

# Business Paper

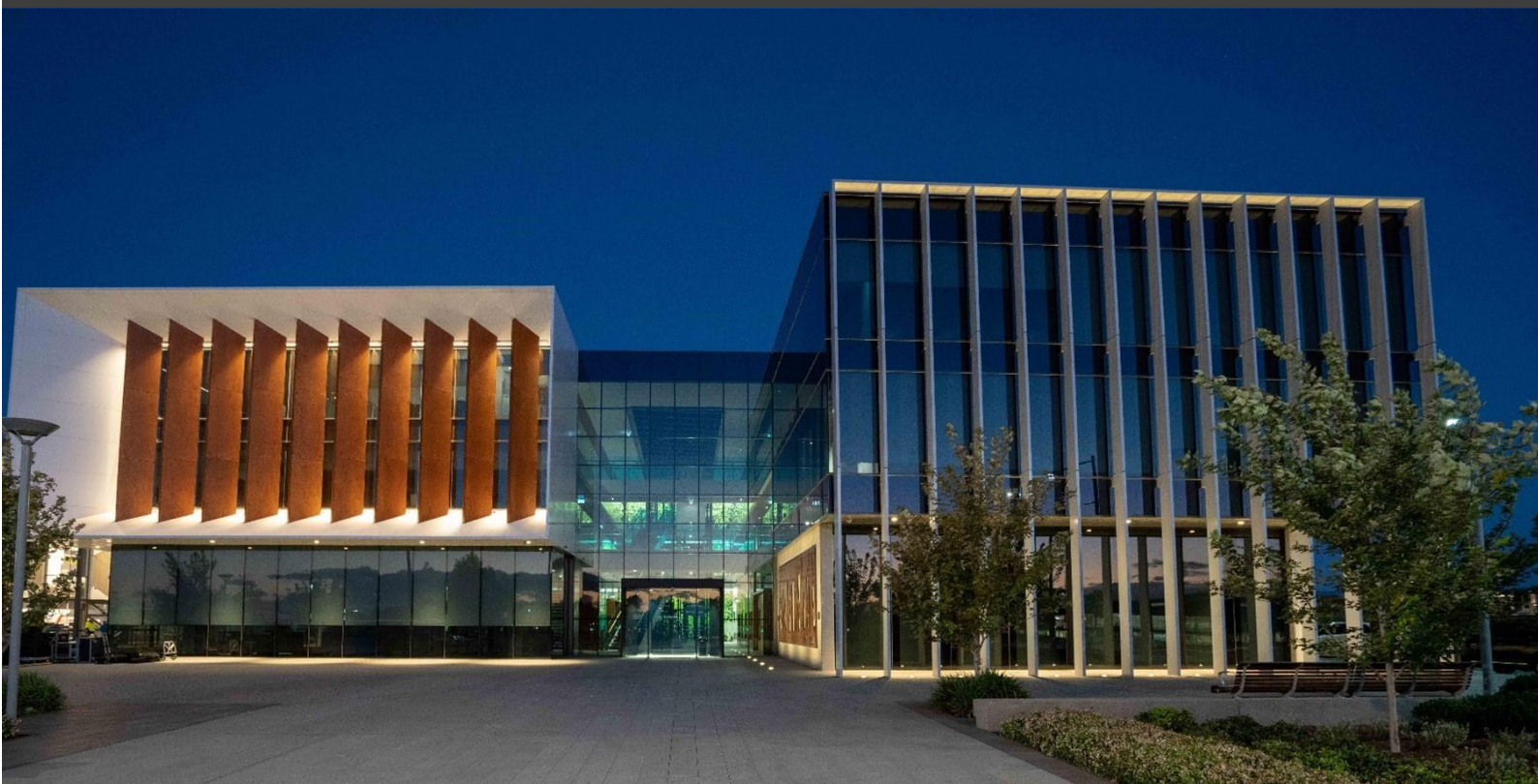
Camden Local Planning Panel

Camden Council

Administration Centre

70 Central Avenue, Oran Park

19 November 2024



camden  
council



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**SUBJECT: ACKNOWLEDGEMENT OF COUNTRY**

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I would like to acknowledge that this meeting is being held on the Traditional Lands and Waterways of the Dharawal people and also recognise surrounding Dharug, and Gundungurra people and pay our respect to Elders past, present, and those emerging.

**SUBJECT: RECORDING OF LOCAL PLANNING PANEL MEETINGS**

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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**

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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**

**CLPP01**

**SUBJECT: DA/2023/518/1 - TWO STAGE NINETEEN LOT TORRENS TITLE SUBDIVISION INCLUDING SIX INTEGRATED HOUSING LOTS, CONTAMINATION REMEDIATION, ROAD CONSTRUCTION, DRAINAGE WORKS, TREE REMOVAL, LANDSCAPING AND ASSOCIATED WORKS - 80 HEATH ROAD, 5 MESSENGER ROAD, 9 & 11 JULIUS CRESCENT, LEPPINGTON**

**FROM:** Manager Statutory Planning  
**EDMS #:** 24/660184

DA Number:	2023/518/1.
Development:	Two stage nineteen lot Torrens title subdivision including six integrated housing lots, contamination remediation, road construction, drainage works, landscaping and associated site works
Estimated Cost of Development:	\$4,047,719
Site Address(es):	80 Heath Road, 5 Messenger Road, 9 and 11 Julius Crescent, Leppington
Applicant:	The Planning Hub
Owner(s):	<ul style="list-style-type: none"> <li>• Parkside Farmland Pty Ltd</li> <li>• Ms S &amp; Mr G Mourched</li> <li>• Camden Council</li> </ul>
Number of Submissions:	None
Development Standard Contravention(s):	None
Classification:	Integrated development.
Recommendation:	Approve with conditions.
Panel Referral Criteria:	Conflict of Interest – Council Owned Land (in part)
Report Prepared By:	Averil Flaxman, 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 a two stage nineteen lot Torrens title subdivision including six integrated housing lots, contamination remediation, road construction, drainage, tree removal, landscaping, and associated site works at 80 Heath Road, 5 Messenger Road, 9 and 11 Julius Crescent, Leppington.

The Panel is to exercise Council’s consent authority functions for this DA as, pursuant to the Minister for Planning’s Section 9.1 Direction, part of the site (80 Heath Road, Leppington) is in the ownership of Camden Council.

**SUMMARY OF RECOMMENDATION**

That the Panel determine DA/2023/518/1 for a two stage nineteen lot Torrens title subdivision including six integrated housing lots, contamination remediation, road construction, drainage, tree removal, landscaping, and associated site works 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 development application for a two stage development involving:

- Stage 1 - Torrens title subdivision creating thirteen residential lots with one residue lot. This will include the reconfiguration of 11 and 9 Julius Crescent to create one additional lot addressing Julius Crescent. Contamination remediation, road construction, basin construction, drainage works, tree removal, landscaping and associated works.
- Stage 2 – Construction of six residential dwellings on residue lot 7 and Torrens title subdivision into six lots.

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 10 November 2023 to 7 December 2023 and no submissions were received.

**KEY PLANNING CONTROL VARIATIONS**

Control	Proposed	Variation
In areas with a minimum residential density of less than or equal to 20dw/ha no more than 40% of the total residential lots proposed in any one street block may have a frontage of less than 10m wide.	65%	25%



**AERIAL PHOTO**



**THE SITE**

The site comprises four allotments that are commonly known as 5 Messenger Road, 80 Heath Road, 9 & 11 Julius Crescent, Leppington. The allotments are legally described as Lots 100 and 101 in DP 1278721 and Lot 19 and 20 in DP 1266077. Most of the development will be contained within 5 Messenger Road, with 9 and 11 Julius Crescent proposed to be reconfigured with the incorporation of land from 5 Messenger Road. Road and drainage works are proposed on 80 Heath Road.

The site has multiple zonings, with 5 Messenger Road and 9 & 11 Julius Crescent zoned R2 Low Density Residential, while 80 Heath Road is partly zoned RE1 Public Recreation, SP2 Infrastructure and a small section of C4 Environmental Conservation.

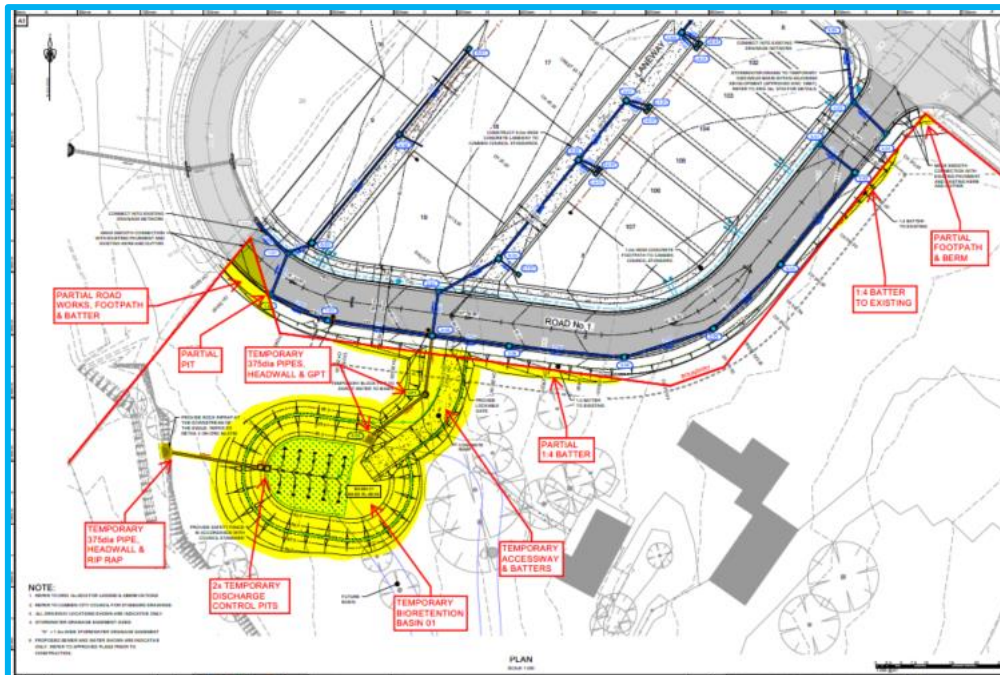
The development site is irregular in shape with 5 Messenger Road having an 89m frontage to Messenger Road, 9 and 11 Julius Crescent having a combined frontage of 39.3m fronting Julius Crescent, and 80 Heath Road having a 203m frontage to Heath Road. The entirety of the site has a combined area of 4.1064Ha.

The site slopes from east to west with a fall of by 2m over 137m. Scalabrini Creek traverses 80 Heath Road from the south-east to the north-west of the site and a portion of the development site is flood affected.

On 30 June 2023 Council compulsorily acquired 80 Heath Road, Leppington which is to form an extension to the adjoining Pat Kontista Reserve and will be developed to include playing fields and other public facilities. Areas of proposed car park associated with Pat Kontista Reserve will be accessible from proposed Road 1. Due to the nature of the

topography of the site, and the boundary line resulting from the compulsory acquisition of 80 Heath Road, works within 80 Heath Road were unavoidable as part of this application. These works include road construction works and battering to accommodate the level differences between Road 1 and 80 Heath Road.

The location of the proposed temporary basin is in the location of the future regional basin which was agreed to by Council during the assessment of the application. Below are plan extracts which highlight the works proposed to be carried out on Council owned land and the draft master plan extract for the Pat Kontista Reserve demonstrating the location of the future bio basin.



**Figure 1: Plan demonstrating extent of works on Council owned land.**



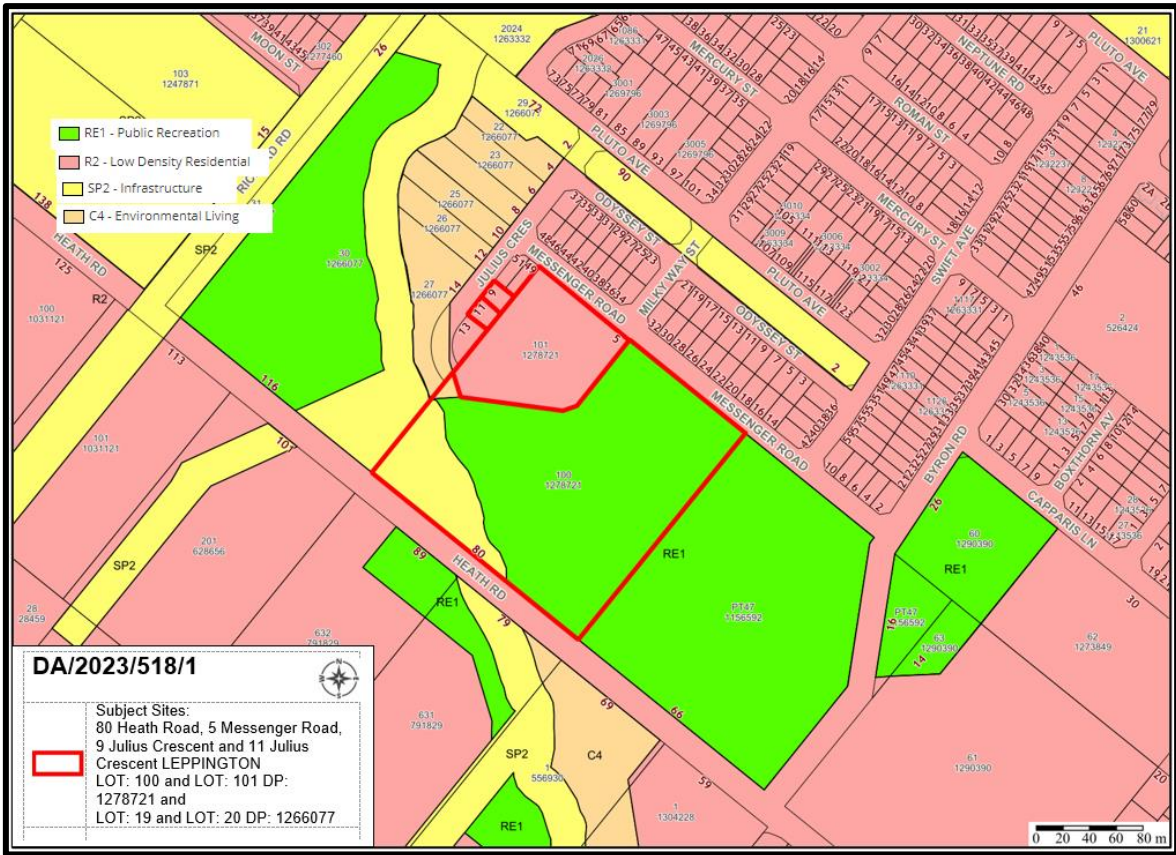
**Figure 2: Pat Kontista Reserve Master Plan extract**

Contamination has been identified on 80 Heath Road and 5 Messenger Road. As part of the application 5 Messenger Road is proposed to be remediated in its entirety, and the area which contains the proposed basin on 80 Heath Road will also be remediated as part of this application. Other areas of contamination on 80 Heath Road will be remediated by Council.

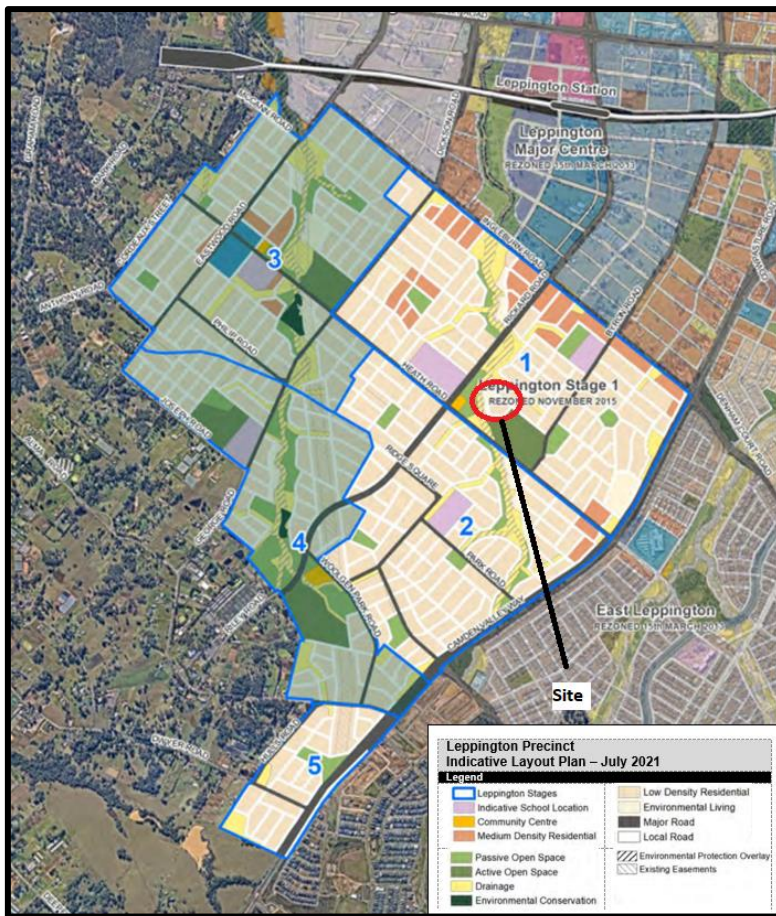
The south-eastern corner of the 80 Heath Road site is partially mapped as being bush fire affected. The application was referred to NSW Rural Fire Service and General Terms of Approval issued with recommended conditions of consent. Works are proposed within 40m of Scalabrini Creek with General Terms of Approval issued by the Department of Planning and Environment – Water in respect to this development.

The development site is part of the Leppington Growth Centre Precinct and is in the process of transformation from agricultural land to residential with surrounding sites in various stages of redevelopment with an emerging residential character. The surrounding area is primarily zoned R2 Low Density Residential with a small pocket of C4 Environmental Living land bordering Scalabrini Creek on the adjoining site to the west. The land to the east and south of the development site is zoned RE1 Public Recreation and is the site to which the extension to the existing Pat Kontista Reserve will occur. The land north to north-east of the development site is zoned R2 Low Density Residential with various stages of dwelling construction being undertaken.

**ZONING PLAN**



**AREA MASTER PLAN**



**HISTORY**

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

Date	Development
7 May 2021	A site survey was completed for the creation of 5 Messenger Road and 80 Heath Road for the Council compulsory acquisition of 80 Heath Road.
31 May 2021.	Approval of DA/2020/460/1 (deferred commencement consent) for remediation of contaminated land, demolition of existing structures, Torrens title subdivision of the two existing lots to create 31 lots to comprise of 27 residential and environmental living lots, two drainage reserve lots and two residue lots on 26 Rickard Road and 116 Heath Road, Leppington.
7 July 2022	DA/2020/460/2 - Section 4.55 modification approved to amend a deferred commencement condition to provide a drainage easement to be complied with prior to issue of the Subdivision Certificate.
13 October 2022	DA/2020/460/3 - Section 4.55 modification approved to permit the importation and/or placement of Excavated Natural Material (ENM).

30 June 2023	Camden Council compulsorily acquired 80 Heath Road, Leppington as detailed in Government Gazette number 278.
24 November 2023	DA/2020/460/4 - Section 4.55 modification approved to delete a temporary retaining wall and replace with a batter, revised drainage design, amendment to the wording of related conditions and amendment to the wording of the Section 7.11 condition.
23 April 2024	DA/2020/460/5 - Section 4.55 modification approved to rectify a misalignment of Messenger Road.
5 August 2024	The subdivision created under DA/2020/460/1 was registered creating Lot 19 and 20 in DP 1266077 (9 and 11 Julius Crescent, Leppington)

**THE PROPOSAL**

DA/2023/518/1 seeks approval for a two stage residential subdivision creating a total of 19 lots including the construction of six dwellings, earthworks, construction of two roads and a basin.

Specifically, the development involves:

- Stage 1:
  - Remediation;
  - Earthworks;
  - Construction of temporary on-site detention basin on 80 Heath Road;
  - Construction of Road 1 connecting Julius Crescent and Messenger Road and construction of a proposed lane connecting Messenger Road to Road 1;
  - Torrens title subdivision creating 13 residential lots and one residue lot.
  - Landscaping
  - Infrastructure servicing and associated civil works.
  
- Stage 2
  - Development of residue lot for the construction of six dwellings with Torrens title subdivision into six lots.

## ASSESSMENT

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

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

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

The environmental planning instruments that apply to the development are:

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

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

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

#### *Site Zoning*

The site is zoned R2 Low Density Residential, C2 Environmental Conservation, RE1 Public Recreation, SP2 Infrastructure pursuant to Appendix 5, Section 2.2 of the Western Parkland City SEPP.

#### *Land Use/Development Characterisation*

The development is characterised as 'earthworks', 'drainage', 'roads' and 'subdivision' by the Western Parkland City SEPP.

#### *Permissibility*

All of the development is permitted with consent in the zones in which it is proposed pursuant to the land use table in Appendix 5 of the Western Parkland City SEPP.

#### *Planning Controls*

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

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

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

#### *Referral to Endeavour Energy (Endeavour)*

The DA was referred to Endeavour for comment pursuant to Section 2.48 of the Transport and Infrastructure SEPP as the site is adjacent to overhead powerlines.

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

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

*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 detailed site investigation has been provided for 5 Messenger Road and for the portion of 80 Heath Road proposed to contain the temporary basin. Samples were taken from site with the reported concentrations of Contamination of Potential Ecological Concern not exceeding the laboratory's limits of reporting assessment criteria. Some of the samples were found to contain Chrysotile and Amosite Asbestos and another sample was found to have a slightly elevated concentration of Zinc of 1200mg/kg and 690 mg/Kg above the EIL Criteria of 570mg. Three areas of Environmental Concern were identified to have contamination issues associated with fill, anthropogenic material (i.e. aesthetic issues), heavy metals and asbestos.

A Remediation Action Plan was provided which includes the removal of all rubbish, building debris and asbestos fragments, excavation and disposal of all material impacted by anthropogenic material and asbestos. Further sampling and grid pattern based on minimum sampling guidelines is to be carried out.

Council's Specialist Environmental Health Officer has reviewed the RAP and supports the proposed remediation strategy, with the exception of the proposed contingency plan to which conditions of consent are recommended. A condition of consent is recommended to ensure the site will be suitably remediated and an appropriate validation certificate is provided.

A standard contingency condition is also recommended that requires any contamination found during works to be managed with development consent obtained for remediation if required.

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

The development 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 development.



State Environmental Planning Policy (Sustainable Buildings) 2021 (Sustainable Buildings SEPP)

The proposed dwellings comply with Chapter 2 of the Sustainable Buildings SEPP with the submission of compliant BASIX certification for each dwelling.

**(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)**

There are no draft environmental planning instruments that are applicable to the development.

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

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

*Planning Controls*

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

*Proposed Variation*

The applicant proposes a variation to Section 3.1.2(8) of the Camden DCP which requires lots with frontages less than 10m wide to not exceed 40% of the total residential lots proposed in a street block.

The applicant has provided a request for variation which provides the following justification:

- The development continues to achieve the overall intent of this control noting the development is consistent with objectives of Section 3.1.2 of the Camden Growth Centres DCP. Specifically:
  - The development will encourage a variety of dwelling sizes, types and designs within the envisaged streetscape and in close proximity to a public park.
  - This variation also ensures the block can continue to provide opportunities for housing choice and the overall creation of an attractive streetscape despite the constrained nature of the site.
- The overall layout of the super lot created (5 Messenger Road) is constrained. Specifically, the overall subdivision has been designed to best respond to the indicative layout plan.
- The non-compliance will account for a small portion of Messenger Road and is unlikely to have an adverse impact on the streetscape.

- The dwellings incorporate a suitable architectural design, fenestration, roof form and finishes to ensure the sites maintain a positive contribution to the streetscape.

#### *Variation Assessment*

Council officers' support the applicant's justification for the proposed variation. The proposed development is consistent with the objectives of this control as detailed below:

- a) To establish a clear urban structure that promotes a 'sense of neighborhood' and encourages walking and cycling.

Comment: The dwelling design on lots 102-107 present a clear urban character in the dwelling design. The mixture of differing lot sizes, frontages and dimensions will add to the urban character of the neighborhood. The proposed footpath fronting the lots will encourage walking and cycling around the neighborhood and provide connectivity to adjoining streets as well as to the future Pat Kontista Reserve.

- b) To efficiently utilise land and achieve the target dwelling yield for the relevant precinct.

Comment: The proposed subdivision achieves the minimum density requirements of 15dw/Ha as detailed in the assessment tables attached to this report.

- c) To emphasise the natural attributes of the site and reinforce neighborhood identity through the placement of visible key landmark features, such as parks, squares and landmark buildings.

Comment: Pat Kontista reserve will be visible to lots 6, 8, and proposed dwellings on lots 102-107 while the future embellishment of Scalabrini Creek will be visible to lots 9 and 19. The dwellings proposed on lots 102-107 have been designed to a high standard and demonstrate differentiating characteristics whilst maintaining continuity with materiality, colour and texture as presented in the schedule of external colours and finishes.

- d) To optimise outlook and proximity to public and community facilities, parks and public transport with increased residential density.

Comment: The proposed development layout provides optimal orientation with the highest density of dwellings fronting Pat Kontista Reserve. The two storey dwelling will provide a high level of passive surveillance to Pat Kontista Reserve.

- e) To encourage variety in dwelling size, type and design to promote housing choice and create attractive streetscapes with distinctive characters.

Comment: The proposed development provides a variety of dwelling / lot sizes, with the largest resulting lot in the subdivision being 509m<sup>2</sup> and the smallest lot being 225m<sup>2</sup>.

- f) To accommodate a mix of lot sizes and dwelling types across the precinct.

Comment: With the variety of lot sizes provided and the varying frontage widths, there will be a mixture of dwelling types across the subdivision.

- g) To establish minimum lot dimensions for different residential dwellings.

Comment: As detailed above, the varying lot sizes will provide a mixture of lot widths and dimensions to provide variety in the resulting streetscape. The existing lots to the west of Julius Crescent are zoned C4 Environmental Living with a minimum lot size of 1500m<sup>2</sup>, while the existing lots with frontage to Messenger Road have varying lot sizes between 250m<sup>2</sup> – 330m<sup>2</sup>. It is considered the proposed development will provide suitable housing diversity for the broader neighborhood context.

It is acknowledged 5 Messenger Road is an irregular shape with an elongated side with an opposing shorter frontage which presents challenges with lot and road pattern design. The site is further constrained with the fall across the site and the two fixed locations at the end of Julius Crescent and Messenger Road which require Road 1 to connect providing issues with road geometry. Accordingly, the proposed lot sizes have resulted from the irregularity of the parent lot shape and dimension.

Lots 6, 8, 9, 19 and 102 – 107 are all lots that will overlook open space and will provide passive surveillance to Pat Kontista Reserve. Despite the non-compliance with this control, the proposed subdivision layout is compliant with density controls, minimum lot size and lot dimension controls.

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 DA.

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

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

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

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

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

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

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

The Development Application was publicly exhibited for a period of 28 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 10 November to 7 December 2023 and no submissions were received during this period.

Following the submission of amended plans and additional information the DA was publicly re-exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The re-exhibition period was from 3 to 16 October 2023 and no submissions were received.

**(e) the public interest**

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

**EXTERNAL REFERRALS**

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

External Referral	Response
NSW Rural Fire Service.	A Bush Fire Safety Authority granted subject to conditions of consent.
Department of Planning and Environment - Water	General Terms of Approval granted subject to conditions of consent.
Endeavour Energy.	No objection and conditions recommended.
Sydney Water.	No objection and conditions recommended.

Conditions that require compliance with the Bush Fire Safety Authority, General Terms of Approval issued by the Department of Planning and Environment - Water and external referral recommendations are recommended.

**FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

**CONCLUSION**

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

**RECOMMENDED**

**That the Panel approve DA/2023/518/1 for a two stage nineteen lot Torrens title subdivision including six integrated dwelling construction, site remediation, road construction, drainage works, landscaping and associated site works at 5 Messenger Road, 80 Heath Road, 9 and 11 Julius Crescent, Leppington subject to conditions attached to this report for the following reasons:**

- 1. The development is consistent with the objectives and controls of the applicable environmental planning instruments, being State Environmental Planning Policy (Precincts - Western Parkland City) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State**

**Environmental Planning Policy (Biodiversity and Conservation) 2021 and State Environmental Planning Policy (Sustainable Buildings) 2021.**

- 2. The development is consistent with the objectives of the Camden Growth Centre Development Control Plan 2023.**
- 3. The development is considered to be of an appropriate scale and form for the site and the character of the locality.**
- 4. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.**
- 5. 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. Precincts SEPP and Growth Centres DCP Assessment Table
3. Subdivision and Architectural Plans

**RECOMMENDED CONDITIONS**

## General

### 1.1 - General Conditions

- (1) **Approved plans and documents** - Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this development consent expressly require otherwise:

Approved plans			
Number	Title	Drawn by	Date
088-20G LO3 (6) Sheet 1 of 2	Plan of Proposed Subdivision Stage 1	Colliers	15 March 2023
088-20G LO3 (6) Sheet 1 of 2	Plan of Proposed Subdivision Stage 1	Colliers	15 March 2023
088-20C-SK-5 Rev A	Extent of proposed works on Council Land	Craig Rhodes and	20 September 2024
088-20C-DA-2 Rev E	General Notes	Craig Rhodes and	30 July 2024
088-20C-DA-3 Rev E	Legend and Abbreviations	Craig Rhodes and	30 July 2024
088-20C-DA-21 Rev E	Demolition Plan	Craig Rhodes and	30 July 2024
088-20C-DA-51 Rev E	Bulk Earthworks Plan	Craig Rhodes and	30 July 2024
088-20C-DA-61 Rev E Sheet 1 of 2	Bulk Earthworks Site Sections	Craig Rhodes and	30 July 2024
088-20C-DA-62 Rev E Sheet 2 of 2	Bulk Earthworks Site Sections	Craig Rhodes and	30 July 2024
088-20C-DA-101 Rev E Sheet 1 of 2	Road and Drainage Plan	Craig Rhodes and	30 July 2024
088-20C-DA-102 Rev E Sheet 1 of 2	Road and Drainage Plan	Craig Rhodes and	30 July 2024
088-20C-DA-151 Rev E	Road Typical Sections	Craig Rhodes and	30 July 2024
088-20C-DA-201 Rev E	Road No. 01 Longitudinal Sections	Craig Rhodes and	30 July 2024

088-20C-DA-201 Rev E	Laneway Longitudinal Sections	Craig Rhodes and	30 July 2024
088-20C-DA-501 Rev E	Pavement Plan	Craig Rhodes and	30 July 2024
088-20C-DA-751 Rev E	Temporary OSD/WSUD Basin Plan	Craig Rhodes and	30 July 2024
088-20C-DA-752 Rev E	Temporary OSD/WSUD Basin Detail Plan	Craig Rhodes and	30 July 2024
088-20C-DA-901 Rev E	Sediment and Erosion Control Plan	Craig Rhodes and	30 July 2024
088-20C-DA-902 Rev E	Sediment and Erosion Control Details	Craig Rhodes and	30 July 2024
202306 - DA00 Rev D	Cover Page	Archian	25 July 2024
202306 - DA02 Rev D	Building Envelope Plan	Archian	25 July 2024
202306 - DA05 Rev D	Site Plan	Archian	25 July 2024
202306 - DA11 Rev D	Ground Floor Plan	Archian	25 July 2024
202306 - DA12 Rev D	First Floor Plan	Archian	25 July 2024
202306 - DA13 Rev D	Roof Plan	Archian	25 July 2024
202306 - DA21 Rev D	East Elevation	Archian	25 July 2024
202306 - DA22 Rev D	West Elevation	Archian	25 July 2024
202306 - DA23 Rev D	North and South Elevation	Archian	25 July 2024
202306 - DA24 Rev D	Rear Elevation	Archian	25 July 2024
202306 - DA33 Rev D	Cross Section	Archian	25 July 2024
202306 - DA34 Rev D	Cross Section	Archian	25 July 2024
202306 - DA61 Rev D	Fencing Detail	Archian	25 July 2024
202306 - DA62 Rev D	Front Fence Elevation	Archian	25 July 2024

202306 – DA81 to DA83 Rev D	Finishes and Materials	Archian	25 July 2024
LP01	Landscape Plan – Subdivision	JCA	4 July 2023
LP02	Landscape Plan – Proposed Town Houses	JCA	4 July 2023

Approved documents		
Title	Prepared by	Date
Remediation Action Plan (RAP) Ref: JC22452A-r3(Rev)	GeoEnviro Consultancy P/L	August 2024
Waste Management Plan Ref: 088-20	Craig & Rhodes	May 2023
Geotechnical and Salinity Investigation Ref: JC22452A-r2	GeoEnviro Consultancy P/L	February 2023

In the event of any inconsistency between the approved plans/documents and a condition of this development consent, the condition prevails.

**Condition reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

- (2) **Design amendments** - Before the issue of a subdivision works certificate / construction certificate, the relevant certifier must ensure the plans and specifications detail the following required amendments to the approved plans and documents:
- a) Fencing plans are required to be amended to provide 1.8m palisade gates/fencing to lots 6, 8, 102-107.
  - b) 1.2m open style fencing is required to be provided to all side boundaries to a minimum of 2m behind the dwelling façade, this shall be increased to 4m for all corner lots including lots 6, 8, 10 and 19.

**Condition reason:** To require minor amendments to the plans endorsed by the consent authority following assessment of the development.

- (3) **Authority requirements** - The development must be carried out in accordance with the following authority requirements:
1. NSW Rural Fire Service – General Terms of Approval – 12 December 2023.
  2. Department of Planning and Environment – Water - General Terms of Approval - 1 November 2023.

**Condition reason:** To ensure the development complies with Authority requirements.

- (4) **Approved development stages and sequence** - The development must be carried out in the following stages and sequence:



1. **Stage 1:**
  - a) Remediation;
  - b) Earthworks;
  - c) Construction of temporary on site detention basin and related drainage;
  - d) Roadworks including the construction of Road 1 and the Laneway;
  - e) Torrens title subdivision creating thirteen lots (lots 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19) and creation of one residue lot (lot 7),
  - f) Landscaping
  - g) Infrastructure and associated civil works.
  - h) Tree removal.
2. **Stage 2:**
  - a) Construction of 6 dwellings and six lot Torrens title subdivision on residue lot 7 (creation of lots 102, 103, 104, 105, 106 and 107).

**Condition reason:** To detail the approved staging and sequencing for the development.

- (5) **Approved remediation work staging** - The remediation work must be completed, and all remediation work conditions complied with before the commencement of Stage 1 of the development.

**Condition reason:** To detail the approved staging for the remediation work.

- (6) **Contributions offset by works in kind** - Contributions may be offset by the value of land and/or works as part of a 'Works in Kind' agreement with Council. Works in kind must be agreed to by Council in writing prior to the payment of the contributions. All 'Works in Kind' agreements must be in accordance with Council's Works-In-Kind Policy.

**Condition reason:** To allow works in kind to satisfy contributions required by this development consent.

- (7) **Fulfillment of BASIX commitments** - Each commitment listed in an approved BASIX certificate for the following development must be fulfilled:

1. BASIX development.
2. BASIX optional development, if the development application was accompanied by a BASIX certificate.

**Condition reason:** Prescribed condition under section 75 of the *Environmental Planning and Assessment Regulation 2021*.

- (8) **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 management strategies as contained within the approved salinity management plan titled Geotechnical and Salinity Investigation reference number JC22452A-r2 prepared by GeoEnviro Consultancy Pty Ltd dated February 2023.

**Condition reason:** To ensure all works are completed in accordance with the salinity management plan.

## Remediation Work

### 2.1 - Before Remediation Work Commences

- (1) **Hazardous building materials assessment (preparation)** - Before any remediation work commences, a hazardous building materials assessment (HBMA) must be prepared by a suitably qualified person. The report must demonstrate, to the satisfaction of Council, that:

1. The HBMA has assessed all building and structures to be demolished.
2. All hazardous components on the site have been identified.

**Condition reason:** To ensure hazardous building materials are identified before any works commence.

- (2) **Public liability insurance policy** - Before any remediation work commences, the developer must take out a public liability insurance policy with a minimum cover of \$20 million in relation to the occupation of, and works within, all public property for the full duration of the works. Evidence of the policy must be provided to Council.

**Condition reason:** To ensure adequate public liability insurance is obtained to cover development within public property.

- (3) **Site security and fencing** - Before any remediation work commences, the site is to be secured and fenced to the satisfaction of Council.

**Condition reason:** To ensure that access to the site is managed before works commence.

- (4) **Site management plan (preparation)** - Before any remediation work commences, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate, to the satisfaction of Council, that the following site work matters will be managed to protect the amenity of the surrounding area:

1. Erosion and sediment control measures, including compliance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the blue book) (as amended from time to time).
2. Prohibiting offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.
3. Covering soil stockpiles and not locating them near drainage lines, watercourses, waterbodies, footpaths and roads without first providing adequate measures to protect those features.
4. Prohibiting the pumping of water seeping into any excavations from being pumped to a stormwater system unless sampling results demonstrate compliance with NSW Environment Protection Authority requirements and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018) criteria for water quality discharge.
5. Construction traffic management in accordance with Council's engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads.

6. Maintaining a fill delivery register including the date, time, truck registration number and fill quantity, origin and type.
7. Ensuring that vehicles transporting material to and from the site:
  - a. Cover the material so as to minimise sediment transfer.
  - b. Do not track soil and other waste material onto any public road.
  - c. Fully traverse the site's stabilised access point.
8. Waste generation volumes, waste reuse and recycling methods, waste classification in accordance with NSW Environment Protection Authority waste classification guidelines, hazardous waste management, disposal at waste facilities, the retention of tipping dockets and their production to Council upon request.
9. Hazardous materials management.
10. Work health and safety.
11. Complaints recording and response.

**Condition reason:** To ensure site management practices are established before any works commence.

- (5) **Remedial Action Plan** - All approved remediation works that include excavation, stockpiling, on-site and off-site disposal, cut, backfilling, compaction, monitoring, validation, site management and security and work health and safety must be carried out in accordance with the approved remediation action plan titled 'Remediation Action Plan Proposed residential Subdivision development Part lot 46 DP 8176 No. 80 Heath Road, Leppington prepared by Geo Enviro Consultancy Pty Ltd ref: JC22452A-r3 (rev) dated 30 August 2024 except where amended by other conditions of this development consent.

Any variation to the approved remediation action plan will require this development consent to be modified or a separate development consent to be obtained.

**Condition reason:** To ensure the site is remediated in accordance with the remediation action plan.

- (6) **Variation to the RAP's Contingency Plan** - The contingency plan contained in "section 9.8" of the RAP is not approved. The burying of contaminated soil or materials that contain contaminants is not permitted on-site. All contamination that requires remediation must be removed off site to a licensed facility following excavation and separating of materials (if required) and relevant waste classification testing.

**Condition reason:** To ensure the site is remediated in accordance with Council requirements.

## 2.2 - During Remediation Work

- (1) **Hazardous building materials assessment (during work)** - While remediation work is being carried out, the approved hazardous building materials assessment must be complied with.

All site personnel and occupants of adjoining properties must be protected from risk of exposure to hazardous building materials in accordance with SafeWork NSW requirements and the NSW Government's Code of Practice for Demolition Work.

All materials not suitable for reuse or recycling must be disposed of at a waste facility.

**Condition reason:** To ensure hazardous building materials are appropriately managed during work.

- (2) **Site management plan (during work)** - While remediation work is being carried out, the approved site management plan must be complied with.

A copy of the plan must be kept on the site at all times and provided to Council upon request.

**Condition reason:** To protect the amenity of the surrounding area.

- (3) **Fill delivery register** - Once remediation work is completed, the delivery register for the site work must be submitted to Council.

**Condition reason:** To ensure that Council has a record of all fill deliveries to the site.

- (4) **Fill material (virgin excavated natural material)** - Before the importation and placement of any fill material on the site, an assessment report and sampling location plan for the material must be prepared by a contaminated land specialist. The report and plan must demonstrate, to the satisfaction of Council, that:

1. The report and plan have been endorsed by a practising engineer with specific area of practice in subdivisional geotechnics.
2. The report and plan have been prepared in accordance with:
  - a. The Department of Land and Water Conservation publication 'Site investigation for Urban Salinity'.
  - b. The Department of Environment and Conservation - Contaminated Sites Guidelines 'Guidelines for the NSW Site Auditor Scheme (Third Edition) - Soil Investigation Levels for Urban Development Sites in NSW'.
3. The fill material:
  - a. Provides no unacceptable risk to human health and the environment.
  - b. Is free of contaminants.
  - c. Has had its salinity characteristics identified in the report and specifically the aggressiveness of salts to concrete and steel (refer to the Department of Land and Water Conservation publication 'Site investigation for Urban Salinity').

- d. Is suitable for its intended purpose and land use.
  - e. Has been lawfully obtained.
4. The sampling of the material for salinity complies with:
- a. Less than 6,000m<sup>3</sup> - 3 sampling locations.
  - b. Greater than 6,000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2,000m<sup>3</sup> or part thereof.
  - c. A minimum of 1 sample from each sampling location must have been provided for assessment.
5. The sampling of the material for contamination complies with:
- a. 1 sample per 1,000m<sup>2</sup> or part thereof.
  - b. For volumes less than 1,000m<sup>2</sup>, a minimum of 2 separate samples from different locations must be taken.

**Condition reason:** To ensure that fill material has been adequately assessed before placement on the site.

- (5) **Unexpected contamination finds contingency (remediation action plan)** - While remediation work is being carried out, if any additional contamination and/or hazardous materials is encountered, the work in the vicinity of the contamination and/or hazardous materials must cease immediately and the contingency recommendations of the approved remediation action plan must be complied with.

**Condition reason:** To ensure a procedure is in place to manage unexpected contamination finds encountered during site works.

- (6) **Remediation work inspections** - While remediation work is being carried out, a certified contaminated land consultant must frequently inspect the remediation work to confirm compliance with the approved remediation action plan, including all health and safety requirements, to the satisfaction of Council.

**Condition reason:** To ensure that the approved remediation action plan is complied with.

- (7) **Variations to Remediation Action Plan** - Any variation to the approved remediation action plan will require this development consent to be modified or a separate development consent to be obtained.

**Condition reason:** To ensure no variations to the approved remediation action plan.

## Subdivision Work

### 3.1 - Before Issue of a Subdivision Works Certificate

- (1) **Public infrastructure alterations** - Before the issue of a subdivision works certificate, any required alterations to public infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlets, service provider pits, street trees or any other public infrastructure) must be approved by the roads authority under the *Roads Act 1993*. Any costs incurred will be borne by the developer. Evidence of the approval must be provided to the certifier.

**Condition reason:** To clarify the timing and need for approval under the *Roads Act 1993*.

- (2) **Long service levy** - Before the issue of a subdivision works certificate, the long service levy must be paid at the prescribed rate to either the Long Service Payments Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986*. This applies to building and construction works with a cost of \$250,000 or more. Evidence of the payment must be provided to the certifier.

**Condition reason:** To ensure the long service levy is paid.

- (3) **Engineering specifications** - Before the issue of a subdivision works certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer and demonstrate, to the certifier's satisfaction, that the development has been designed to comply with Council's engineering specifications, the approved plans and documents and the conditions of this development consent.

**Condition reason:** To ensure that the development will comply with Council's engineering specifications and the terms of this consent.

- (4) **Street lighting** - Before the issue of a subdivision works certificate, a design brief for the development's detailed street lighting design must be obtained from Council. E-mail Council at [lighting@camden.nsw.gov.au](mailto:lighting@camden.nsw.gov.au) to request the design brief. The design brief must be provided to the certifier.

**Condition reason:** To ensure that the safety and amenity of road users is protected.

- (5) **Subdivision works certificate information** - Before the issue of a subdivision works certificate, the following information must be prepared by a suitably qualified person to the certifier's satisfaction:

1. Drainage pipes within the public laneway are to be a minimum of 375mm dia. concrete class 2 pipes as per council design spec. Council may consider solutions where PVC pipes are not placed under the laneway's pavement.
2. A drains model is to be submitted in compliance with Council Design Guidelines. The drains model is to demonstrate both the pre-developed and post-developed scenario, ensuring that the total catchment areas for both are consistent with each other, and that the pre/post flow requirements are met.
3. Provide an emergency spillway for the proposed basin in accordance with council design specifications. The spillway level is to be a minimum of 0.3m above the 1% AEP water level and cannot be the same level as the proposed basin berm. The basin berm is to also be a minimum of 0.5m above the 1% AEP water level.

4. The basin outlet headwall and scour protection are to be located outside of the existing channel.

**Condition reason:** To ensure that required information is provided to the certifier.

- (6) **Structural engineer certificate** - Before the issue of a subdivision works certificate, a certificate must be prepared by a suitably qualified structural engineer and demonstrate, to the certifier's satisfaction, that all piers, slabs, footings, retaining walls and structural elements have been designed in accordance with the approved and applicable geotechnical report(s). The certificate must be accompanied by a copy of the structural engineer's current professional indemnity insurance.

**Condition reason:** To ensure that infrastructure elements are designed for the site conditions.

- (7) **Civil engineering plans and information** - Before the issue of a subdivision works certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer, to the satisfaction of the certifier. The plans and information must include the following elements:

1. Erosion and sediment control measures, including compliance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book) (as amended from time to time).
2. Earthworks.
3. Water quantity and quality facilities:
  - a. A detailed on-site detention and water quality report.
  - b. An electronic stormwater model
  - c. A validated Camden Council MUSIC-link report with electronic model.
4. Details of any required augmentation of existing drainage systems to accommodate drainage from the development.
5. Kerb outlets or street pit stubs must be provided where lots drain to public roads.
  - a. The outlets must be located within 2m of the prolongation of the lot corner with the lowest reduced level.
  - b. Outlets must be extended under the road verge and capped within the lot boundaries with surface identifier markers.
6. Where lots drain to an inter-allotment drainage pit a stub for future connection must be provided within the pit.
7. For roads and car parks:
  - a. Pavement design.
  - b. Traffic management devices.

c. Line marking.

8. Temporary turning facilities at the end of all temporary or staged dead-end roads (including the provision of reflective guideposts spaced 1.5m apart and 'No Stopping' regulatory signage around the turning head).
9. Clearly delineate the extent/location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such (only if the site is flood affected). The FPL is defined in Council's Flood Risk Management Policy.

The plans and information must be accompanied by certification from a suitably qualified civil engineer certifying that they comply with Council's engineering specifications.

**Condition reason:** To ensure that civil works are designed to appropriate standards.

- (8) **Construction on-site detention/sediment control basins** - Before the issue of a subdivision works certificate, information detailing the location and design of construction on-site detention/sediment control basins within the site must be prepared by a suitably qualified person, to the certifier's satisfaction.

**Condition reason:** To ensure that on-site detention and sediment control measures are provided.

- (9) **Pavement design report** - Before the issue of a subdivision works certificate, a pavement design report in accordance with Council's engineering specifications must be prepared by a suitably qualified person, to the certifier's satisfaction.

**Condition reason:** To ensure that pavement designs are in accordance with Council's engineering specifications.

- (10) **Detailed landscaping plans** - Before the issue of a subdivision works certificate, detailed landscaping plans must be prepared by a registered landscape architect and demonstrate, to the certifier's satisfaction, the following detailed design requirements:

1. Consistency with the concept landscaping plans approved by this development consent.
2. Compliance with Appendix B of Camden Development Control Plan 2019.
3. Street trees must not be positioned within 10m of road intersections, beneath street lighting or adjacent to stormwater inlets.
4. Street trees must be positioned as close as possible to align with property boundaries at approximately 10m centres.
5. Street trees must be sourced in accordance with the tests and measurements contained within AS 2303 - Tree Stock for Landscape Use.
6. Tree planting details and section drawings specifying root barriers where trees will be planted in close proximity to hard surfaces, i.e., at the back of the kerb and adjoining footpaths.



7. Street trees must be centred within planting bays and no closer than 0.5m to the back of the kerb.
8. All trees to be minimum 100 litre container size.
9. All canopy (>6m in height) trees to be sourced in accordance with tests and measurements contained within AS2303-2018 – Tree Stock for Landscape Use.
10. Street trees along Messenger Street to be reimplemented into landscape with appropriate selection that suit site. Fastigiated varieties accepted fronting Lots 10-13.
11. *Cercis canadensis* 'Forest Pansy' to be substituted with an alternative such as *Acer rubrum* 'October Glory', *Corymbia citriodora* scentuous, *Brachychiton populneus* × *acerifolius* 'Jerilderie Red' and/or *Corymbia maculata* 'Gamai'
12. Trees must be True to type, healthy and free from any active pests or diseases, the crown is to be symmetrical and has not suffered any significant injury that will impact growth habit.
13. Trees when installed must have a clean stem height that is less than 40% of total tree height and that branches are smaller than the stem.
14. Landscaping to incorporate the relevant ESD and WSUD principals as outlined in Camden Growth Centres DCP Cl. 6.5, and co-ordinate this with stormwater.

**Condition reason:** To ensure that detailed landscaping requirements are documented.

- (11) **Waste bin collection points** - Before the issue of a subdivision works certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, the following detailed design requirements:
1. A waste bin collection point for 3 Council waste bins for each approved lot.
  2. Each collection point must have dimensions of 3m wide by 1m deep, a minimum vertical clearance of 3.9m and be clear of the positioning of driveways, trees (including tree canopies), street lighting and other fixtures.

**Condition reason:** To ensure that suitably designed waste bin collection points are provided for new lots.

- (12) **Protection of Structure Root Zone** - The structural root zones (SRZ) of the large trees adjacent to the temporary OSD are required to be preserved and must be indicated on the engineering plans. Construction works for the OSD must not be within the SRZ.

**Condition reason:** To preserve the large trees adjacent to the temporary OSD.

- (13) **Floodplain delineation** - Engineering plans must indicate the future flood level delineation of 1% AEP and PMF events on the Road and Drainage Plans, as well as the Road 1 Cross-Sections. These plans are required to be provided to Council.

**Condition reason:** To ensure Council maintains flood records.

- (14) **Road 1 Cross-Sections** - Road 1 Cross-sections must be provided in accordance with Section 2.2.3 of Council Engineering Design Specifications.
- Condition Reason:** To ensure the road design complies with Council Engineering design Specifications.
- (15) **Pat Kontista Reserve** - Engineering plans must indicate future Pat Konista Reserve works on the Road and Drainage Plans.
- Condition Reason:** To ensure works are consistent with the Pat Kontista Reserve Master Plans.
- (16) **Performance bond** - Before the issue of a subdivision works certificate, a performance bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the certifier.
- Condition reason:** To ensure that new public infrastructure works undertaken within the existing public domain are constructed to an appropriate standard.
- (17) **Damages bond** - Before the issue of a subdivision works certificate, a bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the certifier.
- Condition reason:** To ensure that any damage to existing public infrastructure is rectified.

### 3.2 - Before Subdivision Work Commences

- (1) **Public liability insurance policy** - Before any subdivision work commences, the developer must take out a public liability insurance policy with a minimum cover of \$20 million in relation to the occupation of, and works within, all public property for the full duration of the works. Evidence of the policy must be provided to the principal certifier.
- Condition reason:** To ensure adequate public liability insurance is obtained to cover development within public property.
- (2) **Site security and fencing** - Before any subdivision work commences, the site is to be secured and fenced to the satisfaction of the principal certifier.
- Condition reason:** To ensure that access to the site is managed before works commence.
- (3) **Sydney Water approval** - Before any subdivision work commences, the approved subdivision works certificate plans must be approved by Sydney Water to confirm if sewer, water or stormwater mains or easements will be affected by the development. Visit [www.sydneywater.com.au/tapin](http://www.sydneywater.com.au/tapin) to apply. The Sydney Water approval must be provided to the principal certifier.
- For subdivision works certificates, stamped water servicing coordinator must be provided to the principal certifier.

**Condition reason:** To ensure that any impacts upon Sydney Water infrastructure have been approved.

- (4) **Dilapidation report** - Before any subdivision work commences, a dilapidation report must be prepared by a suitably qualified person to the satisfaction of the principal certifier. The report must include:
1. A photographic survey of the following properties:
    - a. 80 Heath Road, Leppington;
    - b. 13 Julius Crescent, Leppington
    - c. 49 Messenger Road, Leppington
  2. A photographic survey of existing public infrastructure surrounding the site including (but not necessarily limited to):
    - a. Road carriageways.
    - b. Kerbs.
    - c. Footpaths.
    - d. Drainage structures.
    - e. Street trees.

In the event that access for undertaking the dilapidation report is denied by a property owner, the developer must detail 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 approval must be obtained from the principal certifier in such an event.

Should any public property or the environment sustain damage during the course of and as a result of works, or if the 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 developer's damages bond.

The report must be submitted to the principal certifier and Council 2 days before any subdivision work commences. The development must comply with all conditions that the report imposes.

**Condition reason:** To ensure that any damage caused by works can be identified and rectified.

- (5) **Site management plan (preparation)** - Before any subdivision work commences, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate, to the satisfaction of the principal certifier, that the following site work matters will be managed to protect the amenity of the surrounding area:
1. Erosion and sediment control measures, including compliance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the blue book) (as amended from time to time).
  2. Prohibiting offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.

3. Covering soil stockpiles and not locating them near drainage lines, watercourses, waterbodies, footpaths and roads without first providing adequate measures to protect those features.
4. Prohibiting the pumping of water seeping into any excavations from being pumped to a stormwater system unless sampling results demonstrate compliance with NSW Environment Protection Authority requirements and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018) criteria for water quality discharge.
5. Construction traffic management in accordance with Council's engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads.
6. Maintaining a fill delivery register including the date, time, truck registration number and fill quantity, origin and type.
7. Ensuring that vehicles transporting material to and from the site:
  - a. Cover the material so as to minimise sediment transfer.
  - b. Do not track soil and other waste material onto any public road.
  - c. Fully traverse the site's stabilised access point.
8. Waste generation volumes, waste reuse and recycling methods, waste classification in accordance with NSW Environment Protection Authority waste classification guidelines, hazardous waste management, disposal at waste facilities, the retention of tipping dockets and their production to Council upon request.
9. Hazardous materials management.
10. Work health and safety.
11. Complaints recording and response.

**Condition reason:** To ensure site management practices are established before any works commence.

- (6) **Utility services protection** - Before any subdivision work commences, the developer must demonstrate, to the satisfaction of the principal certifier, that the following requirements have been met:
1. Undertake a 'Before You Dig Australia' services search and liaise with the relevant utility owners.
  2. Offer all utility owners a duty of care, take action to prevent damage to utility networks and comply with utility owners' directions.
  3. Obtain approval to proceed with the site works from utility owners.

**Condition reason:** To ensure that utilities are not adversely affected by development.

- (7) **Tree survey plan, hollow bearing trees and active nests** - Before any subdivision work commences, a tree survey plan must be prepared by a suitably qualified person and demonstrate, to the satisfaction of the principal certifier, the following requirements:
1. The location, type and condition of trees approved to be removed.
  2. Whether tree hollows or active nests are present in any trees approved to be removed.
  3. If tree hollows and/or active nests are present, a nest box installation and active nest relocation plan must be prepared in addition to the tree survey plan. The nest box installation and active nest relocation plan must provide fauna with short-term habitat during approved vegetation clearance and restoration works. Each tree hollow must be replaced at a minimum 1:1 ratio with nest boxes.

**Condition reason:** To ensure that fauna habitat approved for removal is replaced by nest boxes and/or by relocating active nests.

- (8) **Erection of signs** - Before any subdivision work commences, a sign must be erected in a prominent position on the site:
1. Showing the name, address and telephone number of the principal certifier for the work.
  2. Showing 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.
  3. Stating that unauthorised entry to the work site is prohibited.

The sign must be:

1. Maintained while the work is being carried out.
2. Removed when the work has been completed.

This condition does not apply in relation to:

1. Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building.
2. Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

**Condition reason:** Prescribed condition under section 70 of the *Environmental Planning and Assessment Regulation 2021*.

### 3.3 - During Subdivision Work

- (1) **Priority (noxious) weeds management (during work)** - While subdivision work is being carried out, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. Any

priority (noxious) or environmentally invasive weed infestations that occur during works must be fully and continuously suppressed and destroyed by appropriate means, to the satisfaction of the principal certifier. All new infestations must be reported to Council.

**Condition reason:** To ensure priority (noxious) weeds are managed in accordance with statutory requirements.

- (2) **Work hours** - While subdivision work is being carried out, all work (including the delivery of materials) must be:

1. Restricted to between the hours of 7am to 5pm Monday to Saturday.
2. Not carried out on Sundays or public holidays.

Unless otherwise approved in writing by Council.

**Condition reason:** To protect the amenity of the surrounding area.

- (3) **Work noise** - While subdivision work is being carried out, noise levels must comply with:

1. For work periods of 4 weeks or less, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 20dB(A).
2. For work periods greater than 4 weeks but not greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 10dB(A).
3. For work periods greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 5dB(A). Alternatively, noise levels must comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.

**Condition reason:** To protect the amenity of the surrounding area.

- (4) **Pollution warning sign** - While subdivision work is being carried out, a sign must be displayed at all site entrances to the satisfaction of the principal certifier. The sign(s) must be constructed of durable materials, be a minimum of 1.2m x 900mm and read:

'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 (13 22 63) - Solution to Pollution.'

The wording must be a minimum of 120mm high. The warning and fine details must be in red bold capitals and the remaining words in dark coloured lower case letters. The sign(s) must have a white background and a red border.

The sign(s) must be maintained until the works have been completed.

**Condition reason:** To ensure that potential fines for pollution are clearly advertised.

- (5) **Site management plan (during work)** - While subdivision work is being carried out, the approved site management plan must be complied with.

A copy of the plan must be kept on the site at all times and provided to Council upon request.

**Condition reason:** To protect the amenity of the surrounding area.

- (6) **Fill delivery register** - Once subdivision work is completed, the delivery register for the site work must be submitted to Council.

**Condition reason:** To ensure that Council has a record of all fill deliveries to the site.

- (7) **Fill material (virgin excavated natural material)** - Before the importation and placement of any fill material on the site, an assessment report and sampling location plan for the material must be prepared by a contaminated land specialist. The report and plan must demonstrate, to the satisfaction of the principal certifier, that:

1. The report and plan have been endorsed by a practising engineer with specific area of practice in subdivisional geotechnics.
2. The report and plan have been prepared in accordance with:
  - a. The Department of Land and Water Conservation publication 'Site investigation for Urban Salinity'.
  - b. The Department of Environment and Conservation - Contaminated Sites Guidelines 'Guidelines for the NSW Site Auditor Scheme (Third Edition) - Soil Investigation Levels for Urban Development Sites in NSW'.
3. The fill material:
  - a. Provides no unacceptable risk to human health and the environment.
  - b. Is free of contaminants.
  - c. Has had its salinity characteristics identified in the report and specifically the aggressiveness of salts to concrete and steel (refer to the Department of Land and Water Conservation publication 'Site investigation for Urban Salinity').
  - d. Is suitable for its intended purpose and land use.
  - e. Has been lawfully obtained.
4. The sampling of the material for salinity complies with:
  - a. Less than 6,000m<sup>3</sup> - 3 sampling locations.
  - b. Greater than 6,000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2,000m<sup>3</sup> or part thereof.
  - c. A minimum of 1 sample from each sampling location must have been provided for assessment.
5. The sampling of the material for contamination complies with:
  - a. 1 sample per 1,000m<sup>2</sup> or part thereof.

- b. For volumes less than 1,000m<sup>2</sup>, a minimum of 2 separate samples from different locations must be taken.

**Condition reason:** To ensure that fill material has been adequately assessed before placement on the site.

- (8) **Unexpected contamination finds contingency (general)** - While subdivision work is being carried out, if any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) are encountered, the work must cease immediately until a certified contaminated land consultant has conducted an assessment of the find to the satisfaction of the principal certifier.

Where the assessment identifies contamination and remediation is required, all work must cease in the vicinity of the contamination and Council must be notified immediately. Development consent must be obtained to undertake Category 1 remediation.

**Condition reason:** To ensure a procedure is in place to manage unexpected contamination finds encountered during site works.

- (9) **Fill compaction (subdivision)** - While subdivision work is being carried out, a suitably qualified geotechnical engineer must supervise the placement of all fill material and certify that the work has, to the satisfaction of the principal certifier, been:

1. Carried out to level 1 inspection and testing responsibility in accordance with Appendix B of AS 3798 - Guidelines on Earthworks for Commercial and Residential Developments.
2. Compacted in accordance with Council's engineering specifications.

**Condition reason:** To ensure that fill is compacted to appropriate standards.

- (10) **Material sampling and testing** - While subdivision work is being carried out and before any material is delivered to the site, sampling and testing of all material in accordance with Council's engineering specifications must be completed by a suitably qualified testing organisation, to the satisfaction of the principal certifier. The testing results must include a certificate from the testing organisation that certifies compliance with the criteria in Council's engineering specifications. The testing results must be updated every 3 months or when the material source changes.

**Condition reason:** To ensure that material used in construction complies with Council's engineering specifications.

- (11) **Pavement layer thickness** - While site work is being carried out and at the completion of each pavement layer, a site survey plan must be prepared by a registered surveyor and demonstrate, to the satisfaction of the principal certifier, the following information:

1. The reduced level (to Australian height datum level) of the finished surface layer after trimming and before the next course material is laid.
2. Survey readings at the lip of gutter (two sides) and the centre line of the road at least every 50m of road chainage or part thereof, with a minimum of two chainage locations per continuous length of pavement design profile along a single road.



3. The variation from the design level and whether the points are within Council's acceptable tolerances. The tolerances for each layer are specified in the table below:

Layer	Tolerance
Subgrade (surface layer)	-30mm / +10mm
Subbase Course (thickness)	-10mm / +20mm
Base Course (thickness)	-0mm - +20mm
Finished Surface Level	-15mm / +12mm

The construction of the next pavement layer must not commence until written approval is given by the principal certifier.

**Condition reason:** To ensure that pavement layer thickness complies with Council's engineering specifications.

- (12) **Fauna relocation** – While subdivision work is being carried out, all waterbodies, hollow bearing and active tree nests approved to be removed from the site must be inspected prior to removal. Appropriate measures must be taken to ensure that fauna inhabiting waterbodies, tree hollows or active nests is treated humanely and relocated before site works commence consistent with the *National Parks and Wildlife Act 1974*, to the satisfaction of the principal certifier. A suitably qualified ecologist or wildlife carer must be present throughout vegetation clearing works to relocate fauna or take fauna into care where appropriate (i.e., juvenile or nocturnal fauna). Nesting animals must be left in situ until young have fledged and/or left the nest.

**Condition reason:** To ensure that any required fauna relocation occurs humanely.

- (13) **Work near or involving vegetation** - While subdivision work is being carried out, the following requirements must be complied with to the satisfaction of the principal certifier:
- Existing vegetation (including street trees) not approved for removal must be protected in accordance with AS 4970 - Protection of Trees on Development Sites and Council's engineering specifications.
  - The boundaries of any bushland or waterfront land areas adjacent to the site must be fenced by minimum 1.8m high chain link or welded mesh fencing. The fencing must include signage advising that the vegetation behind it is protected. The fencing must be maintained until the works have been completed.
  - No work (including for vehicular access or parking) that transects vegetation not approved for removal can be undertaken.
  - All vegetation related work must be carried out by a fully insured and qualified arborist. The arborist must be qualified to Australian Qualifications Framework (AQF) Level 3 in Arboriculture for the carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

5. All tree pruning must be carried out in accordance with AS 4373 - Pruning of Amenity Trees.
6. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.

**Condition reason:** To ensure that work near of involving vegetation is carried out to industry standards.

- (14) **Archaeological discovery** - While subdivision work is being carried out, the following requirements must be complied with should relic(s) from the past be discovered that could have historical significance, to the satisfaction of the principal certifier:

1. All works in the vicinity of the discovery area must stop.
2. For Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Any requirements of Heritage NSW must be implemented.
3. For non-Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 146 of the *Heritage Act 1977*. Any requirements of Heritage NSW must be implemented.

**Condition reason:** To ensure unexpected archaeological discoveries are managed in accordance with statutory requirements.

- (15) **Local traffic committee approval** - Before the installation of or any changes to regulatory road signage, line marking and/or devices, approval must be obtained from Council's Local Traffic Committee for the installation of or any changes to regulatory road signage, line marking and/or devices. Evidence of the approval must be provided to the principal certifier.

**Condition reason:** To ensure that regulatory road elements are formally approved.

- (16) **Shorting and adequacy of adjoining property** - While subdivision work is being carried out, the person having the benefit of the development consent must, at the person's own expense:

1. Protect and support the building, structure or work on adjoining land from possible damage from the excavation.
2. If necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This condition does not apply if:

1. The person having the benefit of the development consent owns the adjoining land.
2. The owner of the adjoining land gives written consent to the condition not applying.

**Condition reason:** Prescribed condition under section 74 of the *Environmental Planning and Assessment Regulation 2021*.

## 5.4 - Before Issue of a Subdivision Certificate

- (1) **Fibre-ready facilities and telecommunications infrastructure** - Before the issue of a subdivision certificate, written evidence from the carrier must be obtained that demonstrates, to the principal certifier's satisfaction, that arrangements have been made for:
1. 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. Written confirmation that the carrier is satisfied that the fibre ready facilities are fit for purpose is also required.
  2. 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.

**Condition reason:** To ensure fibre-ready telecommunications facilities are installed for new development.

- (2) **Special infrastructure contribution payment** - Before the issue of a subdivision certificate, a special infrastructure contribution (SIC) is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).

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

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

### More information

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

**Condition reason:** To require a special infrastructure contribution to be paid.

- (3) **Incomplete works bond** - Before the issue of a subdivision certificate, and where the developer proposes work to be deferred in accordance with Council's engineering specifications, an incomplete works bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the principal certifier.

**Condition reason:** To ensure that the cost to rectify incomplete public infrastructure works is captured.

- (4) **Defects and liability bond** - Before the issue of a subdivision certificate, a defects and liability bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the principal certifier.

**Condition reason:** To ensure that the cost to rectify defects and liabilities in new public infrastructure works is captured.

- (5) **Water quality basins/facilities bond** - Before the issue of a subdivision certificate, a water quality basins/facilities bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the principal certifier.

**Condition reason:** To ensure that water quality facilities are constructed in accordance with the development consent and to appropriate standards.

- (6) **Fill plan** - Before the issue of a subdivision certificate, a fill plan (in .pdf format) must be prepared by a suitably qualified person and detail, to the principal certifier's satisfaction, the following information:

1. Lot boundaries.
2. Road, drainage and public reserves.
3. Street names.
4. Final fill contours and boundaries.
5. Total filling depth in maximum 0.5m increments.

The plan must cover the full extent of the development and include all residue lots and reserves. The plan must also include all basins, swales and dams filled during works.

**Condition reason:** To ensure that site filling has been adequately documented.

- (7) **Surveyor's certificate** - Before the issue of a subdivision certificate, a certificate must be prepared by a registered surveyor and certify, to the principal certifier's satisfaction, that:

1. All drainage lines, services, retaining walls, accessways and basins have been laid within their proposed easements.
2. No services or accessways encroach over the proposed boundaries other than those provided for by easements as created by the final plan of subdivision.

**Condition reason:** To ensure that infrastructure is located within an easement.

- (8) **Value of works** - Before the issue of a subdivision certificate, itemised data and values of civil works must be prepared by a suitably qualified person, to the satisfaction of the principal certifier, for inclusion in Council's asset management system.

**Condition reason:** To ensure that the value of new civil works is recorded.

- (9) **Electricity notice of arrangement** - Before the issue of a subdivision certificate, a notice of arrangement for the provision of electricity from Endeavour Energy must be provided to the principal certifier's satisfaction. The arrangement must include the provision of electricity for street lighting in accordance with the electrical design approved by Council.

**Condition reason:** To ensure that electricity is provided for the development.

- (10) **Section 73 compliance certificate** - Before the issue of a subdivision certificate, a section 73 compliance certificate demonstrating that satisfactory arrangements have been made with Sydney Water for the supply of water and sewer services must be provided to the principal certifier's satisfaction. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to the [Sydney Water website](#) or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

**Condition reason:** To ensure that water and sewer services are provided for the development.

- (11) **Soil classification report** - Before the issue of a subdivision certificate, a soil classification report in accordance with AS 2870 - Residential Slabs and Footings must be prepared by a suitably qualified person and detail, to the principal certifier's satisfaction, the classification of soil types found within the subdivision. The report must include a soil type classification for each lot.

**Condition reason:** To ensure that the development's soil types are recorded.

- (12) **Compaction report** - Before the issue of a subdivision certificate, a compaction report must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, the results of field testing and that all roads and lots have been compacted in accordance with Council's engineering specifications.

**Condition reason:** To ensure that roads and lots have been compacted to an appropriate standard.

- (13) **Water quality facility manuals** - Before the issue of a subdivision certificate, operating, maintenance and monitoring manual(s) for water quality facilities must be prepared in accordance with Council's engineering specifications by a suitably qualified person to the satisfaction of the principal certifier.

**Condition reason:** To ensure that the operation, maintenance and monitoring requirements for water quality facilities is documented.

- (14) **Works as executed plans** - Before the issue of a subdivision certificate, works as executed plans in accordance with Council's engineering specifications must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, the following requirements:

1. Digital data must be in AutoCAD .dwg or .dxf format and the data projection coordinate must be in GDA94 / MGA Zone 56.
2. Verify that any water management basins have been completed in accordance with the approved plans and provide the following details:

- a. Levels and dimensions to verify the storage volume of any water management facilities.
  - b. Levels and other relevant dimensions of:
    - i. Internal drainage pipes.
    - ii. Orifice plates.
    - iii. Outlet control devices and pits.
    - iv. Weirs (including widths).
  - c. Verification that the orifice plates have been fitted and the diameter of the fitted plates.
  - d. Verification that trash screens are installed.
3. Where the site is flood affected, the plans must clearly delineate the extent of the flood planning levels. The plans must clearly delineate the extent and location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such. The FPL is defined in Council's Flood Risk Management Policy.

**Condition reason:** To ensure that the completed works are recorded.

- (15) **Stencilling** - Before the issue of a subdivision certificate, stencilling must occur as described below to the satisfaction of the principal certifier:
1. Lot numbers and street names on the face of kerb or in alternative locations as directed by the principal certifier. The stencil medium must be of a good quality UV stabilised paint and comply with the following requirements:
    - a. Lot numbers must have a white number on a brunswick green background and be located on the prolongation of both common lot boundaries.
    - b. Street names must have white lettering on a brunswick green background and be located at kerb and gutter tangent points.
  2. Pit lintels must be labelled with permanent stencilled signs in accordance with Council's engineering specifications.

**Condition reason:** To ensure that lot numbers, street names and pit lintels can be identified.

- (16) **Existing and identified easements, restrictions and/or covenants** - Before the issue of a subdivision certificate, the final plan of subdivision must detail the following elements to the satisfaction of the principal certifier:
1. All existing easements and covenants.
  2. Any required easements and covenants identified following approval of the development application.

**Condition reason:** To ensure that all existing and identified easements, restrictions and/or covenants are detailed on the final plan of subdivision.

- (17) **New easements, restrictions and/or covenants** - Before the issue of a subdivision certificate, the developer must prepare the following easements, restrictions and/or covenants to the satisfaction of the principal certifier:
1. Easements for services.
  2. Easements to drain water including over overland flow paths.
  3. Easements for on-site detention facilities.
  4. Easements for water quality facilities.
  5. Positive covenants over the on-site detention/water quality facilities for the maintenance, repair and insurance of the facilities.
  6. Restrictive covenant on lots containing temporary on-site detention/water quality facilities to prevent the further development of those lots until the facilities have either been converted into permanent facilities or have been decommissioned and the lots filled and compacted in accordance with Council's engineering specifications.
  7. Reciprocal right of carriageway.
  8. Restriction as to user on all lots adjoining pram ramps or other road related infrastructure prohibiting the construction of a driveway within 1m of the pram ramps or in locations where it would conflict with other road related infrastructure.
  9. Restriction as to user on lot which stipulates that footings must be designed by a suitably qualified civil and/or structural engineer.
  10. Restriction as to user over sub-surface drainage pipes/pits contained within the building area of lots.
  11. Restriction as to user over any lots adjacent to a public reserve stipulating dividing fence type.
  12. Restriction as to user creating an easement for maintenance and support 1200mm wide adjoining the 'zero' lot line wall.
  13. Restriction as to user for lots 10, 17, 18 and 19 requiring bins be presented for collection to Road 1 (and not the laneway)
  14. Restriction as to user for lots 6, 8, 102-107 requiring bins be presented for collection to the Laneway.
  15. Lot 7 shall be identified as a residue lot on the stage 1 subdivision plans.
  16. All lots shall be identified as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of Planning for Bushfire Protection 2019.

17. Lots 102, 103, 107, 105, 106 and 107 shall have dwellings constructed in accordance with the requirements of NSW Rural Fire Service General Terms of Approval dated 12 December 2023.

**Condition reason:** To ensure that necessary easements, restrictions and or/covenants are imposed on land.

(18) **Water management basins certificate** - Before the issue of a subdivision certificate, a certificate must be prepared by a suitably qualified person and demonstrate, to the satisfaction of the principal certifier, that the water management basins comply with the following requirements:

1. The basins have been completed in accordance with the approved subdivision works certificate plans or that any variations that have been made will not impair the performance of the basins.
2. The basins will function in accordance with the design intent approved by the subdivision works certificate.

**Condition reason:** To ensure that water management basins will comply with the subdivision works certificate.

(19) **Stormwater pipe CCTV camera reports** - Before the issue of a subdivision certificate, a minimum of two CCTV camera reports of all stormwater drainage pipes must be prepared by a suitably qualified person and demonstrate, to the satisfaction of the principal certifier, the following requirements:

1. Hard copy reports and electronic reports in a format directed by the principal certifier.
2. The CCTV inspection must be carried out in accordance with the Water Services Association of Australia publications 'Sewer Inspection Report Code of Australia' and the 'Sewerage Code of Australia' (Sydney Water Edition).
3. CCTV field assessors must have National Association of Testing Authorities accreditation under the Sydney Water Field Testing Services Program for CCTV inspections and have adequate professional indemnity insurance to cover the value of the works they are inspecting.
4. A minimum of two CCTV reports must be undertaken. The first report must be completed after the placement of AC pavement layer and not more than 2 weeks before the final inspection date. The second report must be completed at the end of the defects and liability period.
5. As a minimum, stormwater pipes must be inspected and the following must be reported on:
  - a. Horizontal alignment.
  - b. Vertical alignment.
  - c. Cracks and defects.
  - d. Pipe joints.



- e. Joints in manholes and other pipes (including both existing and new).
  - f. Ovality.
6. The camera must stop perpendicular to all cracks, defects, intrusions, joints and manholes and pan 360 degrees. The camera speed must not exceed 0.2m/sec (or as agreed by the principal certifier).
  7. The reports and camera footage must be in colour.

**Condition reason:** To record the state of all stormwater drainage pipes for the development.

- (20) **Gross pollutant trap certification** - Before the issue of a subdivision certificate, a suitably qualified gross pollutant trap inspector must complete a comprehensive inspection of all gross pollutant traps and provide a certification report to the satisfaction of Council. The inspection and report must be completed in accordance with Council's 'Technical Specification for Gross Pollutant Trap Comprehensive Inspection' (available at <https://www.camden.nsw.gov.au/assets/Uploads/GPT-Comprehensive-Inspection-Specification-for-Condition-Consent.pdf>).

**Condition reason:** To ensure that all gross pollutant traps have been constructed in accordance with Council's technical specification for gross pollutant trap comprehensive inspections.

- (21) **Updated flood mapping information** - Before the issue of a subdivision certificate, updated flood mapping information based upon the completed subdivision layout must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, the following requirements:
1. Delineate the following flood levels:
    - a. The probable maximum flood level.
    - b. The flood planning level.
    - c. The 1% annual exceedance probability (AEP) level.
    - d. The 5% AEP level.
  2. Provided as a separate layer in .dxf or .dwg format for integration into Council's database.
  3. Include digital flood models with result files for each flood event and a GIS file for integration into Council's mapping system.

**Condition reason:** To ensure that Council can record accurate flood mapping information as development occurs.

- (22) **Landscaping works completion** - Before the issue of a subdivision certificate, all of the landscaping works approved by this development consent and the subdivision works certificate must be completed to the satisfaction of the principal certifier. This must include the provision of certification from the supplier of all trees certifying that the trees comply with AS 2303 - Tree Stock for Landscape use.

**Condition reason:** To ensure that all approved landscaping works have been completed to an appropriate standard.

- (23) **Section 7.11 contributions** - Before the issue of a subdivision certificate, contributions must be made to Council for the following services and amounts under section 7.11 of the *Environmental Planning and Assessment Act 1979*:

<b>Camden Growth Areas Contributions Plan (Leppington Precinct)</b>			
<b>Plan Name</b>	<b>Contribution Type</b>	<b>Indexed Rate</b>	<b>Amount Payable</b>
Camden Growth Areas Contributions Plan (Leppington Precinct (LP)) - Essential Infrastructure	<i>Open Space &amp; Recreation - Land</i>	\$33,672 per lot or dwelling	\$572,424.00
Camden Growth Areas Contributions Plan (LP) - Essential Infrastructure	<i>Open Space &amp; Recreation - Works</i>	\$9,529 per lot or dwelling	\$161,993.00
Camden Growth Areas Contributions Plan (LP) - Essential Infrastructure	Community Facilities Land	\$1,482 per lot or dwelling	\$25,194.00
Camden Growth Areas Contributions Plan (LP) - Essential Infrastructure	Roads Land	\$62,066 per net developable hectare	\$52,471.00
Camden Growth Areas Contributions Plan (LP) - Essential Infrastructure	Roads Works	\$288,361 per net developable hectare	\$243,780.00
Camden Growth Areas Contributions Plan (LP) - Essential Infrastructure	Drainage Land	\$410,136 per net developable hectare	\$346,729.00
Camden Growth Areas Contributions Plan (LP) - Essential Infrastructure	Drainage Works	\$157,563 per net developable hectare	\$133,204.00
Camden Growth Areas		\$9,184	\$7,764.00

Contributions Plan (LP) - Essential Infrastructure	Plan Administration Allowance	per net developable hectare	
<b>TOTAL CONTRIBUTIONS</b>			<b>\$1,543,559.00</b>

A copy of the Camden Growth Areas Contributions Plan (Leppington Precinct) may be inspected at Council's office at 70 Central Avenue, Oran Park or can be accessed on Council's website at [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au).

The amount of contribution payable under this condition has been calculated at the date of determination. In accordance with the provisions of the contributions plan, this amount shall be indexed at the time of actual payment in accordance with the applicable index.

Evidence of the contribution payment must be provided to the certifier.

**Condition reason:** To ensure that development makes contributions towards services identified in the applicable contributions plan.

- (24) **Locking system for gates and removable bollards** - Before the issue of an occupation certificate, all gates and removable bollards that will provide restricted access to Council land must be fitted with a master keyed locking system, to Council's satisfaction.

**Condition reason:** To ensure that access to Council land can be controlled.

- (25) **Subdivision Staging** – The subdivision of the development shall be completed in stages. Stage 2 can be completed subsequently or concurrently with Stage 1. Stage 2 cannot be registered until all approved works associated with Stage 1 are complete and the subdivision certificate is issued.

**Condition reason:** To ensure all approved infrastructure is completed before Stage 2 is registered.

## Building Work

### 4.1 - Before Issue of a Construction Certificate

- (2) **Public infrastructure alterations** - Before the issue of a construction certificate, any required alterations to public infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlets, service provider pits, street trees or any other public infrastructure) must be approved by the roads authority under the *Roads Act 1993*. Any costs incurred will be borne by the developer. Evidence of the approval must be provided to the certifier.

**Condition reason:** To clarify the timing and need for approval under the *Roads Act 1993*.

- (4) **Long service levy** - Before the issue of a construction certificate, the long service levy must be paid at the prescribed rate to either the Long Service Payments Corporation or Council under section 34 of the *Building and Construction Industry Long Service*

*Payments Act 1986*. This applies to building and construction works with a cost of \$250,000 or more. Evidence of the payment must be provided to the certifier.

**Condition reason:** To ensure the long service levy is paid.

- (5) **Driveway design** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the approved driveway(s) will comply with AS 2890 - Parking Facilities and Council's Access Driveway Specifications or Heavy Duty Industrial Commercial Vehicle Crossing (as applicable to the development).

A driveway crossing approval must be obtained from Council before the issue of a construction certificate. Evidence of the approval must be provided to the certifier.

**Condition reason:** To ensure that driveways are designed to appropriate standards.

- (6) **Engineering specifications** - Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer and demonstrate, to the certifier's satisfaction, that the development has been designed to comply with Council's engineering specifications, the approved plans and documents and the conditions of this development consent.

**Condition reason:** To ensure that the development will comply with Council's engineering specifications and the terms of this consent.

- (7) **Drainage easements registration** - Before the issue of a construction certificate, evidence must be provided and demonstrate, to the certifier's satisfaction, that drainage easements in accordance with Council's engineering specifications have been registered with NSW Land Registry Services over downstream properties that will accommodate drainage from the development (where the drainage will not be within a natural watercourse).

**Condition reason:** To ensure that drainage is legally conveyed from the development.

- (8) **Structural engineer certificate** - Before the issue of a construction certificate, a certificate must be prepared by a suitably qualified structural engineer and certify, to the certifier's satisfaction, that all piers, slabs, footings, retaining walls and structural elements have been designed in accordance with the approved and applicable geotechnical report(s). The certificate must be accompanied by a copy of the structural engineer's current professional indemnity insurance.

**Condition reason:** To ensure that building elements are designed for the site conditions.

- (10) **Flooding design requirements** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the development will comply with the following detailed design requirements:

1. The building design must be capable of withstanding the effects of water (including debris) and water pressure due to flooding. This must be certified by a suitably qualified structural engineer.
2. The design of the approved doors must allow free access and escape of flood waters without causing damage to the building(s).

3. All internal and external partitions, framework, services and flooring must be constructed using flood compatible materials.

**Condition reason:** To ensure that the development is designed to withstand the impacts of flooding.

- (11) **Detailed landscaping plan** - Before the issue of a construction certificate, detailed landscaping plans must be prepared by a registered landscape architect and demonstrate, to the certifier's satisfaction, the following detailed design requirements:

1. Consistency with the concept landscaping plans approved by this development consent.
2. Compliance with Appendix B of Camden Development Control Plan 2019.
3. All trees to be minimum 100 litre container size.
4. All canopy (>6m in height) trees to be sourced in accordance with tests and measurements contained within AS2303-2018 – Tree Stock for Landscape Use.
5. Street trees along Messenger Street to be reimplemented into landscape with appropriate selection that suit site. Fastigiated varieties accepted fronting Lots 10-13.
6. *Cercis canadensis* 'Forest Pancy' to be substituted with an alternative such as *Acer rubrum* 'October Glory', *Corymbia citriodora* scentuous, *Brachychiton populneus* × *acerifolius* 'Jerilderie Red' and/or *Corymbia maculata* 'Gamai'
7. Trees must be True to type, healthy and free from any active pests or diseases, the crown is to be symmetrical and has not suffered any significant injury that will impact growth habit.
8. Trees when installed must have a clean stem height that is less than 40% of total tree height and that branches are smaller than the stem.
9. Landscaping to incorporate the relevant ESD and WSUD principals as outlined in Camden Growth Centres DCP Cl. 6.5, and co-ordinate this with stormwater.

**Condition reason:** To ensure that detailed landscaping requirements are documented.

#### 4.2 - Before Building Work Commences

- (1) **Public liability insurance policy** - Before any building work commences, the developer must take out a public liability insurance policy with a minimum cover of \$20 million in relation to the occupation of, and works within, all public property for the full duration of the works. Evidence of the policy must be provided to the principal certifier.

**Condition reason:** To ensure adequate public liability insurance is obtained to cover development within public property.

- (2) **Site security and fencing** - Before any building work commences, the site is to be secured and fenced to the satisfaction of the principal certifier.

**Condition reason:** To ensure that access to the site is managed before works commence.

- (3) **Sydney Water approval** - Before any building work commences, the approved construction certificate plans must be approved by Sydney Water to confirm if sewer, water or stormwater mains or easements will be affected by the development. Visit [www.sydneywater.com.au/tapin](http://www.sydneywater.com.au/tapin) to apply. The Sydney Water approval must be provided to the principal certifier.

For subdivision works certificates, stamped water servicing coordinator must be provided to the principal certifier.

**Condition reason:** To ensure that any impacts upon Sydney Water infrastructure have been approved.

- (4) **Validation report** - Before any building work commences, a validation report endorsed by a certified contaminated land consultant must be provided to the certifier and Council within 30 days following completion of the remediation work. The report must demonstrate, to the satisfaction of the principal certifier, that:

1. Compliance with the approved remediation action plan (RAP) has been achieved.
2. The remediation acceptance criteria (in the approved RAP) has been fully complied with.
3. All completed remediation work comply with the *Contaminated Lands Management Act 1997*, the contaminated land planning guidelines, State Environmental Planning Policy (Resilience and Hazards) 2021 and Council's Management of Contaminated Lands Policy.

The report must include the following information, to the satisfaction of the principal certifier:

1. Works as-executed plans prepared by a registered surveyor that identify the extent of the completed remediation work (including any encapsulation work).
2. A notice of completion of remediation work as required by State Environmental Planning Policy (Resilience and Hazards) 2021.
3. A statement confirming that following the remediation work the site is suitable for the approved development.

**Condition reason:** To ensure site remediation is validated before any other works commence.

- (5) **Site management plan (preparation)** - Before any building work commences, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate, to the satisfaction of the principal certifier, that the following site work matters will be managed to protect the amenity of the surrounding area:

1. Erosion and sediment control measures, including compliance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the blue book) (as amended from time to time).

2. Prohibiting offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.
3. Covering soil stockpiles and not locating them near drainage lines, watercourses, waterbodies, footpaths and roads without first providing adequate measures to protect those features.
4. Prohibiting the pumping of water seeping into any excavations from being pumped to a stormwater system unless sampling results demonstrate compliance with NSW Environment Protection Authority requirements and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018) criteria for water quality discharge.
5. Construction traffic management in accordance with Council's engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads.
6. Maintaining a fill delivery register including the date, time, truck registration number and fill quantity, origin and type.
7. Ensuring that vehicles transporting material to and from the site:
  - a. Cover the material so as to minimise sediment transfer.
  - b. Do not track soil and other waste material onto any public road.
  - c. Fully traverse the site's stabilised access point.
8. Waste generation volumes, waste reuse and recycling methods, waste classification in accordance with NSW Environment Protection Authority waste classification guidelines, hazardous waste management, disposal at waste facilities, the retention of tipping dockets and their production to Council upon request.
9. Hazardous materials management.
10. Work health and safety.
11. Complaints recording and response.

**Condition reason:** To ensure site management practices are established before any works commence.

- (6) **Residential building work insurance** - Before any residential building work commences for which a contract of insurance is required under Part 6 of the *Home Building Act 1989*, a contract of insurance must be in force.

This condition does not apply:

1. To the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.
2. To the erection of a temporary building other than a temporary structure used as an entertainment venue.

**Condition reason:** Prescribed condition under section 69 of the *Environmental Planning and Assessment Regulation 2021*.

- (7) **Erection of signs** - Before any building work commences, a sign must be erected in a prominent position on the site:
1. Showing the name, address and telephone number of the principal certifier for the work.
  2. Showing 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.
  3. Stating that unauthorised entry to the work site is prohibited.

The sign must be:

1. Maintained while the work is being carried out.
2. Removed when the work is being completed.

This condition does not apply in relation to:

1. Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building.
2. Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

**Condition reason:** Prescribed condition under section 70 of the *Environmental Planning and Assessment Regulation 2021*.

- (8) **Notification of Home Building Act 1989 requirements** - Before any residential building work commences, the principal certifier must give Council written notice of the following:
1. For work that requires a principal contractor to be appointed:
    - a. The name and licence number of the principal contractor.
    - b. The name of the insurer of the work under Part 6 of the *Home Building Act 1989*.
  2. For work to be carried out by an owner-builder:
    - a. The name of the owner-builder.
    - b. If the owner-builder is required to hold an owner-builder permit under the *Home Building Act 1989*, the number of the owner-builder permit.

If the information required by this condition is no longer correct, work must not be carried out unless the principal certifier gives Council written notice of the updated information.



This condition does not apply in relation to Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

**Condition reason:** Prescribed condition under section 71 of the *Environmental Planning and Assessment Regulation 2021*.

### 4.3 - During Building Work

- (1) **Work hours** - While building work is being carried out, all work (including the delivery of materials) must be:

1. Restricted to between the hours of 7am to 5pm Monday to Saturday.
2. Not carried out on Sundays or public holidays.

Unless otherwise approved in writing by Council.

**Condition reason:** To protect the amenity of the surrounding area.

- (2) **Fill material (dwellings)** - Before the importation and placement of any fill material on the site, an assessment report and sampling location plan for the material must be prepared by a person with experience in both contamination and geotechnical assessments. The report and plan must demonstrate, to the satisfaction of the principal certifier, that:

1. For virgin excavated natural material, the report and plan have been prepared in accordance with:
  - a. The Department of Land and Water Conservation publication 'Site investigation for Urban Salinity', and
  - b. The Department of Environment and Conservation - Contaminated Sites Guidelines 'Guidelines for the NSW Site Auditor Scheme (Third Edition) - Soil Investigation Levels for Urban Development Sites in NSW'.
  - c. A minimum of 2 samples from different locations is required.
2. For excavated natural material, the report and plan have been prepared in accordance with:
  - a. The Resource Recovery Exemption under Part 9, Clauses 91, 92 and 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.
  - b. The NSW Environment Protection Authority Resource Recovery Order under Part 9, Clause 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.
  - c. The Excavated Natural Material Order and Exemption 2014.
3. The fill material has had its salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer to the Department of Land and Water Conservation publication 'Site investigation for

Urban Salinity'), and that it is compatible with any salinity management plans approved for the site.

**Condition reason:** To ensure that fill material has been adequately assessed before placement on the site.

- (3) **Stormwater collection and discharge** - While building work is being carried out, the roof of the approved building work must be provided with guttering and downpipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, must be conveyed to the street gutter or drainage system in accordance with the approved stormwater plan(s).

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

Connection to the street gutter or drainage easement must only occur at the designated connection point for the site. New connections that require work to an easement pipe or kerb must only occur with Council's approval.

**Condition reason:** To ensure that stormwater is properly collected and discharged.

- (4) **Finished floor level** - Before the development proceeds beyond floor level stage, a survey report must be prepared by a registered surveyor. The report must confirm, to the satisfaction of the principal certifier, that the finished floor level complies with the approved plans and this development consent.

**Condition reason:** To ensure that the finished floor level complies with the approved plans and this development consent.

- (5) **Survey report** - Before concrete is poured, the building(s) must be set out by a registered surveyor and a peg out survey must be prepared. The survey must confirm, to the satisfaction of the principal certifier, that the building will be sited in accordance with the approved plans and this development consent.

**Condition reason:** To ensure that the building(s) will be sited in accordance with the approved plans and this development consent.

- (6) **Site management plan (during work)** - While building work is being carried out, the approved site management plan must be complied with.

A copy of the plan must be kept on the site at all times and provided to Council upon request.

**Condition reason:** To protect the amenity of the surrounding area.

- (7) **Unexpected contamination finds contingency (general)** - While building work is being carried out, if any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) are encountered, the work must cease immediately until a certified contaminated land consultant has conducted an assessment of the find to the satisfaction of the principal certifier.

Where the assessment identifies contamination and remediation is required, all work must cease in the vicinity of the contamination and Council must be notified immediately. Development consent must be obtained to undertake Category 1 remediation.

**Condition reason:** To ensure a procedure is in place to manage unexpected contamination finds encountered during site works.

(8) **Work near or involving vegetation** - While building work is being carried out, the following requirements must be complied with to the satisfaction of the principal certifier:

1. Existing vegetation (including street trees) not approved for removal must be protected in accordance with AS 4970 - Protection of Trees on Development Sites and Council's engineering specifications.
2. The boundaries of any bushland or waterfront land areas adjacent to the site must be fenced by minimum 1.8m high chain link or welded mesh fencing. The fencing must include signage advising that the vegetation behind it is protected. The fencing must be maintained until the works have been completed.
3. No work (including for vehicular access or parking) that transects vegetation not approved for removal can be undertaken.
4. All vegetation related work must be carried out by a fully insured and qualified arborist. The arborist must be qualified to Australian Qualifications Framework (AQF) Level 3 in Arboriculture for the carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
5. All tree pruning must be carried out in accordance with AS 4373 - Pruning of Amenity Trees.
6. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.

**Condition reason:** To ensure that work near or involving vegetation is carried out to industry standards.

(9) **Compliance with *Building Code of Australia*** - While building work is being carried out, the work must be carried out in accordance with the *Building Code of Australia*. A reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the relevant date (as defined by section 19 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*).

This condition does not apply:

1. To the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.
2. To the erection of a temporary building other than a temporary structure used as an entertainment venue.

**Condition reason:** Prescribed condition under section 69 of the *Environmental Planning and Assessment Regulation 2021*.

- (10) **Shoring and adequacy of adjoining property** - While building work is being carried out, the person having the benefit of the development consent must, at the person's own expense:

1. Protect and support the building, structure or work on adjoining land from possible damage from the excavation.
2. If necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This condition does not apply if:

1. The person having the benefit of the development consent owns the adjoining land.
2. The owner of the adjoining land gives written consent to the condition not applying.

**Condition reason:** Prescribed condition under section 74 of the *Environmental Planning and Assessment Regulation 2021*.

#### 4.4 - Before Issue of an Occupation Certificate

- (1) **Updated flood mapping information** - Before the issue of an occupation certificate, updated flood mapping information based upon the completed development layout must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, the following requirements:

1. Delineate the following flood levels:
  - a. The probable maximum flood level.
  - b. The flood planning level.
  - c. The 1% annual exceedance probability (AEP) level.
  - d. The 5% AEP level.
2. Provided as a separate layer in .dxf or .dwg format for integration into Council's database.
3. Include digital flood models with result files for each flood event and a GIS file for integration into Council's mapping system.

**Condition reason:** To ensure that Council can record accurate flood mapping information as development occurs.

- (2) **Landscaping works completion** - Before the issue of an occupation certificate, all of the landscaping works approved by this development consent and the construction certificate must be completed to the satisfaction of the principal certifier. This must

include the provision of certification from the supplier of all trees certifying that the trees comply with AS 2303 - Tree Stock for Landscape use.

**Condition reason:** To ensure that all approved landscaping works have been completed to an appropriate standard.

- (3) **Existing street trees inspection** - Before the issue of an occupation certificate, all existing street trees along all public roads adjoining the site must be inspected by Council. Any damage to these existing street trees must be rectified to the satisfaction of Council. Evidence of the inspection and Council's satisfaction of any required rectification works must be provided to the principal certifier.

**Condition reason:** To ensure that existing street trees are inspected for damage and rectified where required.

- (4) **Survey certificate** - Before the issue of an occupation certificate, a survey certificate must be prepared by a registered surveyor and demonstrate, to the principal certifier's satisfaction, that the siting of the building(s) complies with the approved plans and this development consent.

**Condition reason:** To ensure that the building(s) are sited in accordance with the approved plans and this development consent.

- (5) **Lot registration** - Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier's satisfaction, that the approved lots have been registered with NSW Land Registry Services.

**Condition reason:** To ensure that the approved lots have gained legal title before the approved building(s) thereon are occupied.

- (6) **Driveway crossing construction** - Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier's satisfaction, that a driveway crossing has been constructed in accordance with this development consent and the driveway crossing approval.

**Condition reason:** To ensure that the building(s) is provided with vehicular access.

- (7) **Verge reconstruction** - Before the issue of an occupation certificate, the unpaved road verges directly adjoining the property must be reconstructed with grass species listed in Council's engineering specifications.

**Condition reason:** To ensure that road verges are reconstructed with grass following building works.

- (8) **Landscape Certification** - Certification is to be provided to the Principal Certifying Authority (PCA) from the designer of the landscape plan that all tree planting/landscape works have been carried out in accordance with the Council endorsed landscape plan. If Council is the PCA, the certification is to be submitted to Council prior to or at the final landscape inspection. If Council is not the PCA, a copy of the certification is to be provided to Council with the lodgement of the Occupation Certificate.

**Condition reason:** To ensure all tree / landscape works are completed in accordance with the endorsed landscape plan.

#### 4.5 - Occupation and Ongoing Use

- (1) **Graffiti removal** - During occupation and ongoing use of the development, all graffiti applied to the development must be removed within 48 hours of its application.

**Condition reason:** To protect the visual amenity of the area surrounding the development.

- (2) **Landscaping works maintenance** - During occupation and ongoing use of the development, the approved landscaping must be perpetually maintained in a complete and healthy condition.

**Condition reason:** To ensure that approved landscaping works are perpetually maintained to an appropriate standard.

#### 4.5 - Ongoing Use

- (1) **Permanent water quantity and quality facilities** - During occupation and ongoing use of the development, permanent water quantity and quality facilities must be provided in accordance with the following requirements:

1. When 80% of the catchment is built out.
2. The approved plans and Council's engineering specifications.
3. Earth batters associated with the facilities must be compacted and stabilised to ensure that their integrity is maintained.

Condition reason: To ensure that permanent, ongoing stormwater quality treatment occurs.

- (2) **Demolition of temporary water quantity and quality facilities** - During occupation and ongoing use of the development, temporary water quantity and quality facilities must be demolished in accordance with the following requirements:

1. Upon the provision of approved permanent facilities.
2. All stormwater flows to the temporary facilities must be diverted to the permanent facilities via a Council approved stormwater drainage system.
3. The temporary facilities must be demolished and the area that contained them reinstated. This includes any tail out swales and diversion bunds.
4. Any impediments to the provision of approved permanent facilities resulting from the demolition of the temporary water quality facilities must be rectified in accordance with Council's engineering specifications.

Condition reason: To ensure that temporary water quality facilities are removed in a manner that facilitates permanent water quality facilities.

- (3) **Public domain landscaping works establishment period** - Following the completion of all civil works, soil preparation and treatment, initial weed control, planting, turf and street tree installation and mulching, the developer must maintain the landscaping works for 12 months. At the conclusion of this period all landscaping works must be in an undamaged, safe and functional condition and all plantings must have signs of healthy and vigorous growth.

Condition reason: To ensure that approved public domain landscaping works are established to an appropriate standard.

- (4) **Landscaping works maintenance** - During occupation and ongoing use of the development, the approved landscaping must be perpetually maintained in a complete and healthy condition.

Condition reason: To ensure that approved landscaping works are perpetually maintained to an appropriate standard.

- (5) **Public domain landscaping works establishment period** - Following the completion of all civil works, soil preparation and treatment, initial weed control, planting, turf and street tree installation and mulching, the developer must maintain the landscaping works for 12 months. At the conclusion of this period all landscaping works must be in an undamaged, safe and functional condition and all plantings must have signs of healthy and vigorous growth.


Condition reason: To ensure that approved public domain landscaping works are established to an appropriate standard.




State Environmental Planning Policy (Precincts – Western Parkland City) 2021  
Appendix 5 Camden Growth Centres Precinct Plan Assessment Table


Clause	Assessment	Complies
<p><b>2.3 Zone Objectives and Land Use Table</b></p> <p>The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.</p> <p>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.</p> <p>The zone objectives for this site are:</p> <p><u>RE1 Public Recreation Zone</u></p> <ul style="list-style-type: none"> <li>• To enable land to be used for public open space or recreational purposes.</li> <li>• To provide a range of recreational settings and activities and compatible land use zones.</li> <li>• To protect and enhance the natural environmental for recreational purposes.</li> </ul> <p><u>SP2 Infrastructure zone</u></p> <ul style="list-style-type: none"> <li>• To provide for infrastructure and related uses.</li> <li>• To prevent development that is not compatible with or that may detract from the provisions of infrastructure.</li> </ul> <p><u>C4 Environmental Living Zone</u></p> <ul style="list-style-type: none"> <li>• To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.</li> <li>• To ensure that residential development does not have an adverse effect on those values.</li> </ul> <p><u>R2 Low Density Residential Zone</u></p> <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community within a low density residential environment.</li> <li>• To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> </ul>	<p>The proposed development involves the construction of roads, drainage and associated infrastructure to support the proposed nineteen lots.</p> <p>The proposed road will provide connection to the master planned upgrade to the Pat Kontista Reserve. The road has been designed to facilitate the proposed development and enable tie in works for the future car parking spaces adjoining Road 1.</p> <p>The location of the basin is within the SP2 zoned land with the location of the temporary basin being consistent with the master planned regional basin.</p> <p>The proposed development is consistent with the objectives of the zone and all works are permissible within their respective zones.</p>	<p>Yes.</p>


<ul style="list-style-type: none"> <li>To allow people to carry out a reasonable range of activities from their homes where such activities are not likely to adversely affect the living environment of neighbours.</li> <li>To support a diverse range of housing types to meet community housing needs within a low density residential environment.</li> </ul>		
<p><b>4.1 AA- Subdivision resulting in lots between 225-300m<sup>2</sup></b></p> <p>The size of any lot resulting from the subdivision of land to which this clause applies is to have an area of less than 300m<sup>2</sup> (but not less than 225m<sup>2</sup>) if the consent authority is satisfied the lot will contain a sufficient building envelope to enable the erection of a dwelling house on the lot.</p>	<p>The following lots are proposed to have a lot size less than 300m<sup>2</sup> but not less than 225m<sup>2</sup></p> <p>Lot 6 – 259.3m<sup>2</sup>  Lot 10 – 274.2m<sup>2</sup>  Lot 11 – 278.8m<sup>2</sup>  Lot 12 – 278.8m<sup>2</sup>  Lot 13 – 248.3m<sup>2</sup>  Lot 102 – 225m<sup>2</sup>  Lot 103 – 225m<sup>2</sup>  Lot 104 – 225m<sup>2</sup>  Lot 105 – 225m<sup>2</sup>  Lot 106 – 225m<sup>2</sup>  Lot 107 – 225m<sup>2</sup></p> <p>A suitable building envelope plan has been provided for Lots 6, 10-13 and dwelling plans have been provided for Lots 102-107. The applicant has sufficiently demonstrated the proposed lots less than 300m<sup>2</sup> but not less than 225m<sup>2</sup> are of a sufficient size to accommodate dwelling that is compliant with the Camden Growth Centre Development Control Plan (Camden Growth Centre DCP).</p>	Yes.
<p><b>4.1AB Minimum lot sizes for residential development in Zone R2 Low Density Residential and Zone R3 Medium Density Residential</b></p> <p>The minimum lot size for a dwelling house is 300m<sup>2</sup> if, on the Residential Density Map the dwelling density (per hectare) in relation to the land is 15 or 20.</p>	<p>The development site is zoned R2 Low Density Residential and is mapped with a Residential Density (RDN) of a minimum 15 dwellings per hectare.</p> <p>The following lots are proposed to have a lot size 300m<sup>2</sup> or greater.</p> <p>Lot 8 – 305.7m<sup>2</sup>  Lot 9 – 326.5m<sup>2</sup>  Lot 14 – 305.2m<sup>2</sup>  Lot 15 – 303.6m<sup>2</sup>  Lot 16 – 302m<sup>2</sup>  Lot 17 – 500.8m<sup>2</sup>  Lot 18 – 746.2m<sup>2</sup>  Lot 19 – 463.3m<sup>2</sup></p>	Yes
<p><b>4.1 BA Maximum number of dwellings on land – Leppington Precinct</b></p> <p>Areas of Leppington have a maximum number of dwellings map. Area A has a</p>	<p>The subject site is located outside of the maximum dwelling mapped area.</p>	NA


maximum of 500 and area B has a maximum of 1900		
<p><b>4.3 – Height of Building</b></p> <p>Height of buildings shall comply with the Height of Buildings Mapping (HOB)</p>	<p>The development site is mapped with a maximum height of building of 9m.</p> <p>All proposed dwellings achieve a maximum height under 9m as detailed below:</p> <p>Lot 102 – 7.4m  Lot 103 – 7.86m  Lot 104 – 8.28m  Lot 105 – 7.56m  Lot 106 – 8.08m  Lot 107 – 6.95m</p>	Yes
<p><b>6.1 Public Utility Infrastructure</b></p> <p>The consent authority must be satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.</p> <p>Public utility infrastructure includes for any of the following:</p> <p>a) Supply of water;  b) Supply of electricity;  c) Disposal and management of sewage.</p>	<p>Council has received written advice from Sydney Water confirming the availability of potable water and sewage infrastructure to the development site.</p> <p>Endeavour Energy has also confirmed the availability of electricity infrastructure to the development site.</p>	Yes
<p><b>6.2 Development controls – native vegetation retention areas and riparian protection areas</b></p> <p>Areas mapped on the Native Vegetation Protection Map or Riparian Protection Map should be retained unless the requirements of this clause are met.</p>	<p>The two trees proposed to be removed as part of this application are outside of the area mapped on the Native Vegetation Protection Map and Riparian Protection Map.</p> <p>The removal of these trees is considered unavoidable to facilitate the construction of the temporary basin and permanent basin proposed for this location.</p> <p>Conditions of consent are recommended to ensure the retention of the larger native tree in this locality.</p> 	Yes

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

Control	Assessment	Complies
<p><b>1.2 Notification and Advertising Requirements.</b></p> <p>DA's are required to be publicly exhibited in accordance with the Camden Community Participation Plan 2021 (CCPP).</p>	<p>The DA was publicly exhibited in accordance with the CCPP for a period of 28 days between the 10 November and 7 December 2023. No submissions were received during this period.</p>	Yes
<p><b>2.2 Indicative Layout Plan (ILP)</b></p> <p>Developments are to be generally in accordance with the ILP.</p> <p>Any proposed variations to the general arrangement of the ILP must be demonstrated to Council's satisfaction, to be consistent with the Precinct Planning vision in the relevant Precinct Plan.</p> 	<p>The proposed development layout is generally consistent with the ILP. The ring road is provided as detailed in the ILP, with the addition of the laneway to provide rear loaded dwellings opposite Pat Kontista Reserve.</p> <p>The proposed addition of the laneway enables the development to achieve compliance with the residential density and lot configuration controls and provides a desirable streetscape to Pat Kontista Reserve by removing car parking from the front of these lots. This will also increase pedestrian safety with the absence of vehicles reversing while entering or exiting the site. The proposed subdivision layout plan is considered appropriate in this regard.</p>	Yes
<p><b>2.3.1 Flooding</b></p> <p>Subdivision layout is to ensure the ability to develop land including adjoining properties is not adversely impacted with regard to the 1% Annual Exceedance Probability (AEP).</p> <p>Development within the 1% (AEP) maybe permitted where site specific investigations demonstrate compliance with Council's Flood Risk Management Policy and Engineering Specifications.</p> <p>The design of the road network is to ensure evacuation routes from the proposed development and existing development are maintained or suitable alternative evacuation routes are provided in accordance with the FRMP and Precinct Water Cycle Management Strategy.</p>	<p>The development site is partially flood affected. Council's Infrastructure Engineer has reviewed the proposed development layout and levels to ensure the ability to develop land including adjoining properties at the minimum flood planning level (future, modelled peak 1% AEP + 500mm freeboard). This is based on latest modelling results provided by the Growth and Infrastructure branch, from the Q190/2018 Scalabrini Creek Stormwater Management Project.</p> <p>The civil engineering plans have also been reviewed by Council's Growth and Infrastructure Branch in respect to the ultimate built environment to ensure that the final levels of all proposed lots will be at or above the minimum flood planning levels (future, modelled peak 1% AEP + 500mm freeboard), in accordance with Council Engineering Design Specs, Council Flood Risk Management Policy and the Camden Growth Centres Development Control Plan.</p> <p>Conditions of consent are recommended to ensure all final lot levels are at or above the minimum flood planning level and that PMF</p>	Yes

	event evacuation routes are feasible prior to the issue of the subdivision certificate.	
<p><b>2.3.2 Water Cycle Management</b></p> <p>Management of 'minor' flows and 'major' flows within subdivisions and development sites is to be in accordance with Council's Engineering Specification.</p> <p>All new development is to be connected, via the network described in control 1 above, to the Council's trunk drainage system shown on the Key elements of the water cycle management and ecology strategy.</p>  <p>The map shows a development site (red circle) connected to a drainage network (yellow lines) that flows into Scalabrini Creek (blue line). The map includes a legend with categories: Proposed Boundaries, Existing Boundaries, Major Open Space, Open Space, Local Road, Environmental Conservation, Drainage, and Stormwater. A red arrow points from the development site to the drainage network.</p>	<p>Council's Certification Engineers have reviewed the proposed development including review of DRAINS and MUSIC models to ensure compliance with Council's Engineering Design Specifications.</p> <p>The drainage design includes the construction of a temporary basin on 80 Heath Road, in the location of the future master planned biobasin for the Pat Kontista Reserve.</p> <p>Drainage pipes have been designed to have natural fall. The drainage from the site, road and lane will be directed into the temporary basin before flowing into the natural drainage channel of Scalabrini Creek as indicated on the Water Cycle Management Plan.</p> <p>The suitability of the proposed basin has been reviewed for compliance in respect to expected flows and the Camden Engineering Design Specifications. Appropriate conditions of consent are recommended as required.</p>	Yes
<p><b>2.3.3 Salinity and Soil Management</b></p> <p>Land detailed on the areas of potential salinity risk map in Schedule 5 – Leppington Precinct are required to be accompanied by Salinity Management Plan.</p> <p>Salinity and sodicity management are to compliment WSUD strategies.</p> <p>All development must incorporate soil conservation measures to minimise soil erosion and siltation during construction.</p>	<p>The development site is mapped as having high salinity potential in Figure 2-4: Potential Salinity Risk in Schedule 5 of the Growth Centre DCP.</p> <p>The application was accompanied by a Geotechnical and Salinity Investigation which was reviewed by Council's Environmental Health Specialist. The report provided test results for a number of samples taken at varying depths across the site to test for salinity. The test results indicated the soil was non to slightly saline with some moderately saline soils at depth.</p> <p>Soil was considered to be mildly aggressive to buried concrete structures and moderately aggressive to buried steel structures. Management strategies were developed for the site to which appropriate conditions of consent are recommended.</p>	Yes
<p><b>2.3.4 Aboriginal and European Heritage</b></p> <p>Development Applications must identify any areas of Aboriginal heritage value that are within or adjoining the area proposed for development.</p>	<p>An Aboriginal Heritage and Due Diligence report has been prepared in respect to the subject site. The report revealed the site consisted of heavily reworked agricultural land and subsequently no evidence of likely presence of Aboriginal or potential archaeological deposits are expected.</p> <p>A condition of consent is recommended regarding the discovery of any unexpected finds during works.</p>	Yes

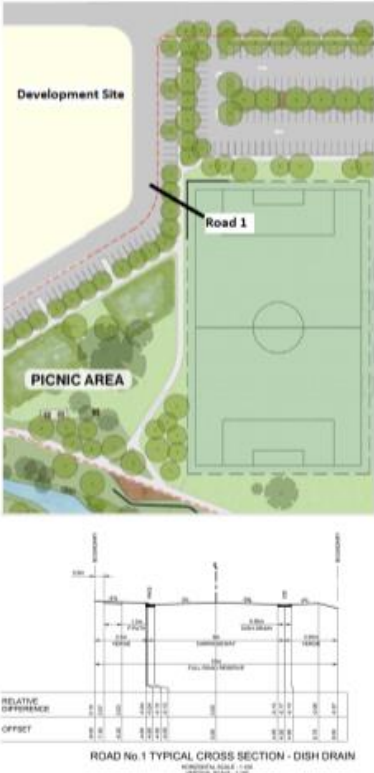
<p><b>2.3.5 Native Vegetation and Ecology</b></p> <p>Native trees and other vegetation are to be retained where possible by careful planning of development (particularly at the subdivision stage) to incorporate trees into areas such as road reserves and private or communal open space.</p> <p>All indigenous trees are to be replaced where removal is unavoidable.</p>	<p>While the site is bio certified, 80 Heath Road contains a number of trees and a mapped riparian protected area.</p> <p>Two trees are required to be removed to accommodate the temporary basin. The trees to be removed are located outside of the mapped riparian protected area.</p> <p>The location of the basin has been dictated by the location of the future master plan for the Pat Kontista Reserve which details the future biobasin in this location.</p> <p>The proposed basin has been sited to retain the larger eucalyptus tree in this locality which is included in the Master Plan as an 'island for tree retention' indicated as '5' on the plan extract below.</p> <p>The trees required to be removed as part of this application would have ultimately been required to be removed for the construction of the future bio-basin planned for this area, as indicated as '1' on the masterplan extract below. As such, it is considered appropriate to enable the removal of these trees as part of this application to facilitate the proposed and future basins in this location.</p> <p>Conditions of consent are recommended requiring the establishment of a Structural Root Zone (SRZ) for the large eucalyptus for retention to ensure construction works are located outside of the SRZ and to ensure the location of the OSD is appropriately amended to be located outside of the SRZ.</p> 	Yes
<p><b>2.3.6 Bushfire Hazard Management</b></p> <p>Where an allotment fronts and partially incorporates an APZ it shall have an appropriate depth to accommodate a dwelling with PPOS. The APZ shall be identified through an 88B instrument.</p>	<p>The south eastern portion of 80 Heath Road, Leppington is bushfire affected. Whilst the development site, is not bushfire affected, it is noted portions of 80 Heath Road will be revegetated when the regional basin is constructed. Equally, Schedule 5 – Leppington Precinct identifies portions of the site as requiring a 25m APZ.</p> <p>The application was referred to NSW RFS and concurrence provided.</p>	Yes

	<p>Conditions of consent are recommended.</p>	
<p><b>2.3.7 Site Contamination</b></p> <p>The site is identified in Schedule 5 – Leppington Precinct as having potential high risk of contamination.</p> <p>Council must be satisfied the site will be suitable or can be made suitable for the proposed use.</p>	<p>Please refer to the assessment provided under the SEPP Resilience and Hazards section of the main body of the report.</p> <p>The site is considered suitable for its intended use once remediation of the site has occurred.</p>	<p>Yes</p>
<p><b>2.3.8 Development on and Adjacent to Electricity and Gas Easement</b></p> <p>Subdivision of land that is affected by easements and land adjacent to electricity easements is to be considered and referred as necessary.</p>	<p>Above ground power lines are located along the frontage of 80 Heath Road. There will be no impact on the electricity easement due to the resulting subdivision. Endeavour Energy has reviewed the proposal and supports the proposed development subject to conditions of consent.</p>	<p>Yes</p>
<p><b>2.3.9 Noise</b></p> <p>Development applications must be accompanied by an acoustic report where the development is in a location, shown on the Potential Noise attenuation measures figures in the relevant Precinct Schedule such as:</p>	<p>The development site is located in excess of the indicative offset distances detailed in Schedule 5 – Leppington Precinct.</p>	<p>NA</p>
<p><b>2.3.10 Odour Assessment and Control</b></p> <p>The Leppington growth centre precinct was previously zoned for rural purposes, in some areas there remains existing rural uses that have potential to generate odour and other associated impacts that may negatively affect the amenity of nearby urban areas. Whilst these uses are in operation odour impacts should be considered.</p>	<p>There are no existing odour causing rural developments within the locality.</p>	<p>NA</p>

<p><b>2.4 Demolition</b></p> <p>Demolition work must comply with the relevant Australian Standards. Security Fencing and hoarding must be provided around the perimeter for the demolition site for duration of works.</p>	<p>A demolition plan has been provided which includes the removal of two trees and fencing.</p> <p>Conditions of consent are recommended regarding appropriate waste disposal and compliance with Australian Standards.</p>	Yes
<p><b>2.5 Crime Prevention through design</b></p> <p>Buildings should be designed to overlook street, lanes and other public or communal areas to provide casual surveillance.</p> <p>Corner lots should be orientated to overlook both streets.</p> <p>Development should avoid creating areas for concealment and blank walls facing the street.</p> <p>All developments are to incorporate the principles of Crime Prevention Through Environmental Design (CPTED).</p>	<p>The subdivision has been designed to limit places for concealment. The proposed dwellings have been designed with small balconies at the rear, and habitable rooms addressing the street.</p> <p>The proposed building envelope plans provided demonstrate proposed construction to address both street frontages.</p> <p>A fencing plan has been provided which indicates open style fencing along frontages. Conditions of consent are recommended to further address CPTED principles by requiring the dwellings that are rear accessed to provide palisade gates and fencing along the rear boundary to increase overlooking of the laneway.</p> <p>The double storey dwellings proposed for lots 102-107 will provide overlooking of the Pat Kontista Reserve which is a desirable outcome for the future safety of the community space.</p>	Yes
<p><b>2.6 Earthworks</b></p> <p>Subdivision and building work is to be designed to respond to the natural topography of the site wherever possible, minimising the extent of cut and fill both during subdivision and when buildings are constructed. Finished levels must be integrated with nearby land and facilitate appropriate drainage.</p>	<p>It is acknowledged the design of the site is constrained with existing fixed road points at Messenger Road and Julius Crescent.</p> <p>The road design and lot contouring has been designed sympathetically to the existing constraints of the site with a maximum 1.5m fill towards the centre of the development.</p> <p>Minimal cut is proposed and is mostly concentrated to the basin.</p>	Yes
<p><b>3.1.1 Residential Density</b></p> <p>All residential subdivision and building applications are to meet the minimum residential density requirements of the Precinct Plan and contribute to the Precinct's overall dwelling target.</p>	<p>Dwelling Density Map nominates the site as:</p> <p>O1 – 15 dw/Ha</p> <p>20/10108.4 = 19 dw/ha including half road widths as required.</p>	Yes
<p><b>3.1.2 Block and Lot Layout</b></p> <p>Subdivision layout is to create a legible and permeable street hierarchy.</p> <p>Subdivision must achieve desirable street block and lot configurations.</p> <p>Lots must comply with minimum lot size requirements.</p>	<p>The proposed street hierarchy is legible and permeable and generally consistent with the ILP.</p> <p>The proposed subdivision pattern achieves the desirable street block and lot configurations.</p>	Yes



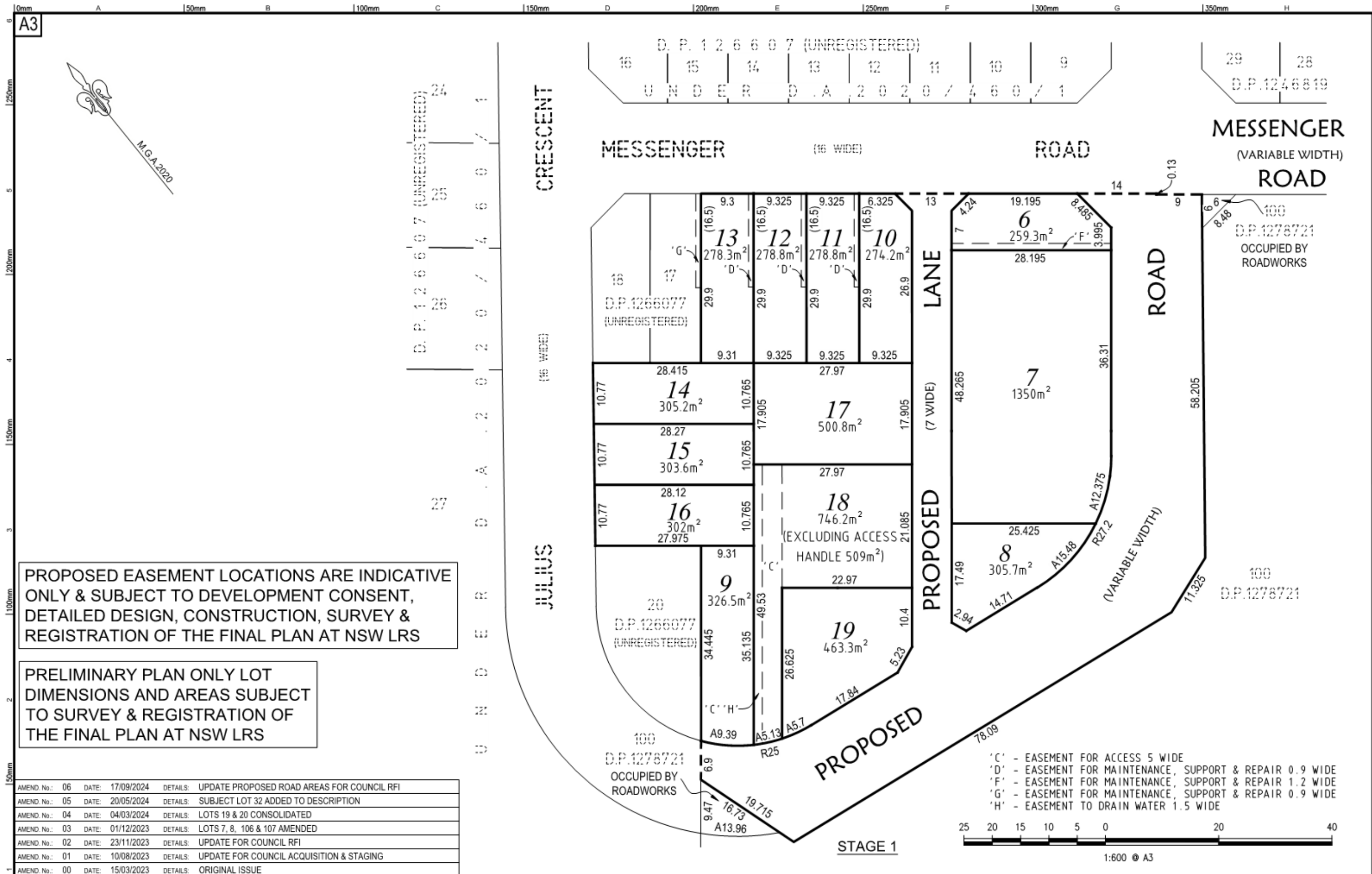
<p>Minimum lot frontages must comply with Table 3-3.</p> <p>The minimum lot frontage for 15dw/ha is 9m and 4.5m for rear loaded.</p>	<p>All lots achieve compliant lot areas as detailed in the SEPP assessment table earlier in this document.</p> <p>Lots 6 and 8, and Lots 102 – 107 are rear loaded &gt;4.5m wide.</p> <p>Lots achieve &gt;9m at the building line for lots 9-19.</p>	
<p>In areas with a minimum residential density of less than or equal to 20dw/ha no more than 40% of the total residential lots proposed in any one street block may have a frontage of less than 10m wide.</p>	<p>A variation is requested in respect to this control which can be found in the main body of the report.</p>	<p>No - See request for variation</p>
<p><b>3.1.3 Battleaxe Lots</b></p> <p>Subdivision layout should minimise the use of battle-axe lots without public frontage to resolve residual land issues</p> <p>The minimum site area for battle-axe lots without any street or park frontage is 500m<sup>2</sup> (excluding the shared driveway) and only detached dwelling houses will be permitted.</p>	<p>The proposed battle-axe lots are suitable for the proposed location/development.</p> <p>Lot 17 - 500.8m<sup>2</sup> Lot 18 - 509m<sup>2</sup> excluding access handle.</p>	<p>Yes</p>
<p><b>3.1.4 Corner Lots</b></p> <p>Corner lots, including splays and driveway location, are to be designed in accordance with AS 2890 and Council's Engineering Specifications.</p> <p>Garages on corner lots are encouraged to be accessed from the secondary street or a rear lane.</p>	<p>Splays are be demonstrated for corner lots.</p> <p>Building Envelope Plans has been provided demonstrating corner lots 6 and 8 being accessed from the rear lane.</p>	<p>Yes</p>
<p><b>3.2 Subdivision approval process.</b></p> <p>Subdivision of land creating residential lots less than 225m<sup>2</sup> or lots less than 9m wide at the building line shall include a dwelling design as part of the subdivision development application. The dwelling design is to be included on the S88B instrument attached to the lot</p> <p>Subdivision approval process to be consistent with Table 3-4</p>	<p>The proposed development includes a number of subdivision approval pathways which includes:</p> <p>Pathway A1 for Lots 8, 9, 14, 15, 16, 17, 18 &amp; 19 as lots &gt;300m<sup>2</sup></p> <p>Pathway A2 for Lots 6,10, 11, 12, 13 being lots &lt;300m<sup>2</sup> and ≥225m<sup>2</sup> or lots with &lt;9m wide frontages.</p> <p>Pathway B1 for Lots 102, 103, 104, 105, 106, 107. These lots are &lt;9m in width and are 225m<sup>2</sup> these lots include application for integrated housing.</p>	<p>Yes</p>
<p><b>3.3.1 Layout and Design</b></p> <p>The design and construction of streets is to be consistent with the relevant typical designs in Figure 3-10 to Figure 3-15, Council's Engineering Specifications and Austroads Alternative street designs for local streets and access ways may be permitted on a case by case basis if they preserve the functional</p>	<p>A 16m wide road reserve for Road 1 is provided, which is consistent with Figure 3-13 for Primary Local Street, as the road bounds future open space.</p> <p>A typical cross section for Road 1 demonstrates a 9m carriageway, 3.5m verge on both sides of the carriageway with standard</p>	<p>Yes</p>

<p>objectives and requirements of the design standards.</p>	<p>kerb and gutter and 1.2m footpath provided on the verge fronting proposed residential lots.</p> <p>A 3.5m verge is proposed for the verge fronting the Pat Kontista Reserve with no footpath and a dish drain between the road carriage way and the verge. The design of the dish drain and verge fronting the Pat Kontista Reserve is to support the future car park infrastructure detailed in the Pat Kontista Reserve Master Plan. The image below depicts the proposed car park and car parking spaces proposed to adjoin Road 1.</p>  <p>ROAD No. 1 TYPICAL CROSS SECTION - DISH DRAIN</p>	
<p><b>3.3.2 Laneways</b></p> <p>The layout of laneways should take into account subdivision efficiency, maximising favourable lot orientations, intersection locations with streets, topography, opportunities for affordable housing, legibility and passive surveillance.</p>	<p>The proposed laneway demonstrates a 7m Road reserve and a 5.5m carriageway. The plans are consistent with Figure 3-15.</p> <p>The lots adjoining the laneway are in accordance with the recommendations within the DCP.</p>	<p>Yes</p>

Laneways that create a 'fronts to backs' layout (front addressed principle dwellings on one side and rear accessed garages on the other side) are to be avoided	The dwelling designs of lots 102-107 are two storey providing passive surveillance to the laneway, with small rear balconies provided off the master bedrooms for each dwelling.  The proposed battleaxe driveway for lot 17 and 18 is supported to ensure the laneway remains consistent with the intent of the design controls of the DCP.	
<b>3.3.3 Shared Driveways</b>  Shared driveways are to have the smallest configuration possible to serve the required parking facilities and vehicle turning movements	A 5m access way is proposed for Lots 17 and 18. The battleaxe driveway incorporates soft landscaping either side of the concrete driveway for water infiltration.	Yes
<b>3.3.4 Pedestrian and Cycle Network</b>  Detailed designs for pedestrian and cycle paths are to be submitted with subdivision development applications and shall be consistent with road reserve plans	Plans demonstrating a pedestrian path fronting all dwellings with pram ramps provided at intersections, has been provided, linking the proposed dwellings to the existing pedestrian paths.	Yes
<b>3.4 Construction environmental management</b>  A Construction Environmental Management Plan (CEMP) is to be submitted to Council or the accredited certifier prior to the issue of a construction certification for subdivision.	A condition of consent is recommended requiring the submission of the construction management plan prior to the issue of the construction certificate.	Yes
<b>4.2.2 Streetscape and architectural design</b> Dwellings shall be appropriately designed to address the streetscape.  Modulation of the façade should be integrated into the dwelling design.  Streets should be fronted with similar housing types to create a consistent street character.	The proposed dwellings will be in a prominent location, adjacent to the future Pat Kontista Reserve.  The dwellings demonstrate a high level of façade design and façade treatment which demonstrates modulation of façade elements, continuity in design features whilst also providing individuality to each dwelling supporting an 'urban streetscape character'.  The proposed detached garages visually complement the associated dwelling.	Yes
<b>4.2.3 Setbacks for rear accessed Lots</b>	<b>Lot 6, 8 BEP and Lots 102 – 107 Dwelling Compliance</b>	Yes
Front - 4.5m to façade line 3.5m to façade for dwellings fronting open space	4.5m setback provided.	Yes
Side Setback - zero lot line:	Zero lot provided with 0m setback	Yes
Maximum length of zero lot line 15m excluding rear loaded garage	12.9m	Yes
Rear setback 0.5m to rear loaded garages to lane.	0.5m rear garage setback provided for all driveways.	Yes
Building height, massing and siting - In areas with a minimum residential density of ≤20dw/Ha: 2 Storeys maximum	2 storeys proposed	Yes
Site coverage	66.8 / 225 = 29.6%	Yes

Upper level no more than 40% of lot area.		
Soft landscaping minimum 15% of lot area.	$60.4 / 225 = 26.8\%$	Yes
Principal Private Open Space (PPOS) 16m <sup>2</sup> with minimum dimension of 3m	$5 \times 6.7 = 24\text{sqm}$ for all lots.	Yes
Solar access In areas with density <20 dw/ha, at least 3 hours of sun between 9am – 3pm at the winter solstice to atleast 50% of the required PPOS of proposed and neighbouring properties.	Compliant solar access plans have been provided demonstrating all lots achieving a minimum 3 hours solar access.	Yes
Ground floor level shall be no more than 1m above finished ground level.	All dwellings <1m	Yes
Garage and parking Rear loaded or car space only.	Rear loaded double garages >4.8m garage provided for each lot.	Yes
Minimum garage 4.2m and 4.8m. 1-2 bedrooms require 1 car space, 3 or more bedrooms 2 car spaces		
<b>4.2.3 Setbacks for Lots <math>\geq 9\text{m}</math> <math>\leq 15\text{m}</math></b>	<b>Lots 10, 11, 12, 13 BEP compliance</b>	
Front setback 4.5m to façade line and 3.5m to articulation zone.	The BEP demonstrates all lots achieving a 4.5m setback to the dwelling façade, and 3.5m setback to articulation.	Yes
Side setback - <u>Zero</u> lot line Ground & First floor: 0m <u>Detached boundary</u> If lot burdened by zero lot boundary, side setback much be within easement: 0.9m single storey zero lot wall 1.2m double storey zero lot wall.	Zero lot line demonstrated with 1200m wide easement for detached boundary.	Yes
Maximum length of zero lot line boundary 15m	11m provided.	Yes
Rear setback 4m ground level 6m upper level.	Compliant single and double storey dwelling setbacks provided.	Yes
Corner Lots 1m	2m provided.	Yes
Building height, massing and siting maximum 2 storey	Compliant 2 storey setbacks provided	Yes
Site coverage Upper level no more than 50% of lot area.	Lots 10-13: $71.7/278.3 = 26\%$	Yes
Soft landscaping Minimum 15% lot area. The first 1m of the lot measured from the street boundary (excluding paths) is to be soft landscaped.	Complies with building envelope location/size proposed, based on a single storey dwelling. Lots 10-13: $110.8/278.3 = 39\%$	Yes
PPOS 16m <sup>2</sup> with dimension of 3m	Lots 10-13: $9.3 \times 10.6 = 98.58\text{m}^2$	Yes
Solar access - In areas with density <20 dw/ha, at least 3 hours of sun between 9am – 3pm at the winter solstice to at least 50% of the required PPOS of proposed and neighbouring properties.	The lots have the capability of complying, dependant on the resulting dwelling designs proposed. This aspect will be required to be further assessed with future dwelling applications	Yes
Garage Lots $\geq 9\text{m}$ and <12.5m where front accessed, single width garages only. 1-2 bedrooms 1 carparking space, $\geq 3$ bedroom 2 carparking spaces	Proposed single garage with parking space on driveway in front of garage with 5.5m setback provided.	Yes
<b>4.2.8 Garages, storage, site access and parking</b> 1-2 bedrooms a minimum of 1 car parking space, $\geq 3$ bedrooms minimum 2 carparking spaces.	Proposed garage complies.	Yes

Driveways are not to be within 1m of any drainage facilities on the kerb and gutter.	Civil plans have been provided demonstrating minimum 1m setback achieved.	Yes
<b>4.2.9 Visual and acoustic Privacy</b> - Direct overlooking of main habitable areas and PPOS of adjoining dwellings should be minimised. Balconies are not permitted on the first floor of the side and / or rear portion of the dwelling except where the balcony faces a public road, or land zoned for public recreation or drainage.	Overlooking of PPOS is minimised with the use of privacy screens and building design and layout.  Small rear balconies are proposed for lots 102-107 to achieve passive surveillance of the laneway. The dwellings have been designed to ensure side walls are protruding to act as a fixed visual barrier to adjoining dwellings.	Yes
<b>4.2.10 Fencing</b> - Front fencing shall be a maximum of 1.2m high above ground level (existing) and shall be an open style.  Side and rear fences are to be a maximum of 1.8m high commencing 2m behind the building line (refer to Figure 4-12).  Side fences not on a street frontage are to be a maximum of 1.2m high to a point 2m behind the primary building line.  Fencing that adjoins mews or rear access ways is to permit casual surveillance	A fencing plan has been provided demonstrating a 1.2m masonry and open style fence to the front boundary of Lots 6, 8, 10-13 and 102-107.  Fencing plans have been provided. A condition of consent is recommended making slight changes to this plan to ensure the 1.8m high colorbond fence commences 2m behind the building line and the rear gates/fences of lots 6, 8 and 102-107 provide palisade fencing to the rear boundary to ensure passive surveillance of the laneway.	Yes



PROPOSED EASEMENT LOCATIONS ARE INDICATIVE ONLY & SUBJECT TO DEVELOPMENT CONSENT, DETAILED DESIGN, CONSTRUCTION, SURVEY & REGISTRATION OF THE FINAL PLAN AT NSW LRS

PRELIMINARY PLAN ONLY LOT DIMENSIONS AND AREAS SUBJECT TO SURVEY & REGISTRATION OF THE FINAL PLAN AT NSW LRS

AMEND. No.:	06	DATE:	17/09/2024	DETAILS:	UPDATE PROPOSED ROAD AREAS FOR COUNCIL RFI
AMEND. No.:	05	DATE:	20/05/2024	DETAILS:	SUBJECT LOT 32 ADDED TO DESCRIPTION
AMEND. No.:	04	DATE:	04/03/2024	DETAILS:	LOTS 19 & 20 CONSOLIDATED
AMEND. No.:	03	DATE:	01/12/2023	DETAILS:	LOTS 7, 8, 106 & 107 AMENDED
AMEND. No.:	02	DATE:	23/11/2023	DETAILS:	UPDATE FOR COUNCIL RFI
AMEND. No.:	01	DATE:	10/08/2023	DETAILS:	UPDATE FOR COUNCIL ACQUISITION & STAGING
AMEND. No.:	00	DATE:	15/03/2023	DETAILS:	ORIGINAL ISSUE

- 'C' - EASEMENT FOR ACCESS 5 WIDE
- 'D' - EASEMENT FOR MAINTENANCE, SUPPORT & REPAIR 0.9 WIDE
- 'F' - EASEMENT FOR MAINTENANCE, SUPPORT & REPAIR 1.2 WIDE
- 'G' - EASEMENT FOR MAINTENANCE, SUPPORT & REPAIR 0.9 WIDE
- 'H' - EASEMENT TO DRAIN WATER 1.5 WIDE



Project: PLAN OF PROPOSED SUBDIVISION OVER LOT 101 IN D.P.1278721 AND LOTS 19, 20 & 32 IN UNREGISTERED D.P.1266077

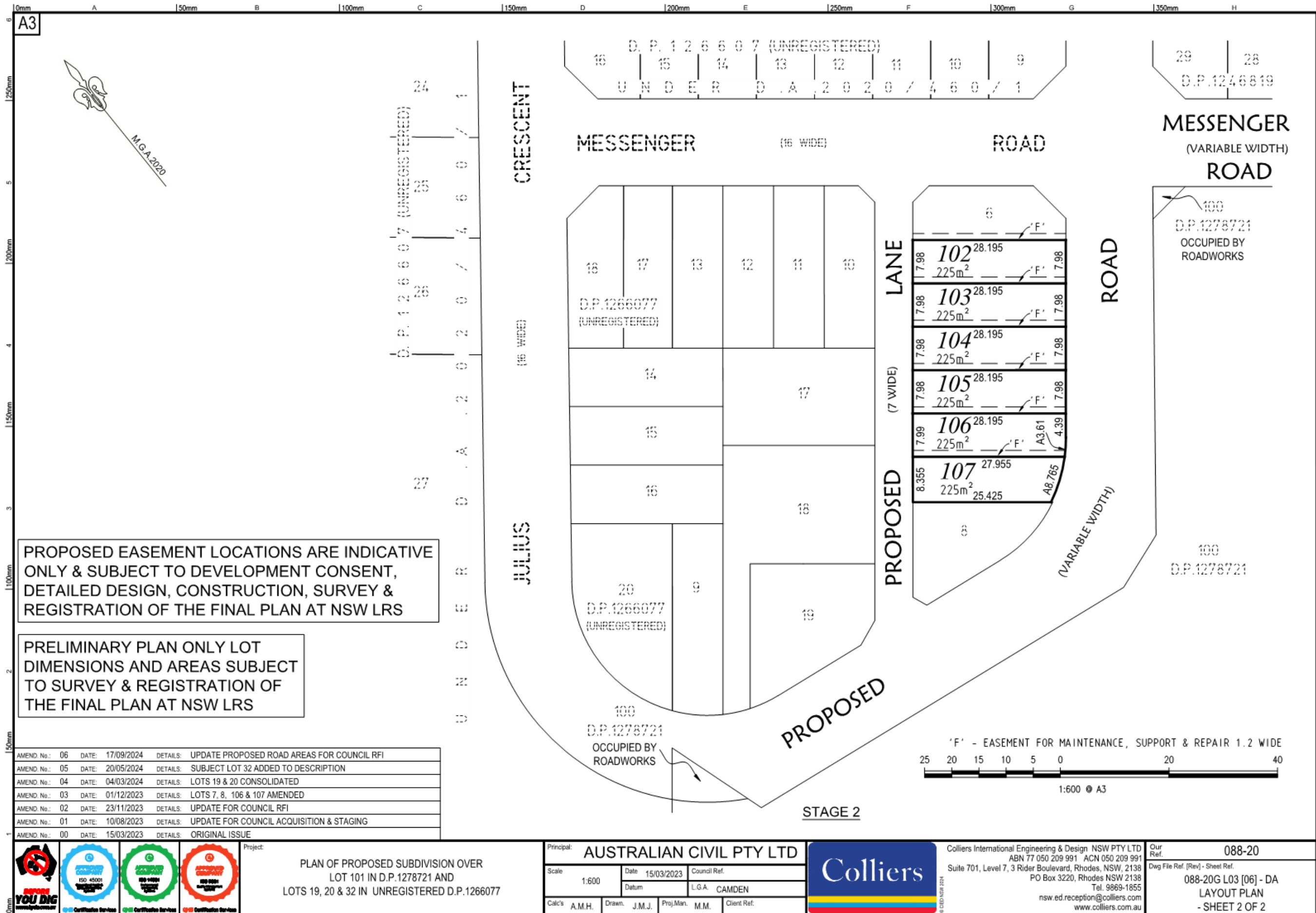
Principal: AUSTRALIAN CIVIL PTY LTD  
 Scale: 1:600 Date: 15/03/2023 Council Ref.  
 Datum: L.G.A. CAMDEN  
 Calc's: A.M.H. Drawn: J.M.J. Proj.Man: M.M. Client Ref.

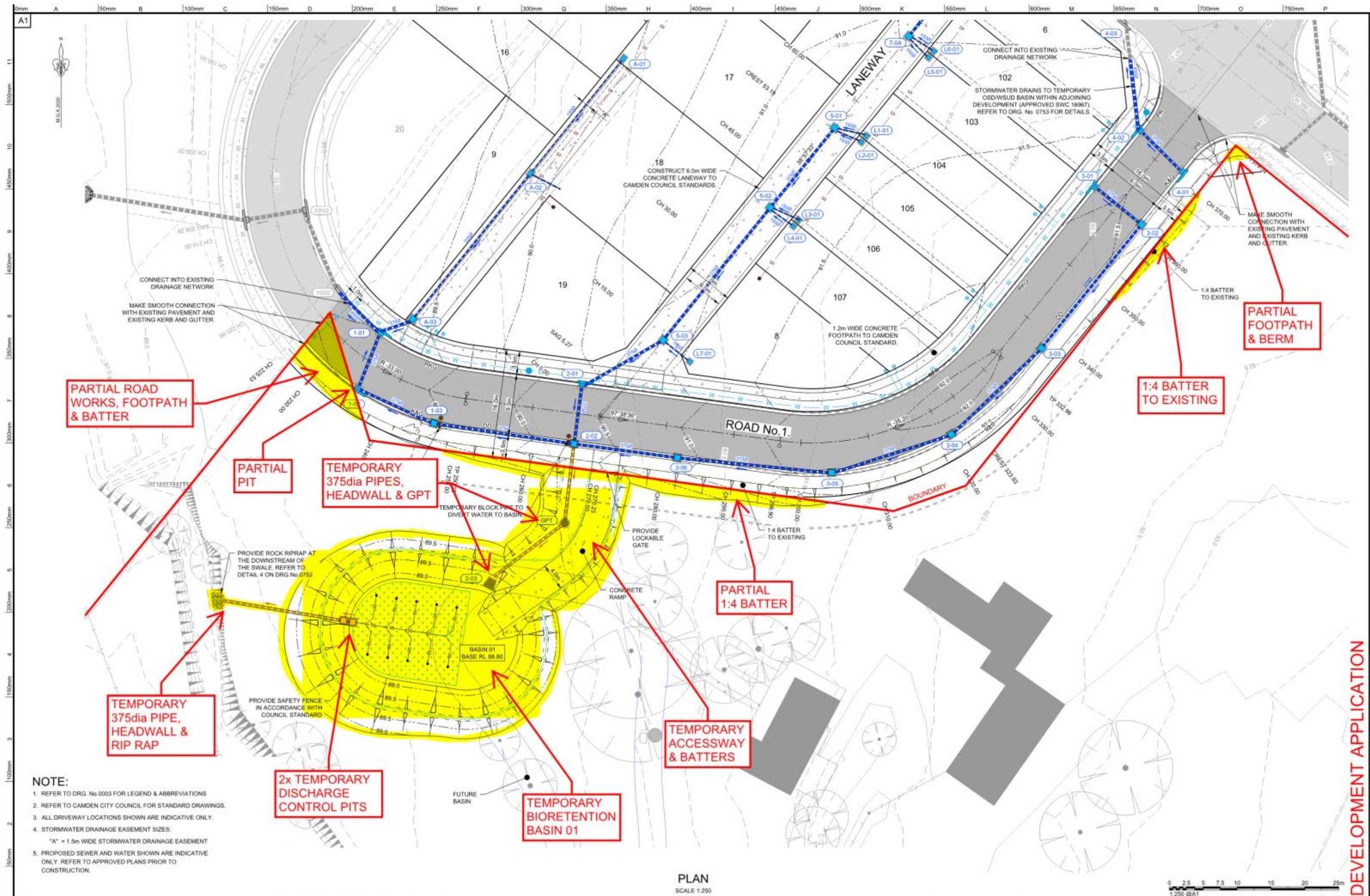


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Our Ref: 088-20  
 Dwg File Ref. [Rev] - Sheet Ref.  
 088-20G L03 [06] - DA LAYOUT PLAN - SHEET 1 OF 2

CAD REF: G:\ACQURED\PROJECTS\2022\_17188-20\SURVEY\PLANS\LOT CALCULATION\088-20G L03 [06] - DA LAYOUT PLANING - SHEET 1 OF 2 - A.M.H. - J.M.J. - M.M. - DATE PRINTED: 17/09/2024 11:34:29 AM

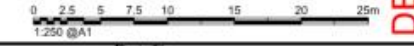




**NOTE:**

- REFER TO DRG. No.0003 FOR LEGEND & ABBREVIATIONS
- REFER TO CAMDEN CITY COUNCIL FOR STANDARD DRAWINGS.
- ALL DRIVEWAY LOCATIONS SHOWN ARE INDICATIVE ONLY.
- STORMWATER DRAINAGE EASEMENT SIZES:  
"A" = 1.5m WIDE STORMWATER DRAINAGE EASEMENT
- PROPOSED SEWER AND WATER SHOWN ARE INDICATIVE ONLY. REFER TO APPROVED PLANS PRIOR TO CONSTRUCTION.

PLAN  
SCALE 1:250



DEVELOPMENT APPLICATION

20.09.24 ISSUED FOR RFI INFORMATION REV. DATE AMENDMENT DESCRIPTION DES. DRN.				Approved for use by MIKEL MANSOUR Signature: _____		Principal: PARKSIDE FARMLAND PTY LTD L.G.A. CAMDEN COUNCIL Scale: AS SHOWN Datum: AHD		Project: PROPOSED SUBDIVISION OF LOT 46 D.P. 8176 80 HEATH ROAD, LEPPINGTON						ABN 77 050 239 991 ACN 050 239 991 Suite 7/01, Level 7, 3 Water Boulevard Rhodes, NSW, 2138 PO Box 3220, Rhodes NSW 2138 Tel: (02) 9669 1885 mcgill@crhodes.com.au www.craigandrhodes.com.au © Craig & Rhodes Pty Ltd		Drawing Title: EXTENT OF PROPOSED WORKS CONDUCTED IN COUNCIL LAND Drawing Ref: 088-20 Drawing Ref: 088-20C-SK-0005 Revision: A	
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NUMBER	REVISION	NAME
DA 00	D	Cover Page
DA 01	D	3D Perspectives
DA 02	D	Building Envelope Plan
DA 03	D	Compliance Table
DA 04	D	Compliance Table
DA 05	D	Site Plan
DA 11	D	Ground Floor Plan
DA 12	D	1st Floor Plan
DA 13	D	Roof Plan
DA 21	D	East Elevation
DA 22	D	West Elevation
DA 23	D	North & South Elevations
DA 24	D	Rear Elevation
DA 33	D	Cross Section
DA 34	D	Cross Section
DA 61	D	Fencing Detail Plan
DA 62	D	Front Fence Elevation
DA 63	D	Bin Presentation Plan
DA 71	D	Shadow Study
DA 72	D	Site Shadow Study
DA 73	D	Solar Access Calculation
DA 74	D	Solar Access Calculation
DA 81	D	Finishes and Materials
DA 82	D	Finishes and Materials
DA 83	D	Finishes & Materials
DA 91	D	Conceptual Drainage Plan

## ISSUE FOR DA AMENDMENT

Proposed Townhouse Development

80 Heath Road Leppington

### BASIX Thermal Comfort:

- External walls
  - Garage walls - brick wall + nil insulation
  - Others - brick wall + min R2.0 insulation
- Internal walls - stud walls + nil insulation
- Roof/exposed ceiling (medium colour)
  - GF - concrete slab above plasterboard + min R3.5 insulation above the ceiling.
  - L1 - metal sheeting above plasterboard + min R3.5 insulation above ceiling + min R1.3 Anticon (reflective) to the roof.
- Floors - concrete slab + nil insulation
- Floor covering
  - Bedroom - Carpet
  - Wet Area - Tile
  - Other Areas (kit/living) - Timber
- Glazing
  - For sliding/fixd Types: Total U-value=4.8 & Total SHGC=0.51 (+/-10% Total SHGC) – Single Glazed Neutral/Clear or the like
  - For other Types: Total U-value=5.4 & Total SHGC=0.49 (+/-10% Total SHGC) – Single Glazed Neutral/Clear or the like

LED DOWNLIGHTS TO ALL DWELLINGS WITH DEDICATED FITTINGS.  
 ALL DOWNLIGHTS AND EXHAUST FANS TO BE SEALED.  
 ALL WORKS TO BE IN ACCORDANCE WITH BCA/NCC & RELEVANT AS/NZS STANDARDS.

### Notes:

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 DO NOT scale drawings and always refer to dimensions.  
 Check all dimensions on site before commencing work.  
 Always refer all discrepancies and enquiries to the Architect

PLOT DATE & TIME: 26/07/2024 4:58:56 PM

PLOTTED & CHECKED BY:CZ

Issue	Description	By	Date
1	DA Amendment	CJ	2024.07.26
2	DA Amendment	CJ	2024.06.07
3	DA Amendment	CJ	2023.12.12
4	Preliminary DA	CJ	2023.06.09
5	Prevised Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.03.13

### Proposed Townhouse Development 80 Heath Road Leppington

Client: George

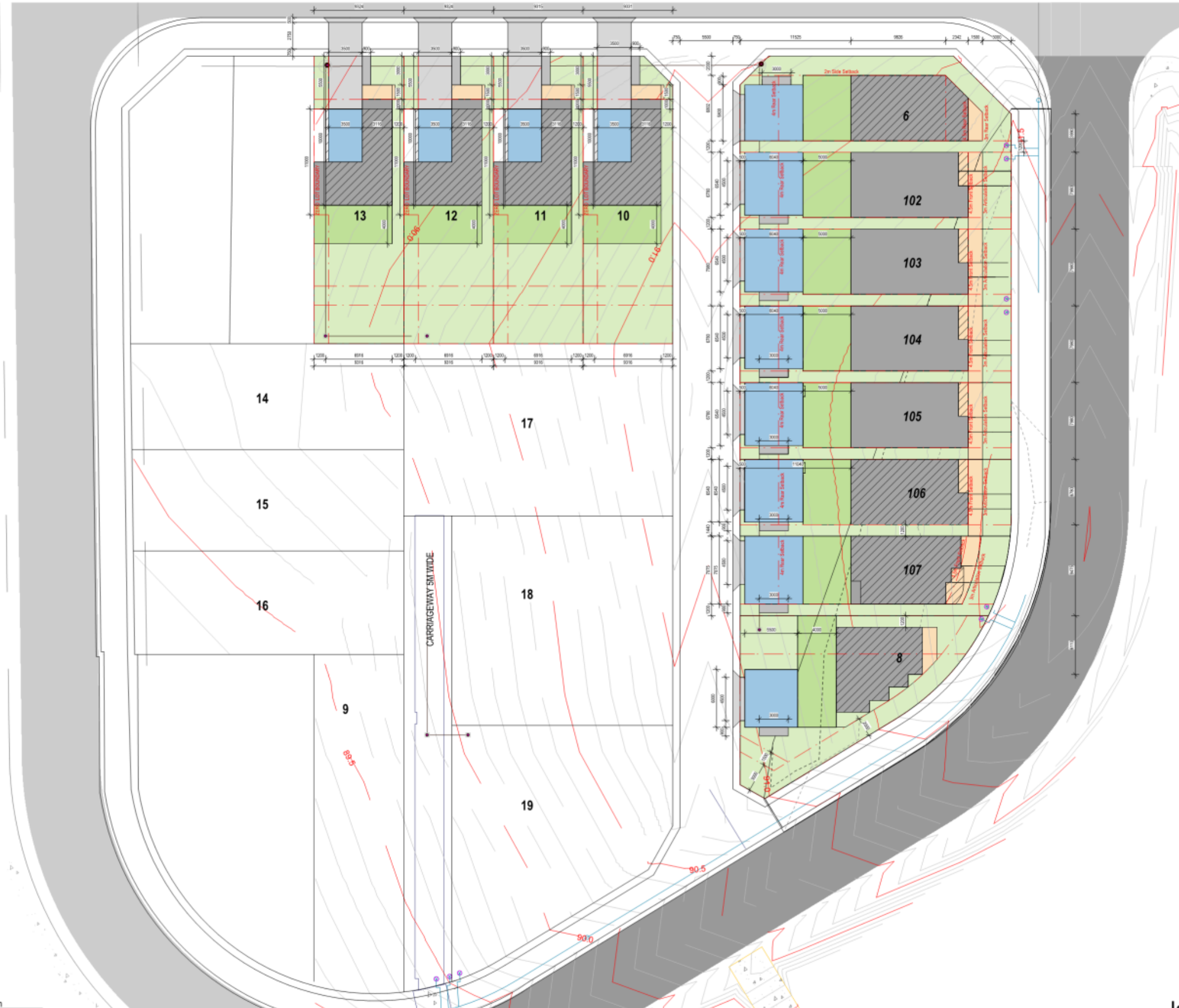
Proj No:  
202306

### Issue for DA Amendment



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Drawn by: CZ Scale: As Shown  
 Check by: CJ  
 Drawing Title: Cover Page  
 Drawing No: DA 00 Issue: D



LEGEND

- Soft Landscape Area
- Principal Private Open Space
- Driveway
- Single Storey Building
- Preferred Garage Location
- 2 Storey Building
- Articulation Zone
- Bin Storage

1 Building Envelope Plan 1:200

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Issue	Description	By	Date
1	DA Amendment	CJ	2024.07.26
2	DA Amendment	CJ	2024.06.07
3	DA Amendment	CJ	2023.12.12
4	Preliminary DA	CJ	2023.06.07
5	Prevised Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.02.13

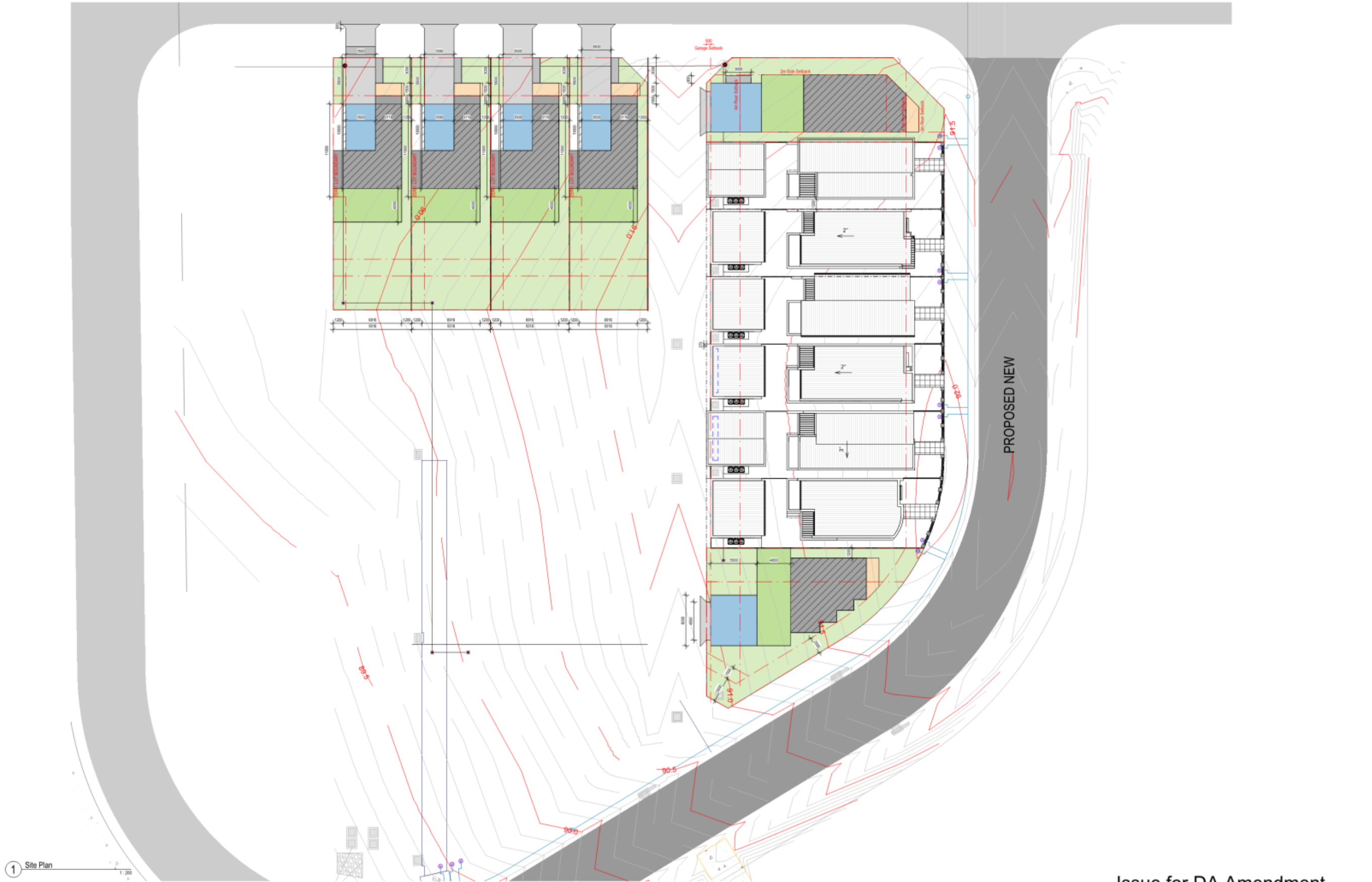
Proposed Townhouse Development  
 80 Heath Road Leppington

Client: George  
 Proj No: 202306

Issue for DA Amendment



Drawn by: CZ Scale: 1:200  
 Check by: CJ  
 Drawing Title: Building Envelope Plan  
 Drawing No: DA 02 Issue: D



1 Site Plan

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PLOT DATE & TIME: 28/07/2024 4:59:00 PM PLOTTED & CHECKED BY: RZ

Issue	Description	By	Date
1	DA Amendment	CJ	28/07/24
2	DA Amendment	CJ	28/06/24
3	DA Amendment	CJ	28/12/23
4	Preliminary DA	CJ	28/06/23
5	Revised Concept	CJ	28/04/23
6	Concept Design	CJ	28/03/23

Proposed Townhouse Development  
**80 Heath Road Leppington**

Client: George

Proj No:  
**202306**

Issue for DA Amendment

**ARCHIAN**  
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 m: 0431 877 765  
 colin@archian.com.au  
 Suite 108/460 Pacific Hwy St Leonards NSW 2065

Drawn by: RZ  
 Check by: CJ  
 Drawing Title: **Site Plan**  
 Drawing No: DA 05  
 Issue: **D**  
 Scale: 1 : 200



2 Dwelling Ground Floor Plan 1:100

### Proposed Townhouse Development 80 Heath Road Leppington

Client: George

Proj No:  
202306

Issue for DA Amendment



Drawn by: RZ Scale: 1:100  
 Check by: CJ  
 Drawing Title: Ground Floor Plan  
 Drawing No: DA 11 Issue: D

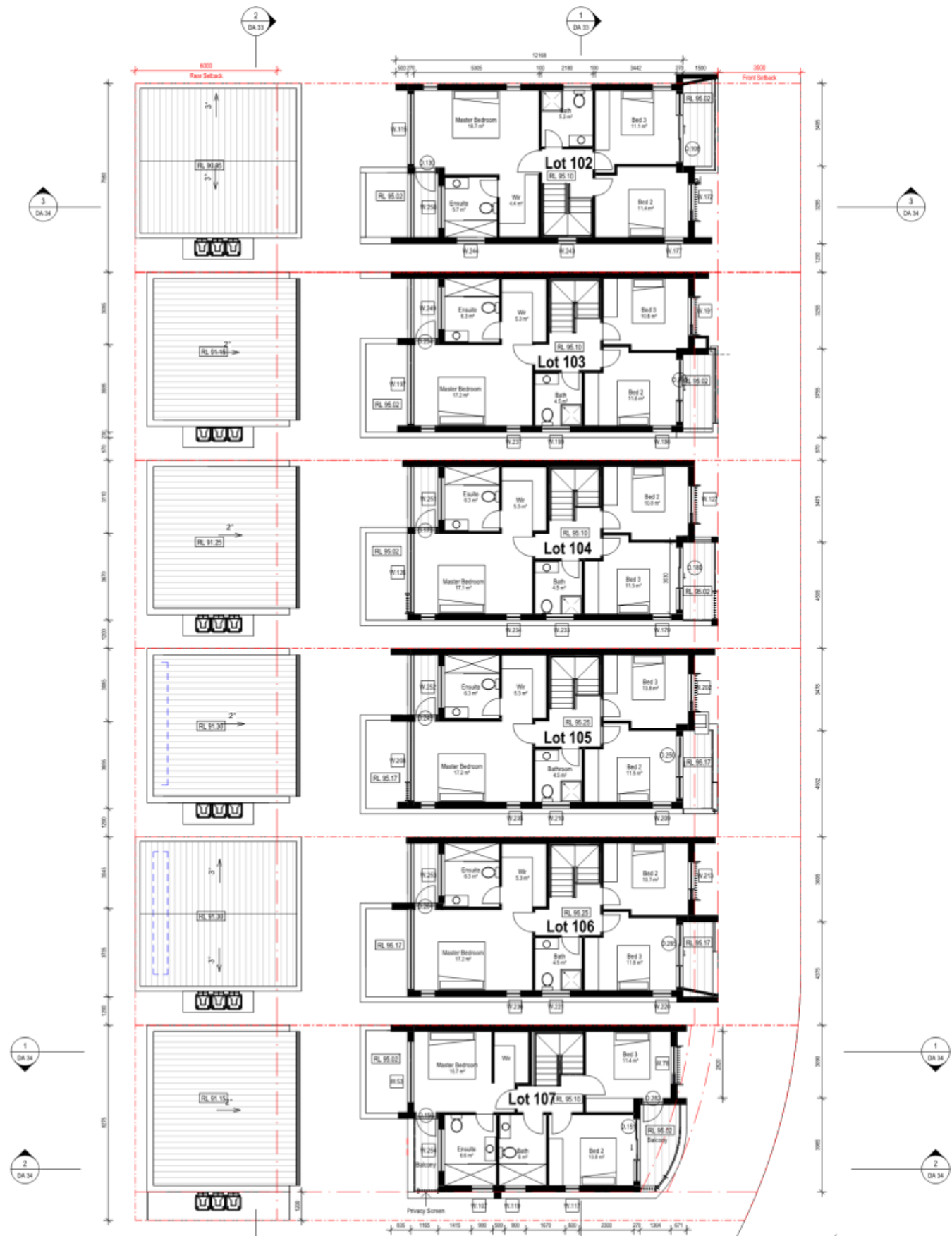
architecture/interiors/urban design/project management  
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 Suite 108/460 Pacific Hwy St Leonards NSW 2055

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Issue	Description	By	Date
1	DA Amendment	CJ	2024.07.26
2	DA Amendment	CJ	2024.06.07
3	DA Amendment	CJ	2023.12.12
4	DA Amendment	CJ	2023.06.07
5	Prevised Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.04.13

PLOT DATE & TIME: 28/07/2024 4:59:02 PM

PLOTTED & CHECKED BY: RZ



1 First Floor 1:100

Proposed Townhouse Development  
80 Heath Road Leppington

Client: George  
Proj No: 202306

Issue for DA Amendment



Drawn by: CZ Scale: 1:100  
Check by: CJ  
Drawing Title: 1st Floor Plan  
Drawing No: DA 12 Issue: D

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Issue	Description	By	Date
1	DA Amendment	CJ	2024.07.26
2	DA Amendment	CJ	2024.06.07
3	DA Amendment	CJ	2023.12.12
4	Preliminary DA	CJ	2023.06.07
5	Prevised Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.04.11

PLOT DATE & TIME: 28/07/2024 4:59:56 PM

PLOTTED & CHECKED BY: CZ



1 Roof Plan 1:100

### Proposed Townhouse Development 80 Heath Road Leppington

Client: George

Proj No:  
202306

### Issue for DA Amendment



Drawn by: RZ  
 Check by: CJ  
 Drawing Title: Roof Plan  
 Drawing No: DA 13  
 Issue: D  
 Scale: 1:100

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Issue	Description	By	Date
1	DA Amendment	CJ	2024.07.26
2	DA Amendment	CJ	2024.06.07
3	DA Amendment	CJ	2023.12.12
4	Preliminary DA	CJ	2023.06.07
5	Revised Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.04.13

PLOT DATE & TIME: 26/07/2024 4:59:56 PM PLOTTED & CHECKED BY: RZ



3 Front Perspective

Notes:

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Issue	Description	By	Date
1	DA Amendment	CJ	2024.07.26
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3	DA Amendment	CJ	2023.12.12
4	Preliminary DA	CJ	2023.06.07
5	Prevised Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.03.13

Proposed Townhouse Development  
 80 Heath Road Leppington

Client: George

Proj No:  
 202306

Issue for DA Amendment

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 Suite 108/460 Pacific Hwy St Leonards NSW 2065

Drawn by: Author  
 Check by: Checker  
 Drawing Title: East Elevation  
 Drawing No: DA 21  
 Issue: D  
 Scale: 1 : 100

PLOT DATE & TIME: 26/07/2024 4:59:26 PM PLOTTED & CHECKED BY: Author



1 West Elevation 1:100



2 Back Perspective

Notes:

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PLOT DATE & TIME: 26/07/2024 4:59:43 PM PLOTTED & CHECKED BY: RZ

Issue	Description	By	Date
1	DA Amendment	CJ	2024.07.26
2	DA Amendment	CJ	2024.06.07
3	DA Amendment	CJ	2023.12.12
4	Preliminary DA	CJ	2023.06.07
5	Prevised Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.03.13

Proposed Townhouse Development  
 80 Heath Road Leppington

Client: George

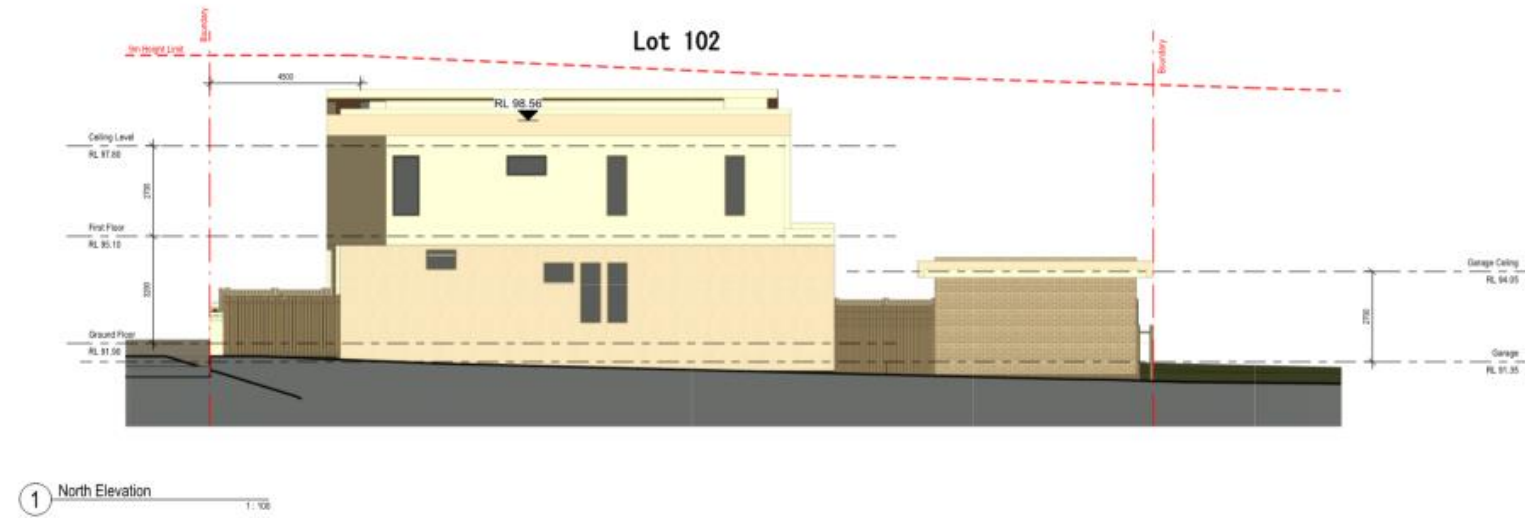
Proj No:  
 202306

Issue for DA Amendment



Drawn by: RZ Scale: 1:100  
 Check by: CJ  
 Drawing Title: West Elevation  
 Drawing No: DA 22 Issue: D





Proposed Townhouse Development  
80 Heath Road Leppington

Client: George

Proj No:  
202306

Issue for DA Amendment

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Suite 108/460 Pacific Hwy St Leonards NSW 2065

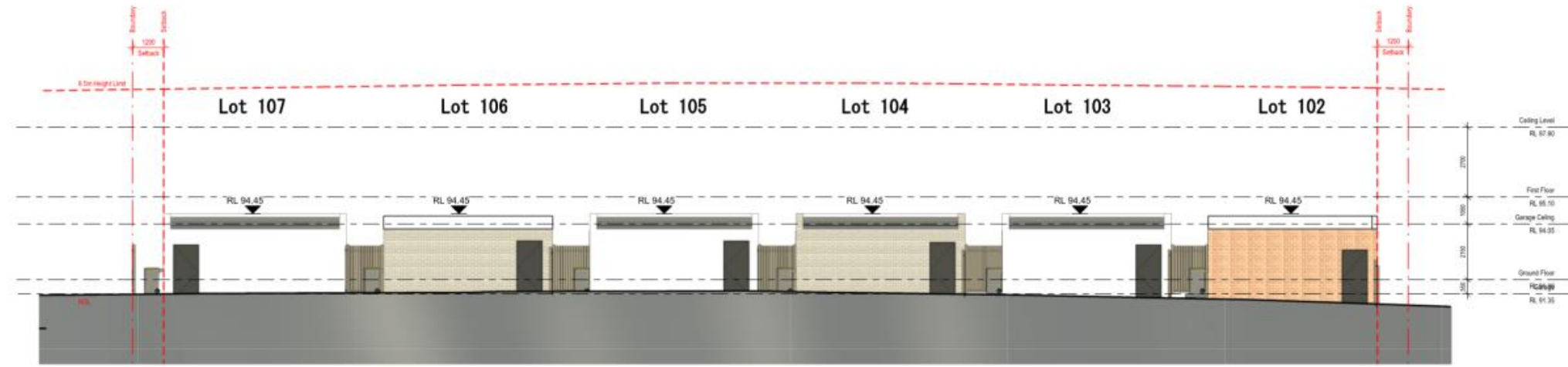
Drawn by: RZ  
Check by: CJ  
Drawing Title: North & South Elevations  
Drawing No: DA 23  
Issue: D  
Scale: 1:100

Notes:

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Issue	Description	By	Date
1	DA Amendment	CJ	2024.07.26
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3	DA Amendment	CJ	2023.12.12
4	Preliminary DA	CJ	2023.06.07
5	Prevised Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.03.13

PLOT DATE & TIME: 26/07/2024 4:59:56 PM PLOTTED & CHECKED BY: RZ



1 Rear Elevation 1:100



3 Lot 107 Rear Perspective



2 Lot 103-106 Rear Perspective



4 Lot 102 Rear Perspective

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PLOT DATE & TIME: 26/07/2024 5:00:16 PM PLOTTED & CHECKED BY: RZ

Issue	Description	By	Date
1	DA Amendment	CJ	2024.07.26
2	DA Amendment	CJ	2024.06.07
3	DA Amendment	CJ	2023.12.12
4	Preliminary DA	CJ	2023.06.07
5	Prevised Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.03.13

Proposed Townhouse Development  
 80 Heath Road Leppington

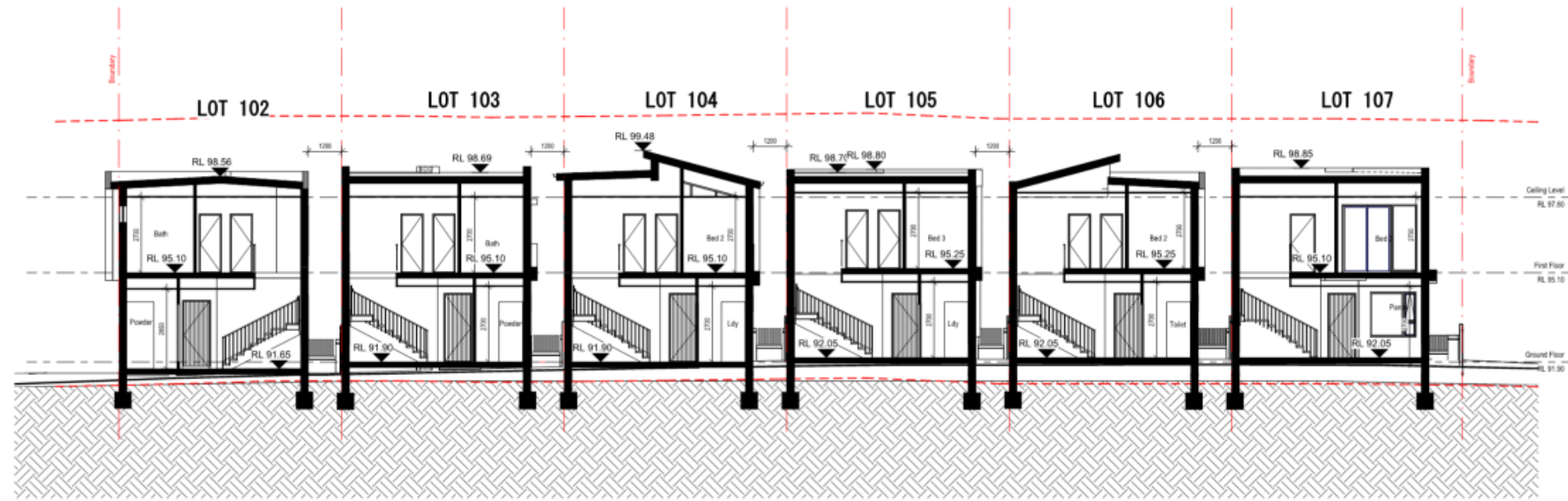
Client: George

Proj No:  
 202306

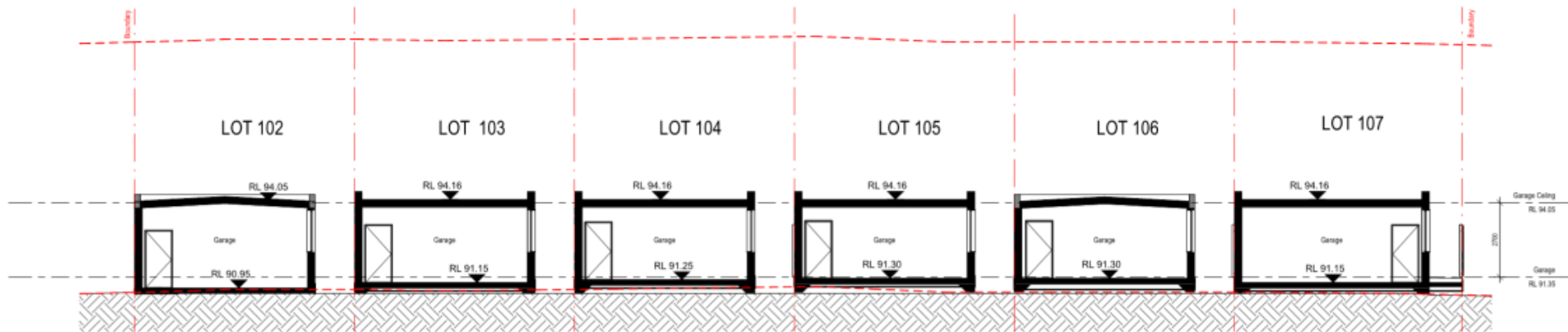
Issue for DA Amendment

**ARCHIAN**  
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 SYDNEY NSW 2009  
 PH: 0431 877 765  
 info@archian.com.au  
 Suite 108/460 Pacific Hwy St Leonards NSW 2065

Drawn by: RZ Scale: 1:100  
 Check by: CJ  
 Drawing Title: Rear Elevation  
 Drawing No: DA 24 Issue: D



1 Section A-B 1:100



2 Section Garage 1:100

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PLOT DATE & TIME: 28/07/2024 5:00:16 PM PLOTTED & CHECKED BY:CZ

Issue	Description	By	Date
1	DA Amendment	CJ	2024.07.26
2	DA Amendment	CJ	2024.06.07
3	DA Amendment	CJ	2023.12.12
4	Preliminary DA	CJ	2023.06.07
5	Prevised Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.03.13

Proposed Townhouse Development  
**80 Heath Road Leppington**

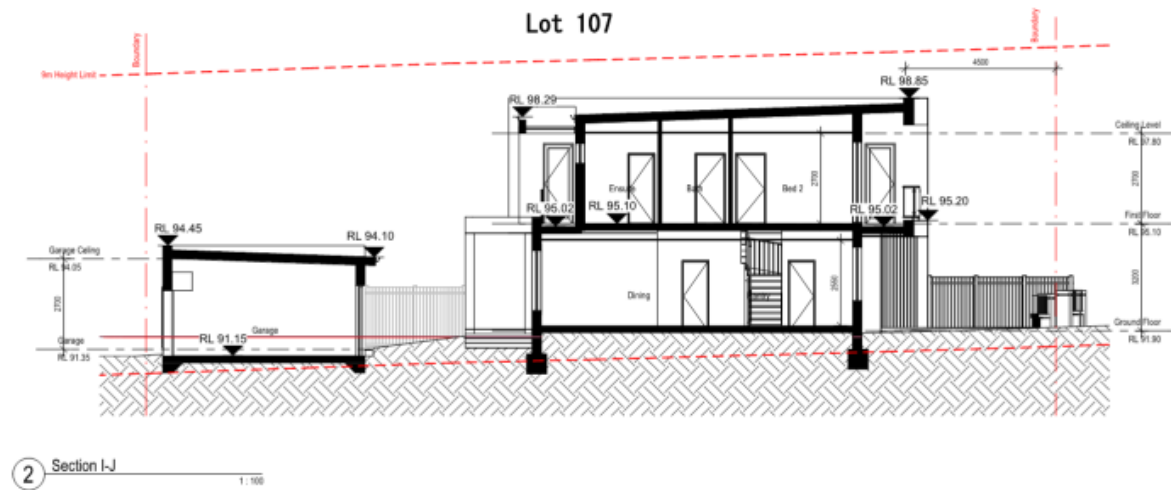
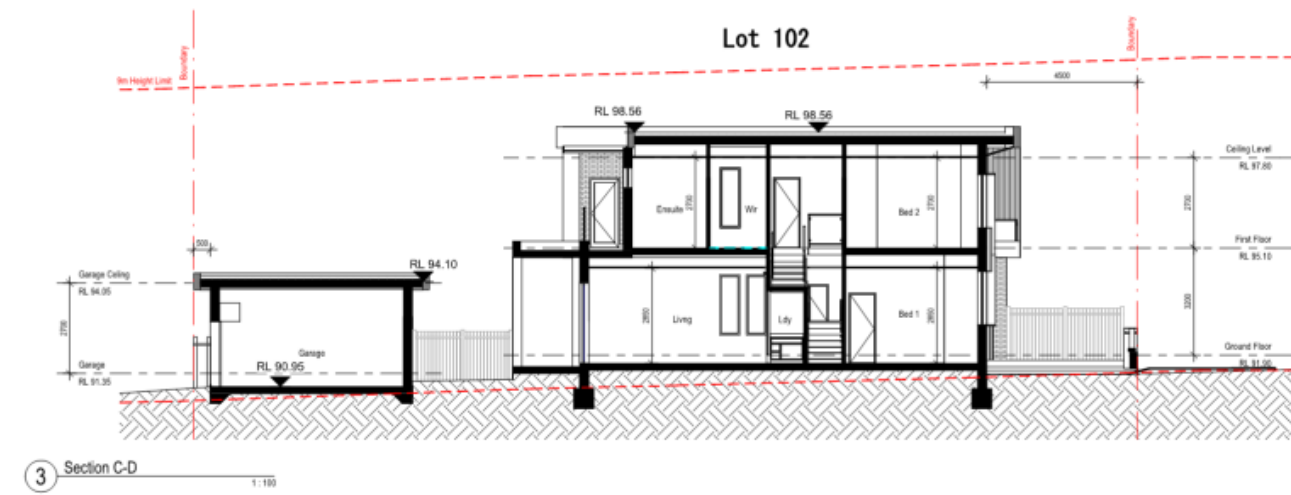
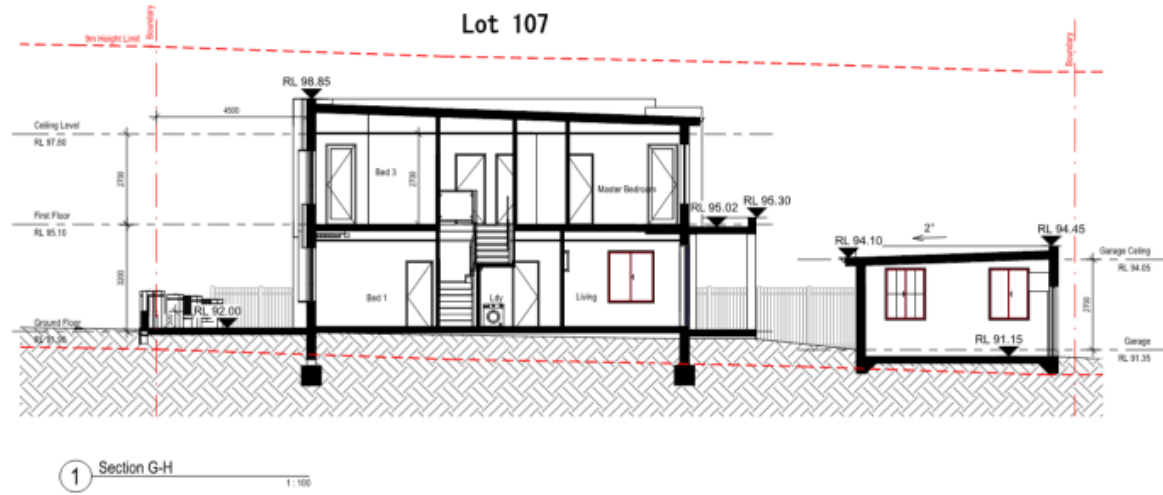
Client: George

Proj No:  
**202306**

Issue for DA Amendment

**ARCHIAN**  
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 m: 0431 877 765  
 c: info@archian.com.au  
 Suite 108/460 Pacific Hwy St Leonards NSW 2065

Drawn by: CZ Scale: 1:100  
 Check by: CJ  
 Drawing Title: **Cross Section**  
 Drawing No: DA 33 Issue: **D**



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PLOT DATE & TIME: 28/07/2024 5:00:19 PM

PLOTTED & CHECKED BY:CZ

Issue	Description	By	Date
1	DA Amendment	CJ	2024.07.25
2	DA Amendment	CJ	2024.06.07
3	DA Amendment	CJ	2023.12.12
4	Preliminary DA	CJ	2023.06.07
5	Prevised Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.03.13

Proposed Townhouse Development  
 80 Heath Road Leppington

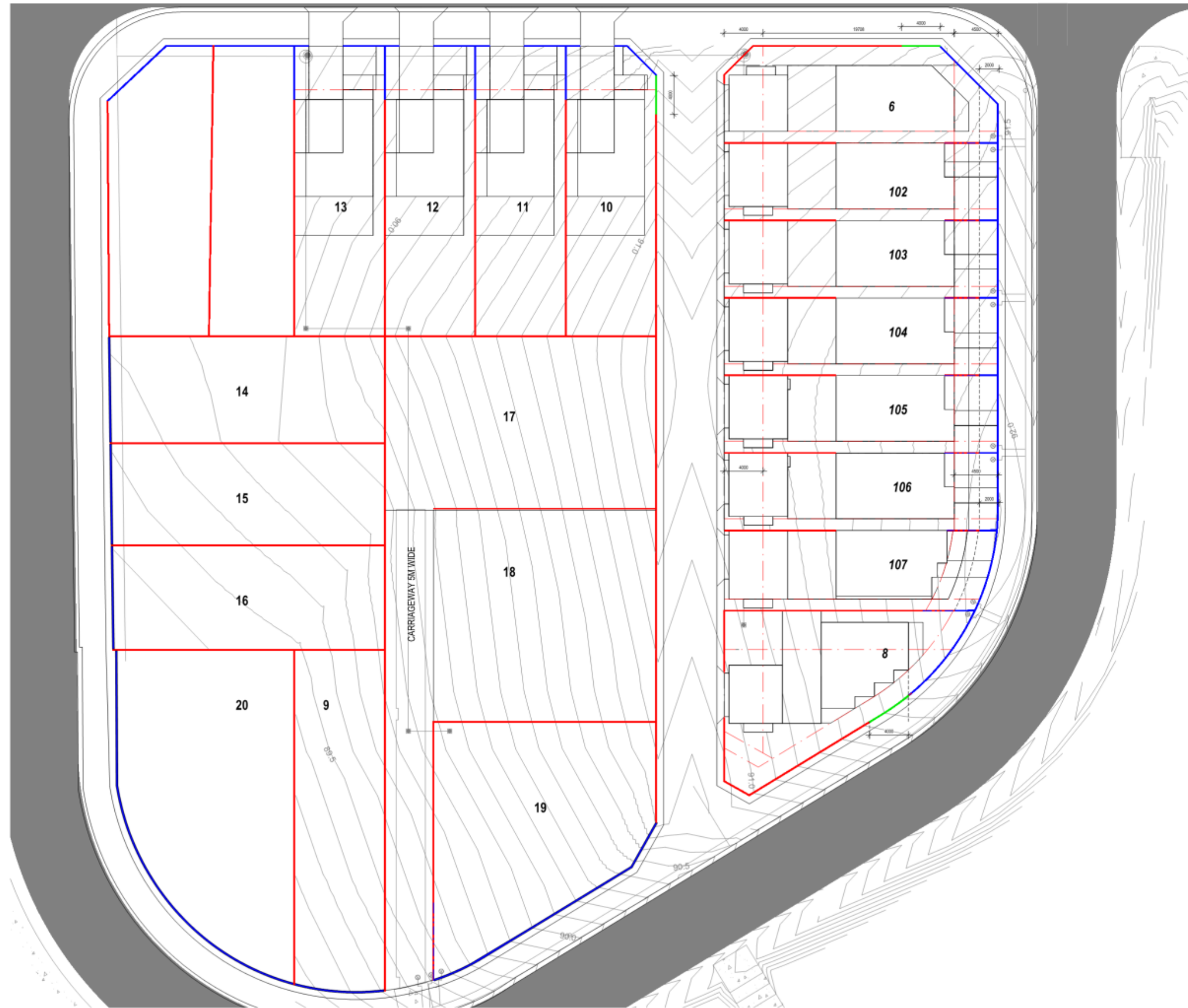
Client: George

Proj No:  
 202306

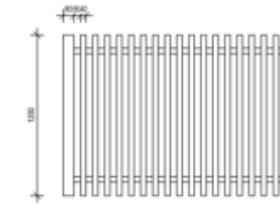
Issue for DA Amendment

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 abn 44 606 796 543  
 m 0431 877 765  
 c/o@archian.com.au  
 Suite 108/460 Pacific Hwy St Leonards NSW 2065

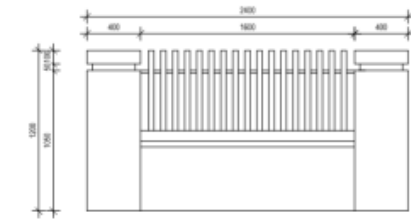
Drawn by: CZ Scale 1:100  
 Check by: CJ  
 Drawing Title Cross Section  
 Drawing No DA 34 Issue D



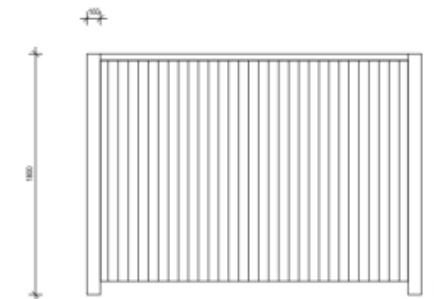
1.2m Open Style Fence



1.2m Masonry Fence



1.8m Colorbond Fence



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PLOT DATE & TIME: 28/07/2024 5:00:20 PM PLOTTED & CHECKED BY:CZ

Issue	Description	By	Date
1	DA Amendment	CJ	2024.07.26
2	DA Amendment	CJ	2024.06.07
3	DA Amendment	CJ	2023.12.12
4	Preliminary DA	CJ	2023.06.07
5	Prepared Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.03.13

Proposed Townhouse Development  
 80 Heath Road Leppington

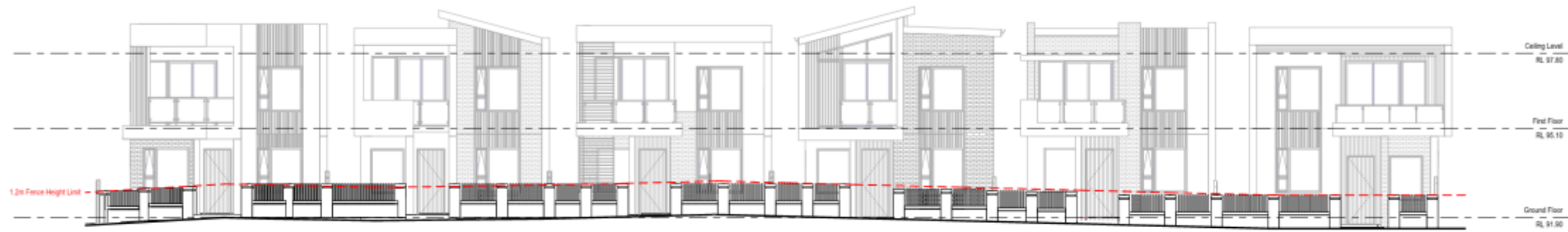
Client: George

Proj No:  
202306

Issue for DA Amendment



Drawn by: CZ Scale: As indicated  
 Check by: CJ  
 Drawing Title: Fencing Detail Plan  
 Drawing No: DA 61 Issue: D



1 Front Fence Elevation 1:100

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PLOT DATE & TIME: 28/07/2024 5:00:21 PM PLOTTED & CHECKED BY: RZ

Issue	Description	By	Date
1	DA Amendment	CJ	2024.07.26
2	DA Amendment	CJ	2024.06.07
3	DA Amendment	CJ	2023.12.12
4	Preliminary DA	CJ	2023.06.07
5	Revised Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.03.13

Proposed Townhouse Development  
**80 Heath Road Leppington**

Client: George

Proj No:  
**202306**

Issue for DA Amendment

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Drawn by: RZ Scale 1:100  
 Check by: CJ  
 Drawing Title: Front Fence Elevation  
 Drawing No: DA 62 Issue: D

SCHEDULE OF FINISHES

**ROOFING**

- (R1) METAL ROOF COLORBOND ROOF SHALE GREY
- (R2) METAL ROOF COLORBOND ROOF WOODLAND GREY
- (R3) GUTTER, FASCIA & DOWNPIPE COLORBOND SURFIST
- (R4) GUTTER, FASCIA & DOWNPIPE COLORBOND WOODLAND GREY

**SCREEN**

- (TS) TIMBER BATTEN SCREENWOOD WESTERN RED CEDAR, NATURAL (5 EGY)

**WALL**

- (B1) FACE BRICK PGM OLYMPUS
- (B2) FACE BRICK PGM OLYMPUS

**WALL FINISHES**

- (P1) PAINTED TIMBER COLUMN AND TRIMS VIVID WHITE
- (P2) RENDERED MONUMENT
- (P3) RENDERED BRICK WALL NATURAL WHITE
- (P4) RENDERED BRICK WALL BEIGE ROYAL QUARTER

**CLADDING**

- (C1) TIMBER LOOK CLADDING WEATHERTEX - SELFLOK VORONE NATURAL 150MM

**WINDOW & DOOR FRAMES**

- (AL) ALUMINUM WITH POWDER COATING MONUMENT

**FENCE**

- (F1) 2.4m ACOUSTICAL CORRUGATED BARRIER FENCE SURFIST OR EQUIV.
- (F2) 1.8m COLORBOND FENCE GALLY



1 East Elevation - Finishes 1:100



2 West Elevation - Finishes 1:100

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PLOT DATE & TIME: 26/07/2024 5:01:31 PM

PLOTTED & CHECKED BY:CZ

Issue	Description	By	Date
1	DA Amendment	CZ	2024.07.26
2	DA Amendment	CZ	2024.06.07
3	DA Amendment	CZ	2023.12.12
4	Preliminary DA	CZ	2023.06.07
5	Prevised Concept	CZ	2023.04.26
6	Concept Design	CZ	2023.03.13

Proposed Townhouse Development  
 80 Heath Road Leppington

Client: George

Proj No:  
 202306

Issue for DA Amendment



Drawn by: CZ Scale: /1 : 100DW  
 Check by: Checker  
 Drawing Title: Finishes and Materials  
 Drawing No: DA 81 Issue: D

SCHEDULE OF FINISHES

ROOFING



SCREEN



WALL



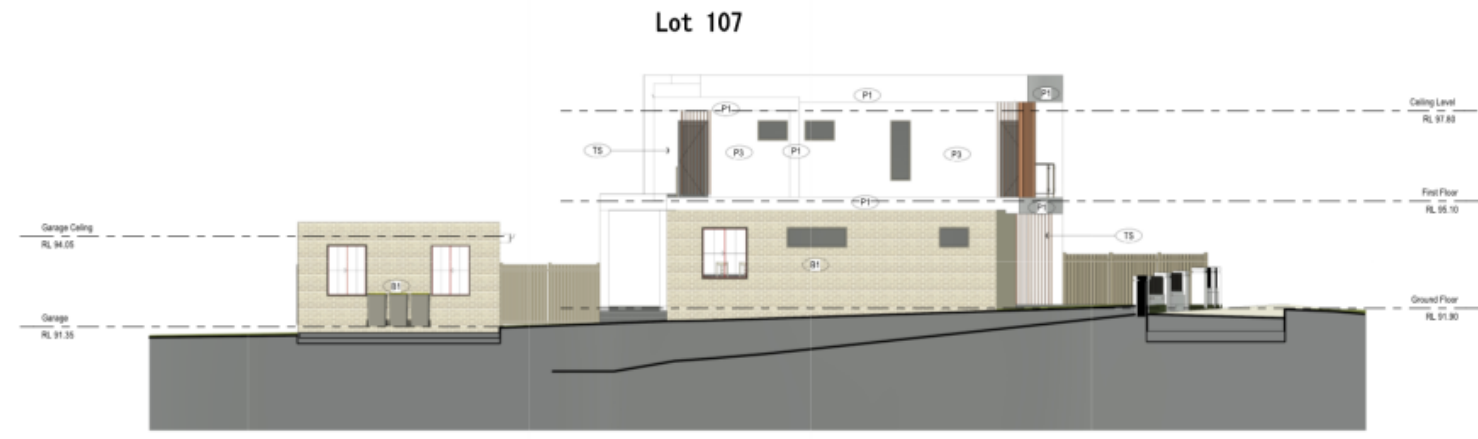
WALL FINISHES



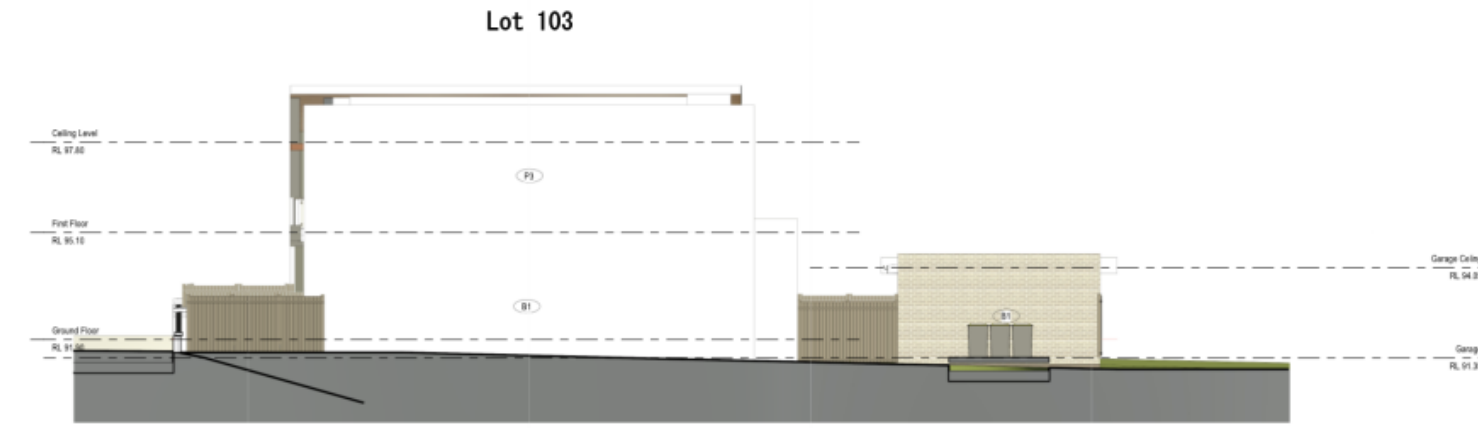
WINDOW & DOOR FRAMES



FENCE



1 South Elevation - Finishes 1:100



2 North Elevation - Finishes 1:100

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Issue	Description	By	Date
DA	DA Amendment	CJ	2024.07.26
DA	DA Amendment	CJ	2024.06.07
DA	DA Amendment	CJ	2023.12.12
P	Preliminary DA	CJ	2023.06.07
PC	Prepared Concept	CJ	2023.04.26
T	Concept Design	CJ	2023.03.13

Proposed Townhouse Development  
 80 Heath Road Leppington

Client: George

Proj No:  
 202306

Issue for DA Amendment



Drawn by: CZ  
 Check by: Checker  
 Drawing Title: Finishes and Materials  
 Drawing No: DA 82  
 Issue: D  
 Scale: 1:100

PLOT DATE & TIME: 28/07/2024 5:01:39 PM PLOTTED & CHECKED BY:CZ



SCHEDULE OF FINISHES

ROOFING

- (BT) METAL ROOF COLORBOND ROOF SHALE GREY
- (BT) METAL ROOF COLORBOND ROOF WOODLAND GREY
- (BT) GUTTER, FASCIA & DOWNPIPE COLORBOND SURFMIST
- (BT) GUTTER, FASCIA & DOWNPIPE COLORBOND WOODLAND GREY

SCREEN

- (TS) TIMBER BATTAN
- SERENWOOD WESTERN RED CEDAR, NATURAL (W EQV.)

WALL

- (BT) FACE BRICK FOR OLYMPIUS
- (BT) FACE BRICK FOR OLYMPIUS

WALL FINISHES

- (PT) PAINTED TIMBER COLUMN AND TRIMS VIVID WHITE
- (PT) RENDERED BRICK WALL NATURAL WHITE
- (PT) RENDERED MONUMENT
- (PT) RENDERED BRICK WALL BEIGE ROYAL QUARTER

CLADDING

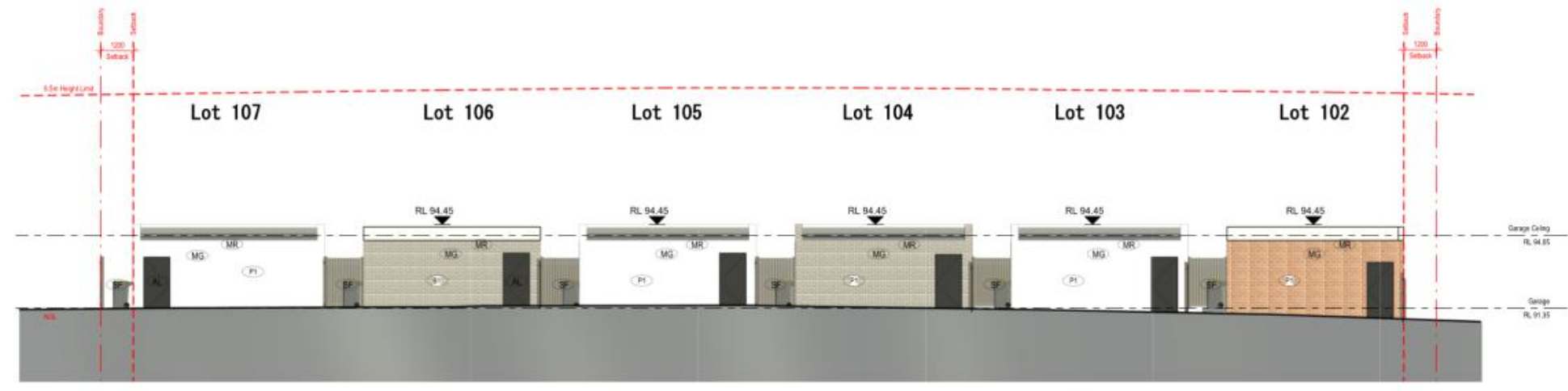
- (CT) TIMBERLOOK CLADDING WEATHERTEX - SELFLOK V-GROOVE NATURAL 15MM

WINDOW & DOOR FRAMES

- (AL) ALUMINIUM WITH POWDER COATING MONUMENT

FENCE

- (PF) 2.4m ACOUSTICAL CORRUGATED BARRIER FENCE SURFMIST OR EQIV.
- (SP) 1.8m COLORBOND FENCE
- GULLY



1 Rear Elevation - Finishes 1:100



2 West Elevation Copy 2 1:100

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Issue	Description	By	Date
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5	Prevised Concept	CJ	2023.04.26
6	Concept Design	CJ	2023.03.13

Proposed Townhouse Development  
 80 Heath Road Leppington

Client: George

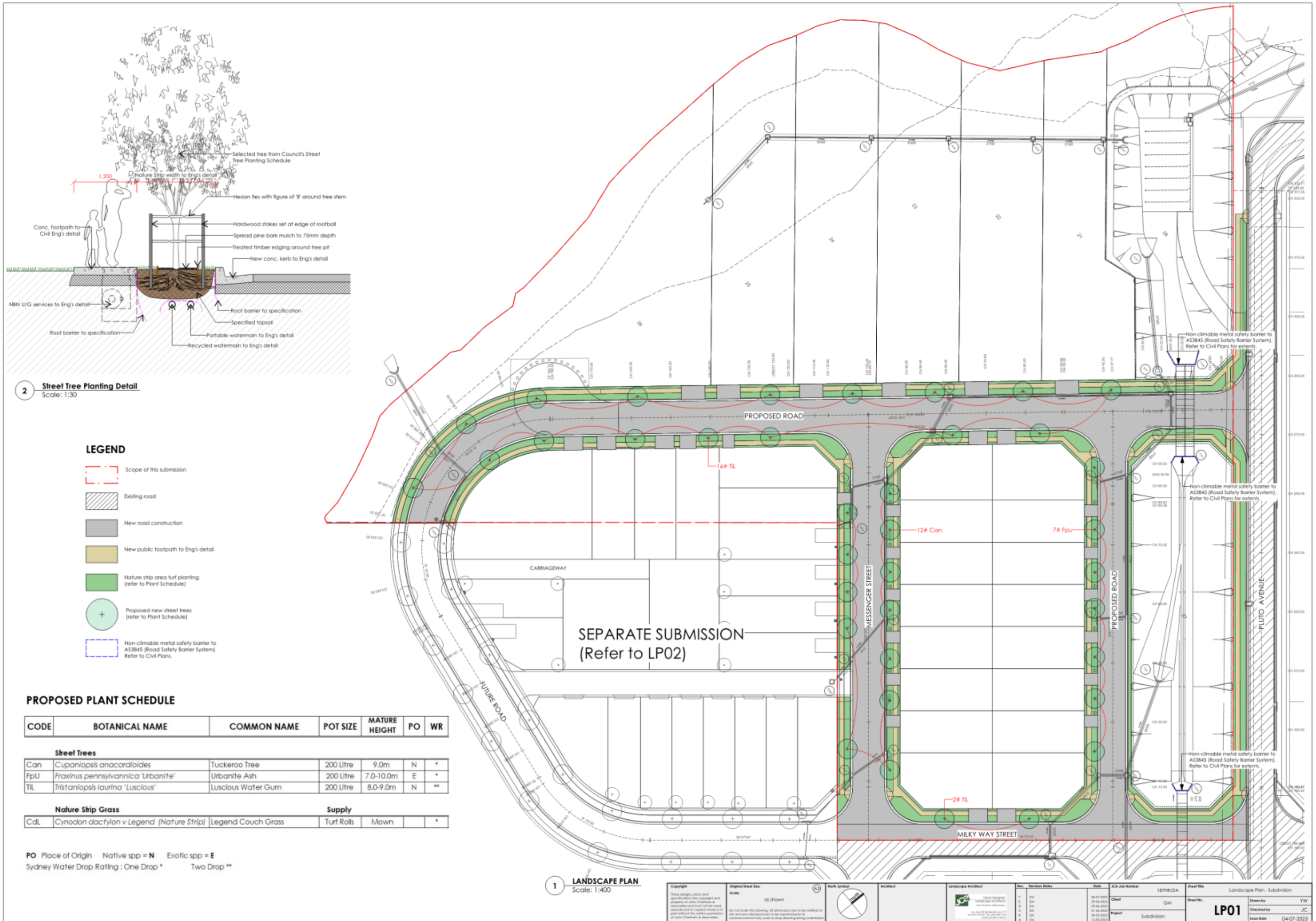
Proj No:  
 202306

Issue for DA Amendment



Drawn by: RZ Scale: 1:100  
 Check by: CJ  
 Drawing Title: Finishes & Materials  
 Drawing No: DA 83 Issue: D

PLOT DATE & TIME: 26/07/2024 5:01:49 PM PLOTTED & CHECKED BY: RZ



**LEGEND**

- Property boundary
- Existing road (refer to Civil Eng's dwg.)
- New road construction (refer to Civil Eng's dwg.)
- Indicative new building envelope (refer to Architectural DWG.)
- Indicative new garage envelope (refer to Architectural DWG.)
- New public footpath to Eng's detail
- New coloured concrete footpath
- Native strip area turf planting (refer to Proposed Plant Schedule)
- Amenity lawn area turf planting (refer to Proposed Plant Schedule)
- Proposed new trees (refer to Proposed Plant Schedule)
- Proposed new shrub planting (refer to Proposed Plant Schedule)
- Proposed groundcover planting

**PROPOSED PLANT SCHEDULE**

CODE	BOTANICAL NAME	COMMON NAME	POT SIZE	MATURE HEIGHT	PO	WR
<b>TREES</b>						
Bracp	Brachychiton populneus	Kurajong	100 Litre	10.0-12.0m	N	**
CcFP	Cercis canadensis 'Forest Flare'	Eastern Redbud	100 Litre	5.0m	E	**
CSR	Corymbia 'Summer Red'	Summer Red Eucalyptus	100 Litre	3.0-5.0m	N	**
LIT	Lagostroemia indica Tuscarora	Tuscarora Crepe Myrtle	200 Litre	6.0-8.0m	E	**
MLG	Magnolia Little Gem	Little Gem Magnolia	200 Litre	4.0-6.0m	E	**
PcB	Pyrus calleryana Bradford	Bradford Callery Pear	200 Litre	8.0-10.0m	E	**
PcC	Pyrus calleryana Chanticleer	Chanticleer Callery Pear	200 Litre	8.0-10.0m	E	**
TL	Tristanopsis laurina 'Luscious'	Luscious Water Gum	200 Litre	8.0-9.0m	N	**
<b>SHRUBS &amp; SCREEN PLANTS</b>						
AKK	Azalea kurume 'Kain'	Kain Azalea	200mm	1.0m	E	**
AuCS	Acmena smithii 'Cherry Surprise'	Cherry Surprise Lilly Pilly	200mm	2.0m-3.0m	N	*
AuFF	Acmena smithii 'Forest Flame'	Forest Flame Lilly Pilly	200mm	1.0-2.0m	N	*
BmJ	Buxus microphylla japonica (Hedge)	Japanese Box Hedge	200mm	0.6m-1.5m	E	**
CGBF	Callistemon Great Balls of Fire	Great Balls of Fire Bottlebrush	200mm	1.0m+	N	*
DMG	Duranta 'Mini Gold' (Low Hedge)	Mini Golden Dewdrop	200mm	1.0-1.5m	E	**
GaF	Gardenia augusta 'Florida'	Florida Gardenia	200mm	0.6-0.8m	E	**
LoR	Loropetalum chinense 'Rubrum' (Hedge)	Chinese Fringe Flower	150mm	1.5m-2.0m	E	**
PmyFP	Philothea myoparioides 'Pink Profusion'	Pink Long-leaf Wax Flower	200mm	1.2m	N	*
RS	Raphelepis indica Springtime (Low Hedge)	Springtime Indian Hawthorn	200mm	1.1m	E	**
SaR	Syzygium australe Resilience (Screen Hedge)	Resilience Lilly Pilly	200mm	2.5m - 4.0m	N	**
<b>GROUND COVER PLANTS</b>						
Drep	Dichondra repens	Kidney Weed	100mm	50mm	N	**
DSS	Dianella Silver Streak	Silver Streak Flax Lily	140mm	500mm	N	*
LEG	Liriope Evergreen Giant	Evergreen Giant Lily Turf	100mm	450mm	E	**
LLB	Leptospermum polygalifolium Little Bun	Little Bun Tea Tree	140mm	500-700mm	N	*
LmSW	Liriope muscar Stripes White	Stripes White Lily Turf	100mm	350mm	E	**
NdSO	Nandina domestica Selka Obsession	Selka Obsession Nandina	150mm	550mm	E	**
PIAQ	Phormium tenax 'Apricot Queen'	Apricot Queen NZ Flax	150mm	500-600mm	E	**
Px	Philodendron 'Kanadu Dwarf'	Kanadu Philodendron	150mm	400-600mm	E	*
SbB	Salvia leucantha 'Santa Barbara'	Santa Barbara Salvia	140mm	350-400mm	E	**
Sf	Senecio serpens 'Trident'	Trident Blue Chalk Sticks	100mm	150mm	E	*
WILH	Westringia fruticosa Low Horizon	Low Horizon Coast Rosemary	150mm	250mm	N	*
WIM	Westringia fruticosa 'Mundi'	Mundi Coast Rosemary	100mm	500mm	N	*
<b>TURF</b>						
SM	Stenotaphrum 'Matilda'	Matilda Buffalo Grass		Turf Rolls	E	**

PO Place of Origin Native spp = N Exotic spp = E  
Sydney Water Drop Rating : One Drop \* Two Drop \*\*



**PRELIMINARY**

Copyright	Original Sheet Size	Scale	North Symbol	Architect	Landscape Architect	Rev.	Revision Dates	Date	JCA Job Number	18799/DA	Sheet No.	Landscape Plan - Proposed Townhouses
		0:1 (P/0m)				C	DA	09/07/2024	Client	GAM	Sheet No.	LP02
						E	DA	09/07/2024	Project	SUBDIVISION	Drawn by	
						K	DA	28/04/2024			Checked by	
								12/07/2024			Issue Date	04/07/2023

**SUBJECT: DA/2024/349/1 - CHANGE OF USE TO A 24/7 GYM, INTERNAL FIT OUT WORKS, CAR PARK RECONFIGURATION AND ASSOCIATED SITE WORKS - 2 IRONBARK AVENUE, CAMDEN**

**FROM:** Manager Statutory Planning

**EDMS #:** 24/676592

DA Number:	2023/349/1
Development:	Change of use to a 24/7 gym, internal fit out works, car park reconfiguration, display of signage and associated site works
Estimated Cost of Development:	\$2,091,400
Site Address(es):	2 Ironbark Avenue, Camden
Applicant:	AMH Management Pty Ltd
Owner(s):	Stoross Pty Ltd
Number of Submissions:	14 (all objecting to the development)
Development Standard Contravention(s):	None
Classification:	Local development
Recommendation:	Approve with conditions.
Panel Referral Criteria:	≥10 submissions
Report Prepared By:	Rose Koch, 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 a gym at 2 Ironbark Avenue, 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.

**SUMMARY OF RECOMMENDATION**

That the Panel determine DA/2024/349/1 for a gym pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions attached to this report.

**EXECUTIVE SUMMARY**

Council is in receipt of a DA for a gym at 2 Ironbark Avenue, Camden.

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

The DA was publicly exhibited for a period of 14 days in accordance with the Camden Community Participation Plan 2021. Following feedback from the community, the exhibition radius was increased to notify property owners in adjoining streets. The exhibition period was also extended and thus lasted from 9 August to 3 September 2024. 14 submissions were received (all objecting to the development).

The key issues raised in the submissions relate to:

- Inadequate parking spaces proposed for a gym of such a large scale.
- Demands on on-street parking availability.
- Traffic impacts upon the surrounding residential area resulting from increased visitation to the site.
- Safety impacts upon pedestrians from increased traffic in the area.
- Noise impacts.

Following feedback from Council staff the applicant submitted amended plans for the development. The amended plans reconfigure the car park by providing a simpler one-way movement system through it, ensure that the design complies with AS 2890, provide wheel stops and retain a pedestrian path from Ironbark Avenue to the building's entrance.

The applicant proposes a variation to Section 2.18.2 of Camden Development Control Plan 2019 (Camden DCP). The Camden DCP requires that 117 off-street car parking spaces be provided for the development however only 40 spaces are proposed. Due to the need to provide two accessible spaces with shared area requirements, this will reduce the overall number of spaces provided to 39. 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
117 car parking spaces	39 car parking spaces	78 car parking spaces (66.7%)

**AERIAL PHOTO**

CLPP02



**THE SITE**

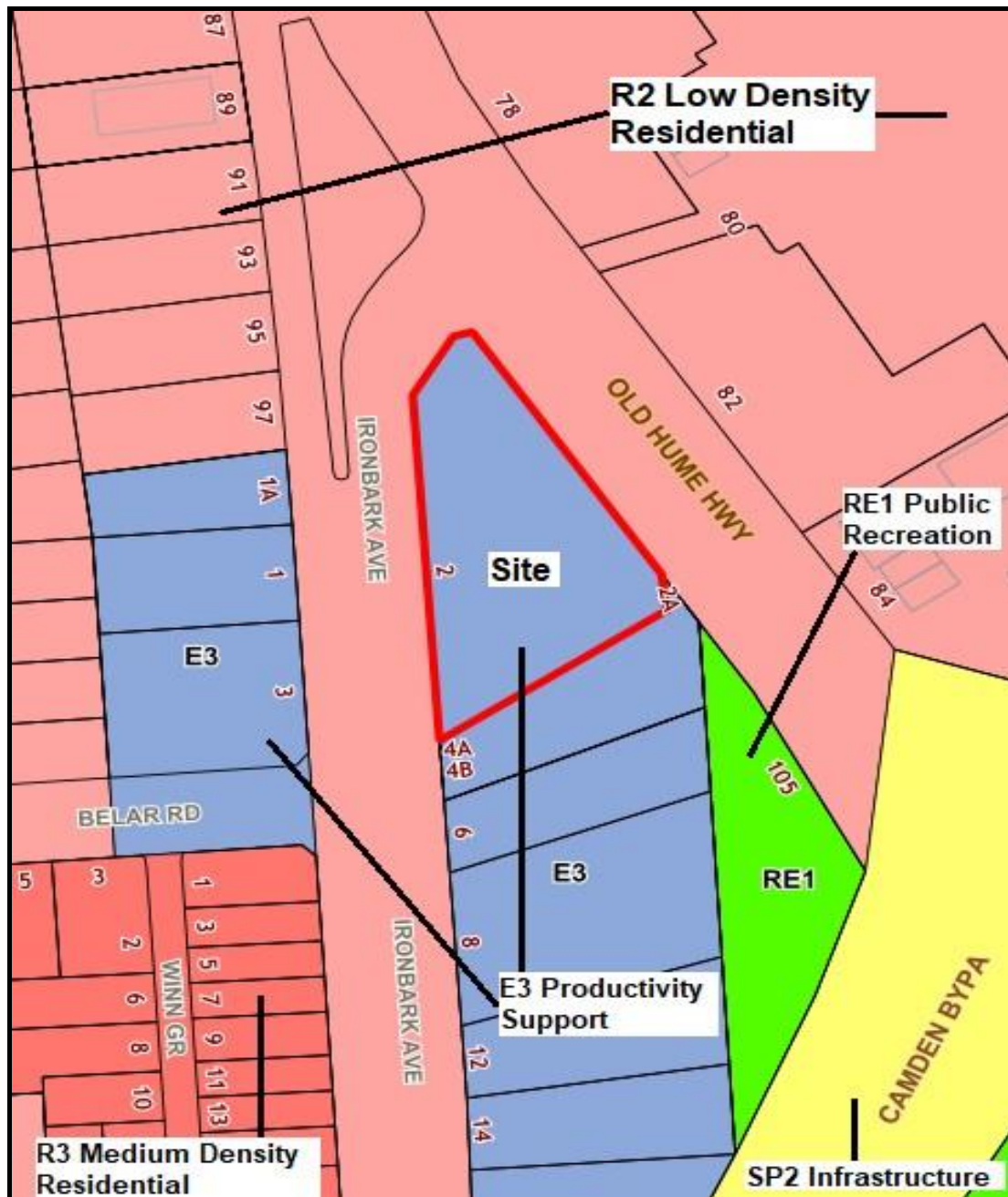
The site is commonly known as 2 Ironbark Avenue, Camden and is legally described as lot 3 in DP 243156.

The site is positioned on a corner lot immediately adjacent to the Old Hume Highway and is in close proximity to the Camden Bypass. The site is irregular in shape and has a frontage of 110m to Ironbark Avenue and a 75m secondary frontage to the Old Hume Highway. The site has an area of 3,396m<sup>2</sup> and is predominantly level. The site contains a vacant commercial building.

The site is not mapped as bush fire or flood prone land and is located within the established area of Camden. Camden Hospital is located approximately 1.2km to the north and the Camden Town Centre approximately 2.2km to the north.

The surrounding area is characterised by developed commercial and service providers including but not limited to vehicle sales, veterinary services and early childhood education within the immediate surrounds along Ironbark Avenue. Low density residential uses are identified to the north west, west and south west of the site, consisting of one to two storey detached dwellings. Another gym also exists south of the site at 8 Ironbark Avenue ('Plus Fitness', a 24/7 gym).

**ZONING PLAN**



**HISTORY**

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

Date	Development
22 May 2023	Approval of Modification 2022/713/2 to permit an additional use of the site being vehicle sales or hire premises (specifically for boat sales only)
12 December 2022	Approval of DA/2022/713/1 for a change of use for hardware and building supplies with signage
16 June 2021	Withdrawal of DA/2021/304/1 for a change of use to a gym
16 December 2016	Refusal of DA/2016/592/1 for a change of use to a medical centre
30 June 2009	Approval of DA/2009/493/1 for a change of use and fit out of a caravan dealership

**THE PROPOSAL**

DA/2024/349/1 seeks approval for a 24/7 gym.

Specifically the development involves:

1. Change of use of the building to a 24/7 gym. This will include the use of part of the building for car parking.
2. Internal fit out works to the existing building and changes to room configuration to accommodate the primary and ancillary uses of the gym.
3. Car park reconfiguration including modified parking space positions and the installation of wheel stops.
4. Installation of non-illuminated and externally illuminated business identification and directional signage.

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



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

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

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 development is a change of use and fit out of an existing building as a gym. Given the commercial nature of the previous uses carried out within the building, Council staff are satisfied that it is suitable for the development from a contamination perspective.

### 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 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.

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

The development 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 development.

### 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 E3 Productivity Support pursuant to clause 2.2 of the Camden LEP.

#### *Development Characterisation*

The development is characterised as ‘business identification signs’ and a ‘recreation facility (indoor)’ by the Camden LEP.

*Permissibility*

The development is permitted with consent in the E3 Productivity Support zone pursuant to the land use table in 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.

**(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)**

There are no draft environmental planning instruments that are applicable to the development.

**(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 a gym provides 7.5 spaces per 100m<sup>2</sup> of gross floor area (GFA). The building has a gross floor area of 1,562m<sup>2</sup> which generates the following car parking space calculation:

$$7.5 \text{ spaces per } 100\text{m}^2 \text{ of GFA} = 1,562\text{m}^2 / 100 = 15.62 \times 7.5 = \mathbf{117 \text{ spaces.}}$$

The applicant proposes to provide 40 spaces. Due to the need to provide two accessible spaces with shared area requirements, this will reduce the overall number of spaces provided to 39. The applicant has submitted a traffic and parking assessment report, prepared by a traffic engineer, in support of the DA.

Council staff recalculated the GFA to consider only areas of the building that will actively contribute to parking demand. This was completed by eliminating areas such as lockers, bathrooms and a children’s play area. This is considered reasonable on the basis that these areas will not generate new patron visitation by themselves as they are ancillary uses for existing patrons. The recalculated GFA was determined to be 1,265.4m<sup>2</sup> which generates the following modified car parking space calculation:

7.5 spaces per 100m<sup>2</sup> of GFA = 1,265.4m<sup>2</sup> / 100 = 12.654 x 7.5 = **95 spaces**.

*Variation Assessment*

Council staff obtained a peer review of the applicant’s traffic and parking assessment report by an independent traffic engineer. The peer review advises that:

1. Council’s proposal to consider a reduced GFA of 1,265.4m<sup>2</sup> is appropriate.
2. On 23 September 2024 Transport for NSW (TfNSW) released the ‘Guide to Transport Impact Assessment’. This guide provides new parking rates for a range of land uses including gyms. The new parking rate for gyms is 3 spaces per 100m<sup>2</sup> of GFA which generates the following modified car parking space calculation:  
  
3 spaces per 100m<sup>2</sup> of GFA = 1,265.4m<sup>2</sup> / 100 = 12.654 x 3 = **38 spaces**.
3. The new parking rate for gyms appears to be based on the Roads and Maritime Services (RMS) Gyms Report which better reflects current traffic and parking demands. It is noted that the Camden DCP’s current parking rate for gyms was based on parking surveys undertaken in 1993 (31 years ago).

All of the above information is summarised in the following table:

Control	Spaces Required	Spaces Proposed	Surplus/Deficit
Camden DCP	117	39	-78
Camden DCP + Reduced GFA	95	39	-56
Reduced GFA + TfNSW Guide	38	39	+1

Section 4.15(3A)(b) of the *Environmental Planning and Assessment Act 1979* provides that the consent authority is to be flexible in applying the provisions of a development control plan and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development. The relevant objectives of section 2.18.2 of the Camden DCP to this variation are:

1. Ensure that adequate provision is made for off-street parking of passenger and service vehicles generated by new developments and redevelopments.
2. Provide acceptable alternatives in lieu of on-site parking which enable Council to responsibly consider development proposals which do not comply with the on-site parking requirements of the Camden DCP.

Council staff, including Council’s traffic engineer, are satisfied that the site will provide sufficient off-street parking for the development. Council staff are also satisfied that the objectives of section 2.18.2 of the Camden DCP will be achieved despite the variation. 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 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**

Traffic Impacts

The applicant's traffic and parking assessment report has assessed the traffic impacts of the development. The report concludes that having 24-hour access to the premises will spread patronage demand as opposed to a more intensive demand if the premises had more limited operating hours. Furthermore, the report concludes that traffic impacts will be minimal and not result in markedly different road network conditions to that which currently occur, including the operating conditions of the Ironbark Avenue/Old Hume Highway intersection in the AM and PM peak periods.

Council staff have obtained a peer review of the applicant's traffic and parking assessment report by an independent traffic engineer. The purpose of this was to ensure that the potential trip generation and distribution of the development have been properly assessed and to consider if the trips generated by the development will potentially impact the local road network. The peer review advises that:

1. In consideration of the aforementioned RMS Gyms Report, the development will generate 45 vehicles per hour and 58 vehicles per hour in the AM and PM peaks respectively. This is generally double the trip generation determined in the applicant's report.
2. The distribution of trips determined in the applicant's report is supported, being 50% arrival and 50% departures in each peak hour.
3. The peer review undertook a SIDRA traffic analysis of the operation of the Old Hume Highway and Ironbark Avenue intersection in the AM and PM peak periods. It was determined that the additional trip generation from the development would have no significant impact on the operation of the intersection, which would operate at level of service B in both peak periods, with very moderate queueing and retaining significant spare capacity.
4. There is no information to suggest that the development's trips would have any additional impacts in Ironbark Avenue or other local roads. There will be no significant impact on the broader road network.

Based on the above, Council staff, including Council's traffic engineer, are satisfied that the development will not have any unreasonable adverse traffic impacts upon the surrounding road network and the operation of surrounding intersections.

#### Noise Impacts

The applicant has submitted a noise impact assessment report, prepared by an acoustic consultant, in support of the DA. The assessment demonstrates that the development will not have any unreasonable adverse noise impacts upon the surrounding environment. The report makes a number of recommendations including restricting patron access to controls for music systems, provision of 15mm thick rubber gym matting and calibrating the PA system to achieve a maximum volume of 76dB(A). Council staff are satisfied with the report and recommend conditions requiring that additional noise assessments be completed at the detailed design stage and once the gym is in operation to ensure that the applicable noise criteria will be and is being met.

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 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 the Camden Community Participation Plan 2021. Following feedback from the community, the exhibition radius was increased to notify property owners in adjoining streets. The exhibition period was also extended and thus lasted from 9 August to 3 September 2024. 14 submissions were received (all objecting to the development).

The following discussion addresses the issues raised in the submissions.

1. *This development does not contain adequate off-street parking as required by Camden Development Control Plan 2019 and will lead patrons consuming on-street parking. The parking findings in the applicant's traffic report regarding parking are incorrect. There is currently limited on-street parking available on Ironbark Avenue. Patrons exiting the gym in their vehicles at 8 Ironbark Avenue have caused near collisions due to sight line issues.*

#### Officer comment:

The proposed off-street car parking variation has been assessed in the 'Camden Development Control Plan 2019' section of this report. Council staff have obtained a peer review of the applicant's traffic and parking assessment report by an independent traffic engineer. Council staff are satisfied that the site will provide sufficient off-street parking for the development.

2. *The provision of accessible parking spaces will further reduce the overall number of available parking spaces.*

#### Officer comment:

Following feedback from Council staff the applicant submitted amended plans for the car park reconfiguration showing one accessible parking space (space 40). Conditions are recommended that require the design of this parking space to be modified to comply with AS 2890 (by providing a full width shared zone) and for a second accessible parking space to be provided. This will reduce the overall number of parking spaces achievable on the site to 39 which remains compliant with the minimum number required by the reduced off-street parking rate for the site described in the 'Camden Development Control Plan 2019' section of this report.

3. *Services along Ironbark Avenue including child care centres, an existing gym and other commercial uses are causing traffic congestion. An addition of a second gym in the vicinity will create unreasonable demand to the road network.*

Officer comment:

The traffic impacts of the development have been assessed in the 'Traffic Impacts' section of this report. Council staff, including Council's traffic engineer, are satisfied that the development will not have any unreasonable adverse traffic impacts upon the surrounding road network and the operation of the intersections therein.

4. *No pedestrian crossing exists on Ironbark Avenue and with vision obstruction of on street parked vehicles, an increase of traffic flow will present risk of injury to pedestrians, particularly children.*

Officer comment:

The traffic impacts of the development have been assessed in the 'Traffic Impacts' section of this report. Council staff, including Council's traffic engineer, are satisfied that the development will not have any unreasonable adverse traffic impacts upon the surrounding road network and the operation of the intersections therein.

5. *The nearby T-intersection of Ironbark Avenue and Old Hume Highway is an existing problem for motorists, where this development will add to the complexity of traffic conditions in the area and increase difficulty for residents to access their homes.*

Officer comment:

Sufficient off-street car parking will be provided within the site without the need to utilise on-street parking. The traffic impacts of the development have been assessed in the 'Traffic Impacts' section of this report. Council staff, including Council's traffic engineer, are satisfied that the development will not have any unreasonable adverse traffic impacts upon the surrounding road network and the operation of the intersections therein. The development will not unreasonably complicate traffic movements in the area or adversely affect access to residential properties.

6. *Council should complete its own traffic assessment before the DA is approved.*

Officer comment:

The traffic impacts of the development have been assessed in the 'Traffic Impacts' section of this report. Council staff obtained a peer review of the applicant's traffic and parking assessment report by an independent traffic engineer. Council staff, including Council's traffic engineer, are satisfied that the development will not have any

unreasonable adverse traffic impacts upon the surrounding road network and the operation of surrounding intersections.

7. *The existing commercial uses with the addition of this development will lead patrons to congregate along the street in the vicinity of residential dwellings. The development will impact the residential character of the Camden area and an addition of commercial uses impose on peace and privacy.*

Officer comment:

The development's internal fit out includes ancillary facilities for patrons including a reception area, a kid's club, a members lounge and a pro-shop. The development will also retain an existing pedestrian path from Ironbark Avenue to the building's entrance. It is not anticipated that patrons will congregate in surrounding streets or adversely affect residential amenity.

8. *Concerns regarding noise impacts*

Officer comment:

The noise impacts of the development have been assessed in the 'Noise Impacts' section of this report. Subject to the recommended conditions, the development will not have any unreasonable noise impacts.

9. *The development will be in direct competition with the existing gym in the vicinity. The development fails to achieve the zone objectives for the E3 Productivity Support zone under the Camden LEP including:*

- *To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.*
- *To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.*

Officer comment:

A development's potential impact upon existing and planned centres is a relevant matter for consideration. This is to ensure that there are no detrimental economic impacts upon the locality evidenced by a reduction in the availability or adequacy of services or facilities currently enjoyed by or planned for those centres. Importantly, the purpose of this consideration is not to regulate commercial competition as this is a not a planning matter in the assessment of a DA.

The development is for the purposes of a gym and is not likely to unreasonably impact upon the economic viability of existing or planned centres, for example, the Camden Town Centre which is located 2.2km to the north. It is noted that Ironbark Avenue is zoned E3 Productivity Support and is an industrial precinct, not an existing or planned centre. The aforementioned objectives do not relate to the impact the development may have upon the economic viability of other land uses along Ironbark Avenue.

It is also noted that Table 5-1 of Camden Development Control Plan 2019 identifies Ironbark Avenue as an 'industrial / urban services precinct' with the following desired character statement: Local service orientated employment area suited to commercial

uses such as business, automotive and other urban service uses. The proposed development is consistent with this desired character.

10. *The documentation lodged with the application is deficient and fails to address the matters relevant to the proper consideration, assessment and determination of the DA.*

Officer comment:

The documentation submitted with the DA is considered adequate to enable its assessment by Council staff and determination by the Panel.

**(e) the public interest**

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

**EXTERNAL REFERRALS**

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

External Referral	Response
Camden Police Area Command	No objection.

**FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

**CONCLUSION**

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

**RECOMMENDED**

**That the Panel approve DA/2024/349/1 for a gym at 2 Ironbark Avenue, Camden subject to the conditions attached to this report for the following reasons:**

1. **The development is consistent with the objectives and controls of the applicable environmental planning instruments, being State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Industry and Employment) 2021, State Environmental Planning Policy (Biodiversity and Conservation) 2021 and Camden Local Environmental Plan 2010.**
2. **The development is consistent with the objectives of Camden Development Control Plan 2019.**



3. The development is considered to be of an appropriate scale and form for the site and the character of the locality.
4. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.
5. The Panel has considered the issues raised in the submissions received from the public and, subject to the recommended conditions, is satisfied that the development can be supported having regard to off-street car parking availability, traffic impacts and the amenity of the area.
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. State Environmental Planning Policy (Industry and Employment) 2021 Assessment Table
3. Camden Local Environmental Plan Assessment Table
4. Camden Development Control Plan 2019 Assessment Table
5. Public Submissions - *CONFIDENTIAL*
6. Public Exhibition and Submissions Map - *CONFIDENTIAL*
7. Proposed Plans

RECOMMENDED CONDITIONS

## General

### 1.1 - General Conditions

- (1) **Approved plans and documents** - Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this development consent expressly require otherwise:

Approved plans			
Number	Title	Drawn by	Date
SA01	Cover Sheet	Prima Commercial	04/11/2024
SA02	Base Tenancy Plan	Prima Commercial	04/11/2024
SA03	Demolition Plan	Prima Commercial	04/11/2024
SA04	Construction Plan	Prima Commercial	04/11/2024
Page 01	ACM Sign	Platinum Signs	02/07/2024
Page 02	Rounded Sign	Platinum Signs	02/07/2024
Page 03	ACM Sign	Platinum Signs	02/07/2024
Page 04	Rounded Sign	Platinum Signs	02/07/2024
Page 05	ACM Sign	Platinum Signs	02/07/2024

Approved documents			
Number	Title	Prepared by	Date
Unnamed	Waste Management Plan	Unnamed	Unnamed
2024.095. RE.01_GoldsGymCamden	Noise Impact Assessment	Reef Acoustic Consulting	18 July 2024

In the event of any inconsistency between the approved plans/documents and a condition of this development consent, the condition prevails.

**Condition reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

- (2) **Approved use** - This development consent approves the following parts of the development to be used for the following uses:

Building / tenancy number	Approved use
2 Ironbark Avenue, Camden	Recreation facility (indoor)

**Condition reason:** To detail the approved use for the development.

- (3) **Approved signage illumination** - This development consent approves the signage to have a level of illumination and/or lighting intensity that complies with AS 4282 - The Control of Obtrusive Effects of Outdoor Lighting and AS 1158 - Lighting for Roads and Public Spaces.

**Condition reason:** To protect the visual amenity of the surrounding area.

## Building Work

### 2.1 - Before Issue of a Construction Certificate

- (1) **Long service levy** - Before the issue of a construction certificate, the long service levy must be paid at the prescribed rate to either the Long Service Payments Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986*. This applies to building and construction works with a cost of \$250,000 or more. Evidence of the payment must be provided to the certifier.

**Condition reason:** To ensure the long service levy is paid.

- (2) **Updated Acoustic Assessment** - Before the issue of a construction certificate, an updated acoustic assessment must be prepared that addresses all of the following matters in accordance with the approved noise impact assessment to the certifier's satisfaction:

1. Selection of all equipment.
2. Operational procedures.
3. Construction elements including glazing thickness, wall, and roof construction.

The assessment of the above matters must ensure compliance with the maximum sound power level of 44dBA at the site boundary.

**Condition reason:** To ensure the development's detailed design will comply with acoustic requirements.

- (3) **Construction certificate information** - Before the issue of a construction certificate, the following information must be prepared by a suitably qualified person to the certifier's satisfaction:

1. Certification must be provided from a suitably qualified person for the slab within the building. The certification must confirm that the slab is appropriate for use as a car park pavement. If certification cannot be provided, the slab must be replaced with a car park pavement.

**Condition reason:** To ensure that required information is provided to the certifier.

- (4) **Design amendments** - Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:

1. Additional signage must be provided within, through and at the front of the site to indicate the direction of traffic flow for each aisle. The signage must be orientated in such a way that it is clearly visible from the street.

2. Parking space 40 must have an associated shared area as defined by AS2890.6. This must be achieved by converting parking space 39 into a shared area.
3. Parking space 38 must be converted into a second accessible parking space and also utilise the shared area created out of parking space 39 (refer to point 2 of this condition).
4. A minimum of 1 bicycle parking space must be provided.

**Condition reason:** To require minor amendments to the plans endorsed by the consent authority following assessment of the development.

- (5) **Engineering specifications** - Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer and demonstrate, to the certifier's satisfaction, that the development has been designed to comply with Council's engineering specifications, the approved plans and documents and the conditions of this development consent.

**Condition reason:** To ensure that the development will comply with Council's engineering specifications and the terms of this consent.

- (6) **Damages bond** - Before the issue of a construction certificate, a bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. Fees are payable for the lodgement and refund of the bond. Evidence of the bond lodgement must be provided to the certifier.

**Condition reason:** To ensure that any damage to existing public infrastructure is rectified.

- (7) **Civil engineering plans and information** - Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer, to the satisfaction of the certifier. The plans and information must include the following elements:

1. For roads and car parks:
  - a. Pavement design.
  - b. Traffic management devices.
  - c. Line marking.

The plans and information must be accompanied by certification from a suitably qualified civil engineer certifying that they comply with Council's engineering specifications.

**Condition reason:** To ensure that civil works are designed to appropriate standards.

- (8) **Outdoor lighting provision** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the development will be provided with lighting in all outdoor areas that complies with AS 4282 - The Control of Obtrusive Effects of Outdoor Lighting and AS 1158 - Lighting for Roads and Public Spaces.

**Condition reason:** To ensure the provision of lighting in accordance with industry standards and to protect the amenity of the surrounding area.

- (6) **Section 7.12 contributions** - Before the issue of a construction certificate, contributions must be made to Council under section 7.12 of the *Environmental Planning and Assessment Act 1979*:

<b>Camden Section 7.12 Development Contribution Plan</b>	
% of development cost	1%
Amount payable	<b>\$19,927</b>

The amount of contribution payable under this condition has been calculated at the date of determination. In accordance with the provisions of the contributions plan, this amount shall be indexed at the time of actual payment in accordance with the consumer price index.

**Condition reason:** To ensure that development makes contributions towards services identified in the applicable contributions plan.

## 2.2 - Before Building Work Commences

- (1) **Erection of signs** - Before any building work commences, a sign must be erected in a prominent position on the site:
1. Showing the name, address and telephone number of the principal certifier for the work.
  2. Showing 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.
  3. Stating that unauthorised entry to the work site is prohibited.

The sign must be:

1. Maintained while the work is being carried out.
2. Removed when the work is being completed.

This condition does not apply in relation to:

1. Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building.
2. Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

**Condition reason:** Prescribed condition under section 70 of the *Environmental Planning and Assessment Regulation 2021*.

- (2) **Public liability insurance policy** - Before any building work commences, the developer must take out a public liability insurance policy with a minimum cover of \$20 million in relation to the occupation of, and works within, all public property for the full duration of the works. Evidence of the policy must be provided to the principal certifier.

**Condition reason:** To ensure adequate public liability insurance is obtained to cover development within public property.

- (3) **Site security and fencing** - Before any building work commences, the site is to be secured and fenced to the satisfaction of the principal certifier.

**Condition reason:** To ensure that access to the site is managed before works commence.

- (4) **Dilapidation report** - Before any building work commences, a dilapidation report must be prepared by a suitably qualified person to the satisfaction of the principal certifier. The report must include:

1. A photographic survey of the following properties:
  - a. 4 Ironbark Avenue, Camden.
2. A photographic survey of existing public infrastructure surrounding the site including (but not necessarily limited to):
  - a. Road carriageways.
  - b. Kerbs.
  - c. Footpaths.
  - d. Drainage structures.
  - e. Street trees.

In the event that access for undertaking the dilapidation report is denied by a property owner, the developer must detail 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 approval must be obtained from the principal certifier in such an event.

Should any public property or the environment sustain damage during the course of and as a result of works, or if the 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 developer's damages bond.

The report must be submitted to the principal certifier and Council 2 days before any building work commences. The development must comply with all conditions that the report imposes.

**Condition reason:** To ensure that any damage caused by works can be identified and rectified.

### 2.3 - During Building Work

- (1) **Work hours** - While building work is being carried out, all work (including the delivery of materials) must be:

1. Restricted to between the hours of 7am to 5pm Monday to Saturday.
2. Not carried out on Sundays or public holidays.

Unless otherwise approved in writing by Council.

**Condition reason:** To protect the amenity of the surrounding area.

- (2) **Work noise** - While building work is being carried out, noise levels must comply with:

1. For work periods of 4 weeks or less, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 20dB(A).
2. For work periods greater than 4 weeks but not greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 10dB(A).
3. For work periods greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 5dB(A). Alternatively, noise levels must comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.

**Condition reason:** To protect the amenity of the surrounding area.

- (3) **Compliance with *Building Code of Australia*** - While building work is being carried out, the work must be carried out in accordance with the *Building Code of Australia*. A reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the relevant date (as defined by section 19 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*).

This condition does not apply:

1. To the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.
2. To the erection of a temporary building other than a temporary structure used as an entertainment venue.

**Condition reason:** Prescribed condition under section 69 of the *Environmental Planning and Assessment Regulation 2021*.

- (4) **Unexpected contamination finds contingency (general)** - While building work is being carried out, if any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) are encountered, the work must cease immediately until a certified contaminated land

consultant has conducted an assessment of the find to the satisfaction of the principal certifier.

Where the assessment identifies contamination and remediation is required, all work must cease in the vicinity of the contamination and Council must be notified immediately. Development consent must be obtained to undertake Category 1 remediation.

**Condition reason:** To ensure a procedure is in place to manage unexpected contamination finds encountered during site works.

- (5) **Car park noise control (during work)** - While building work is being carried out, all car parks must have a covered finish with Slabseal 2000 SR sealant (or a similar equivalent product) applied to concrete floors, to the satisfaction of the principal certifier.

**Condition reason:** To ensure that car parks are adequately finished to protect the amenity of the surrounding area.

- (6) **Shoring and adequacy of adjoining property** - While building work is being carried out, the person having the benefit of the development consent must, at the person's own expense:

1. Protect and support the building, structure or work on adjoining land from possible damage from the excavation.
2. If necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This condition does not apply if:

1. The person having the benefit of the development consent owns the adjoining land.
2. The owner of the adjoining land gives written consent to the condition not applying.

**Condition reason:** Prescribed condition under section 74 of the *Environmental Planning and Assessment Regulation 2021*.

## 2.4 - Before Issue of an Occupation Certificate

- (1) **Removal of unauthorised mezzanine level** - Before the issue of an occupation certificate, the unauthorised mezzanine level within the building must be removed. Evidence of the removal must be provided to the principal certifier.

**Condition reason:** To ensure that unauthorised works are removed before the development becomes operational.

- (2) **Private waste collection contract** - Before the issue of an occupation certificate, a private waste collection contract must be entered into for the collection of all waste and its disposal at a waste facility. Evidence of the contract must be provided to the principal certifier and Council.

**Condition reason:** To ensure that a formal arrangement is in place for the private collection of waste.



## 2.5 - Occupation and Ongoing Use

- (1) **Goods, materials, equipment and/or waste storage** - During occupation and ongoing use of the development, all goods, materials and/or equipment must be stored inside the building.

**Condition reason:** To protect the visual amenity of the surrounding area and not impact the public domain.

- (2) **Maximum staff approved to work in the development** - During occupation and ongoing use of the development, the maximum number of staff that are approved to work in the development at any one time is 5.

**Condition reason:** To ensure sufficient off-street car parking will be available for the development.

- (3) **Graffiti removal** - During occupation and ongoing use of the development, all graffiti applied to the development must be removed within 48 hours of its application.

**Condition reason:** To protect the visual amenity of the area surrounding the development.

- (4) **Operating hours** - During occupation and ongoing use of the development, the development is approved to operate within the following hours:

Day	Operating Hours
Monday to Sunday and public holidays.	24 hours a day.

**Condition reason:** To ensure that all parties are aware of when the development is approved to operate.

- (5) **Private waste collection contract** - During occupation and ongoing use of the development, a private waste collection contract must be maintained for the collection of all waste and its disposal at a waste facility. Evidence of the contract must be kept on the site.

**Condition reason:** To ensure that a formal arrangement is in place for the private collection of waste.

- (6) **Offensive noise and noise compliance** - During occupation and ongoing use of the development, 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*. Operational noise must also comply with the NSW Noise Policy for Industry 2017.

All operational noise including noise from equipment, amplified sound, and instructors, shall not exceed 44dBA at the site boundary.

**Condition reason:** To protect the amenity of the surrounding area.

- (7) **Car park noise control (ongoing)** - During occupation and ongoing use of the development, the coved finish and sealant applied to all car parks must always be maintained to a standard that eliminates tyre squeal noise from being audible.

**Condition reason:** To protect the amenity of the surrounding area.

- (8) **Additional acoustic assessment** - Within one month of the gym becoming operational, an additional acoustic assessment must be prepared to ensure compliance with a maximum sound power level of 44dBA at the site boundary. The report must be provided to Council for review.

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

In the event of non-compliances, the owner/occupier must provide a supplementary acoustic assessment to Council certifying that any required compliance works have been completed and that noise levels comply with the above criteria.

**Condition reason:** To ensure the development will comply with acoustic requirements when operating.

## Demolition Work

### 3.1 - Before Demolition Work Commences

- (1) **Public liability insurance policy** - Before any demolition work commences, the developer must take out a public liability insurance policy with a minimum cover of \$20 million in relation to the occupation of, and works within, all public property for the full duration of the works. Evidence of the policy must be provided to Council.

**Condition reason:** To ensure adequate public liability insurance is obtained to cover development within public property.

- (2) **Site security and fencing** - Before any demolition work commences, the site is to be secured and fenced to the satisfaction of Council.

**Condition reason:** To ensure that access to the site is managed before works commence.

- (3) **Dilapidation report** - Before any demolition work commences, a dilapidation report must be prepared by a suitably qualified person to the satisfaction of Council. The report must include:

1. A photographic survey of the following properties:
  - a. 4 Ironbark Avenue, Camden.
2. A photographic survey of existing public infrastructure surrounding the site including (but not necessarily limited to):
  - a. Road carriageways.
  - b. Kerbs.

- c. Footpaths.
- d. Drainage structures.
- e. Street trees.

In the event that access for undertaking the dilapidation report is denied by a property owner, the developer must detail 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 approval must be obtained from Council in such an event.

Should any public property or the environment sustain damage during the course of and as a result of works, or if the 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 developer's damages bond.

The report must be submitted to Council 2 days before any demolition work commences. The development must comply with all conditions that the report imposes.

**Condition reason:** To ensure that any damage caused by works can be identified and rectified.

- (4) **Demolition work** - Before any demolition work commences, the following requirements must be complied with to the satisfaction of Council:
1. The developer must notify adjoining property occupiers of the demolition works 7 working days prior to demolition. The notification must be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every apartment, unit or the like) either side, immediately at the rear of and directly opposite the demolition site.
  2. The developer must erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
  3. The developer must erect a 1.8m high temporary fence and hoarding between the site and any public property (footpaths, roads, reserves, etc.). Access to the site must be restricted to authorised persons only and the site must be secured against unauthorised entry when work is not in progress or when the site is unoccupied.
  4. All utilities (such as sewer, telephone, gas, water and electricity) must be disconnected. The developer must consult with the relevant utility owner regarding their requirements for the disconnection of services.
  5. Erosion and sediment control measures must be installed.
  6. A work plan must be prepared by a suitably qualified person. The plan must:
    - a. Demonstrate compliance with AS 2601 - The Demolition of Structures.
    - b. The NSW Government's Code of Practice for Demolition Work.
    - c. Identify hazardous materials including surfaces coated with lead paint.

- d. Detail the method(s) of demolition.
  - e. Identify the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
  - f. Note that the burning of any demolished material on site is not permitted and that offenders will be prosecuted.
7. If the property was built prior to 1987, an asbestos survey must be carried out by a suitably qualified person. If asbestos is found, a SafeWork NSW licensed asbestos removalist must remove all asbestos in accordance with SafeWork NSW requirements and include notification to adjoining property occupiers of the asbestos removal.

**Condition reason:** To ensure that demolition works are carried out to appropriate standards.

- (5) **Site management plan (preparation)** - Before any demolition work commences, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate, to the satisfaction of Council, that the following site work matters will be managed to protect the amenity of the surrounding area:

1. Erosion and sediment control measures, including compliance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the blue book) (as amended from time to time).
2. Prohibiting offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.
3. Covering soil stockpiles and not locating them near drainage lines, watercourses, waterbodies, footpaths and roads without first providing adequate measures to protect those features.
4. Prohibiting the pumping of water seeping into any excavations from being pumped to a stormwater system unless sampling results demonstrate compliance with NSW Environment Protection Authority requirements and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018) criteria for water quality discharge.
5. Construction traffic management in accordance with Council's engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads.
6. Maintaining a fill delivery register including the date, time, truck registration number and fill quantity, origin and type.
7. Ensuring that vehicles transporting material to and from the site:
  - a. Cover the material so as to minimise sediment transfer.
  - b. Do not track soil and other waste material onto any public road.
  - c. Fully traverse the site's stabilised access point.

8. Waste generation volumes, waste reuse and recycling methods, waste classification in accordance with NSW Environment Protection Authority waste classification guidelines, hazardous waste management, disposal at waste facilities, the retention of tipping dockets and their production to Council upon request.
9. Hazardous materials management.
10. Work health and safety.
11. Complaints recording and response.

**Condition reason:** To ensure site management practices are established before any works commence.

- (6) **Erection of signs** - Before any demolition work commences, a sign must be erected in a prominent position on the site:
1. Showing the name of the principal contractor, if any, for the work and a telephone number on which the contractor may be contacted outside working hours.
  2. Stating that unauthorised entry to the work site is prohibited.

The sign must be:

1. Maintained while the work is being carried out.
2. Removed when the work has been completed.

This condition does not apply in relation to:

1. Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building.
2. Crown building work certified to comply with the *Building Code of Australia* under Part 6 of the *Environmental Planning and Assessment Act 1979*.

**Condition reason:** Prescribed condition under section 70 of the *Environmental Planning and Assessment Regulation 2021*.

### 3.2 - During Demolition Work

- (1) **Priority (noxious) weeds management (during work)** - While demolition work is being carried out, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. Any priority (noxious) or environmentally invasive weed infestations that occur during works must be fully and continuously suppressed and destroyed by appropriate means, to the satisfaction of Council. All new infestations must be reported to Council.

**Condition reason:** To ensure priority (noxious) weeds are managed in accordance with statutory requirements.

- (2) **Work hours** - While demolition work is being carried out, all work (including the delivery of materials) must be:

1. Restricted to between the hours of 7am to 5pm Monday to Saturday.
2. Not carried out on Sundays or public holidays.

Unless otherwise approved in writing by Council.

**Condition reason:** To protect the amenity of the surrounding area.

- (3) **Work noise** - While demolition work is being carried out, noise levels must comply with:

1. For work periods of 4 weeks or less, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 20dB(A).
2. For work periods greater than 4 weeks but not greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 10dB(A).
3. For work periods greater than 26 weeks, the LAeq level measured over a period not less than 15 minutes when work is occurring must not exceed the background level by more than 5dB(A). Alternatively, noise levels must comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.

**Condition reason:** To protect the amenity of the surrounding area.

- (4) **Site management plan (during work)** - While demolition work is being carried out, the approved site management plan must be complied with.

A copy of the plan must be kept on the site at all times and provided to Council upon request.

**Condition reason:** To protect the amenity of the surrounding area.

- (5) **Unexpected contamination finds contingency (general)** - While demolition work is being carried out, if any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) are encountered, the work must cease immediately until a certified contaminated land consultant has conducted an assessment of the find to the satisfaction of Council.

Where the assessment identifies contamination and remediation is required, all work must cease in the vicinity of the contamination and Council must be notified immediately. Development consent must be obtained to undertake Category 1 remediation.

**Condition reason:** To ensure a procedure is in place to manage unexpected contamination finds encountered during site works.

- (6) **Work near or involving vegetation** - While demolition work is being carried out, the following requirements must be complied with to the satisfaction of Council:

1. Existing vegetation (including street trees) not approved for removal must be protected in accordance with AS 4970 - Protection of Trees on Development Sites and Council's engineering specifications.
2. The boundaries of any bushland or waterfront land areas adjacent to the site must be fenced by minimum 1.8m high chain link or welded mesh fencing. The fencing must include signage advising that the vegetation behind it is protected. The fencing must be maintained until the works have been completed.
3. No work (including for vehicular access or parking) that transects vegetation not approved for removal can be undertaken.
4. All vegetation related work must be carried out by a fully insured and qualified arborist. The arborist must be qualified to Australian Qualifications Framework (AQF) Level 3 in Arboriculture for the carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
5. All tree pruning must be carried out in accordance with AS 4373 - Pruning of Amenity Trees.
6. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.

**Condition reason:** To ensure that work near of involving vegetation is carried out to industry standards.

- (7) **Archaeological discovery** - While demolition work is being carried out, the following requirements must be complied with should relic(s) from the past be discovered that could have historical significance, to the satisfaction of Council:
1. All works in the vicinity of the discovery area must stop.
  2. For Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Any requirements of Heritage NSW must be implemented.
  3. For non-Aboriginal objects, Heritage NSW must be advised of the discovery in writing in accordance with Section 146 of the *Heritage Act 1977*. Any requirements of Heritage NSW must be implemented.

**Condition reason:** To ensure unexpected archaeological discoveries are managed in accordance with statutory requirements.

- (8) **Shoring and adequacy of adjoining property** - While demolition work is being carried out, the person having the benefit of the development consent must, at the person's own expense:
1. Protect and support the building, structure or work on adjoining land from possible damage from the excavation.
  2. If necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This condition does not apply if:

1. The person having the benefit of the development consent owns the adjoining land.
2. The owner of the adjoining land gives written consent to the condition not applying.

**Condition reason:** Prescribed condition under section 74 of the *Environmental Planning and Assessment Regulation 2021*.



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

Section	Assessment	Compliance?
<p><b>Part 3.1, Aims, objectives, etc.</b></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"> <li>is compatible with the desired amenity and visual character of an area, and</li> <li>provides effective communication in suitable locations, and</li> <li>is of high quality design and finish.</li> </ul>	<p>The signage will be compatible with the desired amenity and character of the area, being scaled to the building, simple in design and of suitable materials and colours. The signs will provide effective communication through words and logos in suitable locations along the Ironbark Avenue and Old Hume Highway frontages. The signs will be of a high quality design and finish.</p>	Yes.
<p><b>Schedule 5 Assessment criteria - Character of the area</b></p> <ul style="list-style-type: none"> <li>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</li> <li>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</li> </ul>	<p>The signs will be in harmony with the building and compatible with the character of the area, being scaled to the building, simple in design and of suitable materials and colours.</p>	Yes.
<p><b>Schedule 5 Assessment criteria - Special areas</b></p> <ul style="list-style-type: none"> <li>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?</li> </ul>	<p>The signs will not detract from the amenity or visual quality of the area as they will be scaled to the building, simple in design and of suitable materials and colours. The area is not identified as being environmentally sensitive or having heritage conservation value.</p>	Yes.
<p><b>Schedule 5 Assessment criteria - Views and vistas</b></p> <ul style="list-style-type: none"> <li>Does the proposal obscure or compromise important views?</li> <li>Does the proposal dominate the skyline and reduce the quality of vistas?</li> <li>Does the proposal respect the viewing rights of other advertisers?</li> </ul>	<p>The signs will be substantially lower than the building and will not obscure or compromise important views, dominate the skyline, reduce the quality of vistas or impact other advertisers.</p>	Yes.
<p><b>Schedule 5 Assessment criteria - Streetscape, setting or landscape</b></p> <ul style="list-style-type: none"> <li>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</li> <li>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</li> </ul>	<p>The signage scale, proportions and form will relate well to the building 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"> <li>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</li> <li>Does the proposal screen unsightliness?</li> <li>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</li> <li>Does the proposal require ongoing vegetation management?</li> </ul>		
<p><b>Schedule 5 Assessment criteria - Site and building</b></p> <ul style="list-style-type: none"> <li>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?</li> <li>Does the proposal respect important features of the site or building, or both?</li> <li>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</li> </ul>	<p>The signage will be compatible with the desired amenity and character of the area, being scaled to the building, simple in design and of suitable materials and colours. The signage will not obscure important features of the site or building and will have a compatible relationship with both.</p>	Yes.
<p><b>Schedule 5 Assessment criteria - Associated devices and logos with advertisements and advertising structures</b></p> <ul style="list-style-type: none"> <li>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?</li> </ul>	<p>Logos and drop lighting will be included in the signage and are appropriate given their locations and proportions.</p>	Yes.
<p><b>Schedule 5 Assessment criteria - Illumination</b></p> <ul style="list-style-type: none"> <li>Would illumination result in unacceptable glare?</li> <li>Would illumination affect safety for pedestrians, vehicles or aircraft?</li> <li>Would illumination detract from the amenity of any residence or other form of accommodation?</li> <li>Can the intensity of the illumination be adjusted, if necessary?</li> <li>Is the illumination subject to a curfew?</li> </ul>	<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.

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

Section	Assessment	Compliance?
<p><b>Schedule 5 Assessment criteria - Safety</b></p> <ul style="list-style-type: none"> <li>• Would the proposal reduce the safety for any public road?</li> <li>• Would the proposal reduce the safety for pedestrians or bicyclists?</li> <li>• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</li> </ul>	<p>The signage will not interfere with road, pedestrian or bicyclist safety, nor obscure sightlines from public areas.</p>	<p>Yes.</p>

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

Clause	Assessment	Compliance?
<p><b>2.3 Zone objectives and land use table</b></p> <p>The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.</p> <p>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.</p> <p>The zone objectives for this site are:</p> <ol style="list-style-type: none"> <li>1. To provide a range of facilities and services, light industries, warehouses and offices.</li> <li>2. To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.</li> <li>3. To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.</li> <li>4. To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.</li> <li>5. To provide opportunities for new and emerging light industries.</li> <li>6. To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.</li> <li>7. To minimise the impacts of development on surrounding residential or other sensitive land uses.</li> </ol>	<p>The development is for 'business identification signs' and a 'recreation facility (indoor)' which is identified as a nominate permitted land use in the applicable E3 Productivity Support zone.</p> <p>A development application (DA) is permitted pursuant to Part 4, Division 4.1, Section 4.2 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>The development is consistent with the relevant objectives of the E3 Productivity Support zone in that:</p> <ol style="list-style-type: none"> <li>1. The development will contribute towards Ironbark Avenue's range of facilities and services.</li> <li>2. The development is compatible with, and will not unreasonably compete with, land uses in surrounding local and commercial centres, for example, the Camden Town Centre 2.2km to the north. The economic viability of local and commercial centres will not be unreasonably impacted given that the development is for a gym and not for retailing or commercial activities such as shops or offices.</li> <li>3. The development will help meet the needs of the community by providing a recreational facility.</li> <li>4. The development will not result in any unreasonable adverse conflicts with other land uses in the E3 Productivity Support zone or the nearby residential uses that are zoned R2 Low Density Residential and R3 Medium Density Residential. As detailed in the assessment report, traffic and noise impacts will be minimal, and the development will be able to satisfactorily coexist with other uses in the area</li> </ol>	<p>Yes</p>
<p><b>2.7 Demolition requires development consent</b></p> <p>The demolition of a building or work may be carried out only with development consent</p>	<p>Internal and external demolition works are proposed to the building and the site by this DA</p>	<p>Yes</p>

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

Control	Assessment	Compliance?
<p><b>2.9 Contaminated and Potentially Contaminated Land Management</b></p> <p>An assessment as to whether or not the land is contaminated and its suitability for development must be made</p>	<p>Section 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021 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.</p> <p>The development is a change of use and fit out of an existing building as a gym. Given the nature of the previous uses carried out within the building, Council staff are satisfied that it is suitable for the development from a contamination perspective.</p>	Yes
<p><b>2.12 Acoustic Amenity</b></p> <p>Acoustic reports (where required) must be prepared by a suitably qualified consultant</p>	<p>The applicant has submitted a noise impact assessment report, prepared by an acoustic consultant, in support of the DA. The assessment demonstrates that the development will not have any unreasonable adverse noise impacts upon the surrounding environment. The report makes a number of recommendations including restricting patron access to controls for music systems, provision of 15mm thick rubber gym matting and calibrating the PA system to achieve a maximum volume of 76dB(A). Council staff are satisfied with the report and recommend conditions requiring that additional noise assessments be completed at the detailed design stage and once the gym is in operation to ensure that the applicable noise criteria will be and is being met.</p>	Yes
<p><b>2.14 Waste Management</b></p> <p>A waste management plan must be submitted for all new development, including demolition, construction and the ongoing (or change of) use</p>	<p>An adequate waste management plan has been submitted in support of the DA. Waste bins will be stored externally behind the car parking spaces to minimise views from the public domain and will be moved along the driveway to Ironbark Avenue for emptying.</p>	Yes
<p><b>2.17.1 General Requirements for Signage</b></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 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</p>	<p>The signage is considered appropriate for the development considering its location, quantity, type, colour, design and size. The signage will not detract from the amenity and character of the site.</p> <p>The signage will be consistent with the scale of the building.</p> <p>The signage will relate to the use of the building as a gym.</p> <p>All signage will be within the property boundaries.</p>	Yes

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

Control	Assessment	Compliance?
<p>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 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 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 obscure views of traffic signals, cause confusion with traffic signs, interfere with the view of oncoming motorists. The signs will not be located at a major intersection, pedestrian crossing or merging or diverging lanes.</p> <p>The signs will not contain flashing, electronic, running or moving components. Drop lighting is proposed for the signs 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><b>2.17.2 Commercial and Mixed Use Zones</b></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>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>	Yes
<p><b>2.18.2 Off-Street Car Parking Rates/Requirements</b></p> <p>7.5 car parking spaces per 100m<sup>2</sup> of gross floor area.</p> <p>1 bicycle parking space per every 25 car parking spaces in excess of the first 25</p>	<p>The proposed off-street car parking variation has been assessed in the 'Camden Development Control Plan 2019' section of the assessment report.</p> <p>A condition is recommended that requires the provision of a bicycle parking space.</p>	No. Variation supported
<p><b>5.1 Introduction and Employment Zone Hierarchy</b></p>	<p>The development is consistent with the desired character of Ironbark Avenue, which is an</p>	Yes

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

Control	Assessment	Compliance?
<p>The proposed development must support the role and desired character of the relevant centre within the centres hierarchy identified in this DCP, and established by the Camden Centres and Employment Lands Strategy and the Camden Local Strategic Planning Statement.</p> <p>The proposed development must complement the existing network of centres and not adversely impact centres identified within the centres hierarchy with regard to their role, function, identity, character, and scale</p>	<p>'industrial / urban services precinct' with a desired character of a local service orientated employment area suited to commercial uses such as business, automotive and other urban service uses. The proposed gym will support this role.</p> <p>The development is compatible with, and will not unreasonably compete with, land uses in surrounding local and commercial centres, for example, the Camden Town Centre 2.2km to the north. The economic viability of local and commercial centres will not be unreasonably impacted given that the development is for a gym and not for retailing or commercial activities such as shops or offices.</p>	
<p><b>5.2 General Controls Applying to all Centres and Commercial Uses</b></p> <p>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.</p> <p>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.</p> <p>All signage and advertising is to be designed in a coordinated manner.</p> <p>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.</p> <p>Car parking must be provided in accordance with Part 2 of this DCP.</p> <p>A detailed waste management plan must be submitted for the ongoing use of the site. The plan must outline the waste that will be generated from the site and proposed arrangements for managing waste onsite and for collection</p>	<p>The development will add to the variety of uses in Ironbark Avenue and help to serve local community needs.</p> <p>Noise and amenity impacts have been considered in the 'Noise Impacts' and 'Submissions' sections of the assessment report.</p> <p>The proposed signage will have a consistent theme throughout the development.</p> <p>The design of the reconfigured car park will retain an existing pathway leading from Ironbark Avenue to the building entrance. This will provide legible, safe, comfortable and easy access for pedestrians to and from the site.</p> <p>The proposed off-street car parking variation has been assessed in the 'Camden Development Control Plan 2019' section of the assessment report.</p> <p>An adequate waste management plan has been submitted in support of the DA. Waste bins will be stored externally behind the car parking spaces to minimise views from the public domain and will be moved along the driveway to Ironbark Avenue for emptying.</p>	Yes
<p><b>5.6.3 Ironbark Avenue, Camden South</b></p> <p>Where it is considered likely that a development may cause an adverse impact on nearby residential areas, noise impact must be assessed in accordance with Council's Environmental Noise Policy to determine if any acoustic assessment is required. Any required acoustic</p>	<p>Noise impacts have been considered in the 'Noise Impacts' section of the assessment report</p>	Yes

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
assessment must be submitted with the development application		

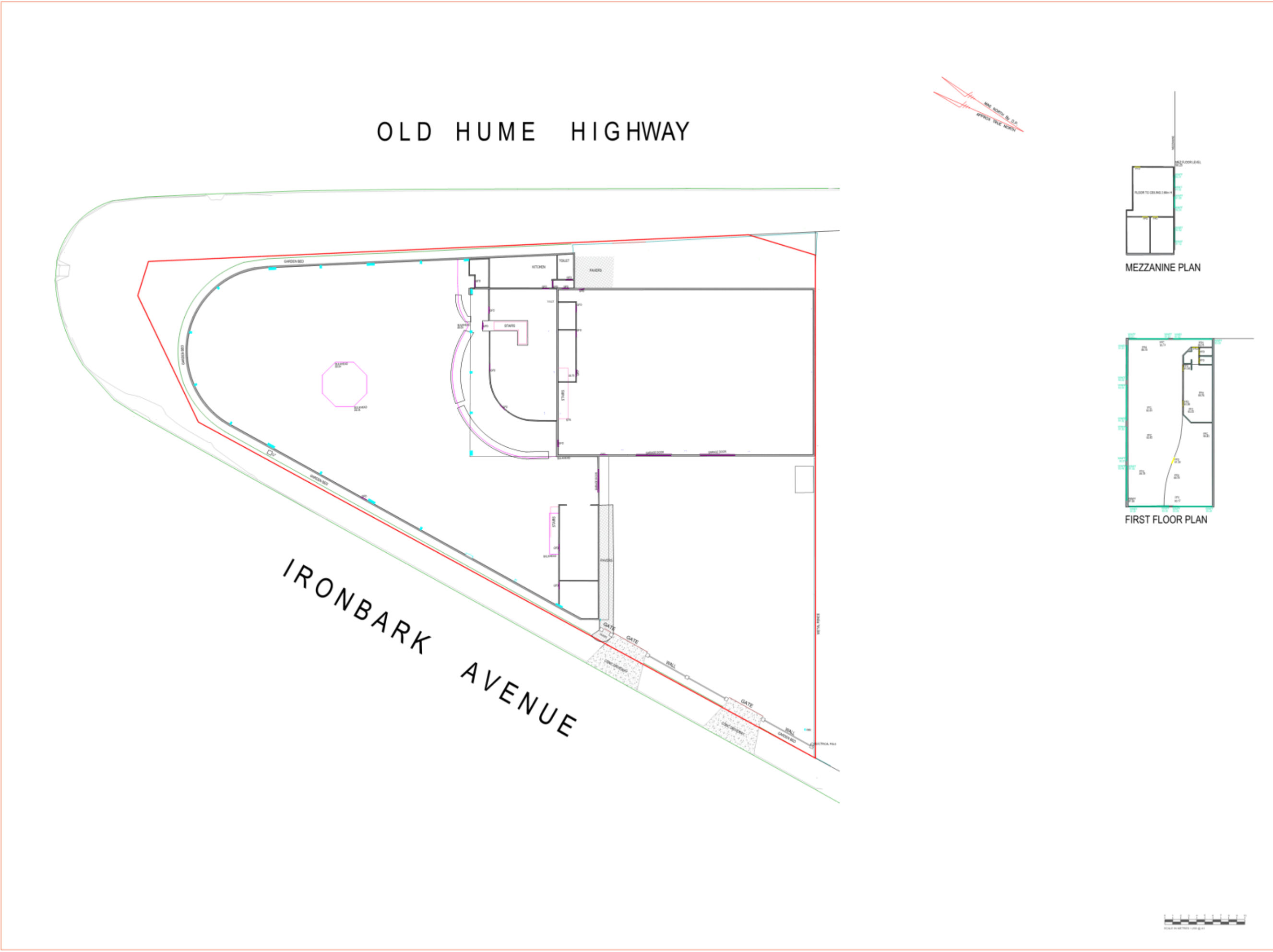


**GOLD's GYM**  
 2 Ironbark Avenue Camden NSW

- SA01 - Cover Sheet
- SA02 - Base Tenancy Plan
- SA03 - Demolition Plan
- SA04 - Construction Plan



<b>GOLD's GYM</b> Camden NSW
D.A. - ISSUE 2 REV 02
<b>SA01</b>
GENERAL DESCRIPTION - - INTERIOR LAYOUT
DATE: 2024-11-01
SCALE: 1:100
PROJECT: PE-2024
SHEET AREA
SA01 - COVER SHEET
SA02 - BASE TENANCY PLAN
SA03 - DEMOLITION PLAN
SA04 - CONSTRUCTION PLAN
<b>NOTES</b>
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REVISIONS
NO.
DATE
DESCRIPTION
1
2024-11-01
Initial Issue
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**GOLD's GYM**  
Camden NSW

D.A. - ISSUE 2 REV 02

SA02

DESIGN DESCRIPTION -  
BASE TENANCY PLAN

DESIGNED BY - BWS

ISSUE DATE - 14/11/2024

PROJECT # - PC-0366

SHEET INDEX

SA01 - COVER SHEET  
SA02 - BASE TENANCY PLAN  
SA03 - DEMOLITION PLAN  
SA04 - CONSTRUCTION PLAN

**NOTES**

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INDEX SIZE - A1

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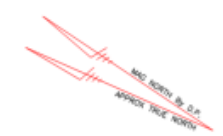
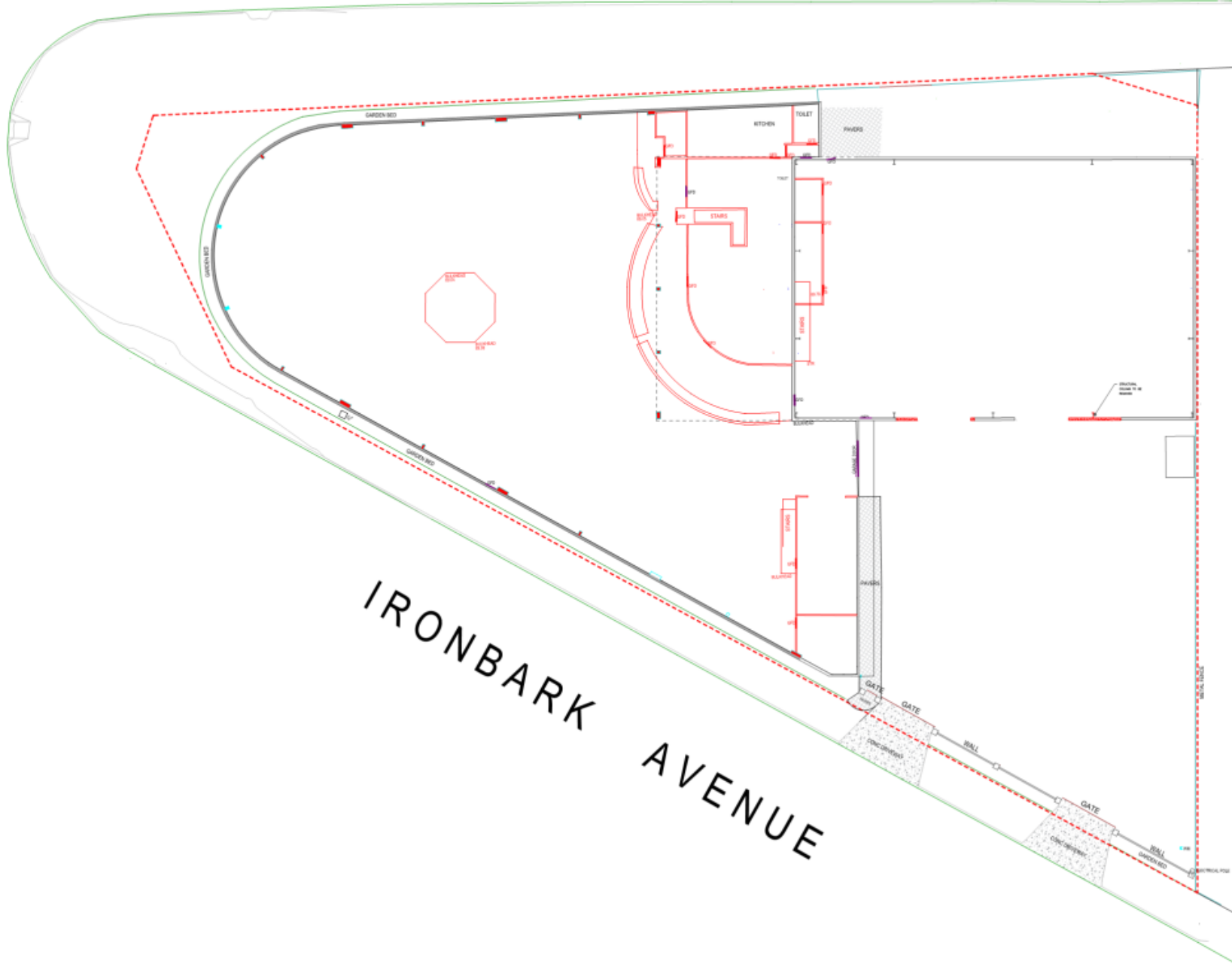
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OLD HUME HIGHWAY

IRONBARK AVENUE



<b>GOLD'S GYM</b> Camden NSW
D.A. - ISSUE 2 REV 02
SA03
DRAWING DESCRIPTION - DEMOLITION PLAN
DESIGNED BY - BWS
ISSUE DATE - 14/11/2024
PROJECT # - PC-0366
SHEET INDEX
SA01 - COVER SHEET
SA02 - BASE TENANCY PLAN
SA03 - DEMOLITION PLAN
SA04 - CONSTRUCTION PLAN

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<b>GOLD'S GYM</b>
Camden NSW
D.A. - ISSUE 2 REV 02
SA04
GENERAL INFORMATION -
CONSTRUCTION PLAN
CONTRACT NO - 000
DATE ISSUED - 14/11/2024
PROJECT # - PG-0000
SHEET AREA
SCALE - COVER SHEET
SCALE - BASE TENANCY PLAN
SCALE - DEMOLITION PLAN
SCALE - CONSTRUCTION PLAN

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**CLPP03****CLPP03**

**SUBJECT: DISCLOSURES BY PANEL MEMBERS RETURNS - 2023/2024**  
**FROM:** Governance Officer – Panel and Committees  
**EDMS #:** 24/631175

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### PURPOSE OF REPORT

The purpose of this report is to recommend that the Panel note the tabling of the Disclosures by Panel Members Returns for 2023/2024.

### BACKGROUND

Under Part 4 of the Local Planning Panels Code of Conduct, a Panel Member must complete and lodge a 'Disclosures of Pecuniary Interests and Other Matters' form with the Panel Chair. Returns are required to be tabled at a meeting of the Panel then a subsequent Council meeting.

### FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

### CONCLUSION

The completed Disclosures by Panel Members Returns for 2023/2024 are tabled.

### RECOMMENDED

**That the Camden Local Planning Panel note the tabling of the Disclosures by Panel Members for 2023/2024.**

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