** - The following works identified in the Conservation Management Plan Addendum, prepared in 2010 by NBRSPartners, are to be undertaken to ensure the ongoing conservation of the church property:

Policy 41 and 69 - Implement drainage to correct structural cracking to 1906 hall.

Policy 46 - Maintenance and conservation of the cemetery.

Policy 49 - An arborist is to correct structural damage to the cemetery fabric.

Policy 57 - Reconstruct and conserve the Menangle Road lych gate and Broughton Street stairway entry to the church.

Policy 68 - A detailed management plan of St John's Church complex.

Policy 70 - Establish a maintenance allowance in annual budgets.

Policy 71 - Implement cyclic inspection schedules.
Policy 72 - Review maintenance plan

The following works identified in the St John's Church Precinct Conservation Management Plan prepared by Clive Lucas, Stapleton and Partners, prepared in 2004 are to be undertaken to ensure the ongoing conservation of the church property:

Policy 14 - Policy for ongoing preservation and maintenance of cemetery.
Policy 19 - Replace obtrusive elements.
Policy 28 - Preserve the form, materials and front elevation of the 1906 hall.

NOTE: This condition is to identify priority policies within the relevant plans that will be undertaken on an ongoing basis with the conservation of the St John's Church property.

CLPP04

Attachment 7

MODIFIED CONDITIONS**Modification of the Following Conditions:**

- 1.0(1) **Development in Accordance with Plans** - The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

Plan No.	Description	Prepared By	Date
DA01 C	Site Analysis	NBRS Architecture	14 November 2022
DA02 F	Demolition Plan	NBRS Architecture	14 November 2022
DA03 G	Ground Floor Plan - Stage 2	NBRS Architecture	8 February 2023
DA04A D	First Floor Plan - Stage 1	NBRS Architecture	14 November 2022
DA04B E	First Floor Plan - Stage 2	NBRS Architecture	14 November 2022
DA05A D	Roof Plan - Stage 1	NBRS Architecture	14 November 2022
DA05B F	Roof Plan - Stage 2	NBRS Architecture	14 November 2022
DA06 D	North & South Elevations	NBRS Architecture	14 November 2022
DA07 F	East Elevation Section DD	NBRS Architecture	14 November 2022
DA08 F	Sections AA, BB & CC	NBRS Architecture	14 November 2022
DA09 G	Additional Information	NBRS Architecture	8 February 2023
DA10 C	External Finishes Schedule	NBRS Architecture	14 November 2022
DA15 D	Signage	NBRS Architecture	14 November 2022
LDA100 5	Landscape Plan	NBRS Architecture Landscape	5 October 2022
LDA200 5	Planting Palette & Details	NBRS Architecture Landscape	5 October 2022
C001 6	Notes & Legend	JN Engineering	28 September 2022
C050 6	Typical Details	JN Engineering	28 September 2022
C051 2	Stormwater Catchment Details	JN Engineering	13 February 2023
C200 8	Ground Stormwater Plan	JN Engineering	13 February 2023
C205 2	Lower Ground Stormwater Plan	JN Engineering	13 February 2023
C210 4	First Floor Stormwater Plan	JN Engineering	28 September 2022
ESM1 4	Notes & Legend	JN Engineering	28 September 2022
ESM2 4	ESM Plan	JN Engineering	28 September 2022
MSK04 (1 of 3)	Mechanical Plant Sketch (1 of 3)	JN Engineering	14 November 2022
MSK04 (2 of 3)	Mechanical Plant Sketch (2 of 3)	JN Engineering	14 November 2022
MSK04 (3 of 3)	Mechanical Plant Sketch (3 of 3)	JN Engineering	14 November 2022

N/A	Conservation Management Plan Addendum	NBRS+Partners	15 December 2010
N/A	Statement of Environmental Effects	Ross Newport	N/A
N/A	Supplementary Details	NBRS+Partners	21 May 2012
Report No. TF229-03F02 (r2)	St Johns Anglican Church, Camden Section 4.55(2) Acoustic Report	Renzo Tonin & Associates	21 May 2019
N/A	Arboricultural Development Assessment Report	Moore Trees Arboricultural Services	7 October 2022

Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions of this consent override the approved plans/documentation to the extent of the inconsistency.

- 1.0(4) **Hours of Operation** - The hours of operation for the approved land-use are:

Monday to Sunday: 8am to 10pm.

All vehicle movements, deliveries and any other operations associated with the use of the premises must be restricted to approved hours of operation. Any alteration to these hours will require the prior approval of the Consent Authority.

- 2.0(7) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with:

- (a) Camden Council's current Engineering Specifications, and
- (b) Camden Council's Development Control Plan 2019.

Installation of or changes to regulatory signage, line marking and devices are subject to the concurrence of Council's Local Traffic Committee on local roads and Transport for NSW on State roads.

- 2.0(10) **Drainage Design** - A detailed drainage design for the drainage system shall be prepared by an engineer or a qualified and experienced person in hydraulics and hydrology in accordance with Council's engineering specifications. The drainage design must comply with the approved plans and ensure that water is not directed towards the 1906 hall on the eastern side of the site. All pipes used in trafficable areas shall be sewer grade. The drainage system shall be connected to the drainage pit provided in the road.

- 2.0(12) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site consistent with the approved plans and designed in accordance with Council's engineering specifications.

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

2.0(14) **Car Parking** - A minimum of an additional 32 car parking spaces must be provided on site. The car parking layout, spaces, aisles and the grades of the proposed car parking area shall be amended to comply with Australian Standard 2890.1. All disabled parking shall be designed and constructed to comply with AS 2980.6. The proposed granite surface treatment of the car park shall laid on a spray bitumen seal as part of the construction of the car park pavement in order to prevent generation of dust and transfer of sediment.

2.0(22) **Acoustic Requirements** - All recommendations outlined in Section 7 of the Acoustic report prepared by Renzo Tonin and Associates namely 'St Johns Anglican Church, Camden Section 4.55(2) Acoustic Report, Report No. TF229-03F02 Acoustic Assessment (r2) dated 31 May 2019' shall be implemented.

3.0(2) **SafeWork NSW - Demolition Notifications and Permits** - Under work health and safety legislation a person conducting a business or undertaking who proposes to carry out any of the following demolition work must ensure that written notice is given to the regulator, in the manner and form required by the regulator, at least five days before the work commences:

- demolition of a structure, or a part of a structure that is load bearing or otherwise related to the physical integrity of the structure, that is at least 6m in height,
- demolition work involving load shifting machinery on a suspended floor, or
- demolition work involving explosives.

The height of a structure is measured from the lowest level of the ground immediately adjacent to the base of the structure (at the point at which the height is to be measured) to its highest point.

All demolition work must be otherwise conducted in accordance with the SafeWork NSW Code of Practice - Demolition Work (August 2019).

3.0(3) **Information Required Prior to Demolition** - The demolisher shall lodge with Camden Council or the principal certifier at least 48 hours prior to the commencement of demolition work the following details:

- (a) written notice indicating the date when demolition of the building is to commence;
- (b) copy of the demolition licence and details of name, address and business hours contact telephone number;
- (c) a copy of the applicable asbestos licence (if required for demolition works involving asbestos);
- (d) copy of the SafeWork NSW permit for the demolition works;
- (e) copy of the SafeWork NSW stamped notification form including any asbestos removal notification.

- 3.0(4) **Demolition Work** - The approved demolition work must comply with the following requirements:
- a) The developer shall notify adjoining residents of demolition works 7 working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite, the demolition site.
 - b) Prior to demolition, the applicant shall erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
 - c) Prior to demolition, the applicant shall erect a 1.8m high temporary fence and hoarding between the work site and any public property (footpaths, roads, reserves etc). Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when work is not in progress or when the site is otherwise unoccupied.
 - d) Prior to demolition, all services (such as sewer, telephone, gas, water and electricity) must be disconnected. The developer must consult with the relevant service authorities regarding their requirements for the disconnection of services.
 - e) Suitable erosion and sediment control measures in accordance with an approved erosion and sediment control plan shall be installed prior to the commencement of demolition works and shall be maintained at all times.
 - f) A work plan prepared by a suitably qualified person in accordance with AS 2601 - Demolition of Structures shall be provided to the principal certifier for approval prior to demolition works commencing. The work plan shall identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
 - g) If the property was built prior to 1987, an asbestos survey shall be carried out by a suitably qualified person prior to demolition. If asbestos is found, a SafeWork NSW licensed contractor shall remove all asbestos in accordance with the requirements of SafeWork NSW, including notification of adjoining neighbours of asbestos removal. All asbestos material must be disposed of at a facility licenced to accept asbestos. Tipping receipts for the disposal of the asbestos must be retained.
 - h) The burning of any demolished material on site is not permitted and offenders will be prosecuted.
 - i) Care shall be taken during demolition to ensure that existing services on the site (i.e. sewer, electricity, gas, phone, etc.) are not damaged. Any damage caused to existing services is to be repaired by the relevant authority at the expense of the applicant.
- 3.0(7) **Notice of Commencement of Work and Appointment of Principal Certifying Authority** - Notice in the manner required by the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000* shall be lodged with Camden Council at least two (2) days prior to

commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building or subdivision works.

- 5.0(1) **Occupation Certificate** - An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) prior to occupation or use of the development. In issuing an Occupation Certificate, the PCA must be satisfied that the requirements of the *Environmental Planning and Assessment Act 1979* have been satisfied.

The PCA must submit a copy of the Occupation Certificate to Camden Council (along with the prescribed lodgement fee) within two (2) days from the date of determination and include all relevant documents and certificates that are relied upon in issuing the certificate.

The use or occupation of the approved development must not commence until such time as all conditions of this development consent have been complied with.

- 5.0(6) **Acoustic Report Compliance** - A report from a qualified acoustic consultant that contains a certifying statement confirming that the recommendations of the approved acoustic report 'St Johns Anglican Church, Camden Section 4.55(2) Acoustic Report, Report No. TF229-03F02 Acoustic Assessment (r2) dated 31 May 2019' have been implemented and are compliant must be submitted to the principal certifier for inclusion in any Occupation Certificate application.

The acoustic consultant providing the compliance report must conduct sufficient inspections to verify that all construction aspects of the noise attenuation/control components or measures are being carried out in accordance with the approved acoustic report recommendations and any acoustic conditions of this consent.

Should the acoustic consultant confirm that:

1. any specific construction aspect does not comply with the acoustic report recommendations, or
2. that the constructed noise attenuation /control components or measures do not achieve the criteria set by the approved acoustic report, and
3. the cumulative effect of all mechanical plant operating at the premises does not exceed the project noise goals when measured within any residential property boundary.

the acoustic consultant must advise the applicant and the principal certifier of such non-compliance. The applicant must arrange for the submission of an application pursuant to Section 4.55 of the *Environmental Planning and Assessment Act 1979* for the modification of the issued development consent to the Council.

Addition of the Following Conditions:

- 1.0(10) **Heritage NSW General Terms of Approval** - The development must comply with the Heritage NSW general terms of approval dated 28 February 2023.
- 1.0(11) **Tree Removal** - Only those trees identified for removal in approved arboricultural development assessment report prepared by Moore Trees Arboricultural Services

and updated 7 October 2022 are approved for removal. All remaining site trees and other vegetation located outside of the development footprint must be retained.

Tree removal work must only be carried out by a fully insured and qualified arborist. Suitable qualifications for an arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in arboriculture for the actual carrying out of tree works and AQF level 5 in arboriculture for hazard, tree health and risk assessments and reports.

1.0(12) **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.

1.0(13) **Children's Play Area Equipment** - Neutral and muted tones must be chosen for the colours of the children's play area equipment.

1.0(14) **Child Proof Fence** - The child proof fence adjoining the columbarium must be installed such that it does not restrict access to the columbarium.

1.0(15) **Approved Signage Lighting** - The approved signage lighting must comply with AS AS 1158 - Lighting for Roads and Public Spaces and AS 4282 - Control of the Obtrusive Effects of Outdoor Lighting.

1.0(16) **Development Staging** - The development may be completed in two stages as shown on the approved plans.

Should the development be completed in two stages, the following conditions of this development consent must be complied with in the following stages:

Stage 1

- 1.0(1) Development in Accordance with Plans
- 1.0(5) Building Code of Australia
- 1.0(10) Heritage NSW General Terms of Approval
- 1.0(12) Shoring and Adequacy of Adjoining Property
- 2.0(1) Salinity
- 2.0(2) Fire Safety Measures
- 2.0(3) Civil Engineering Plans
- 2.0(5) Environmental Site Management Plan

- 2.0(7) Design and Construction Standards
- 2.0(8) Civil Engineering Details
- 2.0(9) Public Risk Insurance Policy
- 2.0(15) Compaction
- 3.0(1) Demolition Australian Standard
- 3.0(2) SafeWork NSW - Demolition Notifications and Permits
- 3.0(3) Information Required Prior to Demolition
- 3.0(4) Demolition Work
- 3.0(5) Erection of Signs
- 3.0(6) Toilet Facilities
- 3.0(7) Notice of Commencement of Work and Appointment of Principal Certifying Authority
- 3.0(8) Construction Certificate Before Work Commences
- 3.0(9) Soil Erosion and Sediment Control
- 3.0(10) Rubbish Removal
- 3.0(11) Soil and Water Management
- 3.0(12) Site is to be Secured
- 3.0(14) Traffic Management Plan
- 3.0(15) Construction Management Plan
- 3.0(17) Protection of Trees to Be Retained
- 4.0(1) Fill Quality
- 4.0(4) Retaining Walls
- 4.0(5) Hours of Work
- 4.0(6) Site Management
- 4.0(10) Construction Noise Levels
- 4.0(11) Removal Of Waste Materials
- 4.0(12) Stabilised Access Point
- 4.0(13) Civil Engineering Inspections
- 4.0(14) Services
- 4.0(15) Fill Material
- 4.0(16) Unexpected Finds Contingency (General)
- 4.0(17) Vehicles Leaving the Site
- 4.0(18) Relics Discovered During Works
- 4.0(19) Aboriginal Objects Discovered During Works
- 4.0(20) Protection for Existing Trees
- 5.0(1) Occupation Certificate
- 5.0(2) Damage to Public Infrastructure
- 5.0(3) Fire Safety Certificates
- 5.0(5) Sydney Water Clearance
- 5.0(13) Geotechnical Compliance Certificate
- 6.0(2) Plant Noise Restriction
- 6.0(3) Air Conditioning Units
- 6.0(4) Offensive Noise

Stage 2

All conditions in all sections of this development consent.

- 2.0(23) **Damages Bond** - The applicant is to lodge a bond with Council to ensure any damage to existing public infrastructure is rectified in accordance with Council's Development Infrastructure Bonds Policy.

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

- 2.0(24) **Geotechnical Design Certificate** - Batters steeper than 1(V):4(H) shall be designed by suitably qualified geotechnical engineer. Details of the design to be provided to principal certifier.
- 2.0(25) **Absorption Trench** - The absorption trench system shall be designed by a suitably qualified engineer in accordance with Australian Standards and relevant guidelines with details demonstrating compliance submitted to the certifier. This must include geotechnical investigation to identify infiltration rates for the absorption system design.
- 2.0(26) **Detailed Landscaping Plan** - A detailed landscaping plan must be prepared in accordance with Appendix B of Camden Development Control Plan 2019. Details demonstrating compliance must be provided to the certifier.

The detailed landscaping plan must also replace the trees identified with the code 'SM' with Chinese elms.

- 3.0(12) **Site is to be Secured** - The site shall be secured and fenced.
- 3.0(13) **Dilapidation Report - Council Property** - A dilapidation report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the site shall be prepared. The report must be submitted to the principal certifier and Council at least 2 days prior to the commencement of works.

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

- 3.0(14) **Traffic Management Plan** - A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. The plan must be submitted to the principal certifier.
- 3.0(15) **Construction Management Plan** - A construction management plan that includes, dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the principal certifier.
- 3.0(16) **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'.

In addition to the above the tree protection measures contained within section 5 and appendices 1, 5 and 6 of the arboricultural development assessment report prepared by Moore Trees Arboricultural Services and updated 7 October 2022 must be implemented in full during all phases of the development.

- 3.0(17) **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 trees 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.

In addition to the above the tree protection measures contained within section 5 and appendices 1, 5 and 6 of the arboricultural development assessment report prepared by Moore Trees Arboricultural Services and updated 7 October 2022 must be implemented in full during all phases of the development.

- 4.0(17) **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.
- 4.0(18) **Relics Discovered 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.
- 4.0(19) **Aboriginal Objects Discovered During Works** - If any Aboriginal object (including evidence of habitation or remains) is discovered during the work:
- all excavation or disturbance of the area must stop immediately in that area,
 - Heritage NSW must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*, and
 - any requirements of Heritage NSW must be implemented.
- 4.0(20) **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.

In addition to the above the tree protection measures contained within section 5 and appendices 1, 5 and 6 of the arboricultural development assessment report prepared by Moore Trees Arboricultural Services and updated 7 October 2022 must be implemented in full during all phases of the development.

- 5.0(11) **Positive Covenant - On-Site Detention (OSD) / On-Site Retention (OSR) / Water Quality Facility** - A positive covenant shall be created under Section 88E of the *Conveyancing Act 1919* burdening the owner(s) with a requirement to maintain the on-site detention, water quality facility and on-site retention/re-use facilities on the property, prior to the issue of an Occupation Certificate.

The terms of the Section 88E instrument with positive covenant shall include the following:

- a) the proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures,
- b) the proprietor shall have the facilities inspected annually by a competent person,
- c) the Council shall have the right to enter upon the land referred to above at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities,
- d) the registered proprietor shall indemnify Council and any adjoining land owners against damage to their land arising from the failure of any component of the OSD and OSR, or failure to clean, maintain and repair the OSD and OSR.

The proprietor or successor shall bear all costs associated in the preparation of the subject Section 88E instrument. Proof of registration with NSW Land Registry Services shall be provided to and approved by the principal certifier prior to the issue of an Occupation Certificate.

- 5.0(12) **Stormwater - Plan of Management (POM)** - The registered proprietor of the land shall prepare a plan of management (POM) for the on-site detention facilities. The POM shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM shall be provided to the principal certifier for approval.

- 5.0(13) **Geotechnical Compliance Certificate** - A certificate of compliance prepared by a suitably qualified and experienced geotechnical engineer shall be provided to the principal certifier stating that the works detailed in the geotechnical report have been undertaken under the engineer's supervision and to the engineer's satisfaction, and that the assumptions relating to site conditions made in preparation of the report were validated during construction. This certificate shall accompany the works-as-executed plans.

- 5.0(14) **Works-As-Executed Plans (Drainage Works)** - certified by a registered surveyor shall be submitted to the principal certifier to verify that the drainage works have been completed in accordance with the stamped approved plans. The following details shall be shown on the works-as-executed plans and shall be marked in red on a copy of the original stamped approved plan at the construction certificate stage:

- a) Sufficient levels and dimensions to verify the on-site detention and water quality facility storage volume, including the volume achieved.
- b) Levels and other relevant dimensions of:
 - Internal drainage pipes.
 - Orifice plates.
 - Outlet control devices/pits.
 - Weirs (including widths).
- c) Verification that the orifice plates have been fitted and the diameter of the fitted plates.
- d) Verification that the trash screen is installed.

The details provided on the works-as-executed plans shall also be in accordance with Council's engineering specifications.

- 5.0(15) **Completion of Landscaping Works** - All landscaping works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscaping plans and conditions of this development consent.
- 5.0(16) **Inspection of Existing Street Trees** - All existing street trees must be inspected by Council to ensure that they are undamaged and in a healthy condition.
- 6.0(6) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscaping plans.
- 6.0(7) **Landscaping Maintenance and Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.

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

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

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

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

- 6.0(8) **Removable Basketball Hoop Use** - The use of the removable basketball hoop in the car park must only occur when the car park is not in use.

Deletion of the Following Conditions:

- 1.0(2) **Protection of View Corridor**
- 1.0(9) **Landscaping Maintenance and Establishment Period**
- 2.0(20) **Protection for Existing Trees and Other Landscape Features On-site**
- 2.0(21) **Street Tree Protection Standards During all Development and Construction Works**
- 5.0(4) **Street Trees, their Tree Root Barrier Guards, Protective Guards and Bollards**

CLPP04

Attachment 8

NBRS+PARTNERS

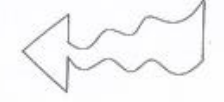
MAINTAIN VIEW VISTAS TO ST JOHN'S CHURCH FROM ALL DIRECTIONS

MAINTAIN VIEW VISTAS TO ST JOHN'S CHURCH FROM ALL DIRECTIONS



SUMMER SUN PATH 8PM DAYLIGHT SAVING TIME

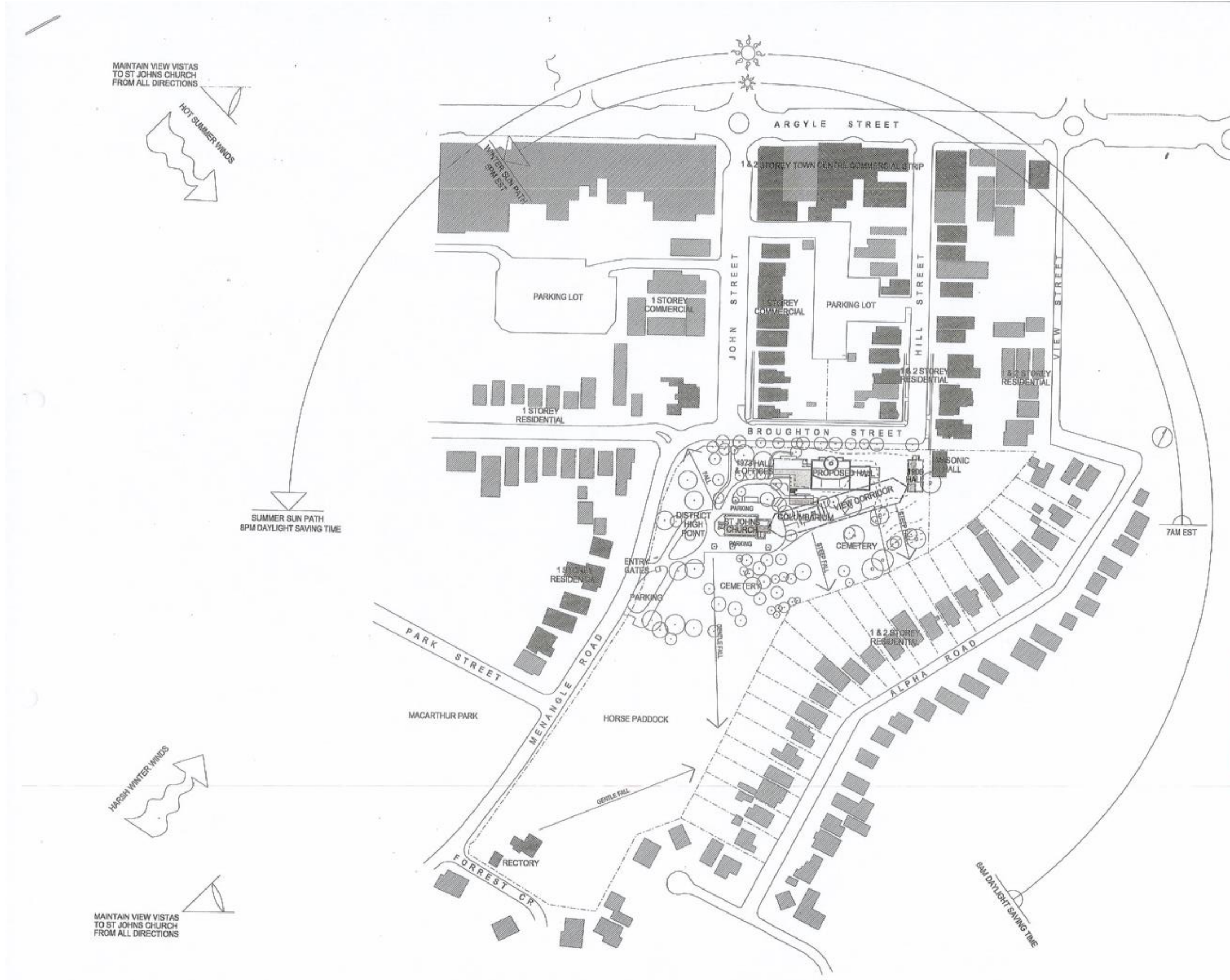
ADVANTAGEOUS AFTERNOON BREEZES



MAINTAIN VIEW VISTAS TO ST JOHN'S CHURCH FROM ALL DIRECTIONS

MAINTAIN VIEW VISTAS TO ST JOHN'S CHURCH FROM ALL DIRECTIONS

CAMDEN COUNCIL
 Approved by the Council of Camden under the provisions of the Environment Planning and Assessment Act 1979
APPROVAL
17 AUG 2012
 DEVELOPMENT APPLICATION
 DA 195 / 2012
 Per: M



Issue	No.	Date	Description	Chkd
B	15/05/2012	Council Requested Clarification	RS	
A	02/02/2012	Development Application	RS	
g2	29/04/2011	preliminary	XX	
g3	28/08/2011	preliminary	XX	

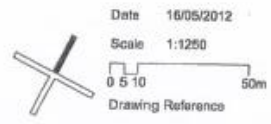
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 A/N: 16 002 247 502
 Architectural Architects: Robley Smith reg No. 2066; Graham Thadum reg No. 5795
 Geology: Geology reg No. 3765; Andrew Duffin reg No. 5402; Gary Holdfast reg No. 5355

HERITAGE GENERAL ITEM

Drawing Title
SITE ANALYSIS

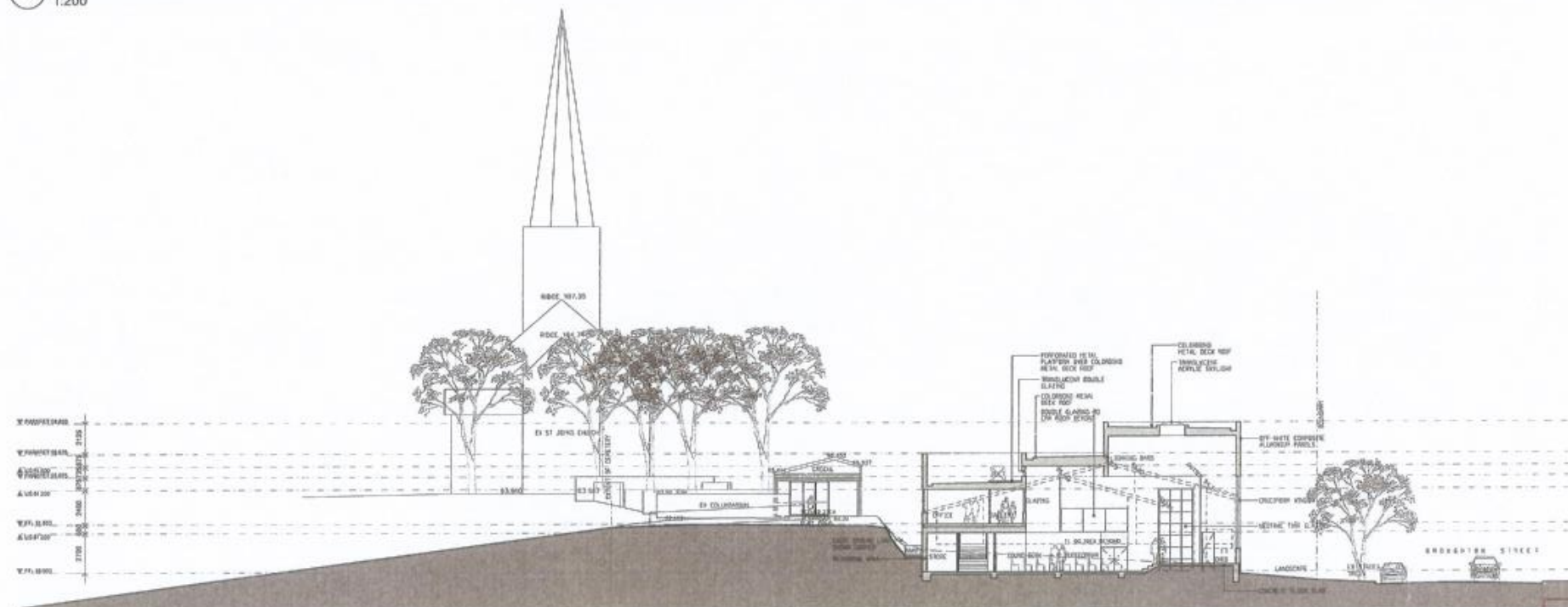
Project & Client
 St John's Anglican Church Camden
 at
 Broughton Street Camden
 for

Architect
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 Level 3, 4 Glen Street, Milsom Point, NSW 2051 Australia
 T: 61 2 9922 2344 F: 61 2 9922 1308
 E: architects@nbsr.com.au W: www.nbsr.com.au
 CAD File F:\Eg-094000\100091-es\PlotSheet\0301-04.dwg





03 SECTION AA
1:200



04 SECTION BB
1:200



05 SECTION CC
1:200

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of the Environment Planning and Assessment Act 1979
APPROVAL
17 AUG 2012
DEVELOPMENT APPLICATION
DA 195 / 2012
Per: M

Attachments for the Camden Local Planning Panel Meeting held on 18 April 2023 - Page 260

ISSUE	No.	Date	Description	Child
	01	12/05/2012	Council Requested Clarification	RS
	A	02/02/2012	Development Application	RS
	02	29/04/2011	preliminary	XX
	03	28/09/2011	preliminary	XX

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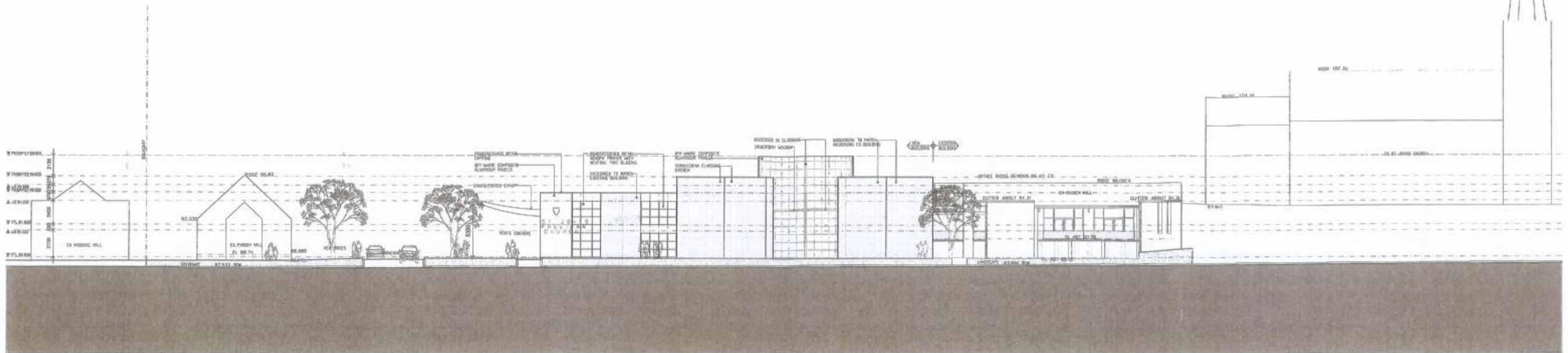
Drawing Title
SECTIONS AA, BB & CC

Project & Client
St John's Anglican Church Camden
at
Broughton Street Camden
for
Anglican Diocese of Sydney

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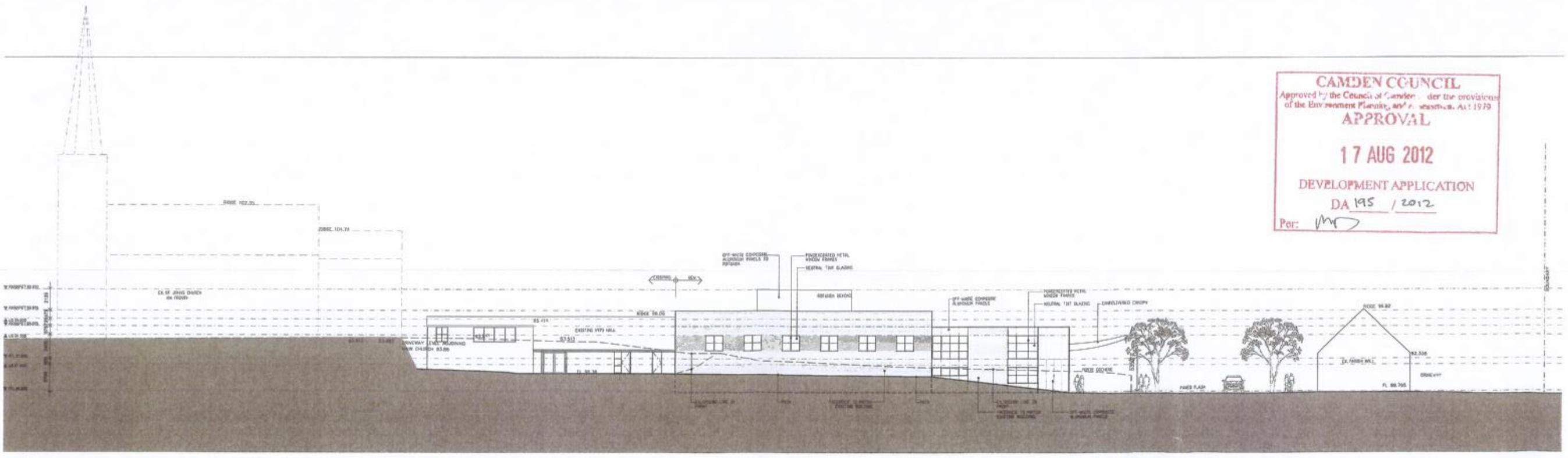
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Drawing Reference
09081-DA08-B

NBRSPARTNERS



01 NORTH ELEVATION
1:200

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 Approved by the Council of Camden under the provisions
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APPROVAL
17 AUG 2012
 DEVELOPMENT APPLICATION
 DA 195 / 2012
 Per: *[Signature]*



02 SOUTH ELEVATION
1:200

Issue No.	Date	Description	Classification	Checked
B	15/05/2012	Council Requested	RS	
A	02/02/2012	Developer's Application	RS	
p2	29/04/2011	preliminary	XX	
p3	29/09/2011	preliminary	XX	

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NORTH & SOUTH ELEVATIONS

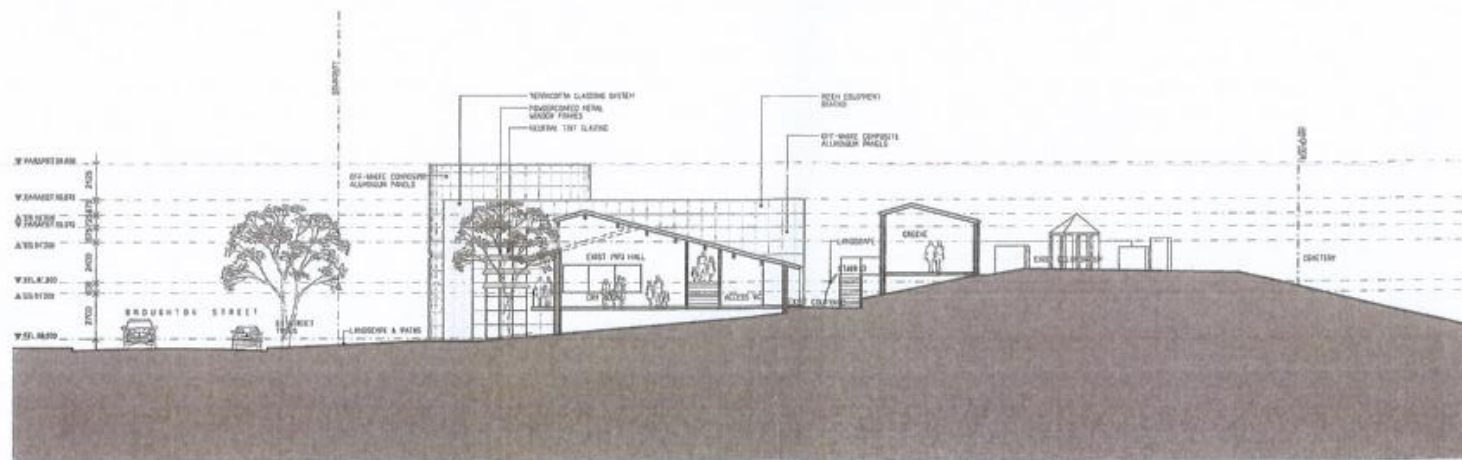
Project & Client
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at
Broughton Street Camden
for
Anglican Diocese of Sydney

Architect
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Scale 1:200 @ A1
Drawing Reference
09081-DA06-B



03 EAST ELEVATION
1:200



03 SECTION DD
1:200

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APPROVAL
17 AUG 2012
DEVELOPMENT APPLICATION
DA 195 / 2012
Per: *[Signature]*

Issue	No.	Date	Description	Checked
	1	15/05/2012	Council Requested Classification	RIS
	2	03/02/2012	Development Application	RIS
	3	29/04/2011	preliminary	XX
	4	29/09/2011	preliminary	XX

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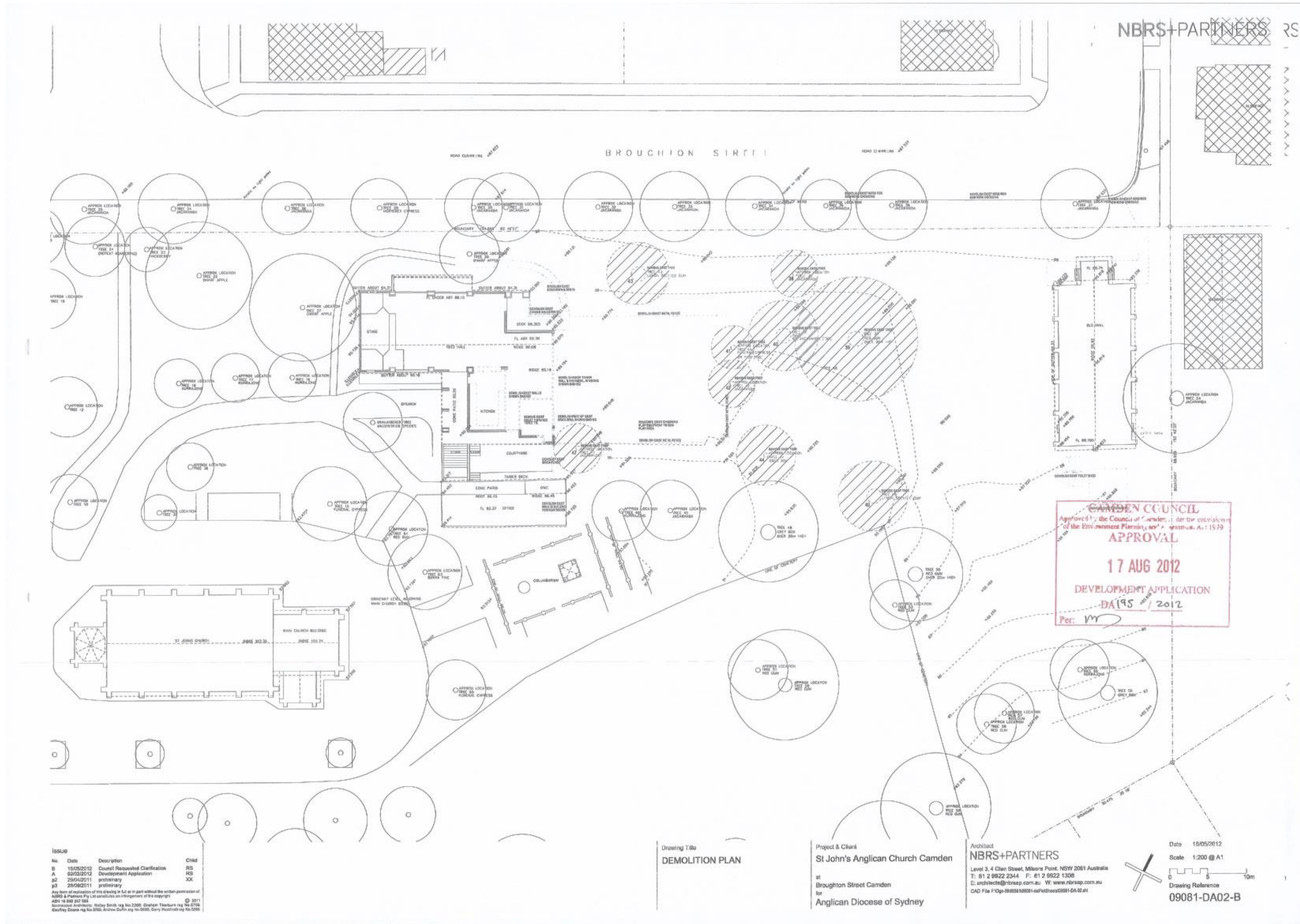
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**EAST ELEVATION
SECTION DD**

Project & Client
St John's Anglican Church Camden

at
Broughton Street Camden
for
Anglican Diocese of Sydney

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Drawing Reference
09081-DA07-B



NBRS+PARTNERS RS

BROUGHTON STREET

CAMDEN COUNCIL
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APPROVAL
17 AUG 2012
 DEVELOPMENT APPLICATION
 DA195 / 2012
 Per: *M*

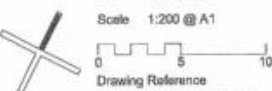
ISSUE	No.	Date	Description	Chkd
B	15/05/2012	Council Requested Clarification	RS	
A	02/02/2012	Development Application	RS	
	28/04/2011	preliminary	XK	
	29/08/2011	preliminary	XK	

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 Geoffrey Gleason reg No 5266, Andrew Duffin reg No 5205, Garry Woodroffe reg No 5265

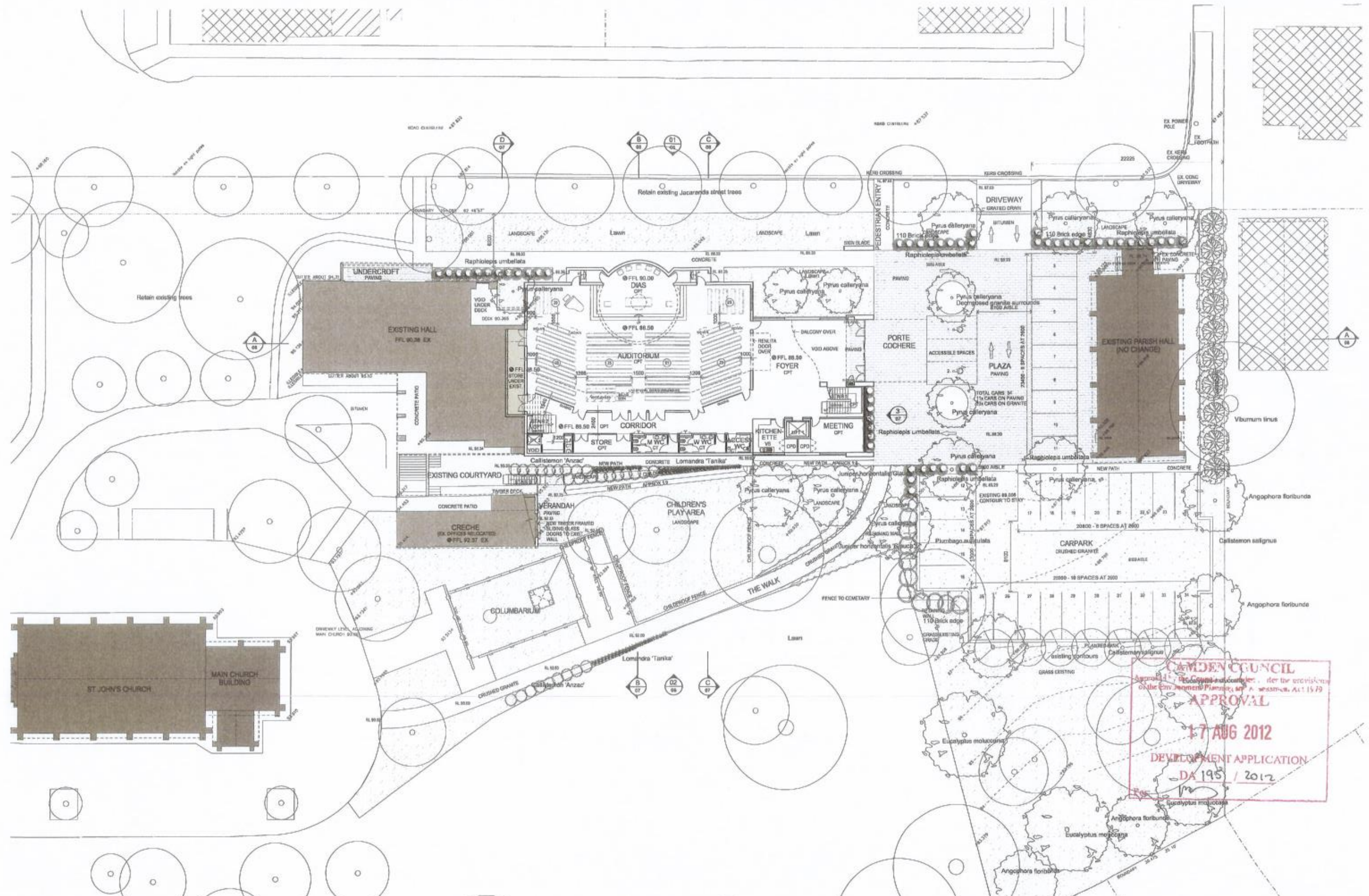
Drawing Title
DEMOLITION PLAN

Project & Client
St John's Anglican Church Camden
 at
 Broughton Street Camden
 for
 Anglican Diocese of Sydney

Architect
NBRS+PARTNERS
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Date 18/05/2012
 Scale 1:200 @ A1

 Drawing Reference
09081-DA02-B

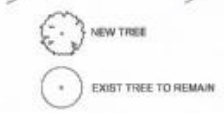
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Attachments for the Camden Local Planning Panel Meeting held on 18 April 2023 - Page 264

ISSUE	No.	Date	Description	Chkd
B	15/05/2012	Council Requested Clarification	RS	
A	02/02/2012	Development Application	RS	
p2	29/04/2011	preliminary	XX	
p3	28/09/2011	preliminary	XX	

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 Geoffrey Oates reg No 3246, Andrew Giffin reg No 5502, Garry Heston reg No 5258



Drawing Title
GROUND FLOOR PLAN

Project & Client
St John's Anglican Church Camden

at
Broughton Street Camden
for
Anglican Diocese of Sydney

Architect
NBRS+PARTNERS

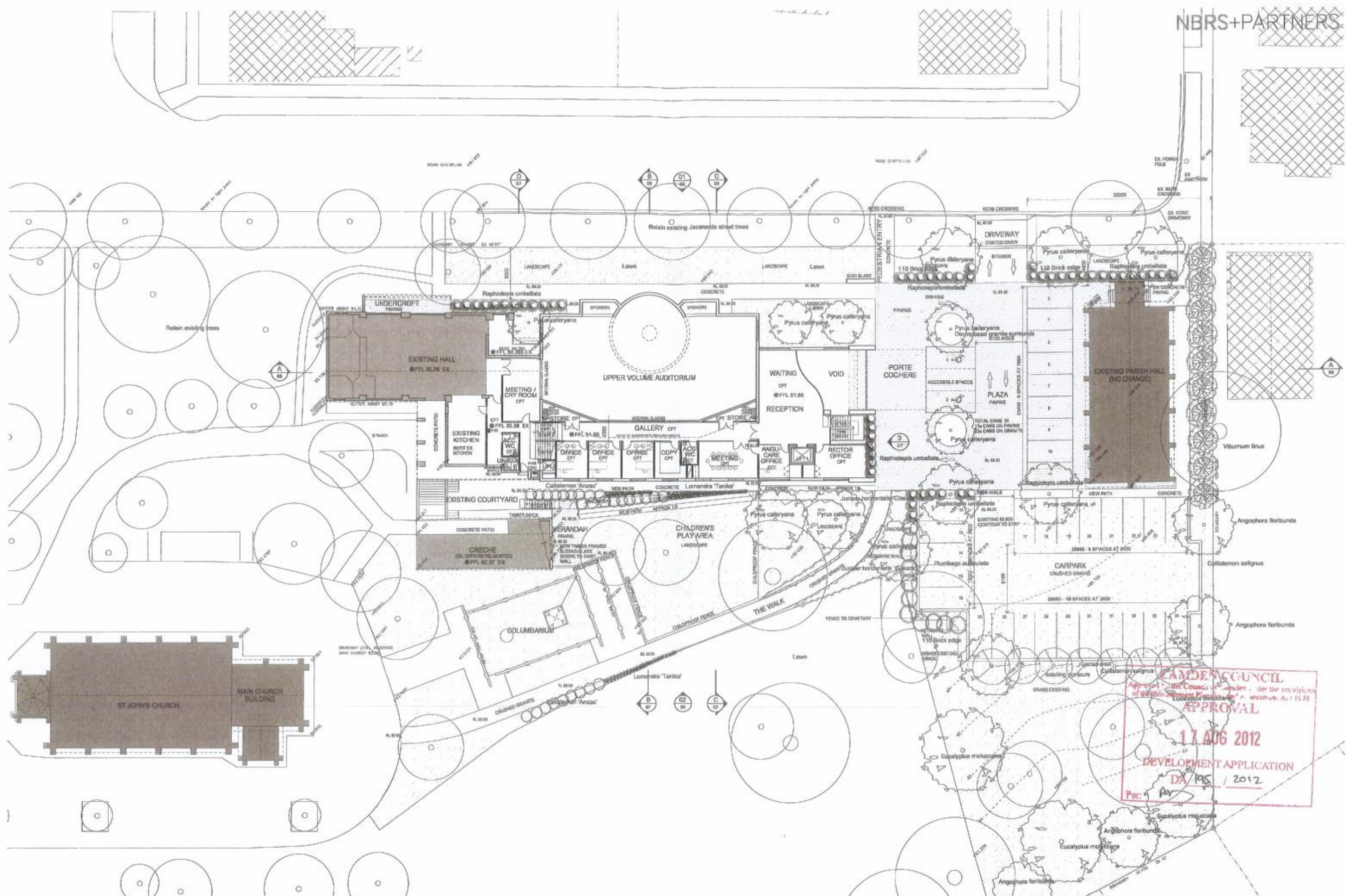
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Date 16/05/2012
 Scale 1:200 @ A1

Drawing Reference
09081-DA03-B

CAMDEN COUNCIL
 Approved for the Council and Committee under the provisions
 of the Environmental Planning and Assessment Act 1979
APPROVAL
17 AUG 2012
 DEVELOPMENT APPLICATION
-DA 195 / 2012

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ISSUE	No.	Date	Description	Chkd
	B	15/05/2012	Council Requested Clarification	RS
	A	02/02/2012	Development Application	RS
	D2	20/04/2011	preliminary	XK
	D3	20/03/2011	preliminary	XK

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Drawing Title
FIRST FLOOR PLAN

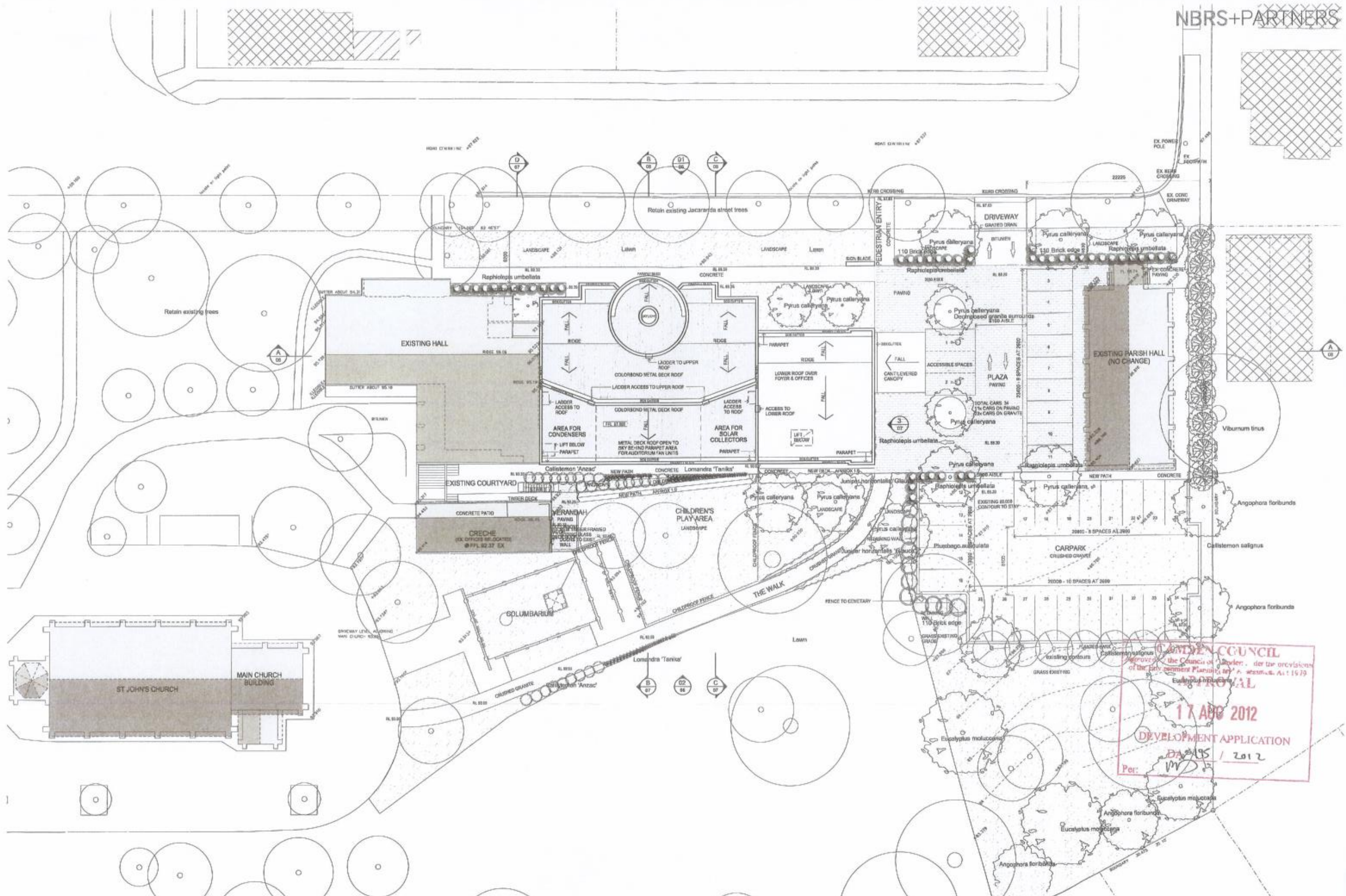
Project & Client
 St John's Anglican Church Camden
 at
 Broughton Street Camden
 for
 Anglican Diocese of Sydney

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Date 16/05/2012
 Scale 1:200 @ A1
 Drawing Reference
 09081-DA04-B

CAMDEN COUNCIL
 Approved by the Council of Camden for the development application of the above described project in accordance with the Local Government Act 1995
 APPROVAL
 17 AUG 2012
 DEVELOPMENT APPLICATION
 DA 195 / 2012
 Per: [Signature]

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Attachments for the Camden Local Planning Panel Meeting held on 18 April 2023 - Page 266

Issue No.	Date	Description	Checked
B	15/05/2012	Council Requested Clarification	RS
A	02/02/2012	Development Application	RS
p2	28/04/2011	preliminary	XX
p3	28/09/2011	preliminary	XX

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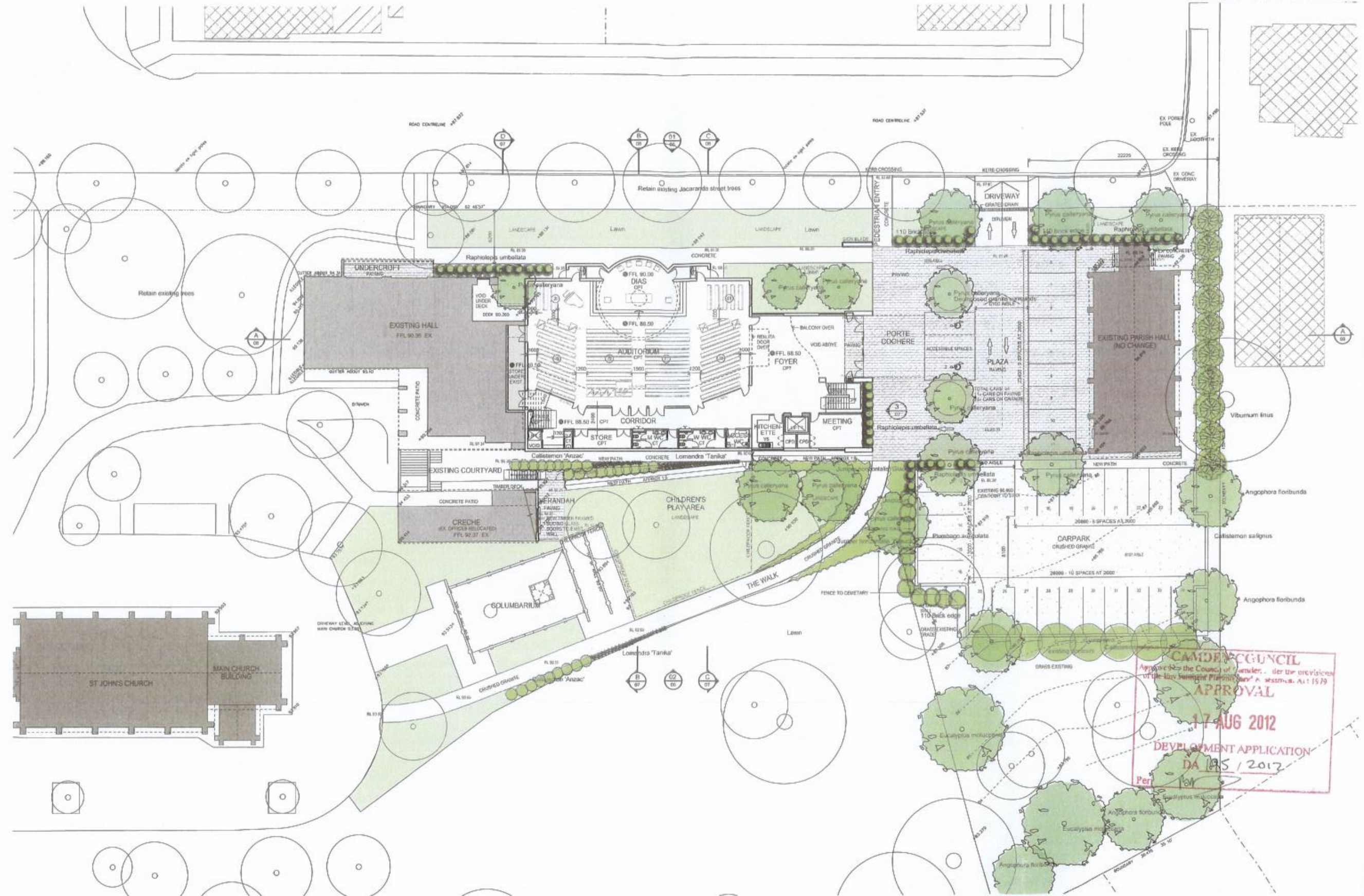
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ROOF PLAN

Project & Client
St John's Anglican Church Camden
 at
 Broughton Street Camden
 for
 Anglican Diocese of Sydney

Architect
NBRS+PARTNERS
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 E: architects@nbsap.com.au W: www.nbsap.com.au
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Date 16/03/2012
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 Drawing Reference
09081-DA05-B

CAMDEN COUNCIL
 Approves the Council of Camden, for the provisions
 of the Environmental Planning and Assessment Act 1979
APPROVAL
17 AUG 2012
DEVELOPMENT APPLICATION
 DA 95 / 2012
 Per: [Signature]



CAMDEN COUNCIL
 Approves the Council of Camden, under the provisions
 of the Local Government Planning Act 1959
APPROVAL
 17 AUG 2012
 DEVELOPMENT APPLICATION
 DA 195 / 2012
 Per [Signature]

No	Date	Description	Chkd
B	15/05/2012	Council Requested Clarification	JW
A	14/03/2012	Development Application	JW

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Drawing Title
Landscape Plan
 Landscape Consultant
 Stuart Pritchard FAIA
 Registered Landscape Architect (221)

Project & Client
St John's Anglican Church Camden
 at
 Broughton Street Camden
 Anglican Diocese of Sydney

Architect
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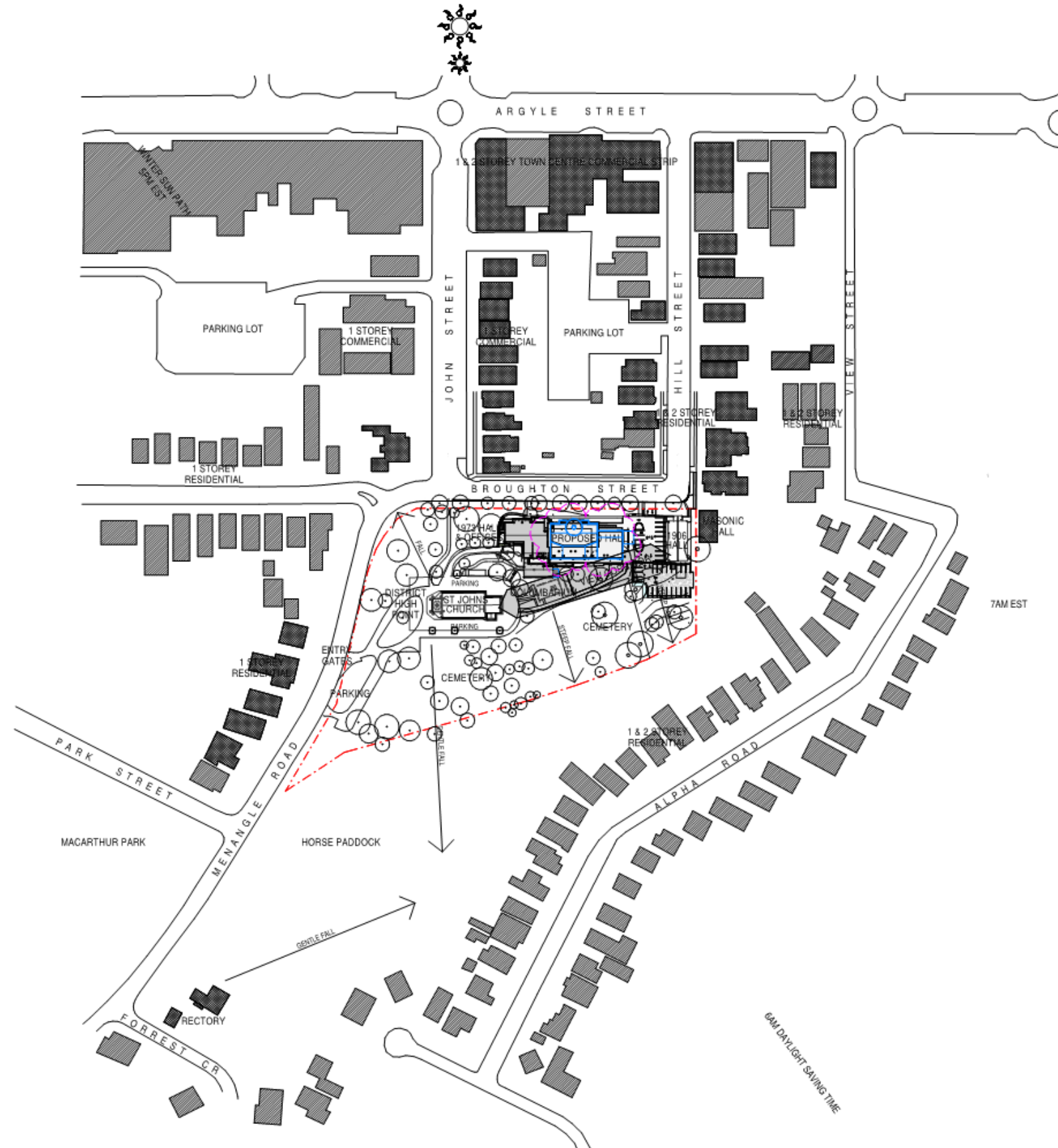
Date 16/05/2012
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 Drawing Reference
09081-LP01-B

MAINTAIN VIEW VISTAS TO ST JOHNS CHURCH FROM ALL DIRECTIONS



MAINTAIN VIEW VISTAS TO ST JOHNS CHURCH FROM ALL DIRECTIONS



SUMMER SUN PATH 8PM DAYLIGHT SAVING TIME

ADVANTAGEOUS AFTERNOON BREEZ



MAINTAIN VIEW VISTAS TO ST JOHNS CHURCH FROM ALL DIRECTIONS



MAINTAIN VIEW VISTAS TO ST JOHNS CHURCH FROM ALL DIRECTIONS

Issue No.	Date	Description	Chgd
A	02/10/2012	Development Application	
B	15/05/2012	Council Required Clarification	
C	23/07/2021	Development Application - Section 4.55 RF	

Arborist - Moore Trees
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 paul@moortrees.com.au

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Planner - Ethos Urban
 Michael Rowe
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 MRowe@ethosurban.com

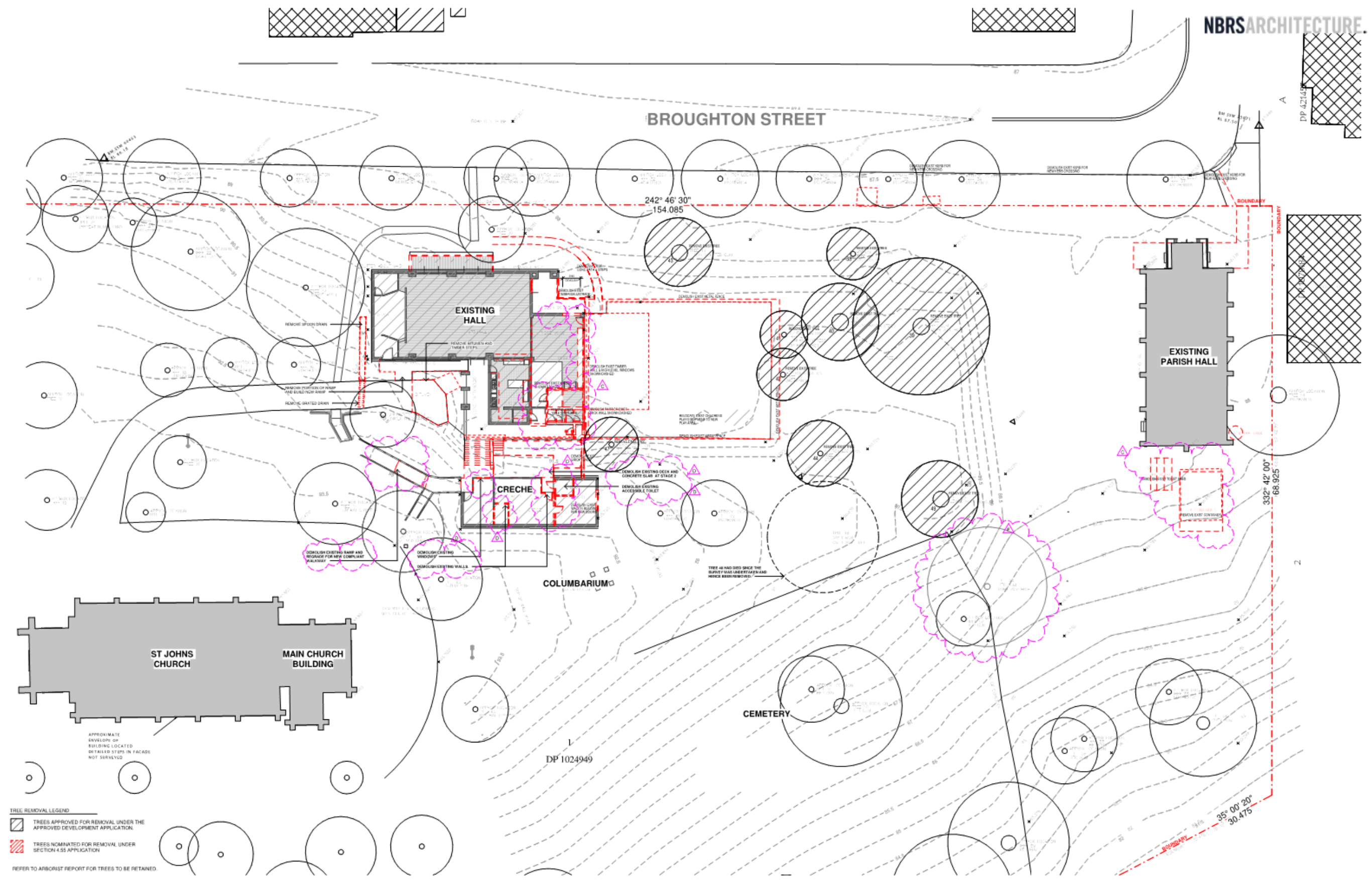
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 Brad Morgan
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 bradm@jns.com.au

Drawing Title
SITE ANALYSIS

Project
St John's Anglican Church
 at
 Broughton Street, Camden
 for
 Anglican Diocese of Sydney

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 Drawing Reference
09081-DA01 - C



TREE REMOVAL LEGEND

- TREES APPROVED FOR REMOVAL UNDER THE APPROVED DEVELOPMENT APPLICATION.
- TREES NOMINATED FOR REMOVAL UNDER SECTION 4.55 APPLICATION.

REFER TO ARBORIST REPORT FOR TREES TO BE RETAINED.

1 DEMOLITION PLAN
1 : 200

Issue No.	Date	Description	Chkd
A	02/02/2012	Development Application	
B	15/05/2012	Council Requested Clarification	
C	23/07/2021	Development Application - Section 4.55 RF	
D	26/10/2022	Development Application - Section 4.55 RF	
F	07/11/2022	Development Application - Section 4.55 RF	

Arborist - Moore Trees
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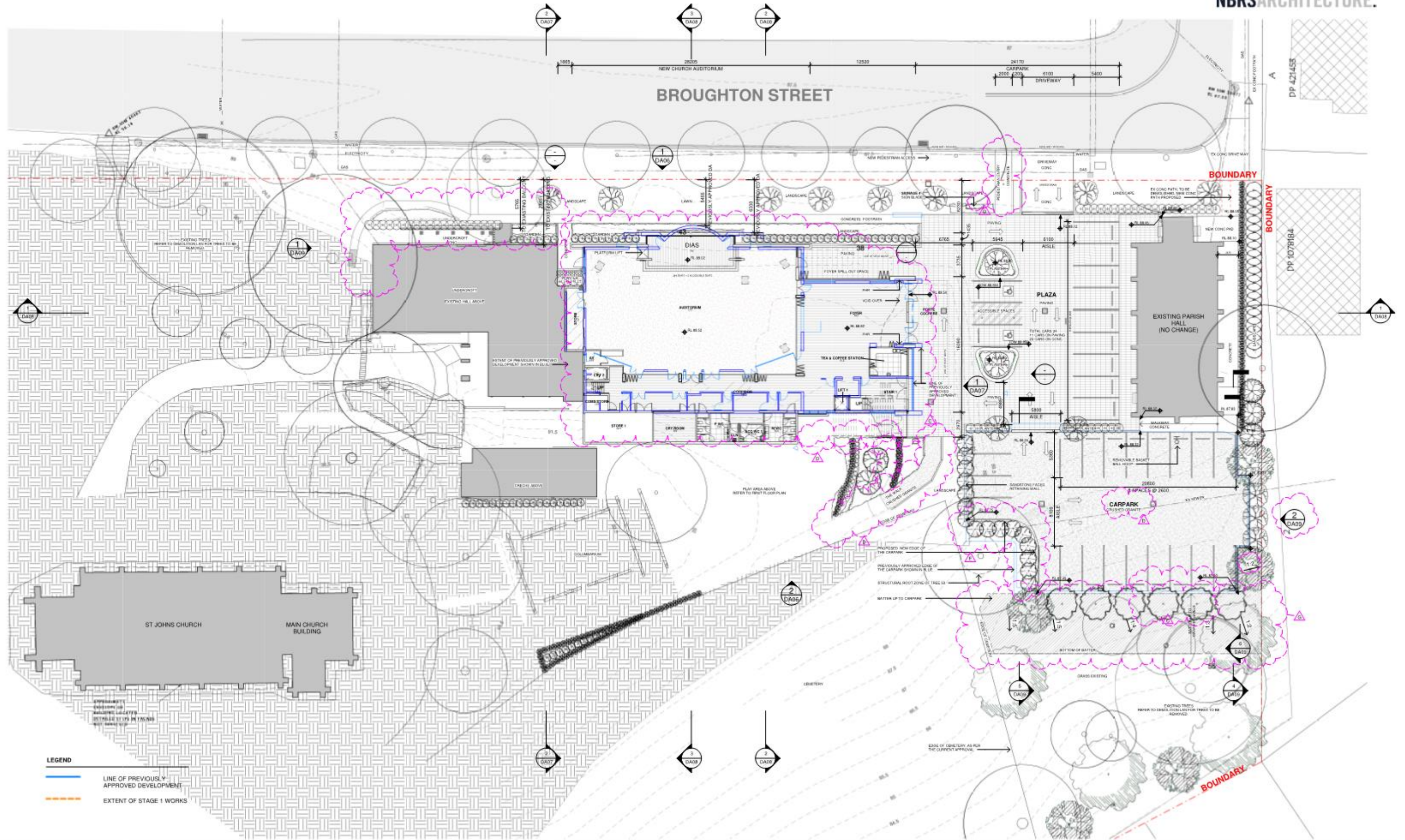
Civil Engineer - JN
Brad Morgan
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L8, 49 York Street, Sydney, NSW, 2000
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Drawing Title
DEMOLITION PLAN

Project
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at
Broughton Street, Camden
for
Anglican Diocese of Sydney

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Sydney
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09081-DA02-F



Attachments for the Camden Local Planning Panel Meeting held on 18 April 2023 - Page 270

1 GROUND FLOOR PLAN
1 : 200

Issue No.	Date	Description	Grid
A	02/02/2012	Development Application	
B	15/05/2012	Council Required Clarification	
C	23/07/2021	Development Application - Section 4.55	RF
D	25/03/2022	Development Application - Section 4.55	RF
E	07/10/2022	Development Application - Section 4.55	RF
G	08/09/2023	DA - Section 4.55 - Carpark Rater	RF

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Acoustic Engineer - Renzo Tonin
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 L1, 418A Elizabeth Street, Surry Hills, NSW, 2010
 david.suwandi@renzotonin.com.au

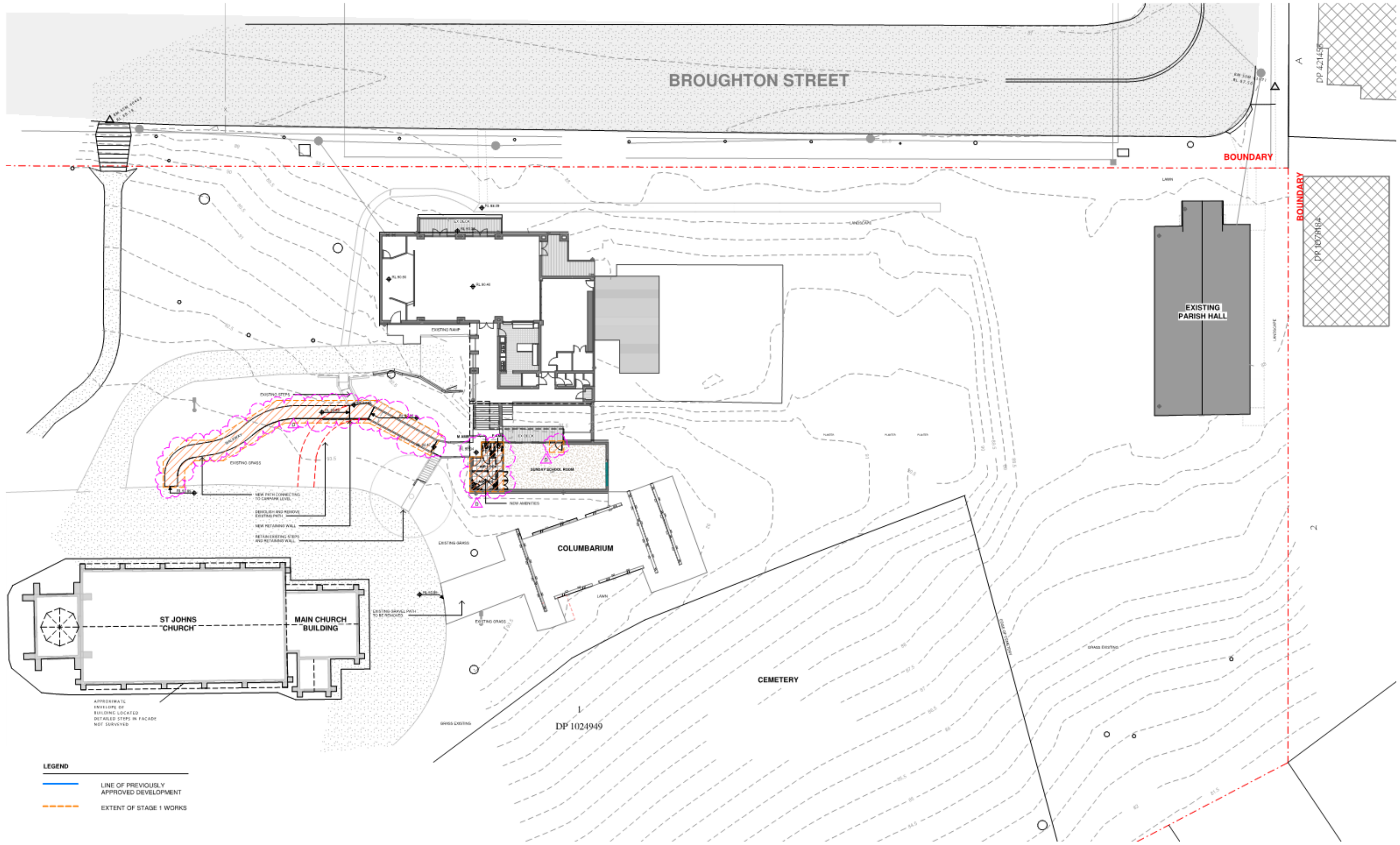
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Drawing Title
GROUND FLOOR PLAN - STAGE 2

Project
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 for
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Attachments for the Camden Local Planning Panel Meeting held on 18 April 2023 - Page 271

1 FIRST FLOOR PLAN
1 : 200

Issue	No.	Date	Description	Checked
C	23/07/2021	Development Application - Section 4.55	RF	
D	25/03/2022	Development Application - Section 4.55	RF	

Arborist - Moore Trees
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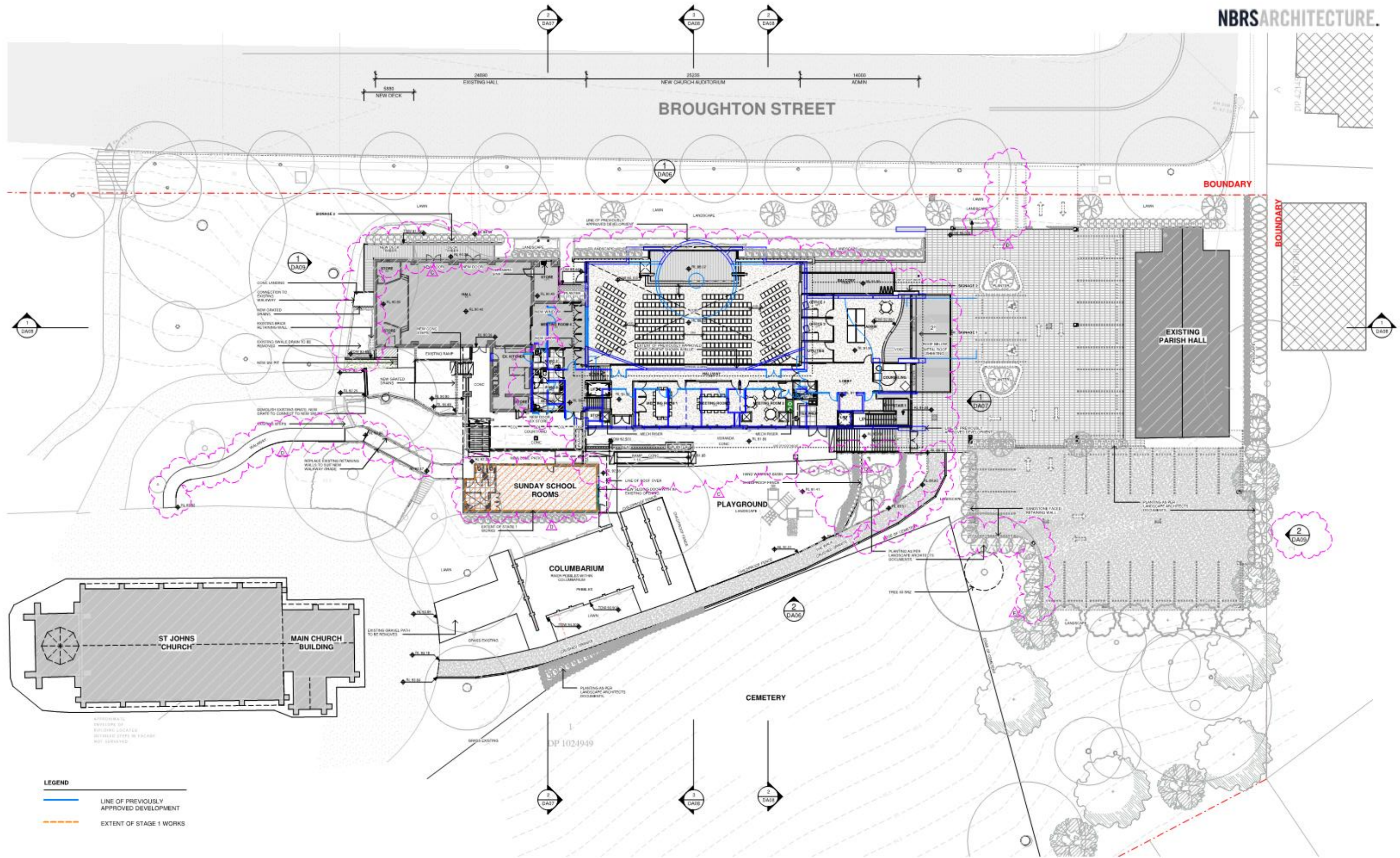
Acoustic Engineer - Renzo Tonin
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Attachments for the Camden Local Planning Panel Meeting held on 18 April 2023 - Page 272

Attachment 10

Proposed plans

1 FIRST FLOOR PLAN
1 : 200

Issue No.	Date	Description	Grid
A	02/02/2012	Development Application	
B	15/05/2012	Council Required Clarification	
C	23/07/2021	Development Application - Section 4.55 RF	
D	25/03/2022	Development Application - Section 4.55 RF	
E	07/10/2022	Development Application - Section 4.55 RF	

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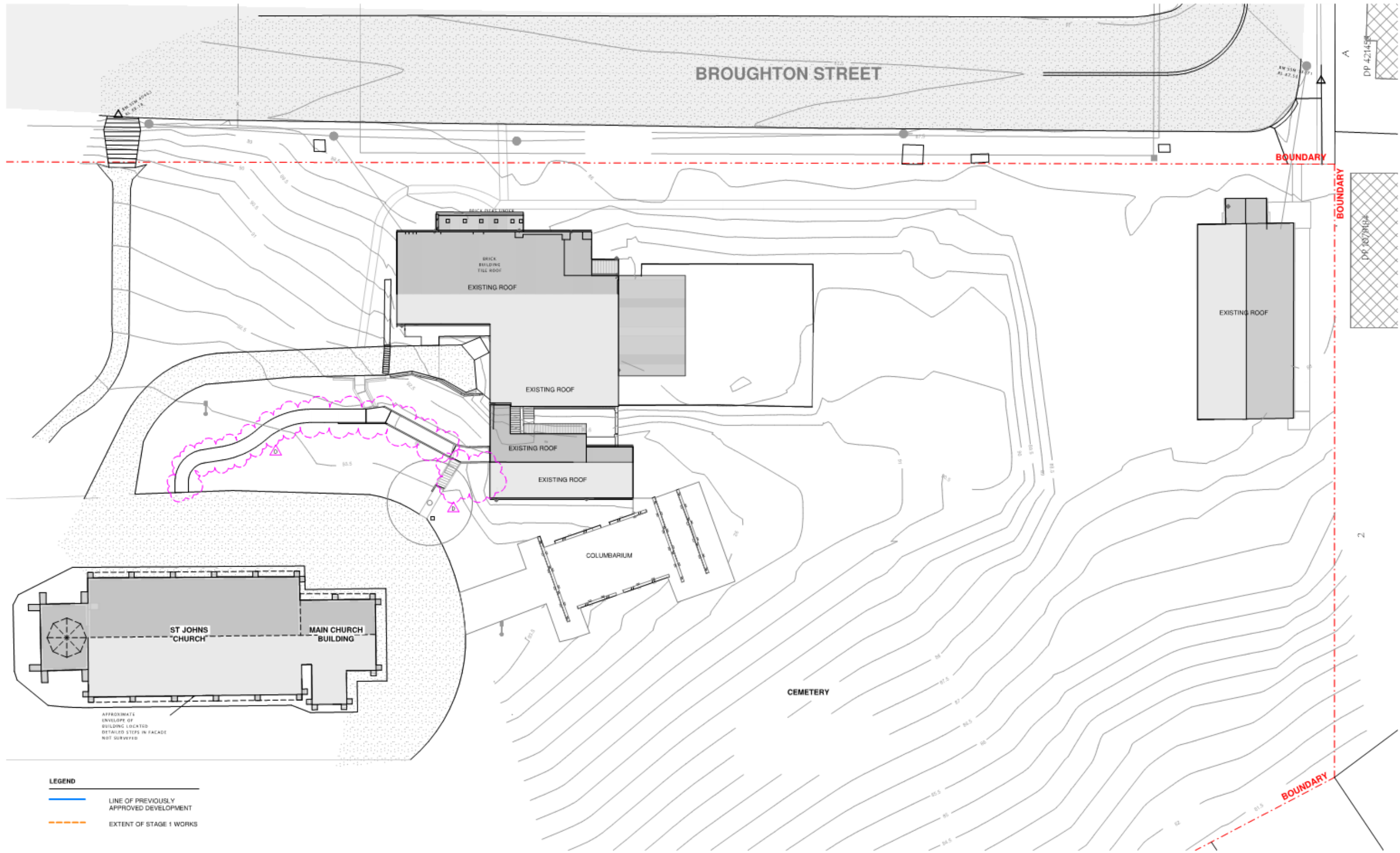
Planner - Ethos Urban
Michael Rowe
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Drawing Title
FIRST FLOOR PLAN - STAGE 2

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for
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09081-DA04B-E



Attachments for the Camden Local Planning Panel Meeting held on 18 April 2023 - Page 273

- LEGEND**
- LINE OF PREVIOUSLY APPROVED DEVELOPMENT
 - - - - - EXTENT OF STAGE 1 WORKS

1 ROOF PLAN
1 : 200

ISSUE	No.	Date	Description	Checked
C	23/07/2021	Development Application - Section 4.55	RF	
D	25/03/2022	Development Application - Section 4.55	RF	

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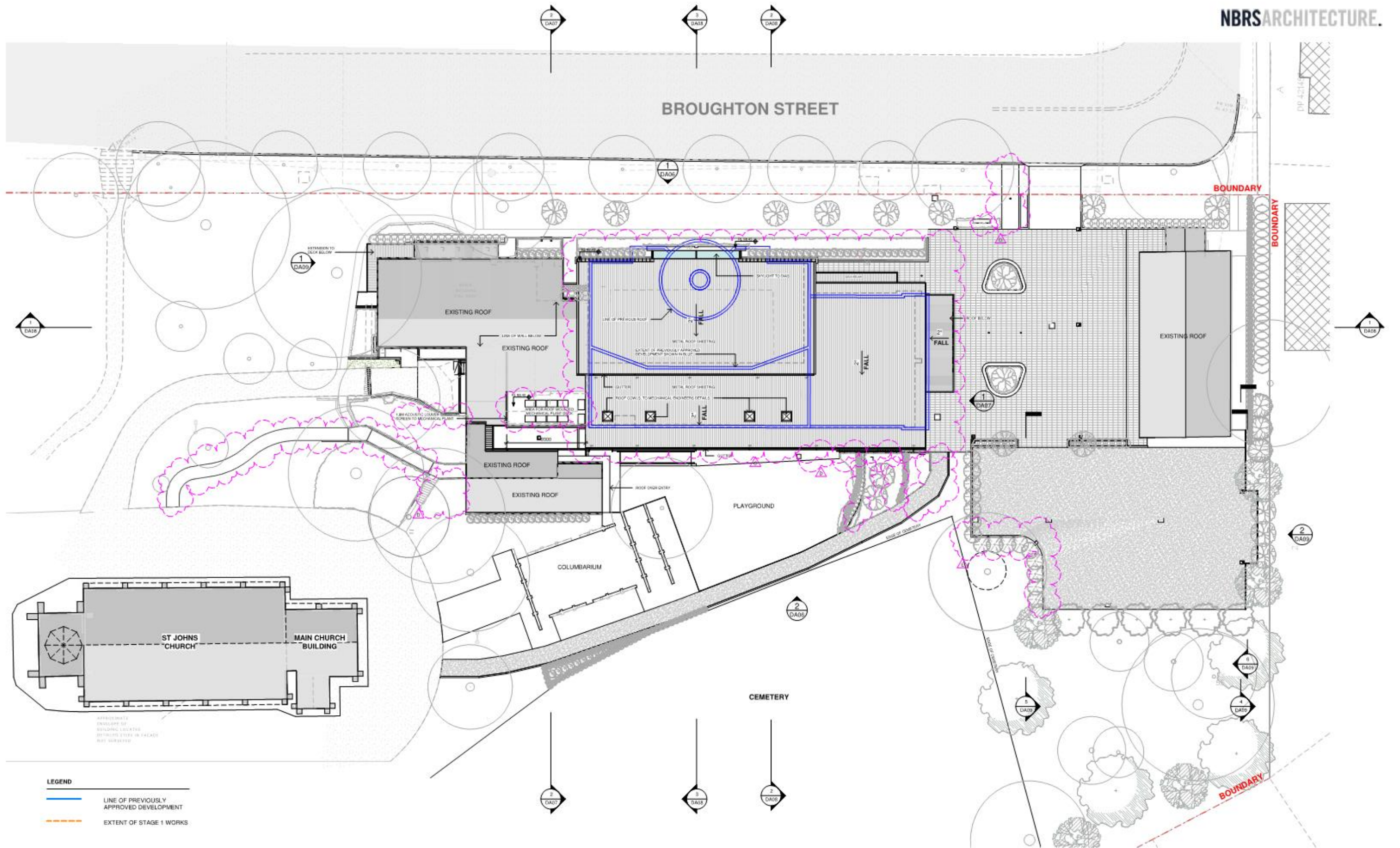
Civil Engineer - JN
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Drawing Title
ROOF PLAN - STAGE 1

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Attachments for the Camden Local Planning Panel Meeting held on 18 April 2023 - Page 274

1 ROOF PLAN
1 : 200

LEGEND

- LINE OF PREVIOUSLY APPROVED DEVELOPMENT
- - - - - EXTENT OF STAGE 1 WORKS

Issue No.	Date	Description	Grid
A	02/02/2012	Development Application	
B	15/05/2012	Council Required Clarification	
C	23/07/2021	Development Application - Section 4.55	RF
D	25/03/2022	Development Application - Section 4.55	RF
E	07/10/2022	Development Application - Section 4.55	RF
F	07/11/2022	Development Application - Section 4.55	RF

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Drawing Title
ROOF PLAN - STAGE 2

Project
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Anglican Diocese of Sydney

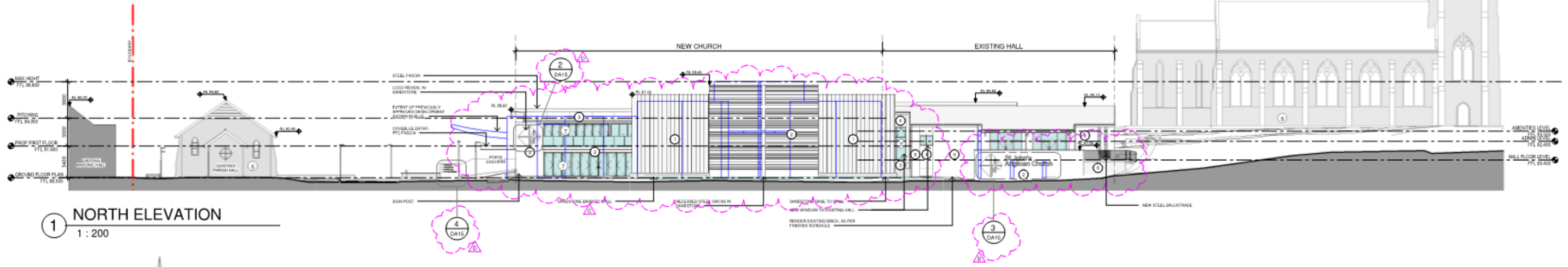
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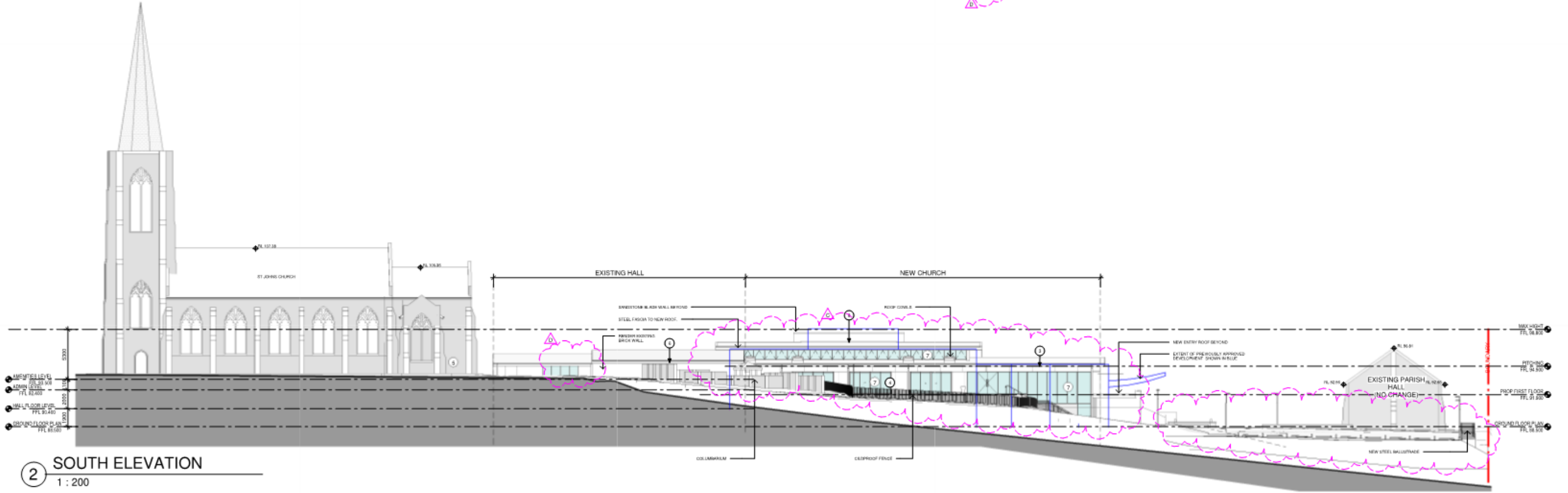
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— LINE OF PREVIOUSLY APPROVED DEVELOPMENT

- - - - - EXTENT OF STAGE 1 WORKS



1 NORTH ELEVATION
1 : 200



2 SOUTH ELEVATION
1 : 200

ISSUE	No.	Date	Description	Chgd
A	02/02/2012	Development Application		
B	15/05/2012	Council Requested Clarification		
C	23/07/2021	Development Application - Section 4.55 RF		
D	28/10/2022	Development Application - Section 4.55 RF		

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Drawing Title
NORTH & SOUTH ELEVATIONS

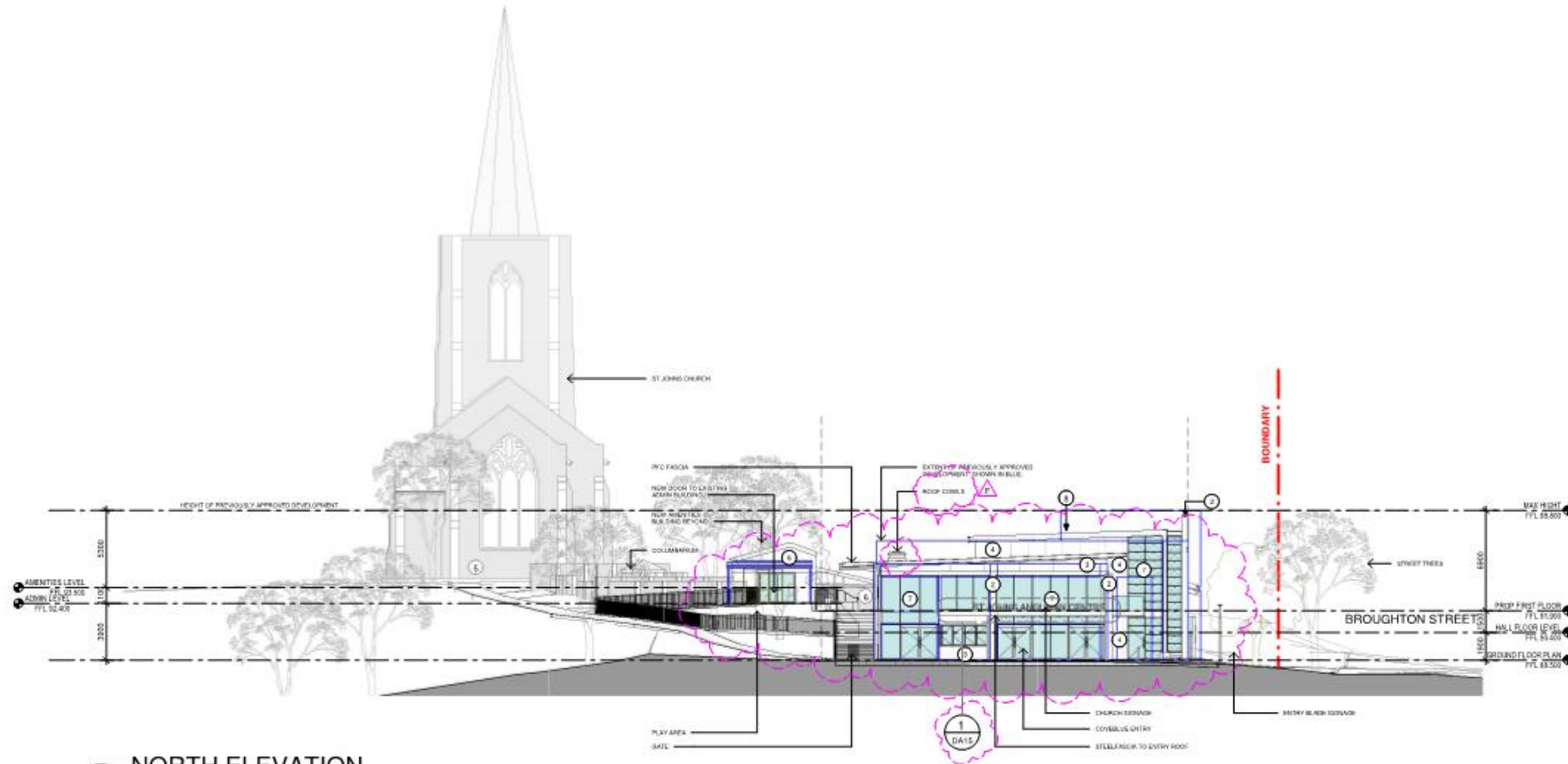
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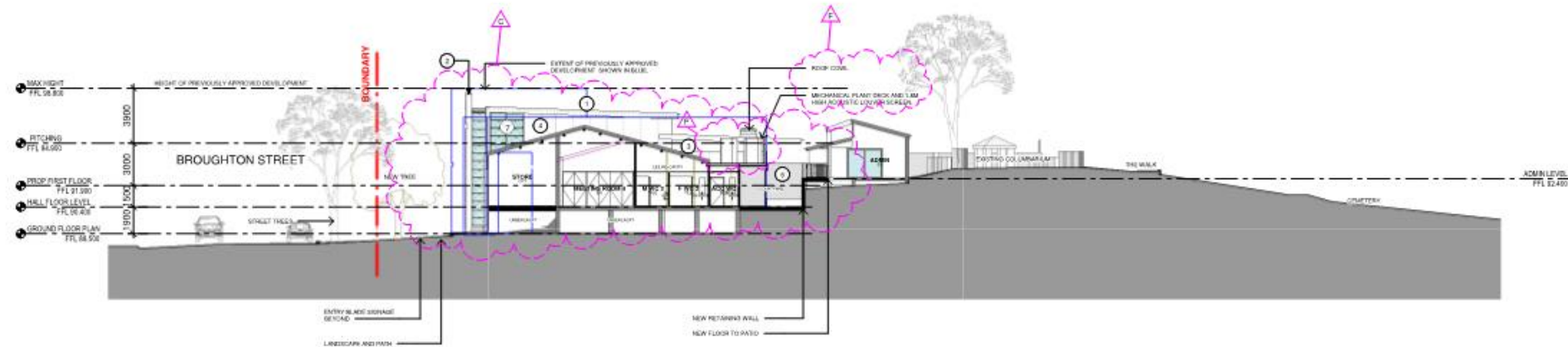
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09081-DA06-D

LEGEND

	LINE OF PREVIOUSLY APPROVED DEVELOPMENT
	EXTENT OF STAGE 1 WORKS



1 NORTH ELEVATION
1 : 200



2 SECTION DD
1 : 200

Issue No.	Date	Description	Chgd
A	02/02/2012	Development Application	
B	15/05/2012	Council Required Clarification	
C	23/07/2021	Development Application - Section 4.55	RF
D	25/03/2022	Development Application - Section 4.55	RF
F	07/11/2022	Development Application - Section 4.55	RF

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Drawing Title
EAST ELEVATION SECTION DD

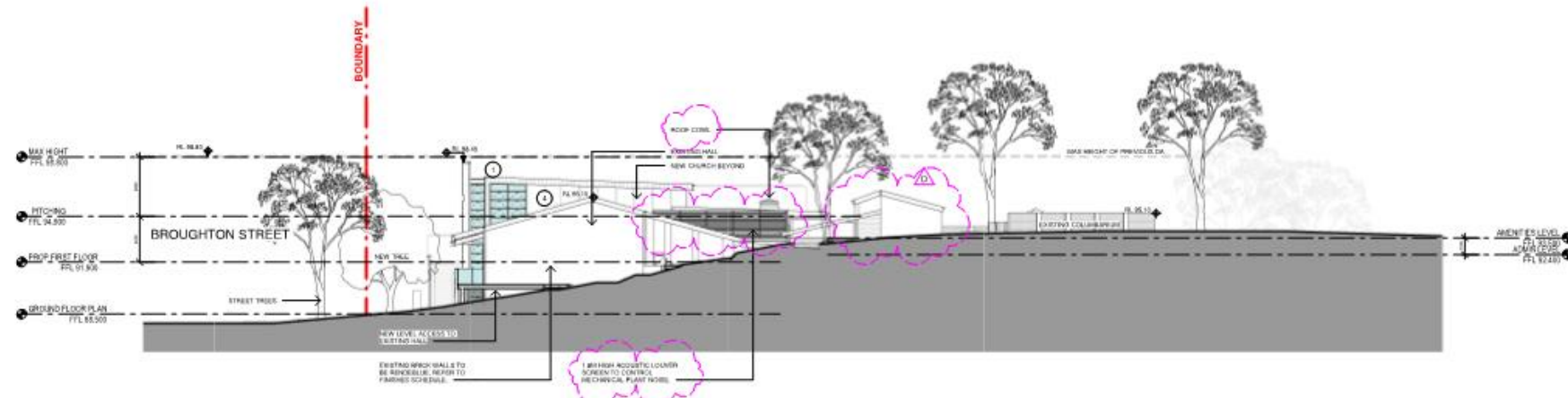
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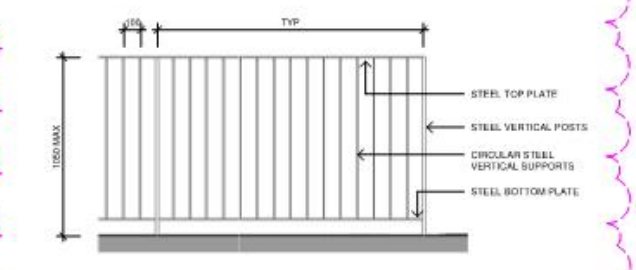




1 SOUTH ELEVATION
1 : 200



2 CARPARK - NE ELEVATION
1 : 200



3 INDICATIVE BALUSTRADE DETAIL
1 : 20

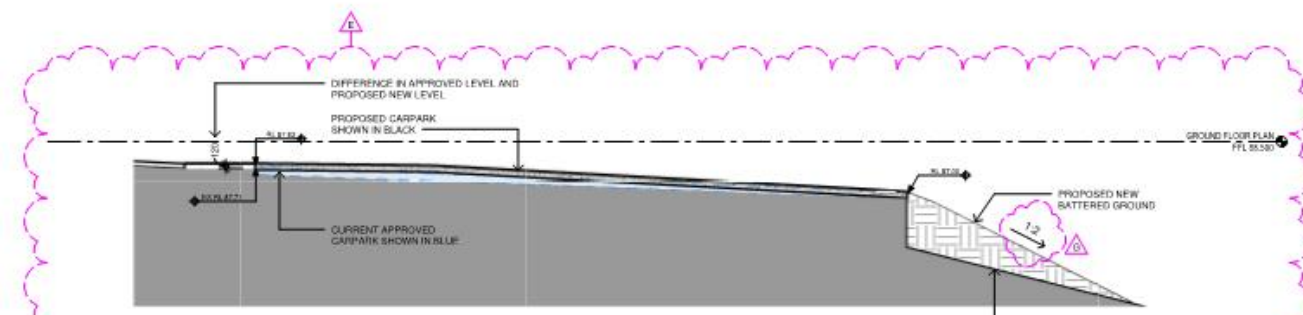


CAR PARK NE EDGE AND BALUSTRADE

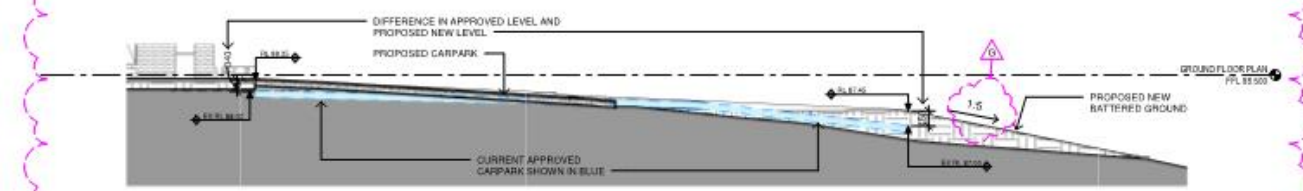


1.8M HIGH ACOUSTIC LOUVER SCREEN TO CONTROL MECHANICAL PLANT NOISE.

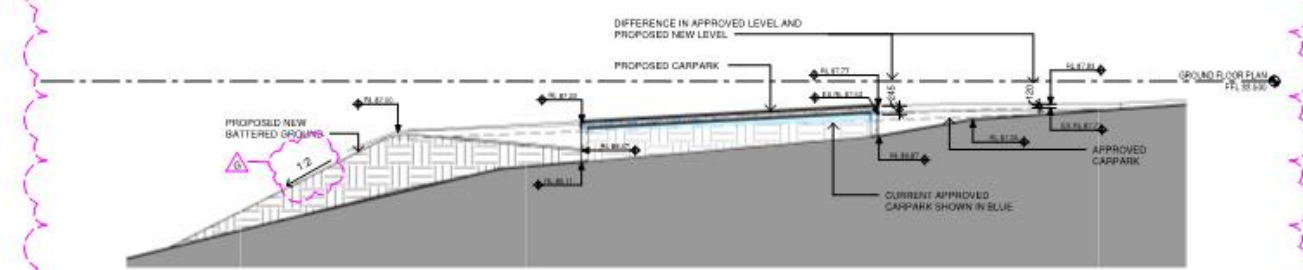
VIEW OF LOUVER SCREEN TO PLANT



4 CARPARK SECTION 1
1 : 100



5 CARPARK SECTION 2
1 : 100



6 CARPARK SECTION 3
1 : 100

Issue No.	Date	Description	Chkd
C	23/07/2021	Development Application - Section 4.55	RF
D	25/08/2022	Development Application - Section 4.55	RF
E	07/10/2022	Development Application - Section 4.55	RF
F	07/11/2022	Development Application - Section 4.55	RF
G	08/02/2023	DA - Section 4.55 - Carpark Balustrade	RF

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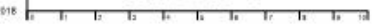
Drawing Title
ADDITIONAL INFORMATION

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Anglican Diocese of Sydney

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External Color & Finishes Schedule

①



- Zinc Standing Seam Cladding

⑤



- Existing Brick

②



- Sandstone Wall Cladding

⑥



- Cement render - Painted light gray

③



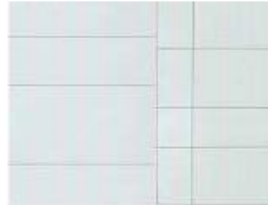
- Fiber Cement External Cladding
Dark Finish

⑦



- Dark Anodized window and door
frames with clear glazing

④



- Fiber Cement External Cladding
Light Finish

⑧



- Colobond - Windspray
Metal Roofing, Flashings, Gutters and
Downpipes

Issue No.	Date	Description	Checked
C	23/07/2021	Development Application - Section 4.55	RF

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Drawing Title
EXTERNAL FINISHES SCHEDULE

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C	23/07/2021	Development Application - Section 4.55	RF
D	25/09/2022	Development Application - Section 4.55	RF

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Drawing Title
PERSPECTIVES

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09081-DA11- D





Issue No.	Date	Description	Check
C	23/07/2021	Development Application - Section 4.55	RF
D	25/03/2022	Development Application - Section 4.55	RF
F	07/11/2022	Development Application - Section 4.55	RF

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Drawing Title
PERSPECTIVES

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Issue No.	Date	Description	Chkd
C	23/07/2021	Development Application - Section 4.55 RP	
D	25/03/2022	Development Application - Section 4.55 RP	

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Drawing Reference
09081-DA13- D





Issue No.	Date	Description	Check
C	23/07/2021	Development Application - Section 4.55	RF
D	25/03/2022	Development Application - Section 4.55	RF

Arborist - Moore Trees
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 5, 418A Elizabeth Street, Surry Hills, NSW, 2010
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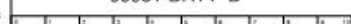
Civil Engineer - JN
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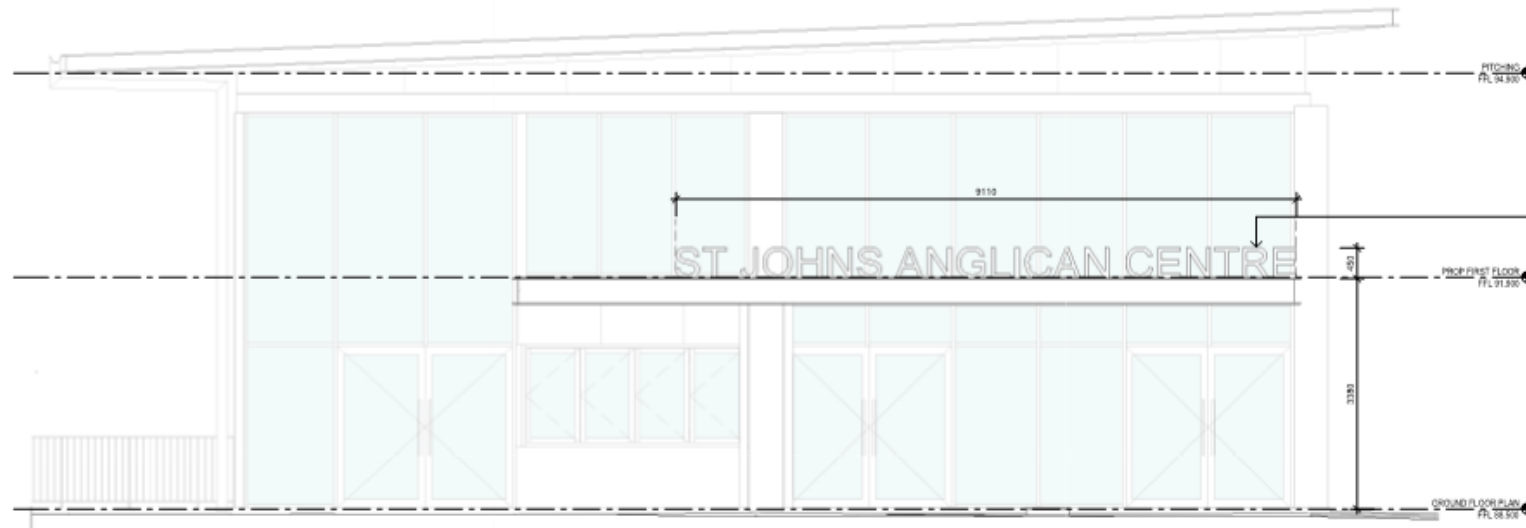
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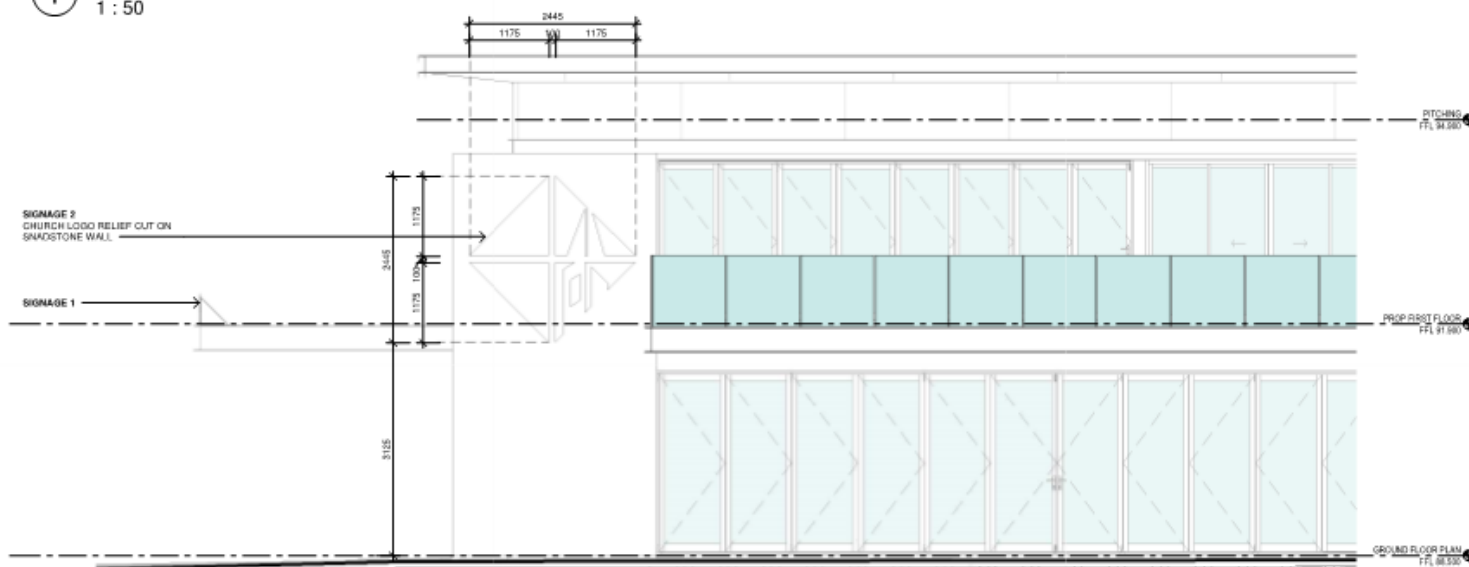
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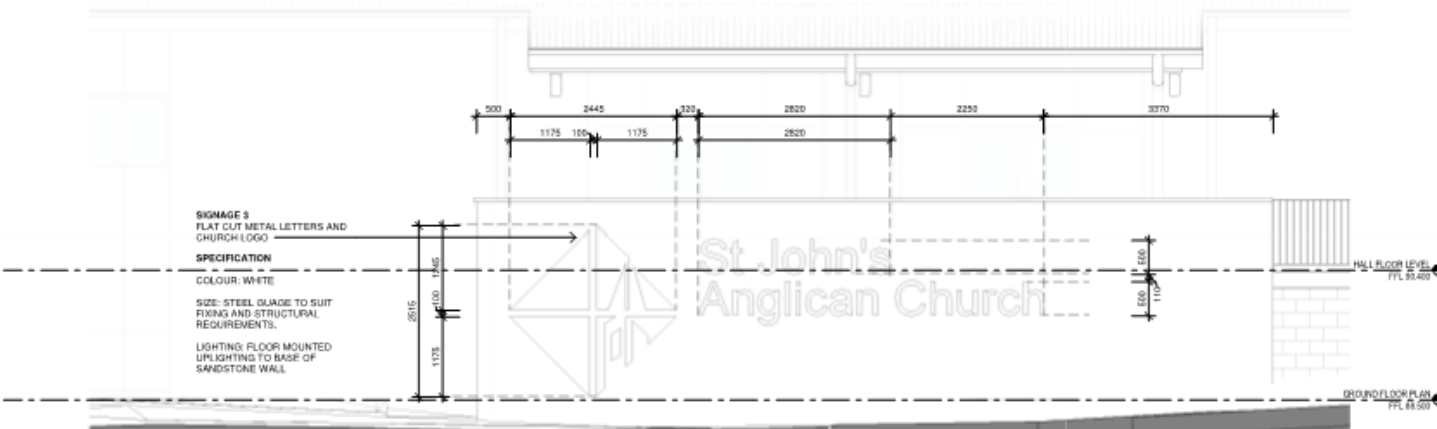


SIGNAGE 1
 FLAT CUT METAL LETTERS
SPECIFICATION
 COLOUR: WHITE
 SIZE: STEEL GAUGE TO SUIT FIXING AND STRUCTURAL REQUIREMENTS.
 LIGHTING: ROOF MOUNTED UPLIGHTING TO BASE OF SIGNAGE.

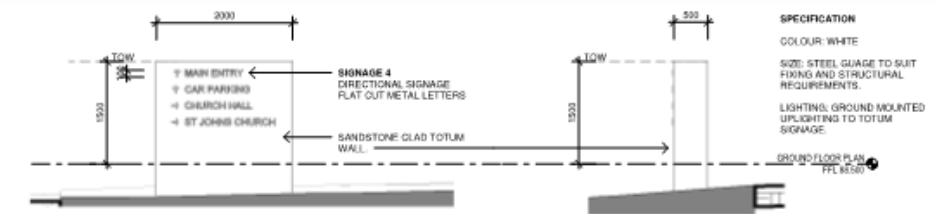
1 SIGNAGE 1 - ELEVATION 1
 1 : 50



2 SIGNAGE 2 ELEVATION 1
 1 : 50



3 SIGNAGE 3 - ELEVATION 1
 1 : 50



4 SIGNAGE 4 - ELEVATION 1
 1 : 50

5 SIGNAGE 4 - ELEVATION 2
 1 : 50

SPECIFICATION
 COLOUR: WHITE
 SIZE: STEEL GAUGE TO SUIT FIXING AND STRUCTURAL REQUIREMENTS.
 LIGHTING: GROUND MOUNTED UPLIGHTING TO TOTUM SIGNAGE.

Issue No.	Date	Description	Chkd
0	25/05/2022	Development Application - Section 4.55 RP	

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Drawing Title
 SIGNAGE

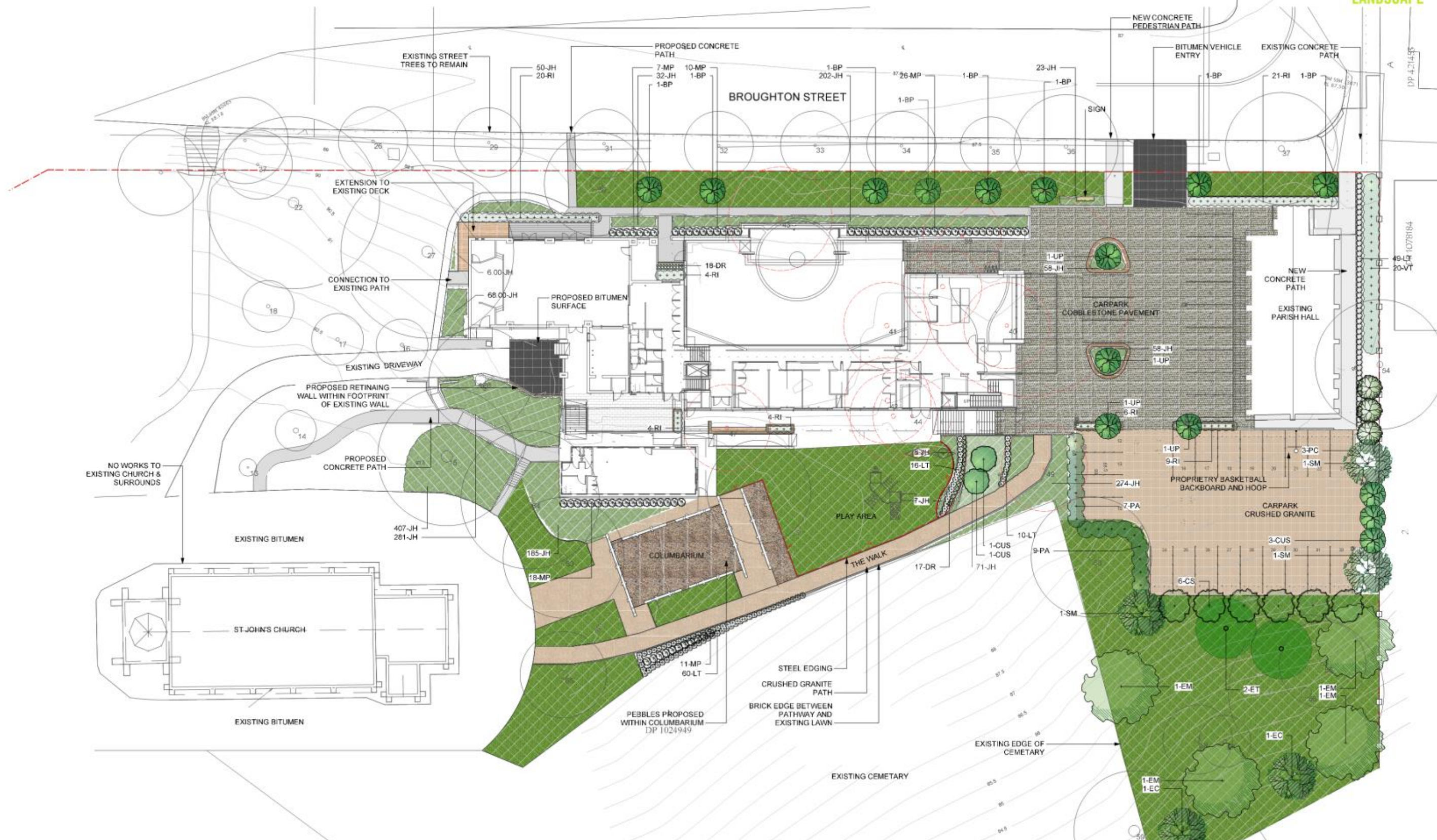
Project
 St John's Anglican Church
 at
 Broughton Street, Camden
 for
 Anglican Diocese of Sydney

Architect
NBRARCHITECTURE.
 Sydney
 61 2 9522 2344
 nbrsarchitecture.com
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 Non-Registered Architects:
 Geoffrey Deane 3766; Andrew Duffin; Garry Hodgkiss 5286 © 2018

Date 14/11/2022 4:43:39 PM
 Scale 1 : 50 @ A1

Drawing Reference
 09081-DA15- D





1 LANDSCAPE PLAN 1
1:100 @ A1 | 1:200 @ A3

LEGEND

- SITE BOUNDARY
- ◆ RL 00.00 PROPOSED GROUND LEVEL
- ◆ EX 00.00 EXISTING GROUND LEVEL
- PROPOSED BITUMEN SURFACE
- COBBLESTONE PAVEMENT
- PROPOSED CONCRETE PATH
- PROPOSED CRUSHED GRANITE
- WASHED RIVER PEBBLES
- TIMBER DECKING
- CONCRETE BLOCK WALL
- BRICK EDGE
- CHILDPROOF FENCE
- STEEL EDGE
- SANDSTONE BLOCK WALL
- EXISTING TREE TO BE PROTECTED AND RETAINED
- EXISTING TREE TO BE REMOVED
- PROPOSED TREES, SHRUBS AND GRASSES
- PROPOSED GROUNDCOVERS
- PROPOSED TURF

Issue No.	Date	Description	Child
1	31/05/2019	SECTION 4.55 AMENDMENTS KC	
2	26/07/2021	SECTION 4.55 AMENDMENTS AL	
3	03/03/2021	SECTION 4.55 AMENDMENTS AL	
4	23/03/2021	SECTION 4.55 AMENDMENTS AL	
5	05/10/2022	SECTION 4.55 AMENDMENTS OB	

Drawing Title
LANDSCAPE PLAN

Project
ST JOHN'S ANGLICAN CHURCH

Location
6 MENANGLE RD, CAMDEN NSW 2570

Client
ANGLICAN DIOCESE OF SYDNEY

Landscape Architect
**NBR ARCHITECTURE.
LANDSCAPE**

Level 3, 4 Glen Street, Milsom Point NSW 2061 Australia
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Date: 23/03/2022
Scale: 1:200 @ A1 | 1:400 @ A3

Project No: 17465
Sheet No: LDA100
Revision No: 5

PLANTING PALETTE

TREES



CUPRESSUS SEMPERVIRENS



SCHINUS MOLLE



EUCALYPTUS CITRIODORA



EUCALYPTUS MOLUCCANA

SHRUBS



MURRAYA PANICULATA



PLUMBAGO AURICULATA



RHAPHILEPIS INDICA
INDIAN HAWTHORN



VIBURNUM TINUS

GROUNDCOVERS & CLIMBERS



JUNIPERUS HORIZONTALIS



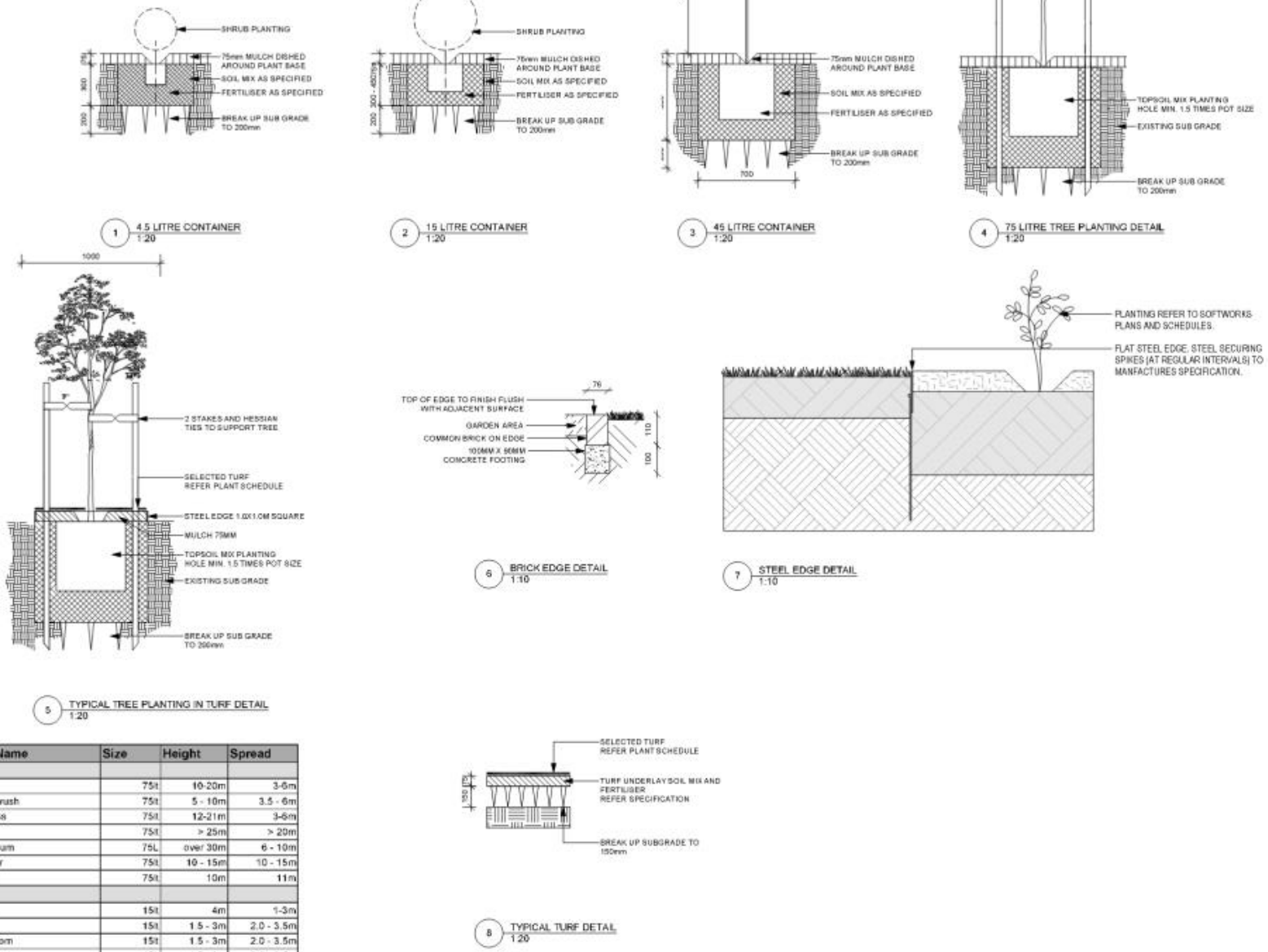
DIANELLA REVOLUTA



LOMANDRA TANIKA
LOMANDRA SP

GRASSES

ID	Qty	Botanical Name	Common Name	Size	Height	Spread
Trees						
BP	6	Brachychiton populneus	Bottle Tree	75t	10-20m	3-6m
CS	6	Callistemon salignus	Willow Bottlebrush	75t	5 - 10m	3.5 - 6m
CUS	5	Cupressus sempervirens	Italian Cypress	75t	12-21m	3-5m
EM	4	Eucalyptus moluccana	Grey Box	75t	> 25m	> 20m
ET	2	Eucalyptus tereticornis	Forest Red Gum	75L	over 30m	6 - 10m
PC	3	Pyrus calleryana	Bradford Pear	75t	10 - 15m	10 - 15m
UP	4	Ulmus parvifolia 'Todd'	Chinese Elm	75t	10m	11m
Shrubs / Screen Planting						
MP	72	Murraya paniculata	Mock orange	15t	4m	1-3m
PA	16	Plumbago auriculata	Plumbago	15t	1.5 - 3m	2.0 - 3.5m
RI	68	Rhamphilepis indica	Indian Hawthorn	15t	1.5 - 3m	2.0 - 3.5m
VT	20	Viburnum tinus	Viburnum	45t	1.5 - 3m	2.0 - 3.5m
Ground Covers / Climbers						
DR	35	Dianella revoluta	Blue Flax Lily	4.5t	1m	1m
JH	2348	Juniperus horizontalis	Creeping Juniper	4.5t	0.3 - 0.45m	1.2 - 2.0m
Grasses						
LT	135	Lomandra longifolia 'Tanika'	Spry-headed mat rush	4.5t	0.45 - 0.8m	0.6 - 0.9m
Total	2726					



Issue No.	Date	Description	Chgd
1	31/05/2019	SECTION 4.55 AMENDMENTS KC	
2	03/03/2022	SECTION 4.55 AMENDMENTS AL	
3	23/03/2022	SECTION 4.55 AMENDMENTS AL	
4	05/10/2022	SECTION 4.55 AMENDMENTS DB	

Drawing Title
PLANTING PALETTE & DETAILS

Project
ST JOHN'S ANGLICAN CHURCH

Location
6 MENANGLE RD, CAMDEN NSW 2570

Client
ANGLICAN DIOCESE OF SYDNEY

Landscape Architect
NBR ARCHITECTURE LANDSCAPE
Level 3, 4 Glen Street, Milsons Point NSW 2061 Australia
T: 61 2 9522 2344 F: 61 2 9522 1308
E: architecture@nbrsarchitecture.com W: nbrsarchitecture.com
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Date: 23/03/2022
Scale: As Shown

Project No: 17465
Sheet No: LDA200
Revision No: 4

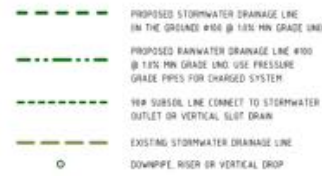
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6 MENANGLE RD, CAMDEN NSW 2570

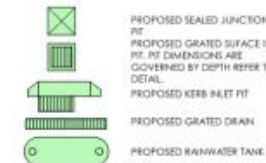
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No	DATE	DESCRIPTION	BY
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3	17.05.19	ISSUED FOR REVIEW	ELR
4	11.06.19	ISSUED FOR SECTION 4.55	ELR
5	29.03.22	ISSUED FOR APPROVAL	ELR
6	28.09.22	ISSUED FOR DA APPROVAL	ELR

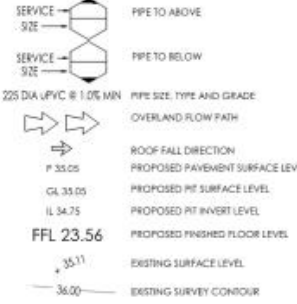
PIPEWORK



STORMWATER FIXERS & EQUIPMENT



TAGS & MISCELLANEOUS



* DEPTH AND LOCATION OF ALL EXISTING SERVICES TO BE CONFIRMED BY BUILDER ON SITE PRIOR TO COMMENCEMENT OF CONSTRUCTION

* ALL EXISTING LEVELS TO BE CONFIRMED ON SITE PRIOR TO COMMENCEMENT OF WORKS

GENERAL

- ALL EXISTING LEVELS TO BE CONFIRMED ON SITE PRIOR TO COMMENCEMENT OF WORKS
- ALL WORKS SHALL BE CARRIED OUT IN ACCORDANCE WITH THE NOMINATED OR APPLICABLE COUNCIL SPECIFICATION, WHERE A SPECIFICATION HAS NOT BEEN NOMINATED THEN THE CURRENT NSW DEPARTMENT OF HOUSING CONSTRUCTION SPECIFICATION IS TO BE USED. THE NOMINATED SPECIFICATION SHALL TAKE PRECEDENCE TO THESE NOTES.
- ALL DRAWINGS SHOULD BE READ IN CONJUNCTION WITH THE RELEVANT ARCHITECTURAL DRAWINGS & DRAWINGS FROM OTHER CONSULTANTS.
- THE CONTRACTOR SHOULD REPORT ANY DISCREPANCIES ON THE DRAWINGS TO THE ENGINEER RESPONSIBLE FOR THE DESIGN. THE CONTRACTOR SHOULD LOCATE AND LEVEL ALL EXISTING SERVICES PRIOR TO COMMENCING CONSTRUCTION AND PROTECT AND MAKE ARRANGEMENTS WITH THE RELEVANT AUTHORITY TO RELOCATE AND/OR ADJUST IF NECESSARY. INFORMATION GIVEN ON THE DRAWINGS IN RESPECT TO SERVICES IS FOR GUIDANCE ONLY AND IS NOT GUARANTEED COMPLETE NOR CORRECT.
- CONTRACTOR IS NOT TO ENTER UPON NOR DO ANY WORK WITHIN ADJACENT LANDS WITHOUT THE PERMISSION OF THE OWNER.
- SURPLUS EXCAVATED MATERIAL SHALL BE PLACED WHERE DIRECTED OR REMOVED FROM SITE.
- ALL NEW WORKS SHALL MAKE A SMOOTH JUNCTION WITH EXISTING.
- ALL DRAINAGE LINES THROUGH ADJACENT LOTS SHALL BE CONTAINED WITHIN EASEMENTS CONFORMING TO COUNCIL'S STANDARDS.
- THE CONTRACTOR SHALL CLEAR THE SITE BY REMOVING ALL RUBBISH, FENCES AND DEBRIS ETC. TO THE EXTENT SPECIFIED.
- PRIOR TO COMMENCEMENT OF WORK, THE CONTRACTOR SHALL PROVIDE A TRAFFIC MANAGEMENT PLAN PREPARED BY AN ACCREDITED PERSON IN ACCORDANCE WITH RWS REQUIREMENTS. FOR ANY WORK ON OR ADJACENT TO PUBLIC ROADS, PLAN TO BE SUBMITTED TO COUNCIL & RWS.

SURVEY

- JONES NICHOLSON IS NOT RESPONSIBLE FOR THE ACCURACY OF ANY 3RD PARTY INFORMATION PROVIDED ON THIS DRAWING.
- ALL LEVELS ARE TO A.S.D.
- ALL CHAINAGES AND LEVELS ARE IN METRES, AND DIMENSIONS IN MILLIMETRES.
- CONTRACTOR SHALL ARRANGE FOR THE WORKS TO BE SET OUT BY A REGISTERED SURVEYOR.

STORMWATER DRAINAGE INSTALLATION

- SUPPLY & INSTALLATION OF DRAINAGE WORKS TO BE IN ACCORDANCE WITH THESE DRAWINGS, THE COUNCIL SPECIFICATION AND THE CURRENT APPLICABLE AUSTRALIAN STANDARDS.
- BACKFILL SHALL BE PLACED & COMPACTED IN ACCORDANCE WITH THE SPECIFICATION. A GRANULAR GRAVEL AGGREGATE MATERIAL 100mm BACKFILL IS RECOMMENDED FOR THE BEDDING, HAUNCH SUPPORT AND SIDE ZONE DUE TO ITS SELF COMPACTING ABILITY.
- A MINIMUM OF 150mm CLEARANCE IS TO BE PROVIDED BETWEEN THE OUTSIDE OF THE PIPE BARREL AND THE TRENCH WALL FOR PIPES < 600 DIA, 200mm CLEARANCE FOR PIPES 600 TO 1200 DIA AND DIA CLEARANCE FOR PIPES > 1200 DIA. BEDDING OF THE PIPELINES IS TO BE TYPE 162 IN ACCORDANCE WITH THE STANDARDS AND AS FOLLOWS:
- BEDDING DEPTH UNDER THE PIPE TO BE 100mm.
- BEDDING MATERIAL TO BE EXTENDED FROM THE TOP OF THE BEDDING ZONE UP TO 0.3 TIMES PIPE OUTSIDE DIAMETER. THIS REPRESENTS THE HAUNCH ZONE.
- THE BEDDING & HAUNCH ZONE MATERIAL IS TO BE COMPACTED TO A MINIMUM RELATIVE COMPACTION OF 98% WITHIN ROAD RESERVES AND TRAFFICABLE AREAS AND 95% ELSEWHERE FOR CONCRETE MATERIAL OR A MINIMUM DENSITY INDEX OF 70% IN ACCORDANCE WITH THE STANDARDS FOR COHESIONLESS MATERIAL.
- COMPACTION TESTING SHALL BE CARRIED OUT BY AN APPROVED ORGANISATION WITH A NATA CERTIFIED LABORATORY FOR ALL DRAINAGE LINES LAID WHOLLY OR IN PART UNDER THE KERB & GUTTER OR PAVEMENT.
- COMPACTED GRANULAR MATERIAL IS TO COMPLY WITH THE FOLLOWING GRADINGS AND THE MATERIAL PASSING THE 0.075 SEIVE HAVING LOW PLASTICITY AS DESCRIBED IN APPENDIX D OF AS1726.

SEIVE SIZE (mm)	19	2.36	0.60	0.30	0.15	0.075
% MASS PASSING	100	50-100	20-90	10-40	0-25	0-10

SAFETY IN DESIGN

THERE ARE INHERENT RISKS WITH CONSTRUCTING, MAINTAINING, OPERATING, DEMOLISHING, DISMANTLING AND DISPOSING THIS DESIGN THAT ARE TYPICAL OF SIMILAR DESIGN. AS FAR AS IS REASONABLY PRACTICABLE RISKS HAVE BEEN ELIMINATED OR MINIMISED THROUGH THE DESIGN PROCESS. HAZARD CONTROLS MUST STILL BE IMPLEMENTED BY THE CONTRACTOR, OWNER OR OPERATOR TO ENSURE THE SAFETY OF WORKERS.

* JN DO NOT CONSIDER THAT THERE ARE ANY UNIQUE RISKS ASSOCIATED WITH THE DESIGN OF THIS PROJECT.

STORMWATER DRAINAGE

- STORMWATER DRAINAGE SHALL BE GENERALLY IN ACCORDANCE WITH CURRENT AUSTRALIAN STANDARDS AND COUNCIL'S SPECIFICATION.
- PIPES OF 225mm DIA. AND UNDER SHALL BE UPVC.
- PIPES OF 300mm DIA. AND LARGER SHALL BE RFC OR CONCRETE CLASS 2 RUBBER RING JOINTED UNO.
- ALL RFC OR RCP STORMWATER PIPES WITHIN ROAD RESERVE AREAS TO BE CLASS 3 UNO.
- MINIMUM COVER TO PIPES 300mm DIA. AND OVER GENERALLY SHALL BE 600mm IN CARPARK & ROADWAY AREAS UNO. PIPES SHALL GENERALLY BE LAID AT THE GRADES INDICATED ON THE DRAWINGS.
- PIPES UP TO 150mm DIA SHALL BE LAID AT 1.0% MIN. GRADE U.N.O.
- PIPES 225mm DIA AND OVER SHALL BE LAID AT 0.5% MIN. GRADE U.N.O.
- BACKFILL TRENCHES WITH APPROVED FILL COMPACTED IN 300mm LAYERS TO 98% OF STANDARD DENSITY.
- ANY PIPES OVER 1% GRADE SHALL HAVE CONCRETE BULKHEADS AT ALL JOINTS.
- PITS SHALL BE AS DETAILED WITH METAL GRATES AT LEVELS INDICATED. ALL PITS DEEPER THAN 1200mm TO HAVE CLWB RINGS.
- BUILD INTO UPSTREAM FACE OF ALL PITS A 3.0m SUBSOIL LINE FALLING TO PIS TO MATCH PIT INVERTS.
- ALL COURTYARD & LANDSCAPED PITS TO BE 450 SQUARE UNLESS NOTED OTHERWISE.
- ALL DRIVEWAY & OSD PITS TO BE 600 SQUARE UNLESS NOTED OTHERWISE.
- INSTALL TEMPORARY SEDIMENT BARRIERS TO INLET PITS TO COUNCIL'S STANDARDS UNL. SURROUNDING AREAS ARE PAVED OR GRASED.
- PITS & DOWNPIPE LOCATIONS AND LEVELS MAY BE VARIED TO SUIT SITE CONDITIONS AFTER CONSULTING THE ENGINEER.
- DOWNPIPES SHOWN ARE INDICATIVE ONLY. ALL ROOF GUTTERING AND DOWNPIPES TO THE CURRENT AUSTRALIAN STANDARDS.
- ALL PLANTER BOXES AND BALCONIES TO BE CONNECTED TO THE PROPOSED STORMWATER DRAINAGE LINE.
- HAND EXCAVATE STORMWATER PIPES IN VICINITY OF TREE ROOTS.
- FOOTPATH CROSSING LEVELS SHOWN ARE TO BE ADJUSTED TO FINAL COUNCIL'S ISSUED LEVELS.
- GEOTEXTILE FABRIC TO BE PLACED UNDER RRP RAP SCOUR PROTECTION.
- ALL BASES OF PITS TO BE REINFORCED TO HALF PIPE DEPTH AND PROVIDE GALVANISED ANGLE SURROUNDING TO GRATE.
- SUBSOIL LINE PIPES AND FITTINGS SHALL BE PERFORATED PLASTIC TO CURRENT AUSTRALIAN STANDARDS. LAY PIPES ON FLOOR OF TRENCH GRAZED AT 1% MIN. AND OVERLAY WITH FILTER MATERIAL EXTENDING TO WITHIN 250mm OF SURFACE. PROVIDE FILTER FABRIC OF PERMEABLE POLYPROPYLENE BETWEEN FILTER MATERIAL AND TOPSOIL.

EARTHWORKS

- PROVIDE PROTECTION BARRIERS TO PROTECTED/SENSITIVE AREAS PRIOR TO ANY BULK EXCAVATION.
- COVER FULL AREA OF EARTHWORKS. CLEAR VEGETATION, RUBBISH, SLABS ETC. AND STRIP TOP SOIL, AVERAGE 200mm THICK. RESERVE FROM SITE, EXCEPT TOP SOIL FOR RE-USE.
- CUT AND FILL OVER THE SITE TO LEVELS REQUIRED.
- PRIOR TO ANY FILLING IN AREAS OF CUT OR IN EXISTING GROUND, PROOF-ROLL THE EXPOSED SURFACE. REFER TO PROJECT INFORMATION TABLES FOR MINIMUM ROLLER WEIGHT AND THE MINIMUM NUMBER OF PASSES.
- EXCAVATE AND REMOVE ANY SOFT SPOTS ENCOUNTERED DURING PROOF ROLLING AND REPLACE WITH APPROVED FILL. COMPACTED IN LAYERS. THE WHOLE OF THE EXPOSED SUBGRADE AND FILL SHALL BE COMPACTED TO 98% STANDARD MAXIMUM DRY DENSITY AT OPTIMUM MOISTURE CONTENT ± 2%.
- FOR ON SITE FILLING AREAS, THE CONTRACTOR SHALL TAKE LEVELS OF EXISTING SURFACE AFTER STRIPPING TOPSOIL AND PRIOR TO COMMENCING FILL OPERATIONS.
- WHERE HARD ROCK IS EXPOSED BY THE EXCAVATED SUB-GRADE, THIS WILL BE INSPECTED AND A DECISION MADE ON THE LEVEL TO WHICH EXCAVATION IS TAKEN.
- FILL IN 200mm MAXIMUM (LOOSE 9" thickness) LAYERS TO UNDERSIDE OF BASE COURSE USING THE EXCAVATED MATERIAL AND COMPACTED TO 98% STANDARD (AS 1289 S.1.1). MAXIMUM DRY DENSITY AT OPTIMUM MOISTURE CONTENT ± 2% SHOULD THERE BE INSUFFICIENT MATERIAL FROM SITE EXCAVATIONS, IMPORT AS NECESSARY CLEAN GRANULAR FILL TO THE DESIGN ENGINEERS APPROVAL.
- COMPACTION TESTING TO BE CARRIED OUT IN ACCORDANCE WITH THE PROJECT INFORMATION TABLE. THE COSTS OF TESTING AND RE-TESTING ARE TO BE ALLOWED FOR BY THE BUILDER.
- BATTERS TO BE AS SHOWN, OR MAXIMUM 1 VERT : 4 HORIZ. ALL CONCRETE AND MANS SHALL BE LAID PRIOR TO LAYING FINAL PAVEMENT.
- ALL BATTERS AND FOOTPATHS ADJACENT TO ROADS SHALL BE TOP SOILED WITH 150mm APPROVED LOAM AND SEEDED UNLESS OTHERWISE SPECIFIED.

CIVIL DRAWING LIST	
No.	SHEET NAME
C001	NOTES & LEGEND
C010	TYPICAL DETAILS
C011	STORMWATER CATCHMENT DETAILS
C020	GROUND STORMWATER PLAN
C030	LOWER GROUND STORMWATER PLAN
C010	FIRST FLOOR STORMWATER PLAN



CLIENT
NBR5

STATUS
SECTION 4.55

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DISCIPLINE
CIVIL DESIGN

DRAWING TITLE
NOTES & LEGEND

PROJECT
ST JOHN'S ANGLICAN CHURCH

ADDRESS
6 MENANGLE RD, CAMDEN NSW 2570

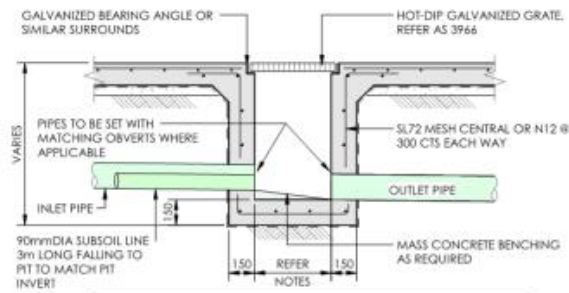
PROJECT DETAILS

DESIGN	BM	19010327
DRAWN	ER	
DATE	MAY 10	
DRG SIZE	A1	
SCALE	1:1	
PROJECT	BM	

C001 6

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No	DATE	DESCRIPTION	BY
2	15.05.19	ISSUED FOR REVIEW	ELR
3	17.05.19	ISSUED FOR REVIEW	ELR
4	11.04.19	ISSUED FOR SECTION 4.55	ELR
5	29.03.22	ISSUED FOR APPROVAL	ELR
6	28.09.22	ISSUED FOR DA APPROVAL	ELR

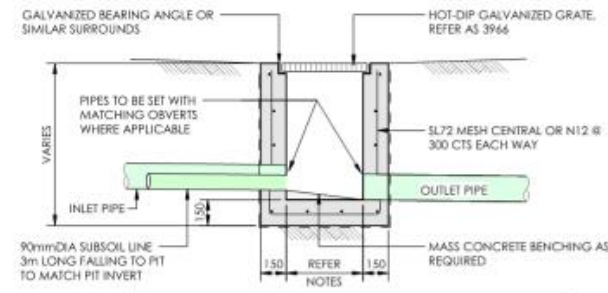


DEPTH OF INVERT OF OUTLET	DEPTH OF INVERT OF OUTLET	WIDTH	LENGTH
< 600	< 600	450	450
> 600	> 600	600	600
> 900	> 900	600	900
> 1200	> 1200	900	900

*STEP IRONS SHALL BE PROVIDED FOR PITS WITH DEPTHS EXCEEDING 1200mm

- NOTE:
- CLIMB IRONS SHALL BE PROVIDED UNDER LID AT 300 CTS TO COUNCIL STANDARDS WHERE PIT DEPTH IS DEEPER THAN 1000.
 - REINFORCEMENT NOTED IS ONLY REQUIRED FOR PITS EXCEEDING 900 DEEP, SUBJECT TO COUNCIL REQUIREMENTS. PITS GREATER THAN 3000 DEEP WILL REQUIRE STRUCTURAL ENGINEERS DESIGN.
 - PROVIDE 900dia x 3000 LONG SUBSOIL DRAINAGE STUB PIPE SURROUNDED WITH 100mm THICKNESS OF NOMINAL 20mm COARSE FILTER MATERIAL WRAPPED IN GEOTEXTILE FILTER FABRIC (BIDUM A24 OR APPROVED SIMILAR), TO BE PARALLEL TO UPSTREAM SIDE OF EACH INLET PIPE.
 - ALTERNATIVE PIT CONSTRUCTION MAY BE USED SUBJECT TO THE ENGINEERS APPROVAL.
 - CONCRETE STRENGTH $F_c = 32 \text{ MPa}$

TYPICAL CONCRETE INLET PIT - CONCRETE SURFACE

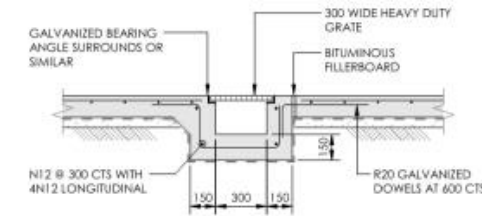


DEPTH OF INVERT OF OUTLET	DEPTH OF INVERT OF OUTLET	WIDTH	LENGTH
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> 600	> 600	600	600
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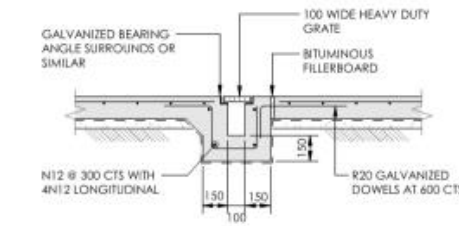
*STEP IRONS SHALL BE PROVIDED FOR PITS WITH DEPTHS EXCEEDING 1200mm

- NOTE:
- CLIMB IRONS SHALL BE PROVIDED UNDER LID AT 300 CTS TO COUNCIL STANDARDS WHERE PIT DEPTH IS DEEPER THAN 1000.
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 - ALTERNATIVE PIT CONSTRUCTION MAY BE USED SUBJECT TO THE ENGINEERS APPROVAL.
 - CONCRETE STRENGTH $F_c = 32 \text{ MPa}$

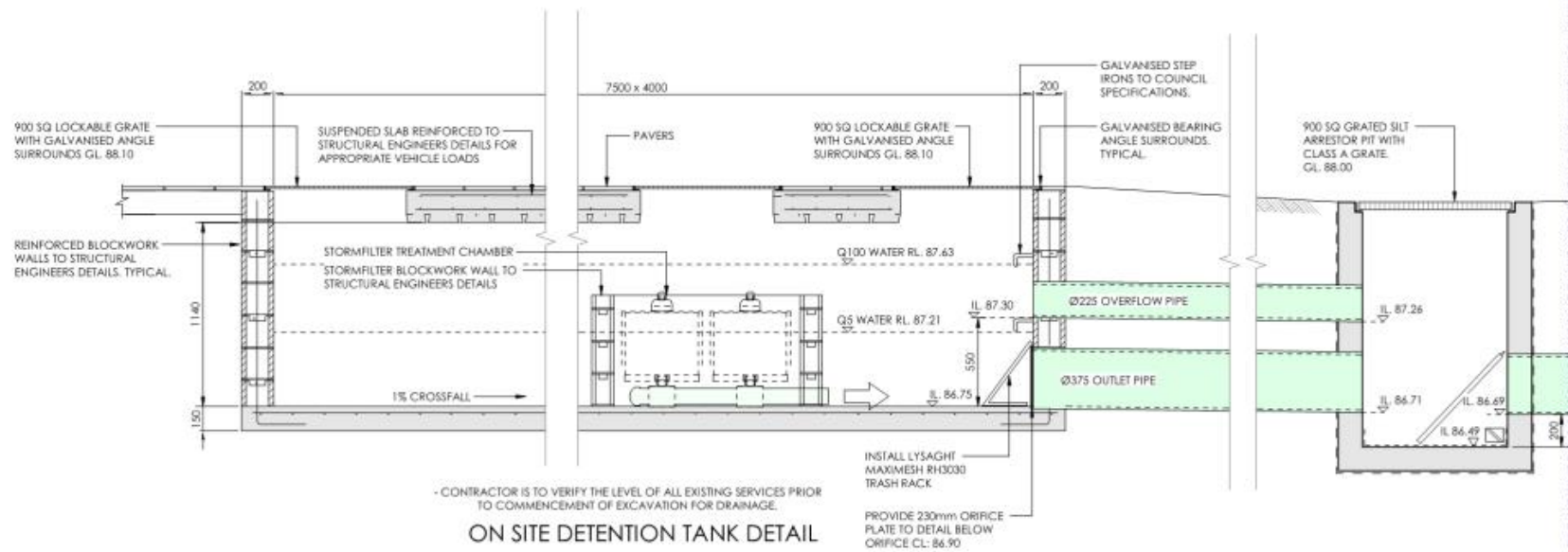
TYPICAL CONCRETE INLET PIT - NATURAL SURFACE



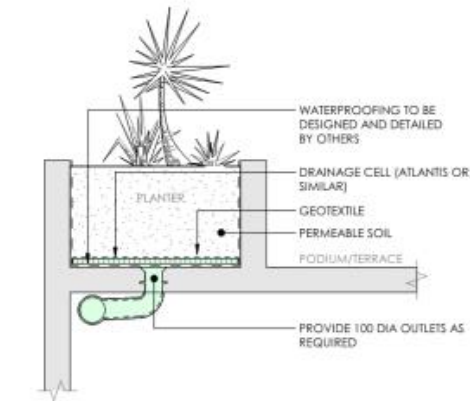
TYPICAL 300 GRATED DRAIN DETAIL



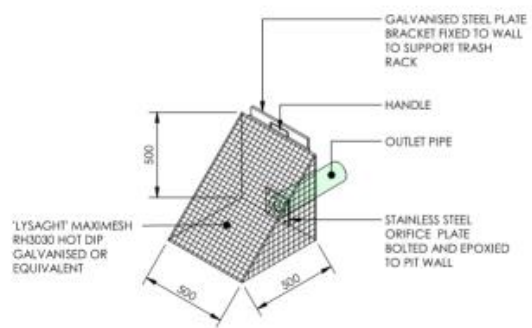
TYPICAL 100 GRATED DRAIN DETAIL



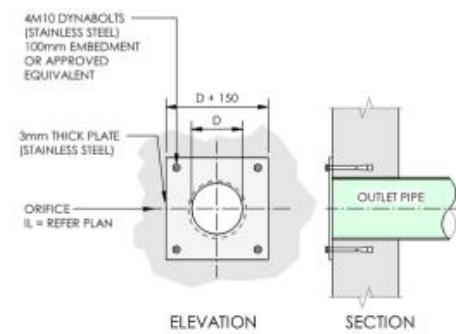
ON SITE DETENTION TANK DETAIL



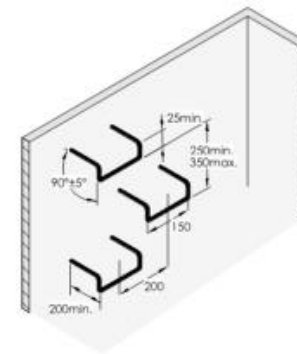
TYPICAL PLANTER DRAINAGE DETAIL



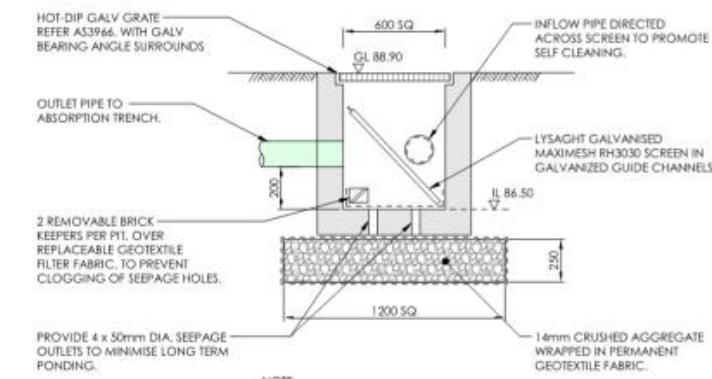
TYPICAL TRASH RACK SCREEN DETAIL



TYPICAL ORIFICE PLATE DETAIL



STEP IRON DETAIL



TYPICAL SILT ARRESTOR PIT



CLIENT
NBRS

STATUS
SECTION 4.55

DISCIPLINE
CIVIL DESIGN

DRAWING TITLE
TYPICAL DETAILS

PROJECT
ST JOHN'S ANGLICAN CHURCH

ADDRESS
6 MENANGLE RD, CAMDEN NSW 2570

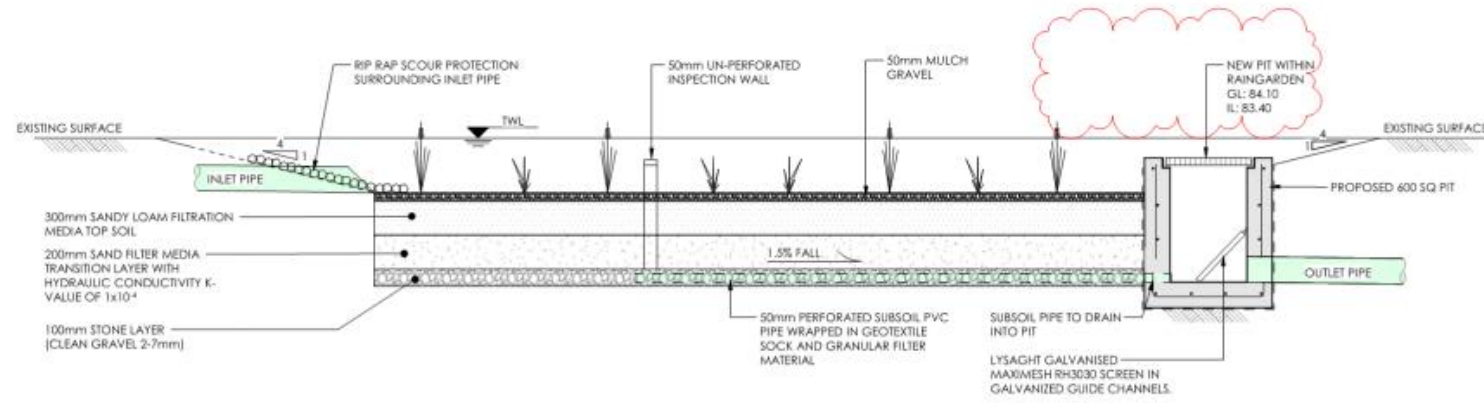
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DESIGN: BM
DRAWN: ER
DATE: MAY 19
DRG SIZE: A1
SCALE: As indicated
PROJECT: BM
MGR: BM

19010327
C050 6

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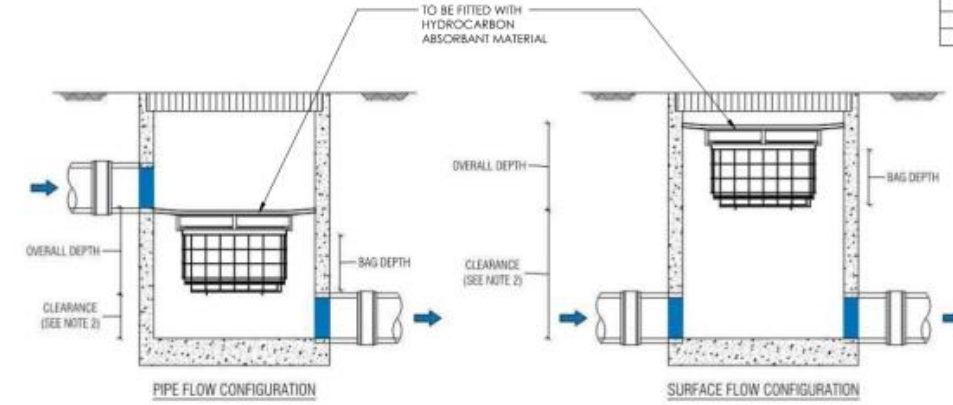
NOT TO BE USED FOR CONSTRUCTION

No	DATE	DESCRIPTION	BY
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2	13.02.23	ISSUED FOR DA APPROVAL	ELR

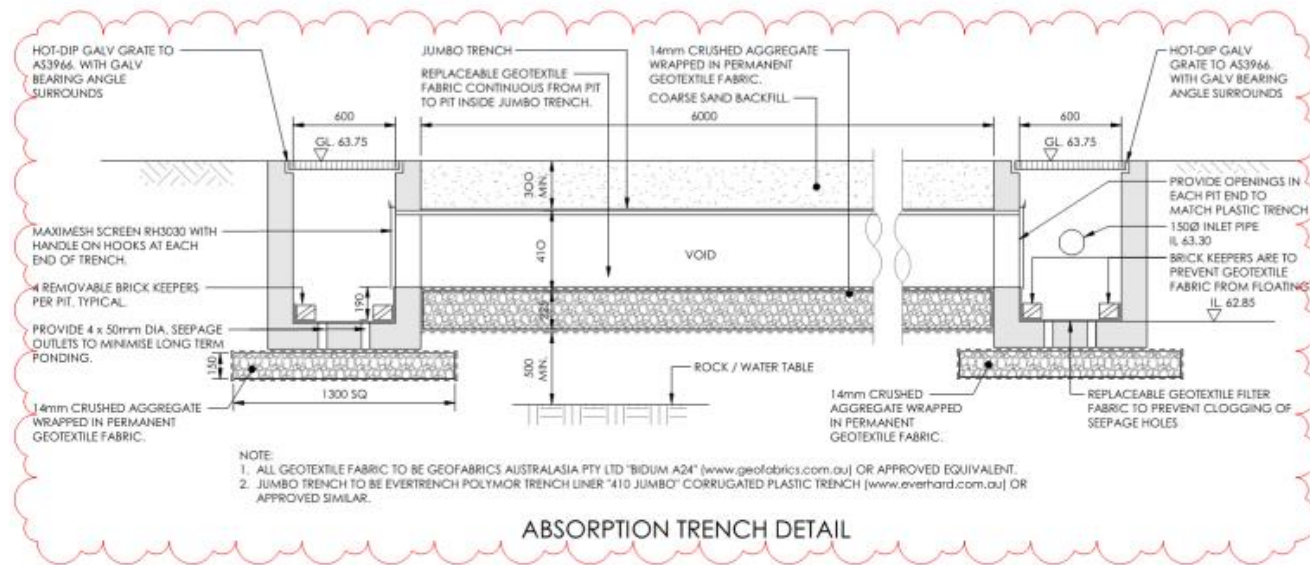


NOTE: TO BE LAID WITH CONTOURS OF BATTER
WEBB OVERFLOW TO BE 7m LONG AND AT CONSTANT LEVEL

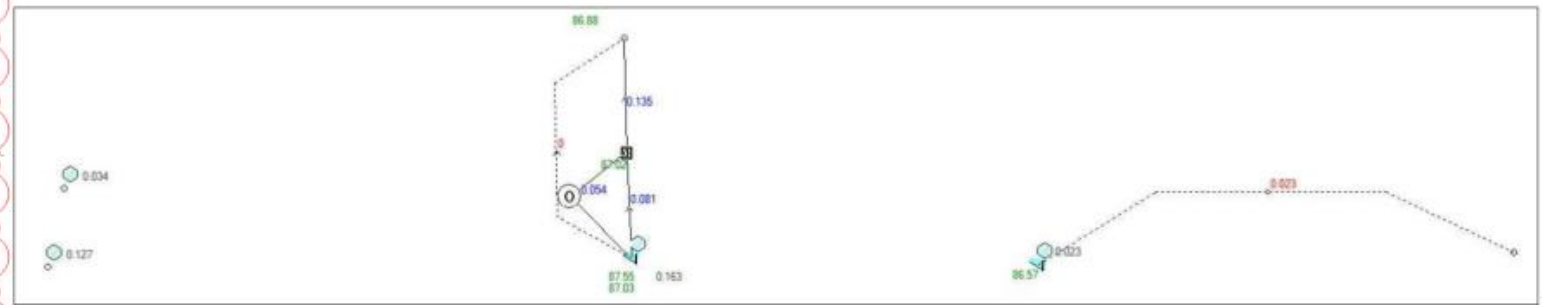
TYPICAL RAIN GARDEN DETAIL



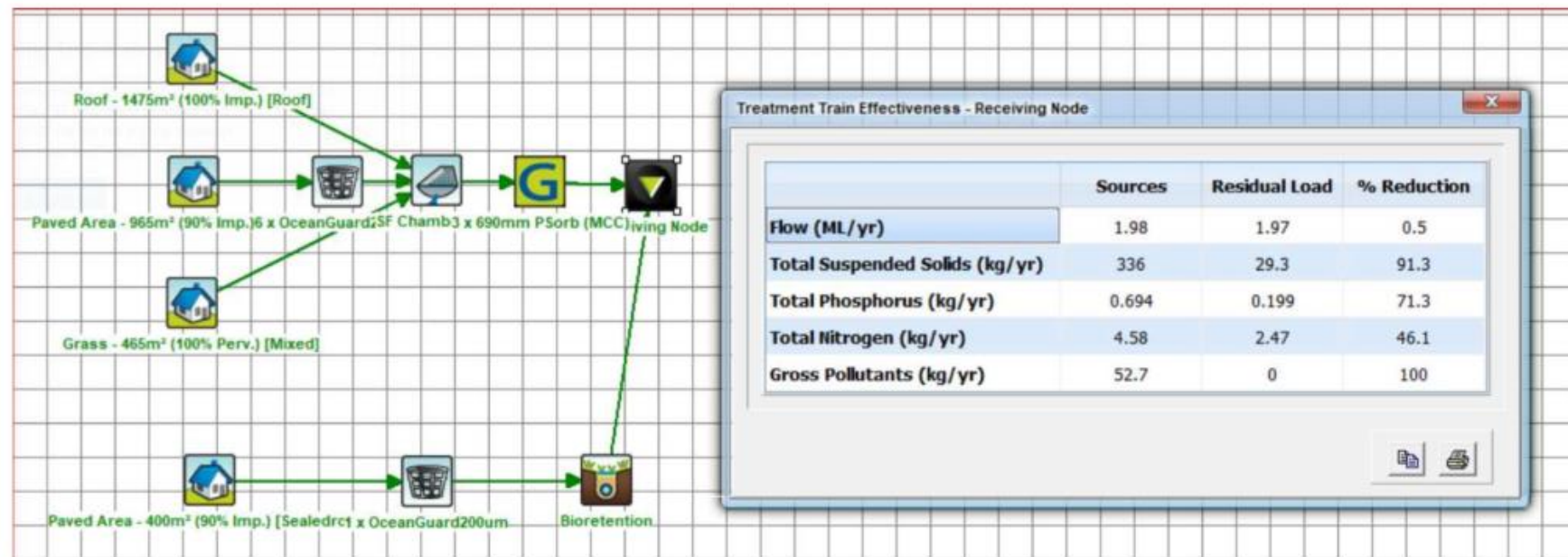
OCEANGUARD DETAILS



ABSORPTION TRENCH DETAIL



POST-DEVELOPMENT DRAINS MODEL, Q100 RESULTS



POST-DEVELOPMENT MUSIC MODEL RESULTS



CLIENT
NBRS

STATUS
PRELIMINARY

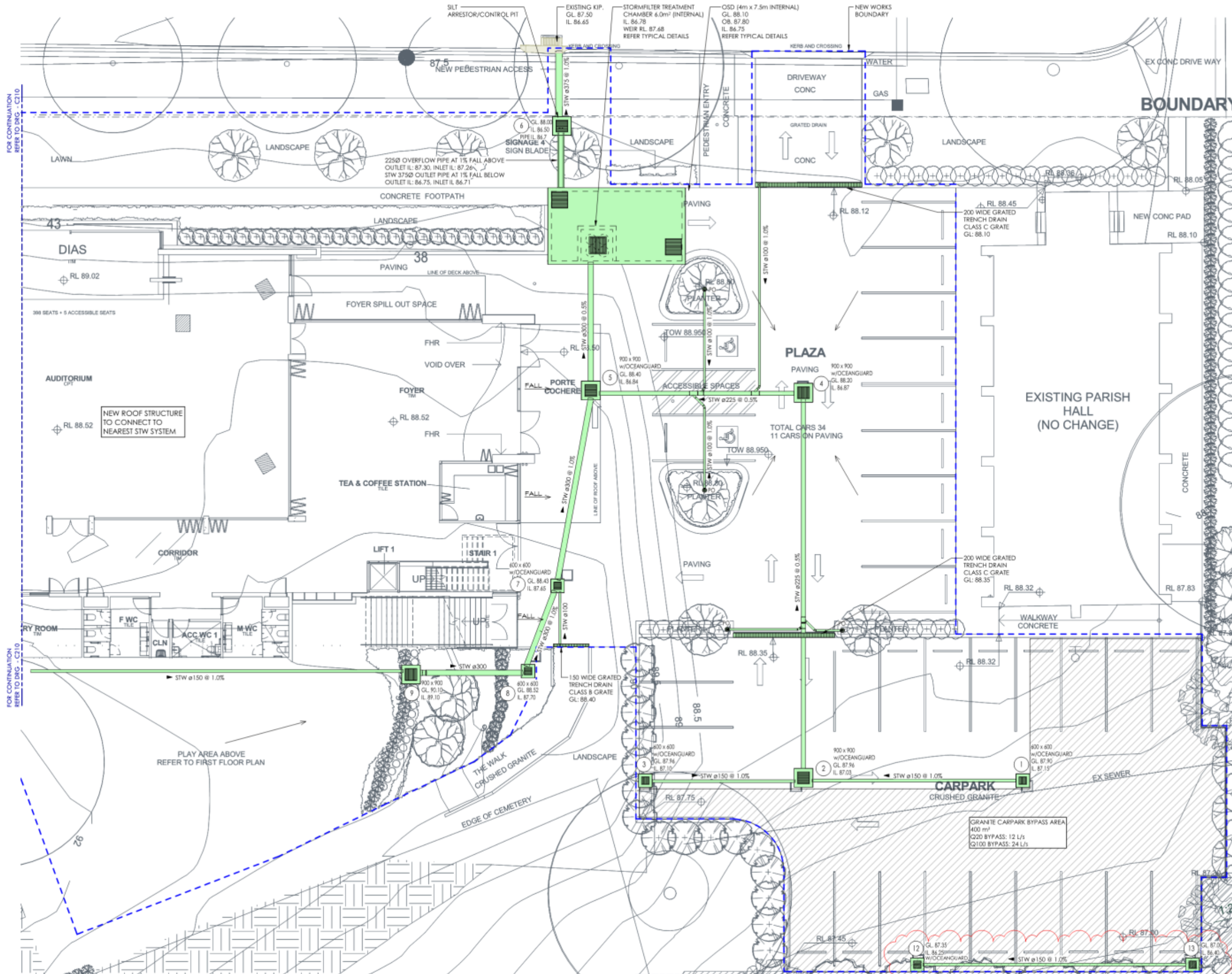
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CIVIL DESIGN

DRAWING TITLE
STORMWATER CATCHMENT
DETAILS

PROJECT
ST JOHN'S ANGLICAN
CHURCH

ADDRESS
6 MENANGLE RD, CAMDEN NSW 2570

PROJECT DETAILS
DESIGN: BM
DRAWN: SR
DATE: MAY 19
DNG SIZE: A1
SCALE: 1:20
PROJECT: BM
MOR: C051 2
WWW.JN.COM.AU



No	DATE	DESCRIPTION	BY
4	11.06.19	ISSUED FOR SECTION 4.55	ELR
5	29.03.22	ISSUED FOR APPROVAL	ELR
6	28.09.22	ISSUED FOR DA APPROVAL	ELR
7	13.10.22	ISSUED FOR DA APPROVAL	ELR
8	13.02.23	ISSUED FOR DA APPROVAL	ELR

OSD SUMMARY

PROPOSED CATCHMENT AREA 3305m²
 EXISTING CATCHMENT AREA DRAINING TO BROUGHTON ST 2575m² (36%)
 BYPASS 730m² (ASSUMED 0% IMPERVIOUS AREA)
 PROPOSED CATCHMENT AREA DRAINING TO BROUGHTON ST 2905m² (81%)
 BYPASS 400m² (100% IMPERVIOUS AREA)

THE FOLLOWING RESULTS WERE PREPARED IN DRAINS AND THE MODEL IS AVAILABLE IF REQUIRED. PRE DEVELOPMENT

Q5 TOTAL = 71L/s
 Q100 TOTAL = 116L/s
 Q100 TO BROUGHTON ST = 127L/s
 Q100 BYPASS = 34L/s

POST DEVELOPMENT

Q5 TOTAL = 69L/s
 Q100 TOTAL = 158L/s
 Q100 TO BROUGHTON ST = 135L/s
 Q100 BYPASS = 23L/s
 STORAGE REQUIRED = 29.8m³
 OSD PROVIDED = 30m³

NOTE: PROPOSED BYPASS TO SPREADER IN REAR
 Q100 DEPTH = 8mm OVER 7m WIDTH

WATER QUALITY REQUIREMENTS

6 x OCEAN GUARD FILTERS IN CARPARK AREA ALL FITTED WITH HYDROCARBON ABSORBENT MATERIAL
 3 x 690mm STORMFILTER CARTRIDGES
 6m³ WATER QUALITY CHAMBER
 4m² RAINGARDEN WITH 50mm DETENTION DEPTH



CLIENT
NBR

STATUS
SECTION 4.55

DISCIPLINE
CIVIL DESIGN

DRAWING TITLE
GROUND STORMWATER PLAN

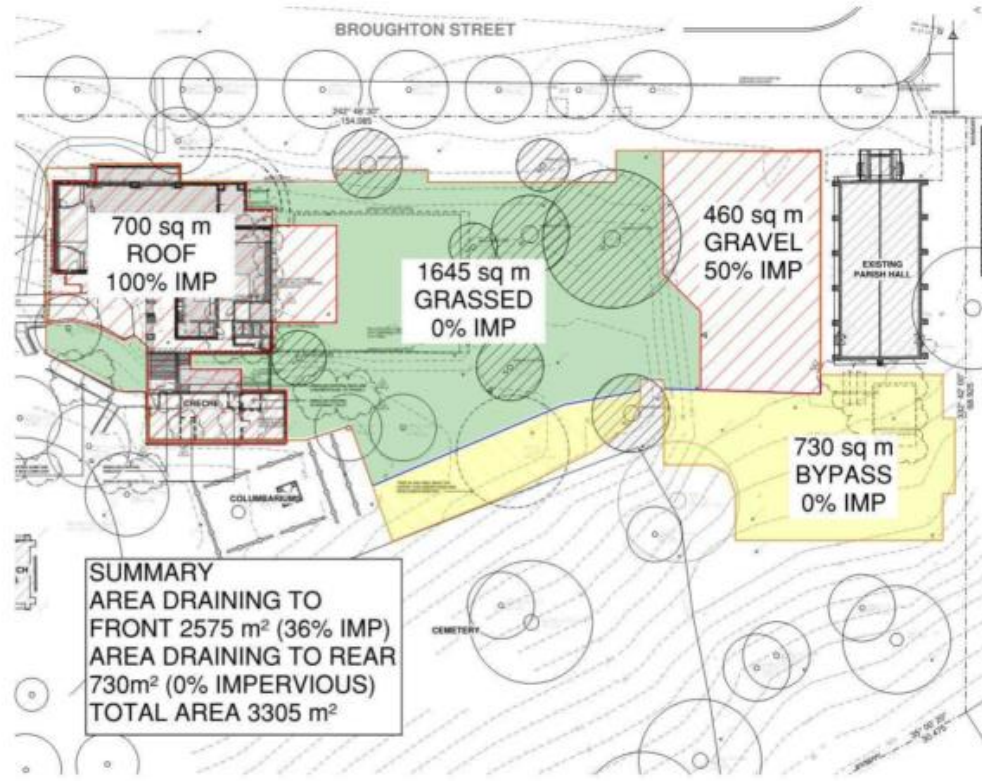
PROJECT
ST JOHN'S ANGLICAN CHURCH

ADDRESS
 6 MENANGLE RD, CAMDEN NSW 2570

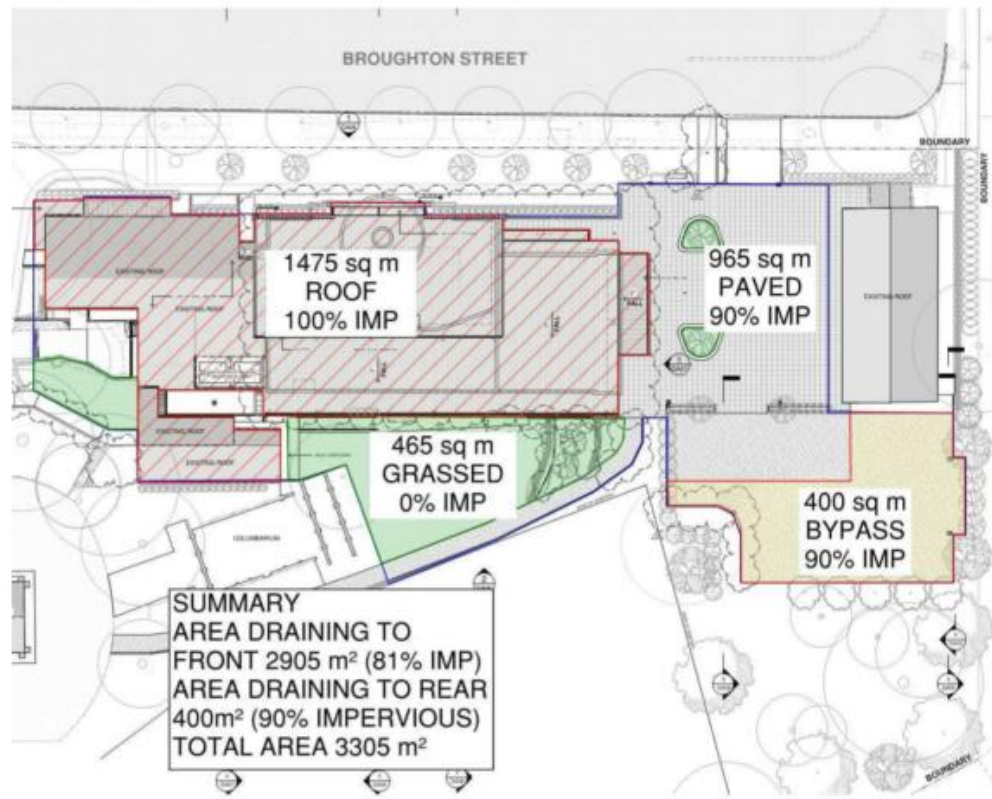
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DATE	MAY 19	
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SCALE	1:100	
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MGR		
WWW.JN.COM.AU		

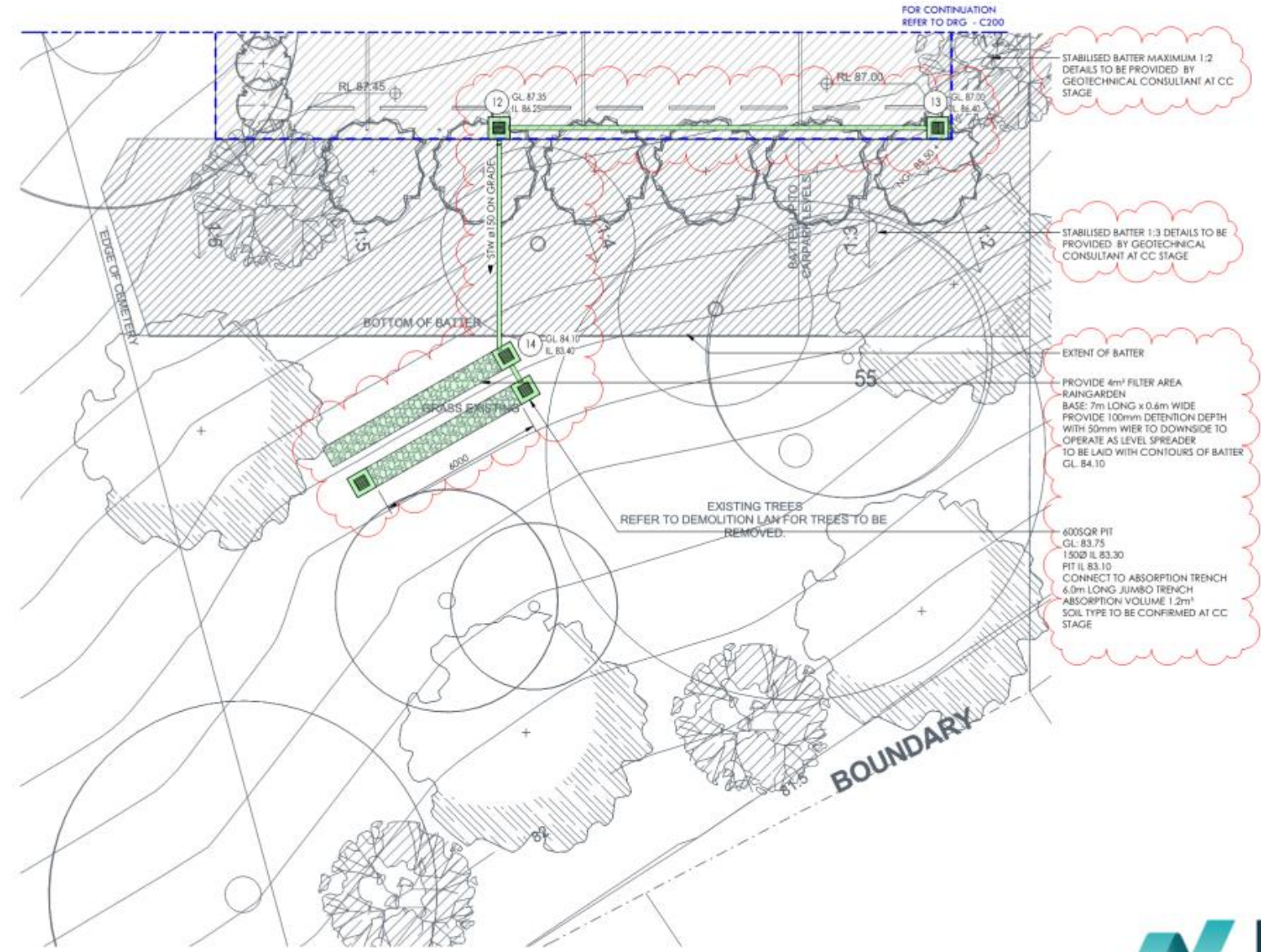
GROUND FLOOR STORMWATER PLAN
 SCALE 1:100



PRE-DEVELOPMENT CATCHMENT PLAN



POST-DEVELOPMENT CATCHMENT PLAN



LOWER GROUND FLOOR STORMWATER PLAN
 SCALE 1 : 100

NOT TO BE USED FOR CONSTRUCTION

No	DATE	DESCRIPTION	BY
1	28.09.22	ISSUED FOR DA APPROVAL	ELR
2	13.02.23	ISSUED FOR DA APPROVAL	ELR



CLIENT
NBR5

STATUS
PRELIMINARY

DISCIPLINE
CIVIL DESIGN

DRAWING TITLE
LOWER GROUND STORMWATER PLAN

PROJECT
ST JOHN'S ANGLICAN CHURCH

ADDRESS
6 MENANGLE RD, CAMDEN NSW 2570

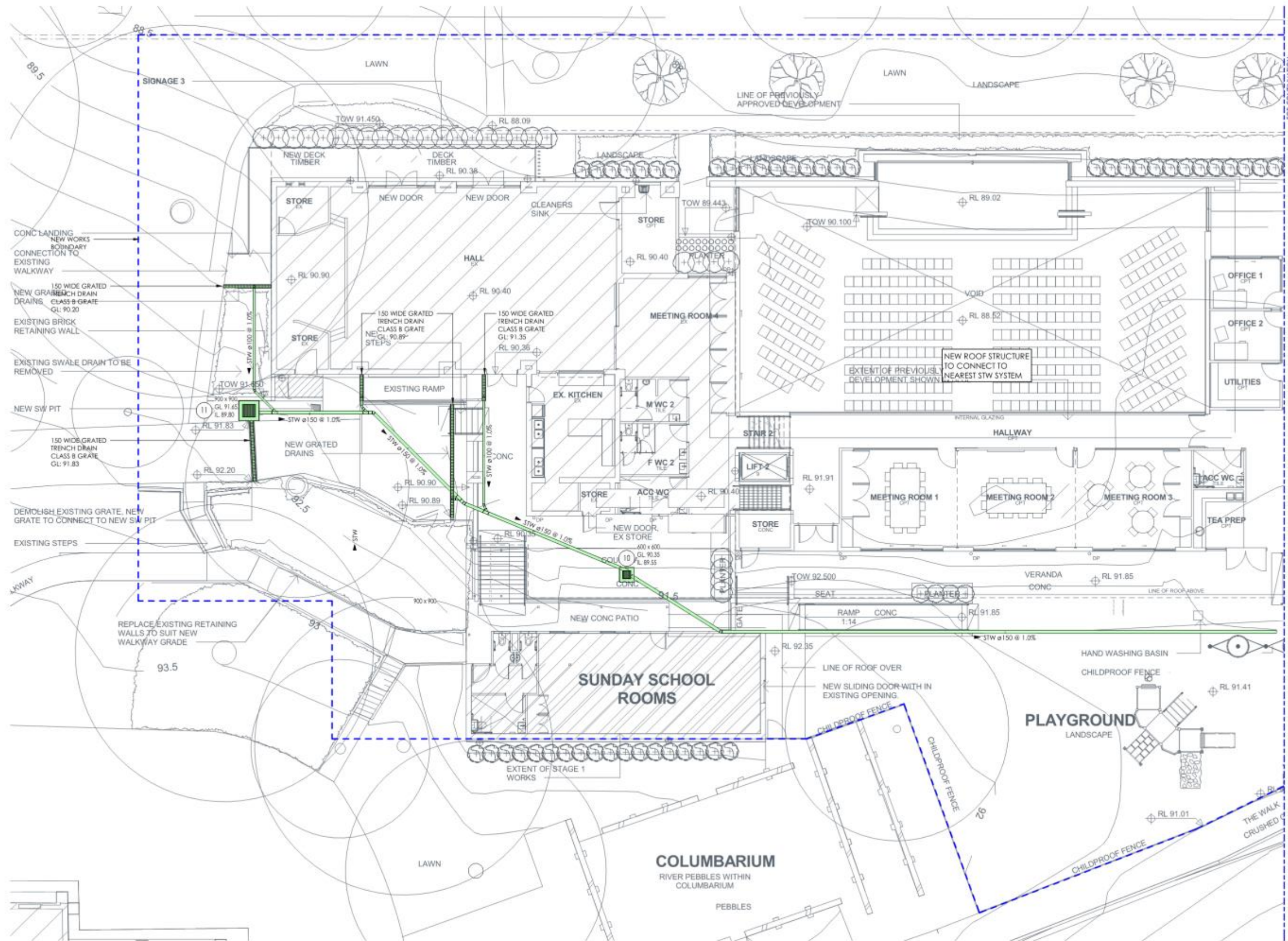
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DATE	MAY 19	
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SCALE	1 : 100	
PROJECT	BM	C205 2
MARK		

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No	DATE	DESCRIPTION	BY
1	17.05.19	ISSUED FOR REVIEW	ELR
2	11.06.19	ISSUED FOR SECTION 4.55	ELR
3	29.03.22	ISSUED FOR APPROVAL	ELR
4	28.09.22	ISSUED FOR DA APPROVAL	ELR



FIRST FLOOR STORMWATER PLAN
SCALE 1 : 100



CLIENT
NBR5

STATUS
SECTION 4.55

DISCIPLINE
CIVIL DESIGN

DRAWING TITLE
FIRST FLOOR STORMWATER PLAN

PROJECT
ST JOHN'S ANGLICAN CHURCH

ADDRESS
6 MENANGLE RD, CAMDEN NSW 2570

PROJECT DETAILS

DESIGN	RM	19010327
DRAWN	ER	
DATE	MAY 19	C210 4
DRG SIZE	A1	
SCALE	1 : 100	
PROJECT	RM	
MR		

WWW.JN.COM.AU

FOR CONTINUATION REFER TO DRG - C200

FOR CONTINUATION REFER TO DRG - C200



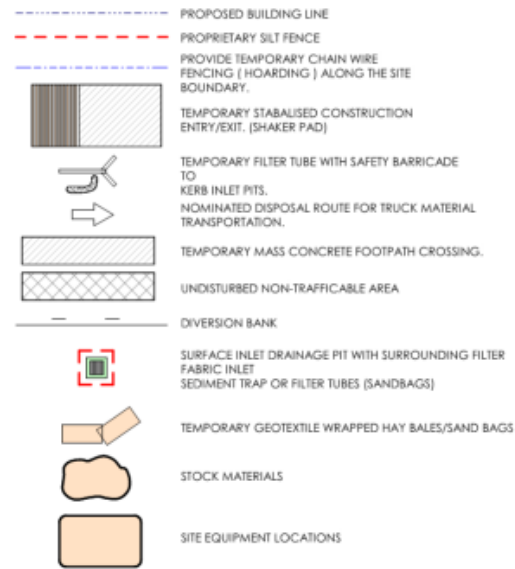
ST JOHN'S ANGLICAN CHURCH

6 MENANGLE RD, CAMDEN NSW 2570

Job No. 19010327

No	DATE	DESCRIPTION	BY
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2	11.06.19	ISSUED FOR SECTION 4.55	ELR
3	29.03.22	ISSUED FOR APPROVAL	ELR
4	28.09.22	ISSUED FOR DA APPROVAL	ELR

ENVIRONMENTAL SITE MANAGEMENT LEGEND



SAFETY IN DESIGN

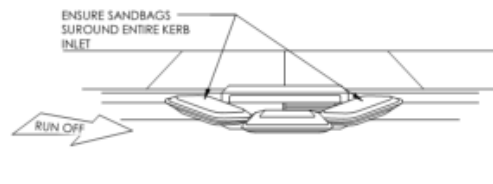
THERE ARE INHERENT RISKS WITH CONSTRUCTING, MAINTAINING, OPERATING, DEMOLISHING, DISMANTLING AND DISPOSING THIS DESIGN THAT ARE TYPICAL OF SIMILAR DESIGNS. AS FAR AS IS REASONABLY PRACTICABLE RISKS HAVE BEEN ELIMINATED OR MINIMISED THROUGH THE DESIGN PROCESS. HAZARD CONTROLS MUST STILL BE IMPLEMENTED BY THE CONTRACTOR, OWNER OR OPERATOR TO ENSURE THE SAFETY OF WORKERS.

* JN DO NOT CONSIDER THAT THERE ARE ANY UNIQUE RISKS ASSOCIATED WITH THE DESIGN OF THIS PROJECT.

ESM DRAWING LIST	
No.	SHEET NAME
ESM1	NOTES & LEGEND
ESM2	ESM PLAN

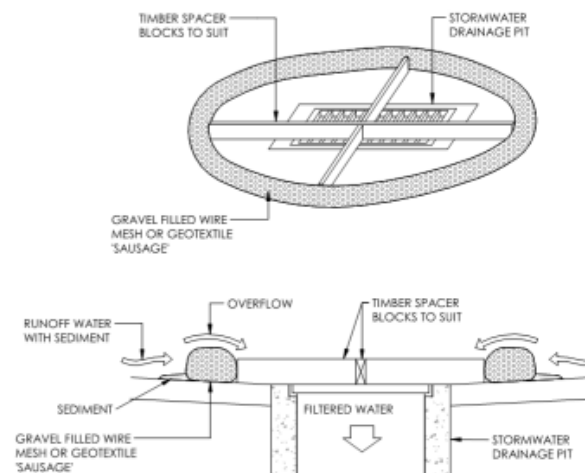
ENVIRONMENTAL SITE MANAGEMENT

- EROSION & SEDIMENT CONTROLS TO BE INSTALLED IN ACCORDANCE WITH COUNCIL'S SPECIFICATION & THE NSW DEPARTMENT OF HOUSING 'BLUE BOOK' - SOILS AND CONSTRUCTION - MANAGING URBAN STORMWATER, 2004. REFER TO THE BLUE BOOK FOR STANDARD DRAWINGS 'SD'.
- SEDIMENT & EROSION CONTROLS MUST BE IN PLACE PRIOR TO THE COMMENCEMENT OF ANY EARTHWORKS OR DEMOLITION ACTIVITY. THE LOCATION OF SUCH DEVICES IS INDICATIVE ONLY AND FINAL POSITION SHOULD BE DETERMINED ON SITE.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE THAT ALL MEASURES ARE TAKEN DURING THE COURSE OF CONSTRUCTION TO PREVENT SEDIMENT EROSION AND POLLUTION OF THE DOWNSTREAM SYSTEM. SUPERVISING ENGINEER SHOULD BE CONTACTED IF IN DOUBT. ALL SEDIMENT CONTROL STRUCTURES TO BE INSPECTED AFTER EACH RAINFALL EVENT FOR STRUCTURAL DAMAGE AND ALL TRAPPED SEDIMENT TO BE REMOVED TO A NOMINATED SOIL STOCKPILE SITE.
- RETAIN ALL EXISTING GRASS COVER WHEREVER POSSIBLE. TOPSOIL FROM ALL AREAS THAT WILL BE DISTURBED TO BE STRIPPED AND STOCKPILED AT THE NOMINATED SITE. A SEDIMENT FENCE TO BE PLACED DOWNHILL OF STOCKPILE.
- AREAS OF SITE REGRADING ARE TO BE COMPLETED PROGRESSIVELY DURING THE WORKS AND STABILISED AS EARLY AS POSSIBLE. THE SUPERVISING ENGINEER MAY DIRECT THE CONTRACTOR TO HAVE AREAS OF DISTURBANCE COMPLETED AND STABILISED DURING THE COURSE OF THE WORKS.
- ALL DISTURBED AREAS ARE TO BE SEEDED & FERTILISED WITHIN 14 DAYS OF EXPOSURE.
- ALL EXISTING TREES TO BE RETAINED UNLESS SHOWN OTHERWISE ON APPROVED DRAWINGS. TREES RETAINED ARE TO BE PROTECTED WITH A HIGH VISIBILITY FENCE, PLUS FLAGGING TO INDIVIDUAL TREES AS NECESSARY.
- INSTALL TEMPORARY SEDIMENT BARRIERS TO ALL INLET PITS LIKELY TO COLLECT SILT OR GEOTEXTILE INLET FILTERS TO SD6-11 & SD6-12.
- ALL SILT FENCES & BARRIERS ARE TO BE MAINTAINED IN GOOD ORDER & REGULARLY DESLITED DURING THE CONSTRUCTION PERIOD. SILT FENCES TO SD6-8 OR SD6-9.
- STOCKPILES OF LOOSE MATERIALS SUCH AS SAND, SOIL, GRAVEL MUST BE COVERED WITH GEOTEXTILE SILT FENCE MATERIAL. PLASTIC SHEETING OR MEMBRANE MUST NOT BE USED. SAFETY BARRIERS SHOULD BE USED TO ISOLATE STOCKPILES OF SOLID MATERIALS SUCH AS STEEL REINFORCING, FORMWORK AND SCAFFOLDING.
- WASTE MATERIALS ARE TO BE STOCKPILED OR LOADED INTO SKIP BINS LOCATED ON SITE AS SHOWN ON PLAN.
- NO MORE THAN 150m OF TRENCHING TO BE OPEN AT ANY ONE TIME. IMMEDIATELY AFTER TRENCH BACKFILLING. PROVIDE SANDBAGS OR SAUSAGE FILTERS ACROSS EACH TRENCH AT MAXIMUM 20m SPACINGS. FILTERS TO REMAIN IN PLACE UNTIL REVEGETATION HAS OCCURRED.
- ALL VEHICLES LEAVING THE SITE MUST PASS OVER THE STABILISED SITE ACCESS BALLAST AREA (SIMILAR TO SD6-14) TO SHAKE OFF SITE CLAY AND SOIL. IF NECESSARY WHEELS AND AXLES ARE TO BE HOSED DOWN. BALLAST IS TO BE MAINTAINED & REPLACED AS NECESSARY DURING THE CONSTRUCTION PERIOD.
- THE HEAD CONTRACTOR IS TO INFORM ALL SITE STAFF AND SUB-CONTRACTORS OF THEIR OBLIGATIONS UNDER THE EROSION AND SEDIMENT CONTROL PLAN.
- ANY SEDIMENT DEPOSITED ON THE PUBLIC WAY, INCLUDING FOOTPATH RESERVE AND ROAD SURFACE, IS TO BE REMOVED IMMEDIATELY.
- PROVIDE BARRIERS AROUND ALL CONSTRUCTION WORKS WITHIN THE FOOTPATH AREA TO PROVIDE SAFE ACCESS FOR PEDESTRIANS.
- CONCRETE PUMPS AND CRANES ARE TO OPERATE FROM WITHIN THE BALLAST ENTRY DRIVEWAY AREA AND ARE NOT TO OPERATE FROM THE PUBLIC ROADWAY UNLESS SPECIFIC COUNCIL PERMISSION IS OBTAINED.
- TRUCKS REMOVING EXCAVATED / DEMOLISHED MATERIAL SHOULD TRAVEL ON STABILISED CONSTRUCTION PATHS. MATERIAL TO BE TAKEN TO THE TRUCK TO REDUCE TRUCK MOVEMENT ON SITE. TRUCKS TO BE LIMITED TO SINGLE UNIT HEAVY RIGID VEHICLES. (NO SEMITRAILERS)
- ANY EXCAVATION WORK ADJACENT TO ADJOINING PROPERTIES OR THE PUBLIC ROADWAY IS NOT TO BE COMMENCED UNTIL THE STRUCTURAL ENGINEER IS CONSULTED AND SPECIFIC INSTRUCTIONS RECEIVED FROM THE ENGINEER.
- TOILET FACILITIES MUST BE EITHER A FLUSHING TYPE OR APPROVED PORTABLE CHEMICAL CLOSET. CHEMICAL CLOSETS ARE TO BE MAINTAINED & SERVICED ON A REGULAR BASIS SO THAT OFFENSIVE ODOUR IS NOT EMITTED.
- DURING TRENCH EXCAVATION ALL SPOIL SHALL BE MOUNDING ON THE UPSLOPE SIDE OF TRENCHES AND PLACEMENT IS TO COMPLY WITH THE SUPERINTENDENTS REQUIREMENT.
- DIVERSION BANKS SHOULD BE CONSTRUCTED BY MOUNDING STRIPPED TOPSOIL (MIN HEIGHT 600mm) WHERE DIRECTED. MATERIAL TO BE RESPREAD ON FOOTWAYS AFTER FINAL TRIMMING.
- UNDISTURBED BUFFER ZONE AREAS ARE CLOSED TO ALL TRAFFIC MOVEMENTS UNLESS OTHERWISE NOTED BY THE SUPERINTENDENT AND ACCESS TO THE SEWER OR C.D.L. TRENCHING WILL BE AS SHOWN, OR HEAVY PENALTIES MAY BE IMPOSED.
- TRAFFIC MANAGEMENT MEASURES ARE REQUIRED TO BE IMPLEMENTED AND MAINTAINED DURING CONSTRUCTION. IN ACCORDANCE WITH R.T.A. TRAFFIC CONTROL AT WORK SITES - CURRENT EDITION AND AS 1742 'MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES'.
- PEDESTRIAN CONTROL MEASURES ARE REQUIRED TO BE IMPLEMENTED AND MAINTAINED DURING CONSTRUCTION. IN ACCORDANCE WITH AS 1742 'MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES'.



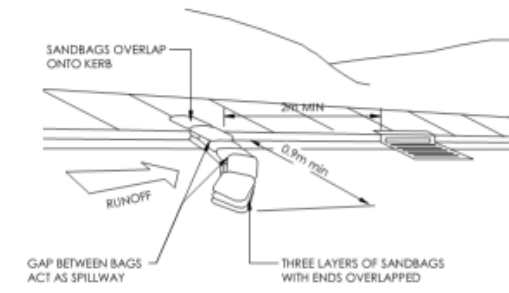
- NOTES:
- FABRICATE A SLEEVE MADE FROM GEOTEXTILE OR WIRE MESH LONGER THAN THE LENGTH OF THE INLET PIT.
 - FILL THE SLEEVE WITH 25mm TO 50mm GRAVEL.
 - FORM AN ELLIPTICAL CROSS SECTION ABOUT 150mm HIGH X 400mm WIDE.
 - PLACE THE FILTER AT THE OPENING OF THE KERB INLET LEAVING A 100MM GAP AT THE TOP TO ACT AS AN EMERGENCY SPILL WAY.
 - MAINTAIN A CLEAR DISTANCE AWAY FROM THE PIT WITH SPACER BLOCKS.
 - FORM A SEAL WITH THE KERBING AND PREVENT SEDIMENT BYPASSING THE FILTER.
 - FIT TO ALL KERB INLETS AS SHOWN.

SANDBAG SEDIMENT INLET TRAP

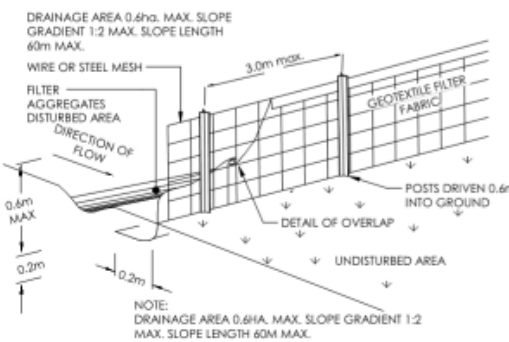


- FABRICATE A SLEEVE MADE FROM GEOTEXTILE OR WIRE MESH LONGER THAN THE LENGTH OF THE INLET PIT.
- FILL THE SLEEVE WITH 25mm TO 50mm GRAVEL.
- FORM AN ELLIPTICAL CROSS SECTION ABOUT 150mm HIGH X 400mm WIDE.
- MAINTAIN A CLEAR DISTANCE AWAY FROM THE PIT WITH SPACER BLOCKS.

SAUSAGE BARRIER DETAIL

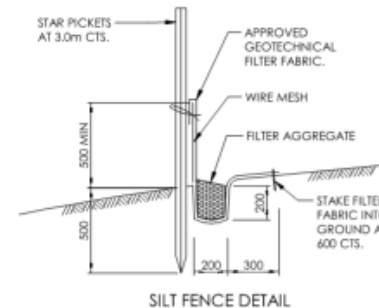


SANDBAG SEDIMENT TRAP DETAIL

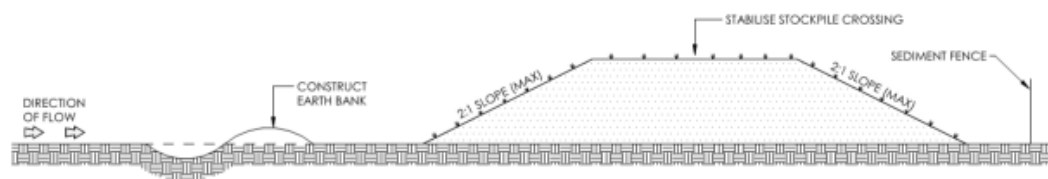


SEDIMENT FENCE

- GENERAL CONSTRUCTION NOTES
- CONSTRUCT SEDIMENT FENCE AS CLOSE AS POSSIBLE TO PARALLEL TO THE CONTOURS OF THE SITE.
 - DRIVE 1.5m LONG STAR PICKETS IN GROUND 3m APART.
 - DIG A 200mm DEEP TRENCH ALONG THE UPSLOPE LINE OF THE FENCE FOR THE FABRIC TO BE ENTRENCHED.
 - BACKFILL TRENCH OVER BASE OF FABRIC.
 - FIX SELF-SUPPORTING GEOTEXTILE TO UPSLOPE SIDE OF POSTS WITH WIRE TIES OR AS RECOMMENDED BY GEOTEXTILE MANUFACTURER.
 - JOIN SECTIONS OF FABRIC AT A SUPPORT WITH A 150mm OVERLAP.



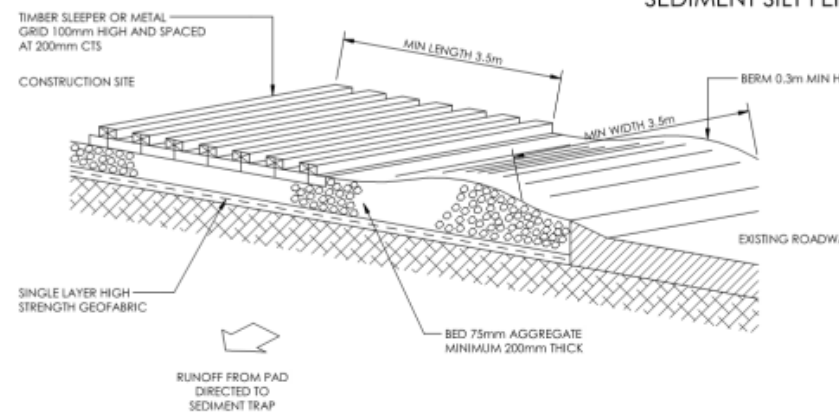
SILT FENCE DETAIL



STOCKPILES

- GENERAL CONSTRUCTION NOTES:
- LOCATE STOCKPILE AT LEAST 5m FROM VEGETATION, CONCENTRATED WATER FLOWS, ROADS AND HAZARD AREAS.
 - CONSTRUCT ON THE CONTOUR AS A LOW FLAT ELONGATED MOUND.
 - WHERE THERE IS A SUFFICIENT AREA TOPSOIL STOCKPILES SHALL BE LESS THAN 2m IN HEIGHT. (TO ALLOW AIR VENTILATION FOR FUTURE REUSE)
 - REHABILITATE IN ACCORDANCE WITH THE SWMP/ESCP.
 - CONSTRUCT EARTH BANK ON THE UPSLOPE SIDE TO DIVERT RUN OFF AROUND THE STOCKPILE AND A SEDIMENT FENCE 1m TO 2m DOWNSLOPE OF STOCKPILE.

STOCKPILES



TEMPORARY CONSTRUCTION EXIT DETAIL - SHAKER



CLIENT
NBR8

STATUS
SECTION 4.55

DISCIPLINE
CIVIL DESIGN

DRAWING TITLE
NOTES & LEGEND

PROJECT
ST JOHN'S ANGLICAN CHURCH

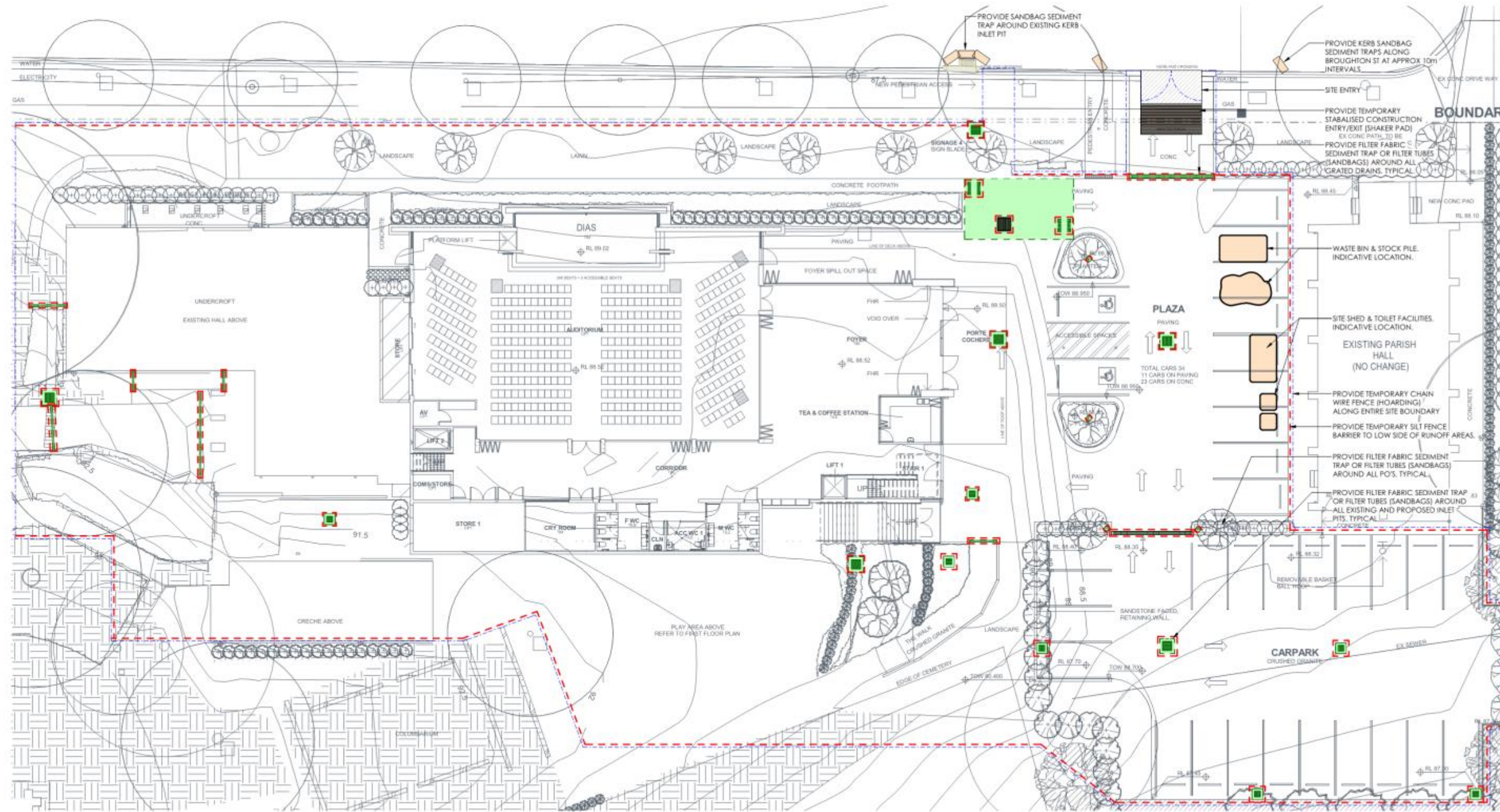
ADDRESS
6 MENANGLE RD, CAMDEN NSW 2570

PROJECT DETAILS
DESIGN: BM
DRAWN: SR
DATE: MAY 19
DRG SIZE: A1
SCALE: As indicated
PROJECT: BM
MGR: MGR

19010327
ESM1 4

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No	DATE	DESCRIPTION	BY
1	17.05.19	ISSUED FOR REVIEW	ELR
2	11.06.19	ISSUED FOR SECTION 4.55	ELR
3	29.03.22	ISSUED FOR APPROVAL	ELR
4	28.09.22	ISSUED FOR DA APPROVAL	ELR



ESM SITE PLAN
SCALE 1 : 150



CLIENT
NBRS

STATUS
SECTION 4.55

DISCIPLINE
CIVIL DESIGN

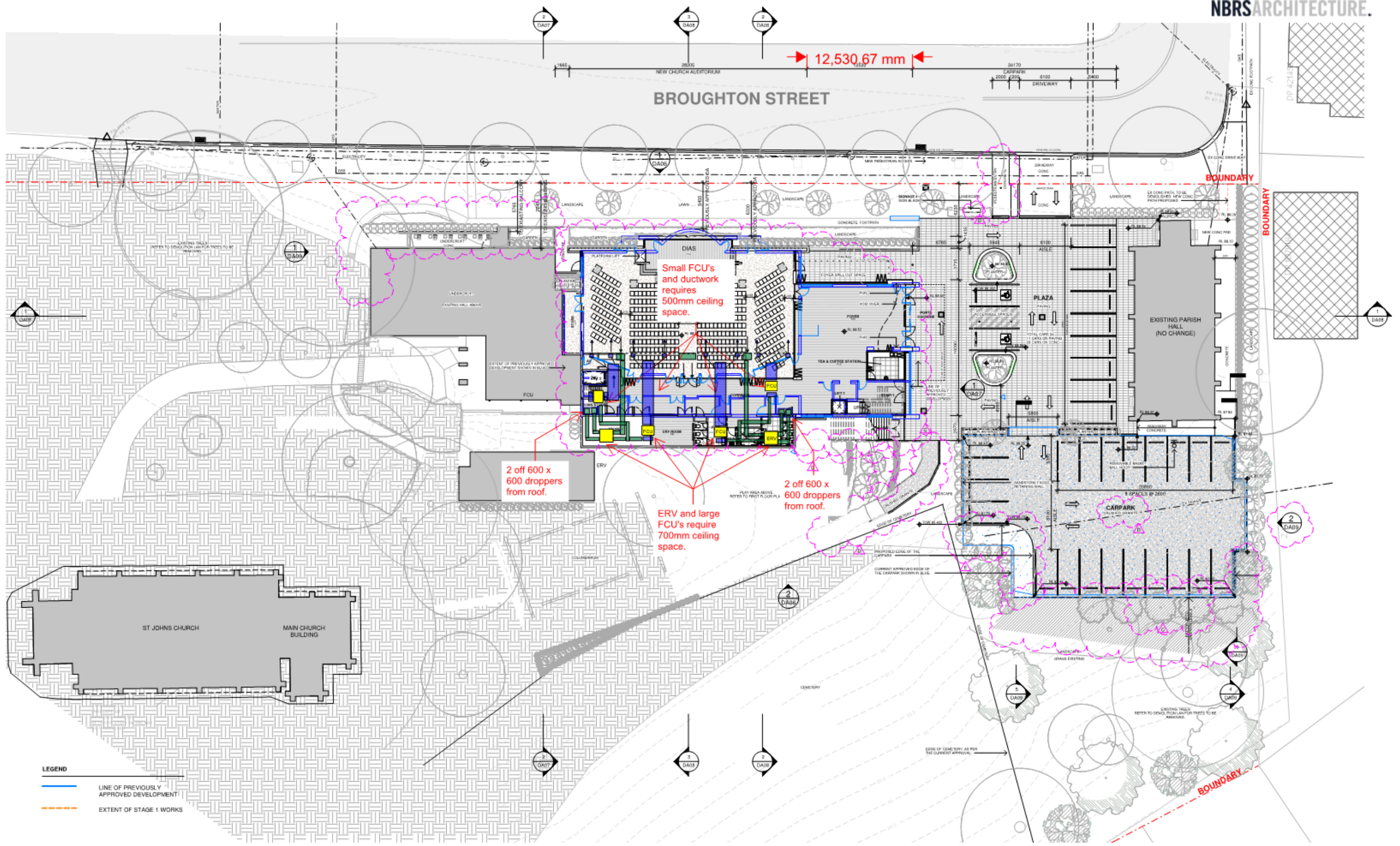
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PROJECT
ST JOHN'S ANGLICAN CHURCH
ADDRESS
6 MENANGLE RD, CAMDEN NSW 2570

PROJECT DETAILS
DESIGN RM
DRAWN ER
DATE MAY 19
DRG SIZE A1
SCALE 1:150
PROJECT RM
MGR
WWW.JN.COM.AU

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ESM2 4





Attachments for the Camden Local Planning Panel Meeting held on 18 April 2023 - Page 295

1 GROUND FLOOR PLAN
1:200



DESIGN SMcL
 DATE 14/11/2022
 SIZE AS SHOWN
 SCALE NTS
 PROJECT MGR SMcM

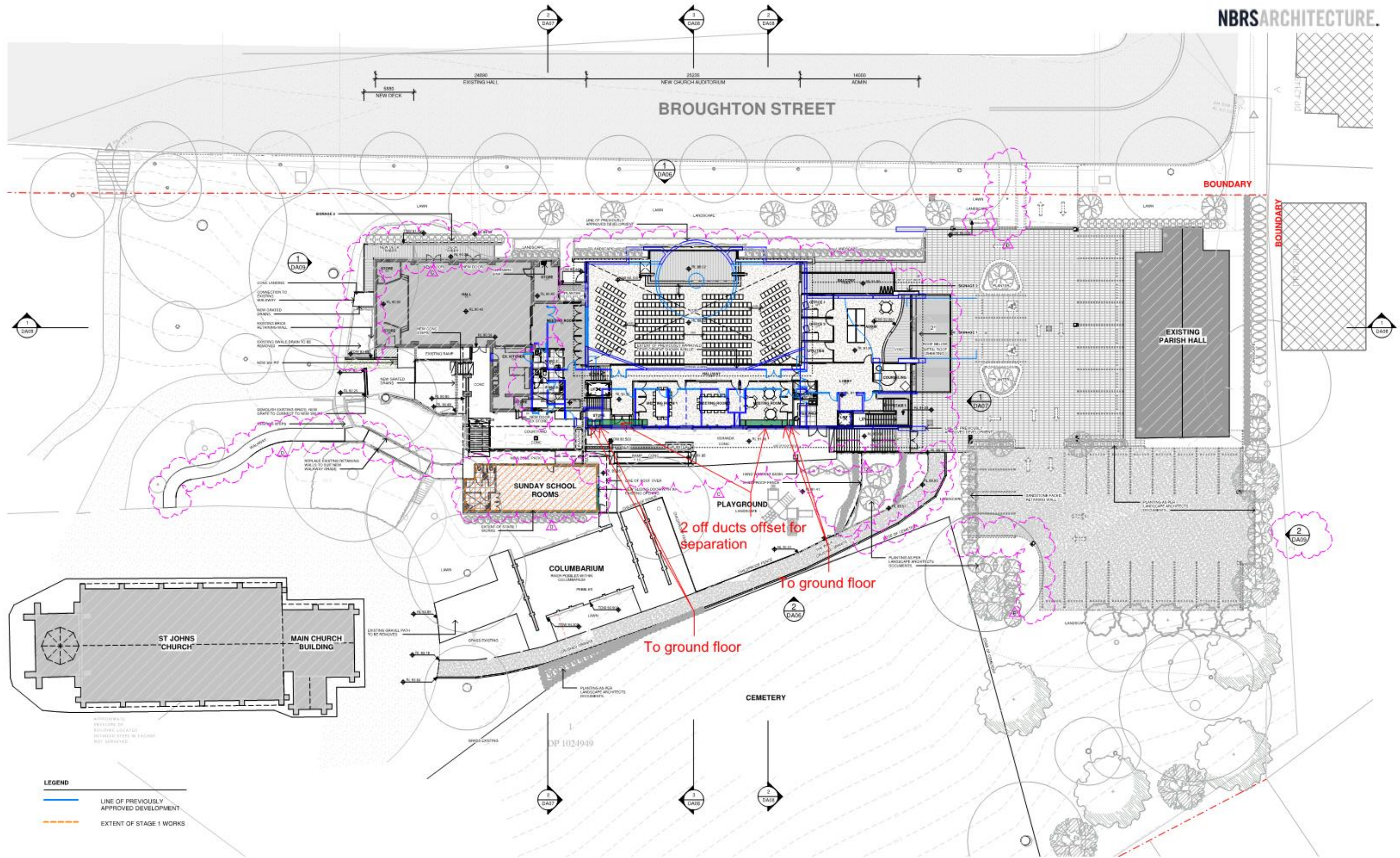
MECHANICAL SKETCH
 MECHANICAL PLANT SKETCH
 St Johns Anglican Church
 6 Menangle Road, Camden
 NBR

19010327 Church
 MSK04

Architect
NBR ARCHITECTURE.
 Sydney
 61 2 9522 2344
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 Nominated Architect:
 Geoffrey Cleane 3766; Andrew Durkin; Garry Hoddinott 5286 © 2018

Date 7/09/2022 12:57:32 PM
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 Drawing Reference
 09081-DA03-E

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Attachments for the Camden Local Planning Panel Meeting held on 18 April 2023 - Page 296

Attachment 10

Proposed plans

1 FIRST FLOOR PLAN
1:200



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DESIGN	SMcL
DATE	14/11/2022
SIZE	AS SHOWN
SCALE	NTS
PROJECT MGR	SMcM

MECHANICAL SKETCH

MECHANICAL PLANT SKETCH

Engineer St John's Anglican Church

Engineer - 6 Menangle Road, Camden

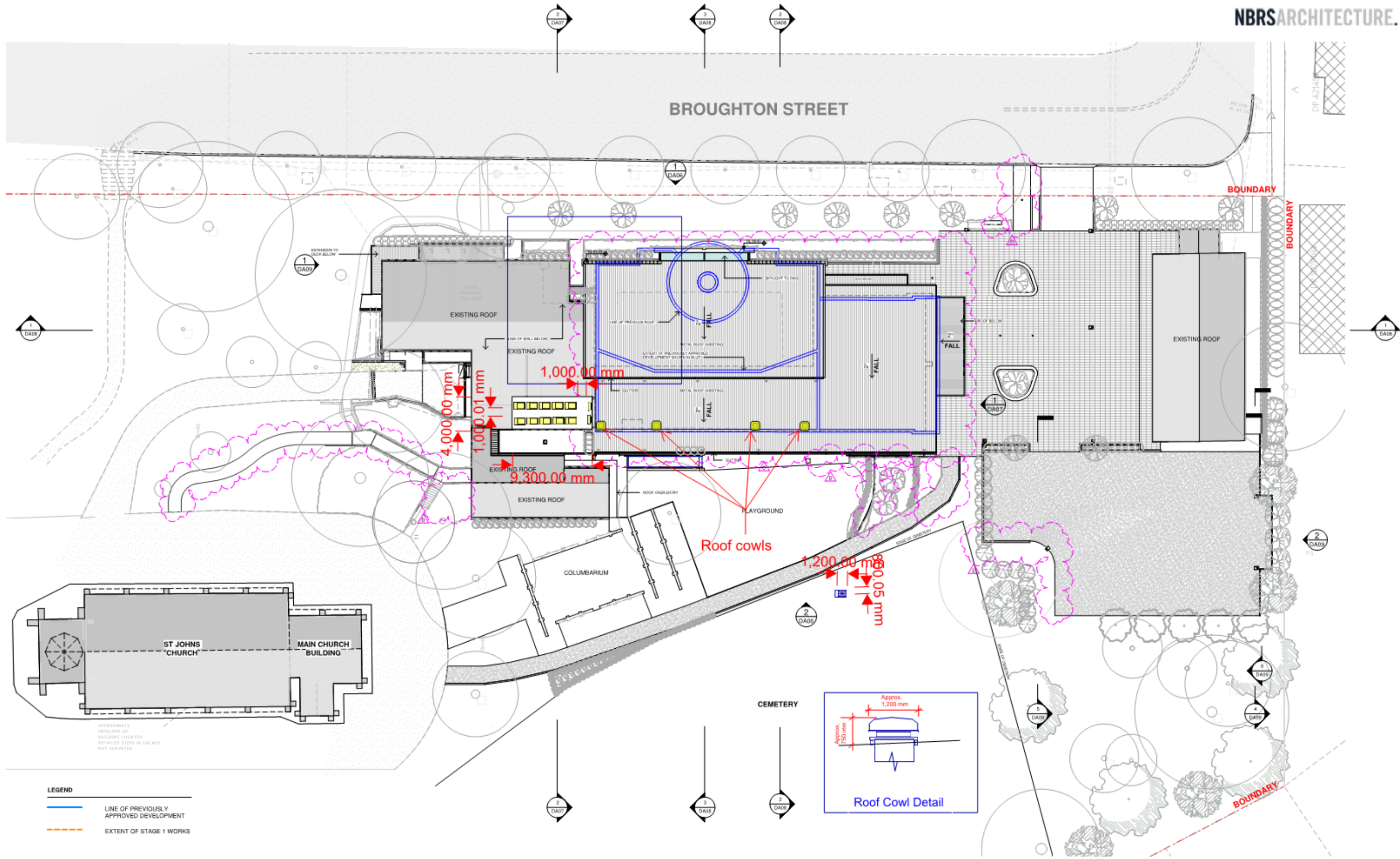
NBRSEARCHITECTURE.

19010327 Church
MSK04

Architect NBRSEARCHITECTURE.

Sydney 61 2 9622 2344
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Norval Architects
Geoffrey Deane 3746; Andrew Duffin; Garry Roddick 5286 © 2018

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Scale	As Indicated @ A1
Drawing Reference	09081-DA04B-E



Attachments for the Camden Local Planning Panel Meeting held on 18 April 2023 - Page 297

LEGEND

- LINE OF PREVIOUSLY APPROVED DEVELOPMENT
- - - - - EXTENT OF STAGE 1 WORKS

1 ROOF PLAN



DESIGN	SMcL
DATE	14/11/2022
SIZE	AS SHOWN
SCALE	NTS
PROJECT MGR	SMcM

MECHANICAL SKETCH
MECHANICAL PLANT SKETCH

St John's Anglican Church
 6 Menangle Road, Camden
 NBR

19010327
MSK04

Architect
NBRSEARCHITECTURE.
 Sydney
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Date 7/09/2022 1:11:40 PM
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 Drawing Reference
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