

Business Paper

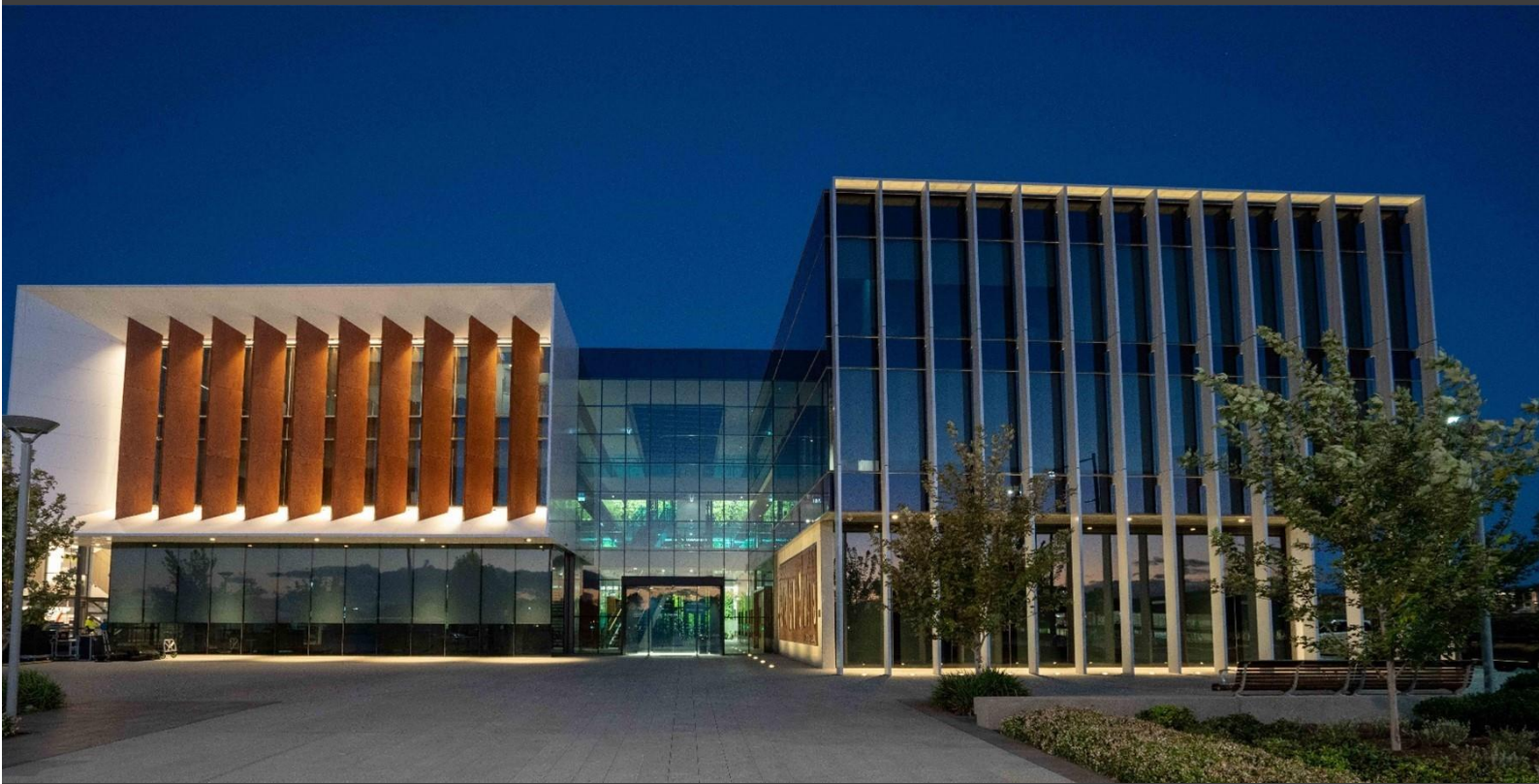
Camden Local Planning Panel

Camden Council

Administration Centre

70 Central Avenue, Oran Park

20 August 2024



camden
council

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SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

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

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

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

SUBJECT: DECLARATION OF INTEREST

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

CLPP01

CLPP01

SUBJECT: DA/2023/683/1 - CHANGE OF USE, ALTERATIONS AND FIT-OUT OF THE BUILDING FOR AN ARTISAN FOOD AND DRINK INDUSTRY - 76-100 ARGYLE STREET, CAMDEN

FROM: Manager Statutory Planning

EDMS #: 24/350708

DA Number:	2023/683/1.
Development:	Change of use, alterations and fit-out of the building for an artisan food and drink industry.
Estimated Cost of Development:	\$2,728,800
Site Address(es):	76-100 Argyle Street CAMDEN. LOT 1 DP 1027952
Applicant:	Michael Brown Planning Strategies
Owner(s):	Wolin Investments Pty Ltd
Number of Submissions:	One submission
Development Standard Contravention(s):	None.
Classification:	Local
Recommendation:	Approve with conditions.
Panel Referral Criteria:	Sensitive Development (heritage item / licensed premises)
Report Prepared By:	Nicholas Clarke – Senior Town Planner

PURPOSE OF REPORT

The purpose of this report is to seek the Camden Local Planning Panel’s (the Panel’s) determination of a development application (DA) for the change of use, alterations and fit-out of the building for an artisan food and drink industry at 76-100 Argyle Street, Camden.

The Panel is to exercise Council’s consent authority functions for this DA as, pursuant to the Minister for Planning’s Section 9.1 Direction, the development application proposes development involving the partial demolition of a heritage item and development for the purposes of a new licensed premises.

SUMMARY OF RECOMMENDATION

That the Panel determine DA/2023/683/1 for the change of use, alterations and fit-out of the building for an artisan food and drink industry at 76-100 Argyle Street, Camden, pursuant to Section 4.16(1)(b) of the *Environmental Planning and Assessment Act, 1979*, by granting consent subject to the conditions attached to this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the change of use, alterations and fit-out of the building for an artisan food and drink industry at 76-100 Argyle Street, Camden.

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

The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 27 December 2023 to 24 January 2024. During the exhibition period, Council received one objection.

The issues raised in the submission relate to the proposed hours of operation and the number of car spaces available on-site. The matters raised are discussed in further detail within this report.

The subject site is zoned E1 Local Centre. The proposed use is defined as an ‘artisan food and drink industry’ which is a type of ‘light industry’ and is prohibited in the E1 Local Centre zone. However, the proposal is permissible with consent subject to clause 5.10(10) Heritage Conservation of Camden Local Environmental Plan (CLEP) 2010 as discussed in further detail within this report.

The proposal satisfies the objectives of the E1 Local Centre zone and is generally compliant with the relevant development controls, with the exception of car parking. As discussed later in this report, the impact from this numerical deficit is expected to be negligible and it is considered that there are sufficient opportunities for parking surrounding the site and elsewhere in the town centre.

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
<i>Pub / Registered club / Restricted Premises</i> - 1 car parking space per 2m ² GFA of public bar area and 1 car parking space per 5m ² GFA of lounge, beer garden, auditorium, billiard room, restaurant which equates to 101 car spaces required.	5 car spaces are provided, including an accessible space.	Shortfall of 96 spaces

AERIAL PHOTO



Figure 1: Aerial Photo

THE SITE

The site is known as 76-100 Argyle Street, Camden and is legally described as Lot 1 in DP 1027952. The alternate address is 1-13 Hill Street, Camden and the building subject to the proposed works is known as 7-9 Hill Street, Camden. The site is located at the intersection of Argyle Street and Hill Street, with vehicular access obtained from Hill Street.

The site is in the commercial centre of Camden on land zoned E1 Local Centre. The site contains a number of attached, two storey commercial buildings. The site is listed as a local heritage item as it contains the commercial building “Whiteman’s”. The site is also located within the Camden Heritage Conservation Area. A significant portion of the Whiteman’s Building has recently been rebuilt following a fire in September 2020.

The site and it’s built form have a valuable contribution to the Heritage Conservation Area and the streetscape of Argyle Street. The building is representative of a turn-of-the-century landmark retail building prominent in the main street of Camden. It was established as “F.C. Whiteman and Sons” in 1878 by C.T. Whiteman and is locally significant as one of the oldest and longest running retail stores in Camden. It is a key building in the streetscape of Argyle Street due to its size and presence.

The surrounding properties are characterised by commercial developments including take away food and drink premises, cafés, business premises, and shops.

To the north of the area is the remainder of the Camden Local Centre and the mixed use area. To the east is the Camden mixed use area, with the Nepean River and various rural, recreation and residential development located further to the east. To the south of the area is the remainder of the local centre including St. John's Church and low density residential development. To the east along Argyle Street are commercial developments located within the Camden Town Centre.

ZONING PLAN

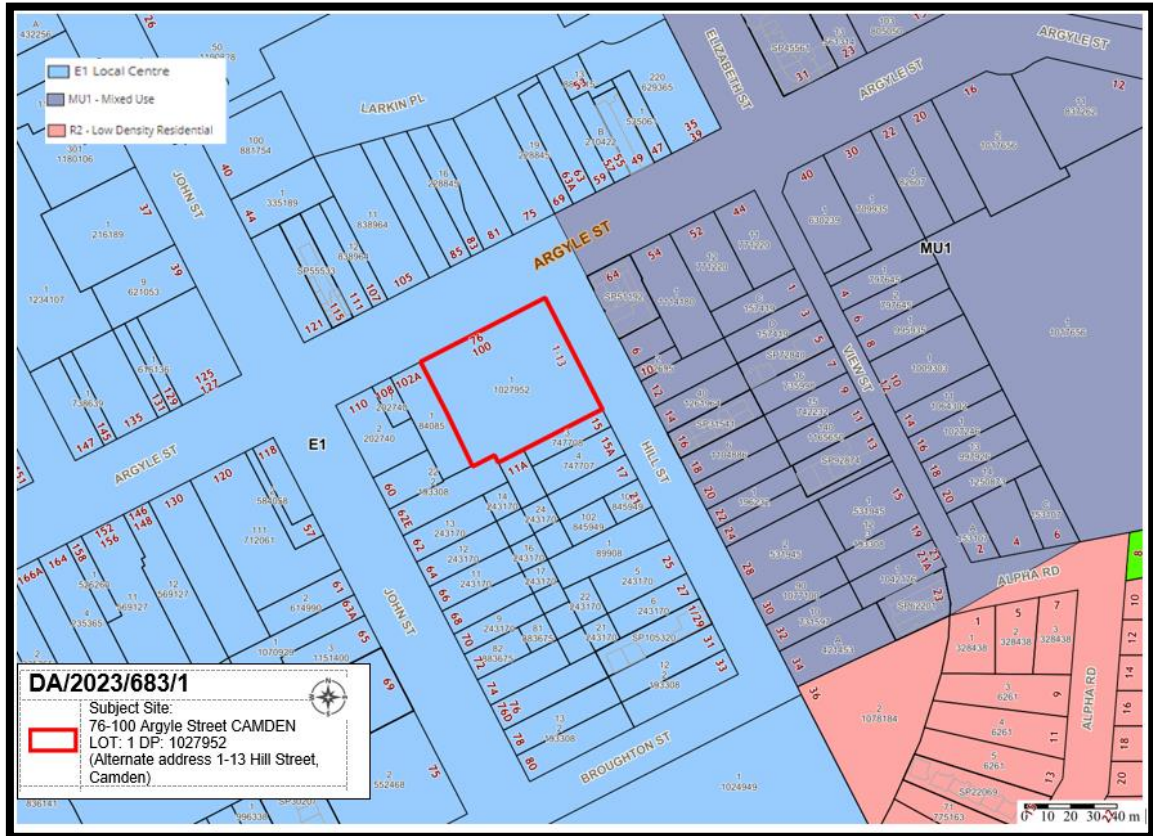


Figure 2: Extract of zoning map with property outlined in red

HERITAGE PLAN

CLPP01

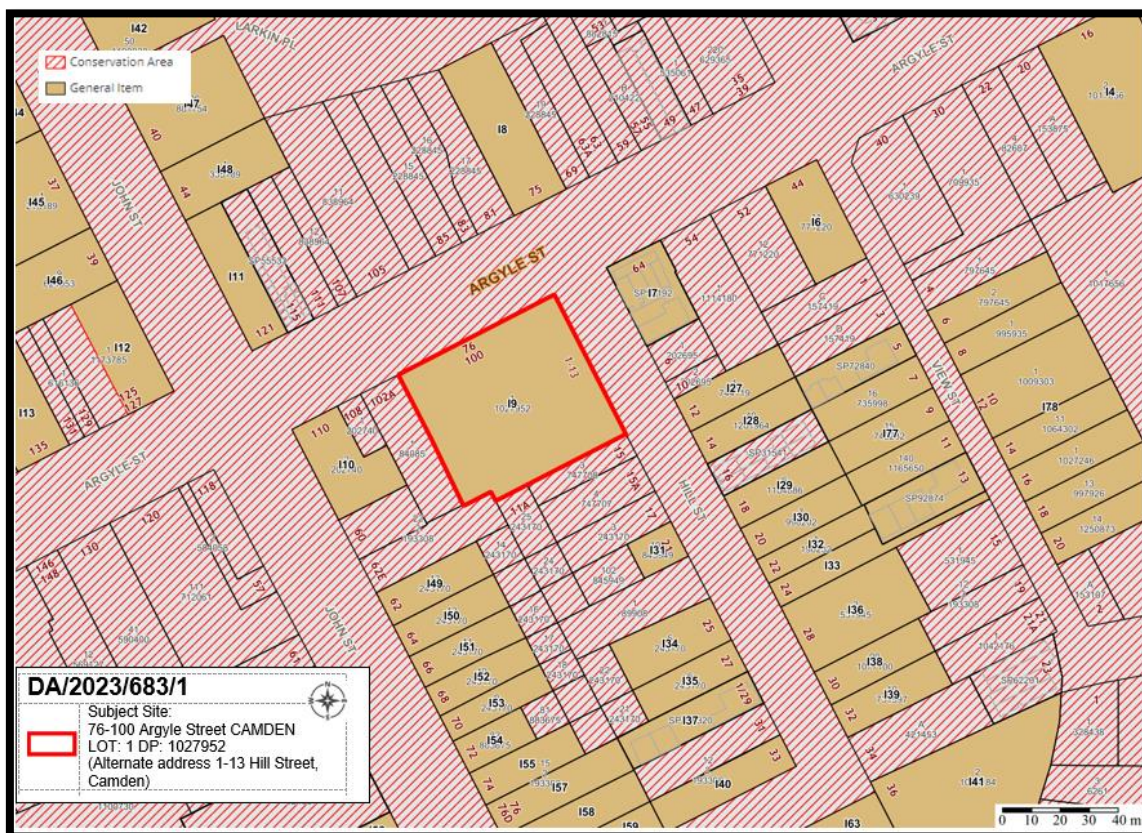


Figure 3: Extract of heritage map with property outlined in red

HISTORY

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

Date	Development
1889	C.T. Whiteman built and opened the store on the corner of Argyle and Hill Streets.
22 December 2006	DA/2005/231/1 approved the fit out and use of the first floor for a restaurant with a new balcony awning including restaurant seating.
5 March 2007	DA/2007/151/1 approved the use of the first floor balcony as a restaurant.
5 September 2013	DA/2012/1194/1 approved internal alterations to create a retail arcade comprised of five units.
23 May 2017	DA/2016/1190/1 approved the use of the rear, unroofed upper deck area to accommodate 100 patrons associated with the existing restaurant including fit out of toilets, erection of acoustic screens and associated site works.
18 September 2020	The “Whiteman’s” building was significantly damaged by fire, with the roof collapsing as a result. An Emergency Order under Section 124 of the <i>Local Government Act 1993</i> was issued to the owner of the site requiring an immediate inspection by a Structural Engineer,

	implementation of a formal exclusion zone, asbestos assessment, installation of safety fencing and to make the site safe.
26 October 2020	An additional Emergency Order under Section 124 of the <i>Local Government Act 1993</i> was issued to the owner to undertake works in accordance with the recommendations of the asbestos assessment. All safe works and asbestos removal have occurred between September and November 2020.
12 February 2021	DA/2020/1054/1 approved alterations and additions for the roof replacement, including removal of fire damaged roof structure, replacement of timber flooring, removal of internal wall materials, construction of a new galvanised metal orb roof, reconstruction of windows and doors and internal plastering.
16 December 2021	DA/2021/285/1 approved internal and external alterations to the Whiteman’s building.
16 December 2021	DA/2021/847/1 approved the change of use to an indoor recreation facility (24/7 Anytime Fitness gymnasium) including internal fit-out and signage.
17 July 2023	DA/2023/311/1 approved the change of use expanding the existing indoor recreation facility (24-hour gym), into the adjacent ground floor suites 1 and 5.

THE PROPOSAL

The DA seeks approval for the change of use, alterations and fit-out of the building for an artisan food and drink industry.

Specifically, the development involves:

- Demolition and/or removal of internal walls, concrete slabs, stairs, landings, windows, doors, roller shutters and roof sheeting.
- Ground floor fit-out to include new kitchen, function room, bar, WC, fermentation / brewing area and equipment, covered outdoor seating and children’s play area.
- First floor fit-out for office and storage area.
- Roof works including aluminum framed clerestory glazing to new raised roof monitors with metal roofs, plant platform for mechanical equipment and solar panels to rear upper-level roofs.
- Conservation works to repair existing internal brickwork and damaged timber roof trusses, timber structure and timber flooring. External conservation works to repair the existing face brick parapet, shopfront and awning fronting Hill Street.
- Use of the site for the brewing of craft beer and the preparation and serving of food and drink.
 - The brewery is proposed to produce a 2,000 litre brew, three times per week and will operate from 8.00am to 5.00pm Monday to Friday only.
 - Food and drink will be offered from 10.00am to 12.00am Monday to Saturday and 10am to 10pm Sunday.

- Up to fourteen staff may be on site at any one time being four brewers, a permanent venue manager, six casual staff, two sales staff and a general manager.
- It is proposed to provide five on-site car parking spaces including an accessible space.
- The applicant advises the site will be subject to a micro-brewery license. This license limits the number of patrons to 120.
- No signage is proposed and will be subject to a separate application.

The estimated cost of the development is \$2,728,800.

ASSESSMENT

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

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

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

The environmental planning instruments that apply to the development are:

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

State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4 Remediation of land

The SEPP requires Council to be satisfied that the site is suitable for its intended purpose (in terms of contamination) prior to granting of consent.

A hazardous building materials assessment was undertaken instead of a contaminated land assessment.

Council's Environmental Health Specialist reviewed the application and advised that as the building is already being used for a commercial purpose with the public attending, a contamination assessment is not required. The hazardous materials assessment includes assessment of asbestos for the proposed demolition and construction works.

Standard conditions are recommended in the event of any unexpected finds are established during the construction phase of the development. This will ensure the site remains suitable for the proposed development (with regards to contamination).

State Environmental Planning Policy (Biodiversity and Conservation) 2021

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 E1 Local Centre pursuant to Clause 2.2 of the Camden LEP.

Land Use/Development Definitions

The proposed development involves the change of use, alterations and fit-out of the building for an 'artisan food and drink industry'.

Permissibility

The proposed use is defined as an 'artisan food and drink industry' which is a type of 'light industry' and is prohibited in the E1 Local Centre zone. However, the proposal is permissible with consent subject to Clause 5.10(10) Conservation Incentives which states the consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected even though development for that purpose would otherwise not be allowed, if the consent authority is satisfied that:

- (a) *the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and*
- (b) *the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and*
- (c) *the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and*
- (d) *the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and*
- (e) *the proposed development would not have any significant adverse effect on the amenity of the surrounding area.*

The proposal for an 'artisan food and drink industry' in the E1 Local Centre zone is supported as Council officers are satisfied that:

- (a) The conservation of the heritage item is facilitated by the granting of consent as:
 - The adaption of the vacant stockfeed and rural supplies store to operate as an artisan food and drink industry will ensure the viable future of the heritage buildings on the site.
 - Having active tenancies within all buildings on the heritage listed site ensures the conservation and on-going maintenance of the item.
 - As noted above, a significant portion of the Whiteman's Building has recently been rebuilt / restored following a fire in September 2020. The restoration of the

Whiteman's Building, coupled with its long-term conservation, is facilitated by the active commercial uses of the tenancies on the site.

- The proposed repairs and conservation works will enhance the character of the building, the contribution it makes to the Camden Town Centre Conservation Area and aid in understanding of the layers of growth and development of Camden township.
 - The original use of the building as a funeral parlour, produce mart and carpentry workshop are no longer possible or viable. The proposed adaptive reuse of the building as an artisan food and drink industry will facilitate its continued conservation for future generations and enable the building to continue to serve the local community with minimal heritage impact.
 - The bulk of the proposed works are contained within the original form of the building at 7-9 Hill Street, and includes internal conservation works to repair existing brickwork and damaged timber roof trusses, timber structure and timber flooring. External conservation works will repair the existing face brick parapet, the awning to Hill Street, as well as to the shopfront.
 - The streetscape presentation of the building at 7-9 Hill Street will be enhanced by the proposed repair and conservation works to the face brick parapet to the street and associated awning.
 - Views to the rear of the Whiteman's Building will be improved through the proposed repair and conservation works, including recladding the rear section of the building. These works will also ensure the building is weather tight and improve its longevity.
 - The proposal has considered the existing significant heritage fabric, with retention and conservation of surviving fabric where possible. Traditional materials and details will be reinstated where known or used to guide the reconstruction of the damaged or missing elements, which will minimise heritage impacts and ensure the building's continued conservation.
- (b) The proposed conservation works are in accordance with the Statement of Heritage Impact prepared by Julie Mackenzie. This Statement is included as an approved document in the recommended conditions.

A condition of consent is also recommended that requires a Heritage Specifications report to support the proposed conservation works, prepared by a suitably qualified Heritage Consultant, detailing the extent of works, the conservation methodology, specifications, and details of replacement materials and finishes.

- (c) The approved plans and documents ensure that all necessary conservation work identified in the Statement of Heritage Impact prepared by Julie Mackenzie is carried out.

A condition of consent is recommended that requires a heritage consultant that is suitably qualified and experienced in built heritage conservation be engaged to oversee the implementation of the endorsed conservation works. The heritage consultant is required to submit a Statement of Completion report at the completion of the works documenting the construction phase.

- (d) Council staff, including Council's Heritage Officer and consultant heritage advisor, have reviewed the Statement of Heritage Impact and architectural plans and are satisfied that the development is unlikely to have any unreasonable adverse impacts on the significance of the Whiteman's Building, as the tenancy the subject of the DA is located at the rear of the heritage item and is in an area of lesser significance. The proposed development is considered a positive heritage outcome as it will improve and enhance the setting of the site along Hill Street.
- (e) The proposed development is not considered to result in any significant adverse effect on the amenity of the surrounding area in terms of noise or odour.

Council's Environmental Health Specialist has reviewed the application and advised that the submitted Acoustic Report has referenced all applicable criteria for a licensed premises and has demonstrated that the proposed development will be compliant, and no issue is raised to potential acoustic impacts subject to conditions of consent.

Council's Environmental Health Specialist has also reviewed the application and advised the Odour Management and Wastewater Plan has considered the main brewery processes which may impact affect nearby residents, which relates to wort boiling and spent grain removal.

The plan has outlined a standard practice for breweries to include a spray condenser on the 'boiler kettle' which condenses the odorous steam / vapour back into a liquid from wort boiling during the brewing process. The liquid is then disposed to sewer waste. This process will alleviate odour concerns from the brewing process during wort boiling.

In respect to wet spent grain, approximately 400kg of wet spent grain (solid waste) per brew is generated. The spent grains are proposed to be removed from the brewhouse into transportable bins with lids and stored externally to the building. Spent grains start to product sour odours within 48 hours. It is proposed that the bins are stored for no longer than two days before being removed from site and used as stock feed supplements.

Subject to this process being implemented, and imposed as a condition of consent, it is considered that odour impacts can be mitigated. No issue otherwise is raised, subject to conditions of consent.

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)

An assessment table in which the development is considered against the Camden DCP is provided as an attachment to this report. The variation identified in that table is further addressed below:

Car Parking

The proposed development varies from the car parking requirement stipulated under the Camden DCP. The Camden DCP base parking rates for the development are as follows:

- Proposed pub = 1 car parking space per 2sqm GFA of public bar area and 1 car parking space per 5sqm GFA of lounge, beer garden, auditorium, billiard room, restaurant.

The proposed use is defined by Camden Local Environmental Plan 2010 as an ‘artisan food and drink industry’ and has a GFA of 690m². However, the proposal has been assessed under the *Pub / Registered Club / Restricted Premises* parking rates and calculated to require 101 car spaces. Five car spaces are provided on-site, representing a shortfall of 96 car spaces with the pub parking rate.

It is considered that the five spaces provided as part of the proposed development are sufficient and the proposal will not have an adverse impact on traffic and car parking in the surrounding area as follows:

- i. Camden Development Control Plan 2019, 2.18.2 *Calculation of Spaces* states Council may consider variations to parking rates in certain circumstances that do not warrant demand and may be supported by a car parking and traffic impact assessment study submitted with a development application.

A Traffic and Parking Impact Assessment prepared by McLaren Traffic Engineering and Road Safety Consultants was submitted in support of the proposal and provides the following comments:

- *With considerations to the existing approved shortfall of 36 car parking spaces, the overall shortfall of the proposed development is 60 (101-36-5) car parking spaces to the car parking requirements of the CDCP 2019.*
- *Utilising the car parking rates determined from the comparison sites, the expected parking demand of the subject site has been calculated to demand 16-45 car parking spaces, plus a provision of one (1) car parking space per staff, resulting in the expected demand between 26-55 car parking spaces.*
- *With considerations to the existing parking shortfall credit of 36 car parking spaces, at worst, the proposed brewery is expected to have a shortfall of 14 (comparison 55 – credit 36 – proposed 5) car parking spaces.*
- *Surveys of similar sites (Sunday Road Brewery and Camden Valley Inn) indicate that the expected peak operating periods of licensed venues on both Friday and Saturday do not coincide with the peak parking demand of the surrounding area. The 85th percentile car parking demand of the proposed brewery is expected to be readily absorbed by the surrounding car parking facilities including the John Street/Hill Street car park, Murray Street/John Street car park and on-street car parking facilities.’*

- ii. Council’s Traffic Engineer engaged a traffic consultant (TPE Consulting Pty Ltd) to

undertake a peer review of the submitted Traffic and Parking Impact Assessment.

The peer review concluded there are demonstrated grounds for a significant reduction in required parking rate to be applied to this development proposal (based on the studies provided) and that it is considered the reliance on on-street parking (as well as public car parks) is low risk in terms of safety and traffic management.

- iii. There is 1 and 2 hour on-street parking available on both sides of Hill and Argyle Streets, in addition to a 117-space public car park directly adjoining the rear of the site. Various sections of this car park have no time limit, while others have a 3-hour limit. There are larger public car parks also nearby, including John Street and Larkin Place which are within a 100m – 150m walking distance from the site; in addition to a public bus stop on John Street, 70m from the site.
- iv. The licensing requirements for the artisan food and drink industry limits the number of patrons to 120 at any one time.
- v. The proposed development satisfies the objectives of 2.18 Traffic Management and Off-Street Parking of the Camden DCP 2019 in that:
 - The proposal ensures pedestrian and traffic safety;
 - The at grade parking area integrates with the surrounding area as it is not visible from the street;
 - The proposal provides sufficient and suitably located parking for persons with a disability and cyclists;
 - Landscaping and the materials of construction are proposed to soften and screen the parking area;
 - The parking area provides suitable internal circulation patterns;
 - The loading and unloading of persons and goods can occur within the site; and
 - Ample parking is available in local Council car parks and on-street.

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)

Environmental Planning & Assessment Regulation 2021

Schedule 3, Part 2, Section 9, Designated Development defines breweries or distilleries producing alcohol or alcoholic products as designated development if intended production capacity exceeds 30 tonnes per day or 10,000 tonnes per year, or is located within 500 metres of a residential zone and likely, in the opinion of the consent authority, to significantly affect the amenity of the neighbourhood by reason of odour, traffic or waste,

The applicant has confirmed that the production capacity will be well below the thresholds for designated development, being a 2,000-litre brew on average three times per week. This would produce 2.2 tonnes of alcohol or 300 tonnes of alcoholic products per year.

The site is within 500m of a residential zone to the south but is considered unlikely to affect the amenity of the neighbourhood due to odour, traffic or waste. Due to the brewery production process, odour mitigation measures proposed and production capacity, it is considered that no adverse odour impacts will arise. The separation of the residential area from the development site means there will be no direct traffic impacts and waste will be appropriately managed and will not affect residential amenity.

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

Heritage

The subject site is listed as a heritage item under Schedule 5 of the Camden Local Environmental Plan 2010 as Item 19 "Commercial Building Whiteman's" and is located within the Camden Heritage Conservation Area. There are also a number of nearby heritage items surrounding the site.

The applicant has submitted a Heritage Impact Statement (HIS) in support of the DA. The application has considered the heritage significance of the heritage item within the site ('Whiteman's Buildings'), the surrounding Camden Town Centre HCA, as well as the existing Inter-War building at 7-9 Hill Street. Overall the proposal is considered an acceptable and positive heritage outcome as it will improve and enhance the setting of the site along Hill Street for the following reasons:

- The proposed works will have minimal impact on the significance of the Whiteman's Buildings as the building subject to the current DA is located at the rear of the heritage item in an area of lesser significance.
- The overall form of the existing building at 7-9 Hill Street will be retained, enhanced and conserved to rectify and improve the poor condition of the rear two storey section of the building through repairs and re-cladding.
- The proposed change of use from produce store to micro-brewery is sympathetic to the overall industrial nature of the subject Inter-War building.
- The proposal includes environmental considerations through the installation of solar panels on the two-storey portion of the building away from the street, and provision of two raised roof monitors made of aluminium framed glazing to the sides and include operable louvres. The location of these two aspects and their separation from the front façade results in minimal visual impacts.

Council staff, including Council's Heritage Officer and consultant heritage advisor, have reviewed the HIS and are satisfied that the development is unlikely to have any adverse heritage and/or character impacts.

It is considered the proposal is an appropriate reuse of the site which will contribute to the vibrancy of the town centre. All works are sympathetic to the heritage values of the site and locality and will contribute positively to the HCA by providing a unique food and drink premises and employment opportunities for people living, working and visiting in the locality.

Parking

Appropriate parking facilities exist in proximity to the subject site, including on-street parking available on both sides of Hill and Argyle Streets, a 117-space public car park directly adjoining the rear of the site and larger public car parks on John Street and Larkin Place, Camden.

Conditions are recommended to ensure acoustic impacts and safety for patrons utilising off-site parking will be appropriately managed to ensure there are no adverse impacts to any surrounding businesses or residents.

(c) the suitability of the site for the development

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

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

The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 27 December 2023 to 24 January 2024. During the exhibition period, Council received one submission objecting to the proposal.

The following discussion addresses the issues raised in the submission.

1. *Concern is raised over the serving of alcohol from 5.00am to 12.00 midnight Monday to Saturday.*

Officer comment:

It is noted the application indicated a time range for both the brewery and the food and drink portions of the proposal. The applicant has confirmed the hours of operation for the food and drink portion of the proposal to be 10.00am to 12.00am Monday to Saturday and 10.00am to 10.00pm Sunday. No issue is raised to the proposed hours of operation.

2. *Concern is raised over the number of car spaces provided on-site noting the proposed number of patrons.*

Officer comment:

Car parking has been considered in the main body of this report. As noted in the above assessment, there is sufficient public parking available in the vicinity of the site to cater for the development, based on the particular scale and hours of operation

proposed. The development is not likely to create any unreasonable parking impacts on the locality.

(e) *the public interest*

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

EXTERNAL REFERRALS

An external referral request was issued to Camden Police Area Command, however no response has been received at the time of writing this report.

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/2023/683/1 for the change of use, alterations and fit-out of the building for an artisan food and drink industry at 76-100 Argyle Street, 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 (Biodiversity and Conservation) 2021 and Camden Local Environmental Plan 2010.**
- 2. The development is consistent with Clause 5.10(10) of Camden Local Environmental Plan 2010 as the conservation of the heritage item is facilitated by the proposal.**
- 3. The development is consistent with the objectives of Camden Development Control Plan 2019.**
- 4. The development is considered to be an appropriate use for the site and is consistent with the character of the locality.**
- 5. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.**

CLPP01

6. For the above reasons, the development is a suitable use of the site and its approval is in the public interest.

ATTACHMENTS

1. Recommended Conditions
2. Camden LEP Assessment Table
3. Camden DCP Assessment Table
4. Public Submission - *Supporting Document*
5. Architectural Plans

RECOMMENDED CONDITIONS**General Conditions**

1	A. 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 requires otherwise:
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Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn by	Date of plan
DA01	Rev 2	Title Page	Mackenziepronk architects	08/04/2024
DA02	Rev 2	1:500 Proposed Site Plan	Mackenziepronk architects	08/04/2024
DA03	Rev 2	Ground Floor Demolition & Cut-Fill Plan	Mackenziepronk architects	08/04/2024
DA04	Rev 2	First Floor & Roof Demolition Plan	Mackenziepronk architects	08/04/2024
DA05	Rev 2	Areas Plan	Mackenziepronk architects	08/04/2024
DA06	Rev 3	Proposed Ground Floor Site Plan	Mackenziepronk architects	6/05/2024
DA07	Rev 3	Proposed Ground Floor Level	Mackenziepronk architects	6/05/2024
DA08	Rev 3	Proposed First Floor Level	Mackenziepronk architects	6/05/2024
DA09	Rev 2	Proposed Roof Level	Mackenziepronk architects	08/04/2024
DA10	Rev 2	Proposed Sections	Mackenziepronk architects	08/04/2024
DA11	Rev 2	Proposed North & East Elevations	Mackenziepronk architects	08/04/2024
DA12	Rev 2	Proposed South & West Elevations	Mackenziepronk architects	08/04/2024
DA13	Rev 2	Materials and Colours	Mackenziepronk architects	08/04/2024
DA14	Rev 2	Parking Sections	Mackenziepronk architects	08/04/2024
DA15	Rev 1	Kitchen and Bar Plan	Mackenziepronk architects	06/05/2024
DA16	Rev 1	Bin Store Plan	Mackenziepronk architects	06/05/2024
SW-000	Rev B	Cover Sheet and Legend - Stormwater Services	Adcar Consulting	25/08/2023
SW-100	Rev D	Site Plan - Stormwater Services	Adcar Consulting	20/3/2024
SW-101	Rev E	Ground Floor Plan - Stormwater Services	Adcar Consulting	21/3/2024
SW-102	Rev E	Level 1 Plan - Stormwater Services	Adcar Consulting	21/3/2024
SW-103	Rev C	Roof Plan - Stormwater Services	Adcar Consulting	21/3/2024
SW-200	Rev C	Roof Plan - Stormwater Services	Adcar Consulting	21/3/2024

Approved Documents			
Document Title	Version Number	Prepared by	Date of document
Statement of Heritage Impact		Julie Mackenzie	September 2023
Odour Management & Wastewater Plan	Rev 3	Brewtique Solutions Pty Ltd	15 April 2024
Waste Management Plan		Dickens Solutions Pty Ltd	November 2023
Plan of Management	Rev 4	Michael Brown Planning Strategies Pty Ltd	12/04/2024
Noise assessment	Rev B	Noise and Sound Services Pty Ltd	April 2024
Asbestos Management Survey and Register	Rev A	EHO Consulting Pty Ltd	12/02/2022
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	A. No signage approved		
This development consent does not approve any signage. A separate development application must be lodged with and approved by Council before any signage is displayed on the site (unless the signs are exempt or complying development under state Environmental Planning Policy (Exempt and Complying Development Codes) 2008).			
Condition reason: To clarify when separate consent is required for signage			
3	Licences		
The operator shall ensure all necessary licences from Liquor and Gaming NSW, the NSW Food Authority, NSW EPA and any other State Agencies are obtained, prior to commencement of the use, and are complied with.			
Condition reason: To ensure all necessary licences are obtained			
4	Brewery Operation and Restaurant Activities		
Operation of the artisan food and drink industry is to be consistent with the approved plans and plan of management.			
Condition reason: To ensure that the development complies with statutory requirements			
5	Production volume		
The maximum production shall be limited to 300,000 litres (300 tonnes) per year.			

	Condition reason: To ensure that the development complies with statutory requirements
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Building Work

Before issue of a construction certificate

6	A. Driveway design	<p>Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that any proposed, approved, driveway(s) will comply with AS 2890.1 - Parking Facilities and Council's Access Driveway Specifications or Heavy Duty Industrial Commercial Vehicle Crossing (as applicable to the development).</p> <p>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.</p> <p>Condition reason: To ensure that driveways are designed to appropriate standards.</p>
7	A. Glass reflectivity index	<p>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 glass reflectivity index for all glass used externally will not exceed 20%.</p> <p>Condition reason: To ensure that all glass used externally has a reasonable maximum level of reflectivity</p>
8	A. Long service levy	<p>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 <i>Building and Construction Industry Long Service Payments Act 1986</i>. 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.</p> <p>Condition reason: To ensure the long service levy is paid</p>
9	A. Outdoor lighting provision	<p>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.</p> <p>Condition reason: To ensure the provision of lighting in accordance with industry standards and to protect the amenity of the surrounding area</p>
10	A. Public infrastructure alterations	<p>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</p>

	roads authority under the <i>Roads Act 1993</i> . 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
1	E. Civil engineering plans and information
1	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: <ul style="list-style-type: none"> 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. Details of any required augmentation of existing drainage systems to accommodate drainage from the development. 4. roads and car parks: <ul style="list-style-type: none"> a. Pavement design. b. Traffic management devices. c. Line marking. <p>The plans and information must be accompanied by certification from a suitably qualified civil engineer certifying that they comply with Council's engineering specifications.</p>
	Condition reason: To ensure that civil works are designed to appropriate standards
1	E. Damages bond
2	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
1	E. Engineering specifications
3	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
1	E. Performance bond
4	Before the issue of a construction 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.

	<p>Condition reason: To ensure that new public infrastructure works undertaken within the existing public domain are constructed to an appropriate standard</p>
1 5	<p>C. Food premises and/or storage areas</p> <p>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:</p> <ol style="list-style-type: none"> 1. The Food Act 2003. 2. The Food Regulation 2015. 3. Food Standards Australia and New Zealand Food Standards Code 2003. 4. AS 1668.1 - The Use of Ventilation and Air Conditioning in Buildings - Fire and Smoke Control in Buildings. 5. AS 1668.2 - The Use of Ventilation and Air Conditioning in Buildings - Mechanical ventilation in Buildings. 6. AS 4674 - Design, Construction and Fit-Out of Food Premises.
	<p>Condition reason: To ensure that food premises and/or storage areas are designed to comply with statutory requirements and industry standards</p>
1 6	<p>C. Mechanical ventilation</p> <p>Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that any room or area not provided with natural ventilation in accordance with the Building Code of Australia will instead be provided with a mechanical ventilation system that complies with the following requirements:</p> <ol style="list-style-type: none"> 1. AS 1668.1 - The Use of Ventilation and Air Conditioning in Buildings - Fire and Smoke Control in Buildings. 2. AS 1668.2 - The Use of Ventilation and Air Conditioning in Buildings - Mechanical Ventilation in Buildings.
	<p>Condition reason: To ensure that mechanical ventilation system(s) are provided where natural ventilation is not achieved</p>
1 7	<p>C. Sydney Water trade waste requirements</p> <p>Before the issue of a construction certificate, information must be obtained from Sydney Water and a suitably qualified person and demonstrate, to the certifier's satisfaction, any Sydney Water trade waste requirements and how the development will comply with them.</p>
	<p>Condition reason: To ensure that provisions have been made for managing trade waste</p>
1 8	<p>D. Building upgrade</p> <p>The building must be upgraded to comply with the <i>Building Code of Australia</i> in the following manner:</p> <ol style="list-style-type: none"> 1. The recommendations contained within the Building Code of Australia 2022 Review prepared by Philip Chun dated 11/07/2023 Ref. 23-220250 including:

	<p>a. Part C4 – Protection of openings between fire compartments</p> <p>b. Part E1D2 – Fire Hydrants and the location of the existing hydrant booster</p> <p>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 required building upgrades.</p> <p>Condition reason: To ensure that the building is upgraded to comply with the Building Code of Australia</p>
19	<p>D. Construction certificate information</p> <p>Before the issue of a construction certificate, the following information must be prepared by a suitably qualified person to the certifier's satisfaction:</p> <ol style="list-style-type: none"> 1. Wastewater washdown from the floor of the covered outdoor dining area shall be connected to sewer. Stormwater plans shall be amended and be consistent with this requirement. 2. A handwash basin shall be provided to the brewery production area supplied with warm running water. 3. Detailed kitchen layout plans have not been provided to demonstrate compliance with The Food Act, Food Regulations and AS 4674 – Design, construction and fit-out of food premises. Adequate space for the provision of food services to meet proposed food offering, including appliances and food storage shall be demonstrated. 4. The wall finish within the kitchen area (Floor to ceiling wall finish) shall be smooth, impervious and easily cleaned – finish to comply with AS 4674. 5. A handwash basin shall be provided within 5m where food handlers are handling open food (Bar area). The second handwash basin shown in the bar area shall be relocated to the opposite end of the bar (next to general purpose sink) to meet this requirement. 6. Applicant to provide stormwater and water quality report to ensure compliance to Section 3 of Councils Engineering Specifications and in particular 3.3.10 addressing minimum pollutant retention. 7. Submission of the chosen traditional colour scheme for elements associated with the original building that were intended to be painted such as the awning and timber framed windows and doors as part of the above required Schedule of Conservation Works. 8. Details for the new roof monitors are to be submitted to and approved by the Council's Heritage Advisor prior to commencement of the works and issue of any Construction Certificate. <p>Condition reason: To ensure the required information is provided to the certifier</p>
20	<p>S. Waste rooms</p> <p>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 waste rooms will comply with the following detailed design requirements:</p> <ol style="list-style-type: none"> 1. Constructed of solid, impact resistant materials and finished in a smooth, even surface.

	<ol style="list-style-type: none"> 2. Smooth, impervious walls to ensure no moisture, oils or similar material can soak in. 3. Impervious, coved and graded floors that will be drained to a floor waste connection. 4. Provision of ventilation in accordance with AS 1668 - The Use of Ventilation in Buildings, lighting, pest proofing and an external hose tap. 5. Roofed with a minimum ceiling height of 2.4m 				
	Condition reason: To ensure that hygienic waste management facilities are provided				
2 1	<p>Compliance with Odour Management & Wastewater Plan</p> <p>Before the issue of a construction certificate, information must be prepared by a suitable qualified person and demonstrated, to the certifiers satisfaction, that the development will comply with the approved Odour Management & Wastewater Plan V3, prepared by Brewtique Solutions Pty Ltd dated 15 April 2024.</p> <p>Condition reason: To minimise odour impact.</p>				
2 2	<p>P. Section 7.12 contributions</p> <p>Prior to issuing a Construction certificate the developer must make a monetary contribution to Council of \$27,280.00 under the section 7.12 of the Environmental Planning and Assessment Act 1979</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">Camden Section 7.12 Development Contribution Plan</td> </tr> <tr> <td style="width: 60%;">1% of total construction cost,</td> <td style="text-align: right;">Total: \$27,280.00</td> </tr> </table> <p>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 (CPI).</p> <p>Condition reason: To ensure that development makes contributions towards services identified in the applicable contributions plan</p>	Camden Section 7.12 Development Contribution Plan		1% of total construction cost,	Total: \$27,280.00
Camden Section 7.12 Development Contribution Plan					
1% of total construction cost,	Total: \$27,280.00				
2 3	<p>Heritage Specifications Report</p> <p>A Heritage Specifications report to support the proposed Conservation Works is to be prepared by a suitably qualified Heritage Consultant experienced in built heritage detailing the extent of works, the conservation methodology, specifications, and details of replacement materials and finishes. The Specifications report together with the Schedule is to be submitted to and approved by the Council's Heritage Advisor prior to commencement of the works and issue of any Construction Certificate.</p> <p>Condition reason: To ensure heritage conservations works are satisfactory</p>				
2 4	<p>Heritage Interpretation Strategy/Plan</p> <p>A Heritage Interpretation Strategy/Plan should be prepared and submitted for approval by the Council's Heritage Advisor prior to the issue of any Construction Certificate. The strategy/Plan should detail the historical themes that would need to be represented in the interpretation, recommendations on the type, nature and locations of interpretive media with particular attention to the former uses of the site.</p>				

	Condition reason: To ensure heritage conservation works are satisfactory
2	Heritage Consultant
5	<p>A Heritage Consultant suitably qualified and experienced in built heritage conservation shall be engaged to oversee the implementation of the endorsed conservation works, based on regular inspection and technically sound and appropriate construction methods. The Heritage Consultant should submit a Statement of Completion report at the completion of the works documenting the construction phase incorporating the following as a minimum:</p> <ul style="list-style-type: none"> • signing off with the approved Schedule of Conservation Works. • ongoing archival recording photographs taken during the works and at the completion. • any detailing or drawings/sketches, site instruction instructions in the resolution of detailing (such as for any departures due to the condition of the fabric) given during the implementation of the approved works.
	Condition reason: To ensure heritage conservation works are satisfactory
	Before building work commences

26	A. Dilapidation report
	<p>Before any site work commences, a dilapidation report must be prepared by a suitably qualified person to the satisfaction of the principal certifier. The report must include:</p> <ol style="list-style-type: none"> 1. A photographic survey of existing public infrastructure surrounding the site including (but not necessarily limited to): <ol style="list-style-type: none"> a. Road carriageways. b. Kerbs. c. Footpaths. d. Drainage structures. e. Street Trees. <p>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.</p> <p>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.</p> <p>The report must be submitted to the principal certifier and Council 2 days before any site works commences. The development must comply with all conditions that the report imposes.</p>

	Condition reason: To ensure that any damage causes by works can be identified and rectified
27	<p>A. Public liability insurance policy</p> <p>Before any site 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.</p> <p>Condition reason: To ensure adequate public liability insurance is obtained to cover development within public property</p>
28	<p>A. Site security and fencing</p> <p>Before any site work commences, the site is to be secured and fenced to the satisfaction of the principal certifier.</p> <p>Condition reason: To ensure that access to the site is managed before works commence</p>
29	<p>A. Sydney Water approval</p> <p>Before any site 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 to apply. The Sydney Water approval must be provided to the principal certifier.</p> <p>For subdivision works certificates, stamped water servicing coordinator must be provided to the principal certifier.</p> <p>Condition reason: To ensure that any impacts upon Sydney Water infrastructure have been approved</p>
30	<p>B. Site management plan (preparation)</p> <p>Before any site 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:</p> <ol style="list-style-type: none"> 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 <i>Protection of the Environment Operations Act 1997</i>. 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.

	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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 responses.
	<p>Condition reason: To ensure site management practices are established before any works commence</p>
31	<p>Z. Erection of signs</p> <p>Before any site work commences, a sign must be erected in a prominent position on the site:</p> <ol style="list-style-type: none"> 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. <p>The sign must be:</p> <ol style="list-style-type: none"> 1. Maintained while the work is being carried out. 2. Removed when the work has been completed. <p>This condition does not apply in relation to:</p> <ol style="list-style-type: none"> 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 <i>Building Code of Australia</i> under Part 6 of the <i>Environmental Planning and Assessment Act 1979</i>.
	<p>Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021</p>
32	<p>A. Demolition work</p> <p>Before any demolition work commences, the following requirements must be complied with to the satisfaction of the principal certifier (or Council where there is no requirement for a principal certifier):</p>

	<ol style="list-style-type: none"> 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, license 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: <ol style="list-style-type: none"> 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.
	<p>Condition reason: To ensure that demolition works are carried out to appropriate standards</p>
33	<p>E. Utility services protection</p> <p>Before any site work commences, the developer must demonstrate, to the satisfaction of the principal certifier, that the following requirements have been met:</p> <ol style="list-style-type: none"> 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. <p>Condition reason: To ensure that utilities are not adversely affected by development</p>

During building work

34	A. Pollution warning sign
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	<p>While site work is being carried out, a sign must be displayed at all site entrances to the satisfaction of the principal certifier. The sign must be constructed of durable materials, be a minimum of 1.2m x 900 mm 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 (02 4654 7777) - Solution to Pollution'.</p> <p>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 must have a white background and a red border.</p> <p>The sign must be maintained until the works have been completed.</p> <p>Condition reason: To ensure that potential fines for pollution are clearly advertised</p>
35	<p>A. Stormwater collection and discharge</p> <p>While site 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 existing drainage system in accordance with the approved stormwater plan(s).</p> <p>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.</p> <p>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.</p> <p>Condition reason: To ensure that stormwater is properly collected and discharged</p>
36	<p>A. Work hours</p> <p>While site work is being carried out, all work (including the delivery of materials) must be:</p> <ol style="list-style-type: none"> 1. Restricted to between the hours of 7am to 5pm Monday to Saturday. 2. Not carried out on Sundays or public holidays. <p>Unless otherwise approved in writing by Council.</p> <p>Condition reason: To protect the amenity of the surrounding area</p>
37	<p>A. Work noise</p> <p>While site work is being carried out, noise levels must comply with:</p> <ol style="list-style-type: none"> 1. For work periods of 4 weeks or less, the LA_{eq} 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 LA_{eq} 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).

	<p>3. For work periods greater than 26 weeks, the LA_{eq} 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.</p>
	<p>Condition reason: To protect the amenity of the surrounding area</p>
38	<p>B. Car park noise control (during work)</p>
	<p>While site 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.</p>
	<p>Condition reason: To ensure that car parks are adequate finished to protect the amenity of the surrounding area</p>
39	<p>B. Fill delivery register</p>
	<p>Once site work is completed, the delivery register for the site work must be submitted to Council.</p>
	<p>Condition reason: To ensure that Council has a record of all fill deliveries to the site</p>
40	<p>B. Fill material (virgin excavated natural material)</p>
	<p>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:</p>
	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> a. Less than 6,000m³ - 3 sampling locations. b. Greater than 6,000m³ - 3 sampling locations with 1 extra location for each additional 2,000m³ 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:

	<p>a. 1 sample per 1,000m² or part thereof.</p> <p>b. For volumes less than 1,000m², a minimum of 2 separate samples from different locations must be taken.</p>
	<p>Condition reason: To ensure that fill material has been adequately assessed before placement on the site</p>
41	<p>B. Site management plan (during work)</p> <p>While site work is being carried out, the approved site management plan must be complied with.</p> <p>A copy of the plan must be kept on the site at all times and provided to Council upon request.</p> <p>Condition reason: To protect the amenity of the surrounding area</p>
42	<p>B. Unexpected contamination finds contingency (general)</p> <p>While site 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.</p> <p>Where the assessment identified 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.</p> <p>Condition reason: To ensure a procedure is in place to manage unexpected contamination finds encountered during site works</p>
43	<p>E. Fill compaction (non-subdivision)</p> <p>While site work is being carried out, all fill must be compacted in accordance with Council's current engineering specifications, to the satisfaction of the principal certifier.</p> <p>Condition reason: To ensure that fill is compacted to appropriate standards</p>
44	<p>J. Work near or involving vegetation</p> <p>While site work is being carried out, the following requirements must be complied with to the satisfaction of the principal certifier:</p> <ol style="list-style-type: none"> 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.

	<ol style="list-style-type: none"> 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.
	<p>Condition reason: To ensure that work near of involving vegetation is carried out to industry standards</p>
45	<p>L. Archaeological discovery</p> <p>While site 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:</p> <ol style="list-style-type: none"> 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 <i>National Parks and Wildlife Act 1974</i>. 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 <i>Heritage Act 1977</i>. Any requirements of Heritage NSW must be implemented.
	<p>Condition reason: To ensure unexpected archaeological discoveries are managed in accordance with statutory requirements</p>
46	<p>Z. Compliance with Building Code of Australia</p> <p>While building work is being carried out, the work must be carried out in accordance with the <i>Building Code of Australia</i>. A reference to the <i>Building Code of Australia</i> is a reference to the Building Code of Australia as in force on the relevant date (as defined by section 19 of the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i>).</p> <p>This condition does not apply:</p> <ol style="list-style-type: none"> 1. To the extent to which an exemption from a provision of the <i>Building Code of Australia</i> or a fire safety standard is in force under the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i>. 2. To the erection of a temporary building other than a temporary structure used as an entertainment venue.
	<p>Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021</p>
47	<p>Z. Shoring and adequacy of adjoining property</p> <p>While site work is being carried out, the person having the benefit of the development consent must, at the person's own expense:</p> <ol style="list-style-type: none"> 1. Protect and support the building, structure or work on adjoining land from possible damage from the excavation.

	<p>2. If necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.</p> <p>This condition does not apply if:</p> <ol style="list-style-type: none"> 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.
	<p>Condition reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021</p>
48	<p>B. Hazardous building materials assessment (during work)</p> <p>While site work is being carried out, the approved hazardous building materials assessment must be complied with.</p> <p>All site personnel and occupants of adjoining properties must be protected from risk of exposure to hazardous building materials in accordance with Safe Work NSW requirements and the NSW Government's Code of Practice for Demolition Work.</p> <p>All materials not suitable for reuse or recycling must be disposed of at a waste facility.</p>
	<p>Condition reason: To ensure hazardous building materials are appropriately managed during work</p>
49	<p>E. Redundant driveway laybacks</p> <p>While site work is being carried out, all redundant driveway laybacks along all of the site's road frontages must be sealed and restored to match the existing standards along those roads, to the satisfaction of the principal certifier.</p>
	<p>Condition reason: To ensure that road frontages are provided with consistent conditions</p>

Before issue of an occupation certificate

50	<p>A. Driveway crossing construction</p> <p>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.</p>
	<p>Condition reason: To ensure that the building(s) is provided with vehicular access</p>
51	<p>A. Services</p>

	<p>Before the issue of an occupation certificate, the following information from energy, water and wastewater service suppliers must be obtained and provided to the principal certifier:</p> <ol style="list-style-type: none"> 1. A notice of arrangement for the distribution of electricity from Endeavour Energy to service the approved development. 2. A section 73 compliance certificate from Sydney Water demonstrating that satisfactory arrangements have been made to service the approved development.
	<p>Condition reason: To ensure that energy, water and wastewater services are provided for the development</p>
52	<p>J. Existing street trees inspection</p>
	<p>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.</p>
	<p>Condition reason: To ensure that existing street trees are inspected for damage and rectified where required</p>
53	<p>C. Development registration with Council</p>
	<p>Before the issue of an occupation certificate, the development must be inspected by and registered with Council. Evidence of the inspection and registration must be provided to the principal certifier.</p>
	<p>Condition reason: To support Council's regulatory functions related to the development</p>
54	<p>E. Water management facilities positive covenant</p>
	<p>Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier's satisfaction, that a positive covenant has been registered with NSW Land Registry Services. The positive covenant must be created under Section 88E of the <i>Conveyancing Act 1919</i> and burden the property owner with a requirement to maintain any on-site detention, on-site retention/re-use and water quality facilities on the property.</p> <p>The terms of the positive covenant must include the following:</p> <ol style="list-style-type: none"> 1. The property owner is responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures. 2. The property owner will have the facilities inspected by a competent person on a schedule mandated by the facilities' design specifications. 3. Council will have the right to enter the site at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities. 4. Council will have the right to recover as a liquidated debt the cost of any remedial work from the property owner upon demand. 5. The property owner will indemnify Council and all adjoining property owners against damage to their properties arising from the failure of any component of the facilities or the failure to clean, maintain and repair the facilities.

	Condition reason: To provide a legal mechanism for the long-term maintenance of water management facilities
55	<p>E. Works as executed plans</p> <p>Before the issue of an occupation 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:</p> <p>a. Levels and other relevant dimensions of:</p> <p>i. Internal drainage pipes.</p> <p>ii. Outlet control devices and pits.</p> <p>iii. Final levels of site after minor adjustments for DDA compliance</p> <p>iv. Provide drainage long section for the 7pit network</p> <p>Condition reason: To ensure that the completed works are recorded</p>
56	<p>S. Private waste collection contract</p> <p>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.</p> <p>Condition reason: To ensure that a formal arrangement is in place for the private collection of waste</p>
57	<p>Compliance with Odour Management & Wastewater Plan</p> <p>Before the issue of an occupation certificate, information must be submitted to the principal certifier, to the certifiers satisfaction, that the development has been constructed in accordance with the approved Odour Management & Wastewater Plan V3, prepared by Brewtique Solutions Pty Ltd dated 15 April 2024.</p> <p>Condition reason: To minimise odour and wastewater impacts</p>
58	<p>Noise from mechanical plant</p> <p>Documentary evidence shall be provided to the principal certifier confirming that the development (including the installation of all plant and equipment, internally and externally) has been constructed in accordance with the approved acoustic report titled 'Noise Assessment for a Proposed Artisan food and drink industry at 76-100 Argyle Street Camden, Report No nss23941-Final Rev B', prepared by Noise and Sound Services Pty Ltd dated April 2024.</p> <p>Condition reason: To minimise noise impacts</p>
59	<p>E. Verge Reconstruction</p> <p>Before the issue of an occupation certificate, the unpaved road verges directly adjoining the property must be reconstructed with grass species to match the adjoining road verge section.</p>

	Condition reason: To ensure that road verges are reconstructed with grass following building works
60	Noise Management
	Prior to an Occupation Certificate being issued for the development, documentary evidence shall be provided to the satisfaction of the principal certifier confirming the development complies with the recommendations contained in Sections 7 and 8 of the Noise assessment, Rev B, prepared by Noise and Sound Services Pty Ltd dated April 2024.
	Condition reason: To protect the amenity of the surrounding area
61	Complaint Handling
	Prior to an Occupation Certificate being issued for the development a complaint handling system, including details regarding how noise complaints from the use of the premises will be received, rectified, recorded and monitored shall be provided to the satisfaction of the principal certifier.
	Condition reason: To protect the amenity of the surrounding area

Occupation and ongoing use

62	A. Goods, materials, equipment and/or waste storage
	During occupation and ongoing use of the development, all goods, materials, equipment and/or waste must be stored inside the building.
	Condition reason: To protect the visual amenity of the surrounding area and not impact the public domain
63	A. 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
64	A. Loading and unloading
	During occupation and ongoing use of the development, all loading and unloading activities must take place within the development's approved loading area.
	Condition reason: To maintain the visual amenity of the area and off street car parking spaces and driveways approved for the development
65	A. 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 fourteen (14).

	Condition reason: To ensure sufficient off street car parking will be available for the development														
66	<p>A. Operating hours</p> <p>During occupation and ongoing use of the development, the development is approved to operate within the following hours:</p> <p>Brewery - hours of operation</p> <table border="1"> <thead> <tr> <th>Day</th> <th>Operating Hours</th> </tr> </thead> <tbody> <tr> <td>Monday to Friday</td> <td>8.00am to 5.00pm</td> </tr> <tr> <td>Saturday and Sunday</td> <td>Closed</td> </tr> <tr> <td>Truck and forklift movements (including deliveries and pickups)</td> <td>7.00am to 6.00pm</td> </tr> </tbody> </table> <p>Restaurant - hours of operation (maximum 120 patrons or as per a Special Event Limited Licence)</p> <table border="1"> <thead> <tr> <th>Day</th> <th>Operating Hours</th> </tr> </thead> <tbody> <tr> <td>Monday to Saturday</td> <td>10.00am to 12.00am</td> </tr> <tr> <td>Sunday</td> <td>10.00am to 10.00pm</td> </tr> </tbody> </table> <p>Condition reason: To protect the amenity of the surrounding area</p>	Day	Operating Hours	Monday to Friday	8.00am to 5.00pm	Saturday and Sunday	Closed	Truck and forklift movements (including deliveries and pickups)	7.00am to 6.00pm	Day	Operating Hours	Monday to Saturday	10.00am to 12.00am	Sunday	10.00am to 10.00pm
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67	<p>A. Private waste collection contract</p> <p>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.</p> <p>Condition reason: To ensure that a formal arrangement is in place for the private collection of waste</p>														
68	<p>B. Car park noise control (ongoing)</p> <p>During occupation and ongoing use of the development, the covered finish and sealant applied to all car parks must always be maintained to a standard that eliminates tyre squeal noise from being audible.</p> <p>Condition reason: To protect the amenity of the surrounding area</p>														
69	<p>B. Offensive noise and noise compliance</p> <p>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 <i>Protection of the Environment Operations Act 1997</i>. Operational noise must also comply with the NSW Noise Policy for Industry 2017.</p>														

	Condition reason: To protect the amenity of the surrounding area
70	J. 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
71	B. Hazardous and/or industrial waste removal
	During occupation and ongoing use of the development, all hazardous and/or industrial waste must be removed in accordance with the requirements of the NSW Environment Protection Authority and SafeWork NSW.
	Condition reason: To ensure hazardous and/or industrial waste is safely removed
72	B. Licensed premises noise
	During occupation and ongoing use of the development, noise from the development must comply with the following requirements:
	<ol style="list-style-type: none"> 1. The LA10, 15min noise level emitted from the licensed premises must not exceed the background noise level in any octave band centre frequency (31.5Hz-8kHz inclusive) by more than 5dB between 7am and 12 midnight at the boundary of any affected residence. 2. The LA10, 15min noise level emitted from the licensed premises must not exceed the background noise level in any octave band centre frequency (31.5Hz - 8kHz inclusive) between 12 midnight and 7am at the boundary of any affected residence. 3. The LA10, 15min noise level emitted from the licensed premises when measured inside a habitable room of a residence between 12pm and 7am must not give rise to a measurable increase above the ambient level in any octave band centre frequency (31.5Hz - 8kHz inclusive) in the absence of music.
	*In this condition, LA10 is taken as the average maximum deflection of the noise emission from the licensed premises.
	Condition reason: To ensure that hazardous materials are safely stored and used
73	B. Liquid spills management
	During occupation and ongoing use of the development, the management of liquid spills must comply with the following requirements:
	<ol style="list-style-type: none"> 1. Supplies of spill prevention, absorbent and clean - up materials must be kept on site to recover any spilled liquid. 2. Liquid spills must be cleaned up using dry methods (by placing absorbent material on the spill and sweeping or shovelling the material into a secure bin). 3. Materials used for clean - up must be disposed of at a waste facility.
	Condition reason: To protect the environment from pollution

74	B. Liquid storage and bunding
	During occupation and ongoing use of the development, all liquids including oils, lubricants, hydraulic fluids, fuel, paints, detergents and any other chemicals must be stored in approved container and housed in an impervious, bunded and covered area. The bunded area must be able to store a minimum of 110% of the volume of the largest container stored or 25% of the total volume of all containers stored.
	Condition reason: To protect the environment from pollution
75	B. Pollution control devices
	During occupation and ongoing use of the development, all pollution control devices (including drainage systems, sumps and traps) must be regularly maintained.
	Condition reason: To protect the environment from pollution
76	C. Remote storage facilities for food premises
	During occupation and ongoing use of the development, the use of remote storage facilities by food premises is prohibited.
	Condition reason: To ensure that food storage only occurs in approved locations
77	Wastewater
	Wastewater washdown from the floor of the covered outdoor dining area shall be connected to the sewer. At no time shall wastewater from the outdoor dining area be directed/discharged to stormwater.
	Condition reason: To ensure satisfactory wastewater management
78	Live Music
	In accordance with the approved acoustic report the following noise requirements are to be implemented: <ul style="list-style-type: none"> 1. No amplified live music or amplified speech is permitted 2. Background amplified music is limited to a maximum of 71dBA when measured at the premises.
	Condition reason: To minimise impact on the amenity of the area.
79	Loading/Unloading
	Medium Rigid Vehicle access from Hill Street is to occur in a safe manor, with appropriate traffic controllers as required, and shall generally occur during off-peak periods (7.00am to 8.30am).
	Condition reason: To ensure satisfactory loading/unloading

Camden Local Environmental Plan 2010 (LEP) Assessment Table

Clause	Assessment	Compliance
<p>1.2 Aims of Plan</p> <p>(a) to ensure Camden retains its valued traditional qualities, character and scenic landscapes while providing for sustainable urban growth,</p> <p>(b) to ensure that new communities are planned and developed in an orderly, integrated and sustainable manner and contribute to the social, environmental and economic sustainability of Camden,</p> <p>(c) to ensure natural assets within Camden are protected and enhanced,</p> <p>(d) to minimise the impact on existing and future communities of natural hazards such as bush fires and flooding,</p> <p>(f) to ensure that the economic, employment and educational needs of all existing and future residents of Camden are appropriately planned for,</p> <p>(j) to conserve and enhance the built and landscape heritage of Camden.</p>	<p>The reuse of the existing building retains the traditional qualities and character of Camden while providing for sustainable urban growth.</p> <p>The development contributes to the economic sustainability of Camden as a place for living and business.</p> <p>The development does not result in any adverse impact on Camden’s natural assets.</p> <p>The development is appropriately designed to minimise any impact on existing and future communities.</p> <p>The development will provide economic and employment opportunities to the residents of Camden.</p> <p>The development will not result in any adverse impact on any heritage items in the vicinity of the site as discussed further in this report.</p>	<p align="center">Yes</p>
<p>2.3 Zone objectives and land use table</p> <p>The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.</p> <p>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.</p> <p>The zone objectives for this site are:</p> <ul style="list-style-type: none"> • To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area. • To encourage investment in local commercial development that generates employment opportunities and economic growth. • To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council’s strategic planning for 	<p>The proposed use is defined as an ‘artisan food and drink industry’ which is a type of light industry development and is prohibited in the E1 Local Centre zone.</p> <p>However, the proposed use is permitted with consent under clause 5.10(10) Conservation Incentives as discussed in the main body of this report.</p> <p>The development is consistent with the relevant objectives of the E1 Local Centre zone in that the proposed use will:</p> <ul style="list-style-type: none"> • serve the needs of people who live in, work in and visit the area. • generates employment opportunities and economic growth. • activates the frontage of this portion of Hill Street. • minimises conflict between land uses within the zone. • encourages a safe, attractive, accessible 	<p align="center">Yes</p>

<p>residential development in the area.</p> <ul style="list-style-type: none"> • To encourage business, retail, community and other non-residential land uses on the ground floor of buildings. • To minimise conflict between land uses within the zone and land uses within adjoining zones. • To encourage a safe, attractive, accessible and efficient pedestrian environment. • To ensure that development contributes to the hierarchy of centres under the Camden Development Control Plan 2019. 	<p>and efficient pedestrian environment.</p> <ul style="list-style-type: none"> • maintains Camden as a town centre by contributing to the food and hospitality role. <p>Furthermore, it is considered that the proposal will have a positive impact on the local centre zone by providing additional customers that will activate the centre particularly during evenings and the weekend.</p>	
<p>2.7 Demolition requires development consent</p> <p>Development consent is required to demolish a building or work (unless the demolition is exempt or complying development under another environmental planning instrument).</p>	<p>Development consent has been sought for minor demolition works of internal walls, metal cladding and roof sheeting, including partial demolition of concrete slabs, stairs and landings, and removal of some windows, doors and roller shutters.</p>	Yes
<p>4.3 Height of buildings</p> <p>Maximum building heights must not exceed the maximum building height shown on the Height of Buildings Map.</p> <p>The maximum building height for this site is 7m.</p>	<p>The proposed works maintain the existing highest ridgeline at RL84.21. No change to the maximum building height is proposed.</p>	Yes
<p>5.10 Heritage conservation</p> <p>(4) Before granting development consent in respect of a heritage items or a heritage conservation area, the consent authority must consider the effect of the proposed development on the heritage significance of the item or area concerned.</p> <p>(5) The consent authority may require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the item or heritage conservation area concerned. The submission of a heritage conservation management plan may also be required.</p> <p>(10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though</p>	<p>The subject site is listed as a heritage item under Schedule 5 of the Camden Local Environmental Plan 2010 as Item 19 "Commercial Building Whiteman's".</p> <p>The site is located within the Camden Heritage Conservation Area and a number of nearby heritage items surround the site.</p> <p>The applicant has submitted a Heritage Impact Statement in support of the DA. Council staff, including Council's Heritage Officer and consultant heritage advisor, have reviewed the HIS and are satisfied that the development is unlikely to have any unreasonable adverse heritage or character impacts given the proposed works will have minimal impact on the significance of the Whiteman's Buildings as the building subject to the current DA is located at the rear of the heritage item and is in an area of lesser significance.</p> <p>The overall form of the existing building will be retained, enhanced and conserved to rectify and</p>	Yes

<p>development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—</p> <p>(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and</p> <p>(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and</p> <p>(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and</p> <p>(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and</p> <p>(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.</p>	<p>improve the poor condition of the rear two storey section of the building.</p> <p>The reuse of the site is considered to contribute to the vibrancy of the HCA by providing a unique food and drink premises and will create employment opportunities for people living, working and visiting in the locality.</p> <p>As discussed in the main body of this report, it is considered the proposal satisfies the requirements of clause 5.10(10) Conservation Incentives in that conservation of the heritage item is facilitated by the granting of consent.</p> <p>The proposal will result in minimal adverse impact on the heritage significance, setting of the heritage item, or amenity of the area.</p>	
<p>5.21 Flood planning</p> <p>Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—</p> <p>(a) is compatible with the flood function and behaviour on the land, and</p> <p>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</p> <p>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</p> <p>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</p>	<p>The development is above the flood planning level. The proposal will not change the floor levels of the existing building.</p>	<p>Yes</p>

Camden Development Control Plan 2019 (DCP) Assessment Table

Control	Assessment	Compliance
<p>1.2 Notification and Advertising Requirements</p> <p>DAs are to be publicly exhibited in accordance with the Camden DCP.</p>	<p>The application was notified for a period of 14 days in accordance with Camden Council's Community Participation Plan and one submission was received.</p>	Yes
<p>2.3 Water Management</p> <p>Development must comply with Council's Engineering Specifications in terms of on-site stormwater detention, drainage and water sensitive urban design.</p>	<p>The development has been designed in accordance with Council's engineering specifications and incorporates appropriate stormwater drainage. The application was reviewed by Council's Engineering Certification Team and no issue regarding water management was raised subject to conditions of consent.</p>	Yes
<p>2.8 Flood Hazard Management</p> <p>Development on flood prone land must comply with Council's Engineering Specifications and Flood Risk Management Policy for development which is located within and affected by flood prone land.</p>	<p>The development is above the flood planning level.</p>	Yes
<p>2.12 Acoustic Amenity</p> <p>Noise emissions from commercial development must be assessed in accordance with the Noise Guide for Local Government and must be consistent with the methodology within the NSW EPA Noise Policy for Industry (NPI).</p> <p><i>Noise from Licensed Premises</i></p> <p>1. Any music/entertainment and noise of patrons (whilst on-site) from a licensed premises, must be assessed in accordance with the noise emission criteria as follows:</p> <p>a. The LA10,15min* noise level emitted from the licensed premises must not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) by more than 5dB between 7:00am and 12:00 midnight at the boundary of any affected residence.</p> <p>b. The LA10,15min* noise level emitted from the licensed premises must not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) between 12:00 midnight and 7:00am at the boundary of any affected residence.</p> <p>c. The LA10,15min* noise level emitted</p>	<p>An Acoustic Report was submitted in support of the application addressing the criteria for noise from licenced premises from Council's Environmental Noise Policy.</p> <p>Council's Environmental Health Specialist reviewed the application, and advised that the acoustic report has referenced all applicable criteria and has demonstrated that the proposed development will be compliant, and no issue is raised with potential acoustic impacts subject to conditions of consent.</p> <p>A Plan of Management has been submitted in support of the application and includes processes to manage noise associated with patrons departing from the on-site car park, the adjoining public car park and local streets.</p> <p>The proposed development will not adversely impact the immediate surrounding development with respect to acoustic impacts.</p>	Yes

<p>from the licensed premises when measured inside a habitable room of a residential premises between 12pm and 7am should not give rise to a measurable increase above the ambient level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) in the absence of the music.</p> <p>* For the purposes of this condition, LA10 can be taken as the average maximum deflection of the noise emission from the licensed premises.</p> <p>2. A noise management plan must be submitted with the DA that addresses noise associated with patron departure in on site car parks or local streets, particularly after 10.00pm. Alternatively, noise reduction and mitigation measures (where required) must be addressed in a general plan of management for the premises.</p>		
<p>2.13 Air Quality and Odour</p> <p>Odour impacts and emissions to be considered and environmental amenity to be protected.</p>	<p>The applicant has submitted an Odour Management and Wastewater Plan prepared by Brewtique Solutions Pty Ltd.</p> <p>Council’s Environmental Health Specialist has reviewed the application and advised that the Odour Management and wastewater plan has considered the main brewery processes which may impact affect nearby residents, which relates to wort boiling and spent grain removal.</p> <p>The plan has outlined a standard practice for breweries to include a spray condenser on the ‘boiler kettle’ which condenses the odorous steam / vapour back into a liquid from wort boiling during the brewing process. The liquid is then disposed to sewer waste. This process will alleviate odour concerns from the brewing process during wort boiling.</p> <p>In respect to wet spent grain, approximately 400kg of wet spent grain (solid waste) per brew is generated. The spent grains are proposed to be removed from the brewhouse into transportable bins with lids and stored externally to the building. Spent grains start to produce sour odours within 48 hours. It is proposed that the bins are stored for no longer than two days before being removed from site and used as stock feed supplements.</p> <p>Subject to this process being implemented, and imposed as a condition of consent, it is considered that odour impacts can be mitigated. No issue otherwise is raised, subject to conditions of consent.</p>	<p>Yes</p>

<p>2.14 Waste Management</p> <p>DAs must be accompanied by a waste management plan that addresses the applicable waste management controls of the Camden DCP.</p> <p>Waste management criteria for particular development types must be complied with.</p>	<p>A waste management plan that adequately addresses the applicable waste management controls of the Camden DCP has been submitted with the DA.</p> <p>The application was reviewed by Council's Waste Strategy Officer who advised sufficient waste and recycling storage areas are provided within the building and within an enclosed area at the rear of the site have been designed in accordance to AS 4674.</p> <p>Subject to recommended conditions, the development will comply with the Camden DCP's waste management controls for this particular development type.</p>	<p>Yes</p>
<p>2.16.3 General Heritage Provisions</p> <p><i>Design</i></p> <p>2. New work must be easily identified as such and is required to be sympathetic to the heritage place.</p> <p>3. When alterations or additions are proposed, the removal of any existing unsympathetic elements is encouraged.</p> <p>4. Where significance permits modification, alterations to the original room layout of a heritage item is permissible provided the original details such as joinery, plasterwork and wall nibs and can still be interpreted.</p> <p>6. Where an addition is not visible from a street or public place, greater flexibility in design may be considered.</p> <p>7. The significant internal and external fabric and building elements of the principal building are to be retained and conserved.</p> <p><i>Siting</i></p> <p>1. Alterations and additions to a heritage item or within a conservation area will be sited and designed to retain the intactness and consistency of the streetscape and the significance of the conservation area.</p>	<p>The proposed works are considered simple in design and has been reviewed by Council's Heritage consultant who raised no issue subject to recommended conditions of consent.</p> <p>There are minimal existing unsympathetic elements within the building. Council staff, including Council's Heritage Officer and consultant heritage advisor, have reviewed the application and have not identified any unsympathetic element that requires to be rectified.</p> <p>The proposal has considered significant heritage fabric, retention and conservation of surviving fabric where possible.</p> <p>No significant building additions are proposed.</p> <p>The proposed development includes internal conservation works to repair existing brickwork and damaged timber roof trusses, timber structures and timber flooring. External conservation works will repair the existing face brick parapet, the awning to Hill Street, as well as to the shopfront.</p> <p>Proposed alterations and additions retain the intactness and consistency of the streetscape and the significance of the conservation area.</p>	<p>Yes</p>

<p>2. Additions to buildings in the conservation area are to be predominantly to the rear of the existing building. Additions should not visually dominate the existing building.</p> <p>5. The existing informal and irregular pattern of rear property building alignments is to be retained.</p> <p><i>Roofs and Roofscape</i></p> <p>1. The existing pattern, pitch, materials and details of original roof forms within the Heritage Conservation Area must be retained.</p> <p><i>Height</i></p> <p>1. Additional floor space may be permitted within attic roof space where no significant external changes are made to the existing wall heights and roof forms.</p> <p>2. Dormers with traditional proportions and sympathetic detailing that complements the style and details of the roof may be considered.</p> <p><i>Materials and Finishes</i></p> <p>1. Surviving original materials, finishes, textures and details must be retained and conserved where appropriate.</p> <p>2. Materials, finishes, and textures must be sympathetic to the historic context of the original significant buildings within the streetscape.</p> <p>3. Contemporary materials are permitted where their proportions, detailing and quantities are compatible with the character of the area. Large expanses of glass and reflective wall and roof cladding are not appropriate.</p> <p>4. The significant original internal elements of a building, such as distinctive joinery, fireplaces, decorative plasterwork are generally to be retained and conserved in heritage places.</p> <p>5. Reconstruction or restoration of missing significant elements is encouraged and should be based on</p>	<p>Proposed building additions consist of rectifying the poor condition of the rear two storey section of the building through repairs and re-cladding and provision of two raised roof monitors along the roof ridge, which are not visually dominant when viewed from Hill Street.</p> <p>The existing building alignment is maintained in its current configuration.</p> <p>While the proposed works to install new roof monitor windows slightly increases the height of the ridgeline, the proposed 24.24° roof pitch is consistent with the 28.7° of the main roof form. New metal roof sheeting matches the existing roof material.</p> <p>No additional floor space is proposed.</p> <p>The proposed new roof monitor windows are proportionate and complement the existing roof due to proposed pitch and materials.</p> <p>Existing materials, finishes and details are predominantly retained and/or restored as part of the conservation works. The existing materials, finishes, and textures are to be maintained and supported by Council's heritage consultant.</p> <p>Proposed materials, finishes and details are consistent with the existing building and maintain the historic context of the building.</p> <p>Proposed materials, finishes and details are consistent with the existing building and are compatible with the character of the area.</p> <p>Due to the industrial/retail nature of the building, elements such as joinery, fireplaces or decorative plasterwork do not exist internally.</p> <p>The proposal has considered significant heritage fabric, retention and conservation of surviving fabric where possible.</p>	
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<p>documentary evidence when available.</p> <p><i>Colours</i></p> <p>1. Colour schemes on heritage items must be appropriate and sympathetic to the building type period and architectural style.</p> <p>3. Original significant masonry that is unpainted or unfinished must not be rendered, bagged, painted or otherwise refinished in a manner inappropriate to the architectural style of the building.</p> <p><i>Fences and Gates</i></p> <p>1. Existing fences that have been identified as being significant or that contribute to the overall setting or character of a heritage place are to be retained, rather than replaced.</p> <p>2. New fences should be sympathetic to the original fencing in terms of design, materials, colour and height.</p> <p>3. Removal of unsympathetic fences and reinstatement with fencing appropriate to the architectural era is encouraged.</p> <p>4. Traditional fence heights and styles that do not obscure heritage items or visually dominate Heritage Conservation Areas are to be used.</p> <p>5. On sloping sites fences and walls should be stepped down the slope.</p> <p><i>Vehicle Access</i></p> <p>1. Vehicle access must not impact adversely upon the architectural character and significance of buildings or the streetscape.</p> <p><i>Signage</i></p> <p>1. Refer to Part 2.15 of this DCP for signs on Heritage Items or in Heritage Conservation Areas.</p> <p><i>Associated structures</i></p> <p>2. Appropriate external lighting may be used to highlight the architectural features of significant buildings.</p> <p>3. Skylights, air conditioning units, antennas, solar panels, satellite dishes etc. must not be visible from the street.</p>	<p>The existing colour scheme is maintained, sympathetic to the building and supported by Council's heritage consultant, subject to recommended conditions of consent.</p> <p>It is not proposed to render, bag, paint or otherwise, any external masonry surfaces.</p> <p>The existing building does not contain any significant fencing.</p> <p>A sympathetic 1.8m high timber fence is proposed along the Hill Street frontage to screen the out-door seating area.</p> <p>Cyclone fencing and gates are to be removed from the southern side of the Hill Street frontage.</p> <p>The proposed 1.8m high timber fence on the Hill Street frontage does not obscure the existing building.</p> <p>The proposed fencing steps down the slope from south to north.</p> <p>Vehicle access is reduced from two entries to one.</p> <p>No signage is proposed. Future signage will be subject to a separate application.</p> <p>No such lighting is proposed.</p> <p>Air conditioning units are located in a roof valley and are not visible from Hill Street. Solar panels are proposed along the north-south portion of the roof, at the rear of the building and are only visible from Hill Street when viewed from the Hill Street loading area.</p>	
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<p><i>Demolition</i></p> <ul style="list-style-type: none"> - The demolition of a heritage place is contrary to the intent of heritage listing. - Where consent is issued for demolition, or part demolition, of a heritage place a comprehensive diagrammatic and photographic archival record is to be made of the structure to be demolished. 	<p>Only minor demolition works of internal walls, concrete slabs, stairs, landings, windows, doors, roller shutters and roof sheeting are proposed and supported to facilitate the proposed use of the building as an artisan food and drink industry.</p> <p>A condition of consent is recommended that requires a Heritage Consultant suitably qualified and experienced in built heritage conservation to be engaged to oversee the implementation of the endorsed conservation works. The Heritage Consultant is required to submit a Statement of Completion report at the completion of the works documenting the construction phase including ongoing archival recording photographs taken during the works and at the completion.</p>	
<p>2.16.4 Camden Heritage Conservation Area</p> <p>1. Views associated with the St John's Church spire must not be compromised.</p> <p>7. Original uses of significant buildings should be encouraged and facilitated. Where this is no longer possible, appropriate adaptive re-use opportunities can be used to facilitate the conservation of these buildings.</p> <p>9. A two storey height limit must prevail except for significant architectural features incorporated into the design of buildings in significant locations.</p>	<p>The proposed development will have no impact on views associated with St John's church.</p> <p>The conservation of the heritage item is facilitated by the granting of consent as the adaption of the vacant stockfeed and rural supplies store into a microbrewery will ensure the viable future of the building. Repairs and conservation works will enhance the character of the building and the contribution it makes to the Camden Town Centre Conservation Area.</p> <p>The proposed development is a maximum of two storeys in height.</p>	<p>Yes</p>
<p>2.18.2 Off-street Car Parking Rates and Requirements</p> <p><i>Pub / Registered club / Restricted Premises</i> A detailed car parking submission is required.</p> <p>1 car parking space per 2m² GFA of public bar area and</p> <p>1 car parking space per 5m² GFA of lounge, beer garden, auditorium, billiard room, restaurant and</p> <p>25 car parking spaces per 100m² of remaining public floor area.</p> <p>Developments must also accommodate: 1 bicycle space per 25 car parking</p>	<p>A Traffic and Parking Impact Assessment prepared by McLaren Traffic Engineering and Road Safety Consultants was submitted in support of the proposal and peer reviewed by an external traffic consultant.</p> <p>172.7m² Bar = 87 spaces</p> <p>67.5m² outdoor seating = 14 spaces</p> <p>5 car spaces, including one motorbike space and one accessible space are provided on-site, representing a shortfall of 96 car spaces with the pub parking rate.</p> <p>The proposed variation is considered reasonable for the reasons outlined in the main body of the</p>	<p>No</p>

spaces in excess of the first 25 car parking spaces; and 1 motorcycle space per 50 car parking spaces in excess of the first 50 car parking spaces.	report.	
<p>2.18.3 Car Parking Design Criteria</p> <p>Visitor parking spaces should be clearly marked and conveniently located to encourage their use by their intended users.</p> <p>Waste storage and collection areas should be conveniently located and designed so as not to cause unacceptable on-street conflicts.</p>	<p>All spaces will be clearly and conveniently available for either staff or visitor use.</p> <p>Sufficient waste and recycling storage areas are provided within the building and within an enclosed area at the rear of the site.</p>	Yes
<p>5.2 General Controls Applying to all Centres and Commercial Uses</p> <p><i>Function and Uses</i></p> <p>1. 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><i>Layout/Design</i></p> <p>2. 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>3. Where development fronts the street or any other public place (including car parking areas and pedestrian thoroughfares) the development must be designed so that it addresses the street or public place.</p> <p><i>Built Form and Appearance</i></p> <p>5. Buildings should have a similar mass and scale to create a sense of consistency.</p> <p>6. Business development must feature high quality architectural design and a built form that promotes a 'sense of place' and contemporary character for all business zones</p> <p>7. Development in business zones must be compatible with surrounding business development in terms of appearance, type, bulk and scale, design and character.</p> <p>8. Building wall planes must contain variations and architectural design features in their front facades in order to</p>	<p>The proposed use as an artisan food and drink industry will serve the needs of the local community.</p> <p>Noise and amenity conflicts for both the subject development and adjoining/nearby development have been considered and deemed appropriate, subject to conditions of consent.</p> <p>The existing shopfront addressing the Hill Street is retained.</p> <p>The mass and scale of the existing building is maintained.</p> <p>Proposed external works are minimal. New materials and finishes are of high quality. The existing sense of place is retained.</p> <p>The change of use is compatible with business development in Hill Street as the appearance, bulk and scale, design and character of the existing building is retained.</p> <p>The front façade will be retained, repaired and made good as required.</p>	Yes

<p>provide visual interest.</p> <p>10. Consideration is to be given to the interface where the building and awning abuts an adjoining development to ensure compatibility.</p> <p>11. Roof forms should be appropriately designed to respond to the built form of other nearby business development.</p> <p>12. New development must not cause significant overshadowing or overlooking of public places, relative to the patterns of usage of those places.</p> <p>14. Buildings on corner lots may have feature elements that exceed the building height limit prescribed in CLEP 2010 subject to compliance with Clause 5.6 of the CLEP 2010.</p> <p>15. Where a building addresses a public space, buildings must always address and embellish that public space.</p> <p>16. Service infrastructure such as air conditioning and other plant must be screened from public view and must be incorporated into the design of the building.</p> <p>17. Site facilities such as loading, waste storage, servicing and other infrastructure must be designed to minimise the visual impact on the public domain and impacts on neighbours.</p> <p>18. Security devices must be integrated with the design of the building and must enable design features</p> <p><i>Pedestrian Amenity</i></p> <p>19. Business development must be designed to facilitate high levels of pedestrian amenity and permeability, including access and facilities for cyclists</p> <p>20. Development is to incorporate appropriate measures for convenient, weather sheltered access for pedestrians, including access to other land.</p> <p>21. Buildings should be designed to minimise overshadowing of pedestrian thoroughfares and footpaths wherever</p>	<p>No part of the building abuts an adjoining development.</p> <p>The existing roof form is generally maintained and consistent with surrounding built form. New roof monitors and glazing are proposed that retain the existing roof pitch.</p> <p>Proposed works do not impact solar access to public places.</p> <p>The proposed works do not increase the height of the building.</p> <p>The interface with the footpath is improved with the removal of the southern most vehicle crossover from Hill Street and the installation of a timber fence/screen to the out-door seating area.</p> <p>Air conditioning infrastructure is screened by the existing parapet.</p> <p>Such activities will occur from the existing loading area on the northern side and enclosed area at the rear of the building.</p> <p>Security devices are not proposed.</p> <p>The proposed change of use does not impact existing levels of pedestrian amenity or permeability along Hill Street.</p> <p>The existing street awning is retained.</p> <p>Proposed works do not impact solar access to public places.</p>	
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<p>possible.</p> <p><i>Public Domain</i></p> <p>22. Development must include a high quality landscape design including a co-ordinated package of street furniture and lighting that enhances the character of the business zone.</p> <p>23. The building and landscape design is to be complementary to ensure legible, safe, comfortable and easy access for pedestrian from the street frontages, within the business zone and to adjoining land, where appropriate.</p> <p>24. Street tree and open space plantings are to provide generous shade for pedestrians.</p> <p>25. All signage and advertising is to be designed in a coordinated manner.</p> <p><i>Parking and Access</i></p> <p>26. The visibility of parking areas at street frontages must be minimised through parking layout and design, building location and design and landscaping treatments.</p> <p>27. 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>28. Car parking must be provided in accordance with Part 2 of this DCP.</p> <p><i>Waste Management</i></p> <p>29. A detailed Waste Management Plan (WMP) must be submitted for the ongoing use of the site. A WMP must outline the waste that will be generated from the site and proposed arrangements for managing waste onsite and for collection.</p> <p>30. The site plan and floor plans must meet Council's Waste Management Guidelines.</p> <p>31. A swept path analysis must be prepared by a suitably qualified professional in accordance with AS2890.2. It must be demonstrated that</p>	<p>The proposed change of use does not require any additional street furniture or lighting.</p> <p>The interface with the footpath is improved with the removal of the southern most vehicle crossover from Hill Street and the installation of a timber fence/screen to the out-door seating area.</p> <p>The two existing street trees located along the frontage are retained.</p> <p>No signage is proposed. Future signage will be subject to a separate application.</p> <p>Proposed parking is screened from the street at the rear of the site.</p> <p>The parking area at the rear of the site will be clearly line marked as appropriate.</p> <p>Refer to the main assessment report for further discussion.</p> <p>A satisfactory WMP was submitted with the application and reviewed by Council's Waste Strategy Officer. No issue was raised subject to recommended conditions of consent.</p> <p>The application was reviewed by Council's Waste Strategy Officer who advised sufficient waste and recycling storage areas are provided within the building and within an enclosed bin storage area (for up to six 1100L mobile containers) at the rear of the site have been designed in accordance with AS 4674.</p> <p>The approved WMP states a private waste collection contractor will service the site by a medium rigid vehicle (MRV) between 5.00am and 7.00am. The application was reviewed by</p>	
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<p>a Heavy Rigid Vehicle: a. can enter, manoeuvre and exit the site in a forward direction; b. perform collections in a safe manner; and c. is provided with adequate height and width clearance to safely access the site.</p> <p>32. Temporary waste and recycling storage area/s must be provided within each tenancy.</p> <p>34. The number of bins to be provided must be calculated based on waste generation rates in Council's Waste Management Guidelines;</p> <p>36. Onsite collection must be provided for commercial developments. The development must be designed: a. to provide safe access and manoeuvrability for a Heavy Rigid Vehicle in accordance with AS2890.2. b. allow waste collection vehicles to enter and exit the site in a forward direction, without impeding access for other users. Reversing onsite must only be done in the vicinity of a turning bay</p> <p>38. Premises that discharge trade wastewater must do so only in accordance with a written agreement from Sydney Water.</p> <p>39. Where premises generate at least 50L of meat, seafood or poultry waste per day, that food waste must be collected daily and stored in a designated, refrigerated waste storage area until collection.</p> <p>40. Arrangements must be provided for regular maintenance of waste management facilities.</p> <p>41. All commercial tenants must keep written evidence on site of a valid contract with a licensed waste contractor for the regular collection and disposal of the waste and recyclables that are generated on site.</p>	<p>Council's Engineering Certification team and no issue regarding MRV access to the site were raised subject to conditions of consent including MRV movements to be restricted to off-peak times to minimise potential pedestrian conflict.</p> <p>Sufficient waste and recycling storage areas are provided within the building.</p> <p>The application was reviewed by Council's Waste Strategy Officer and the number of bins to service the development was considered to be satisfactory.</p> <p>The approved WMP states a private waste collection contractor will service the site by a medium rigid vehicle (MRV) between 5.00am and 7.00am. The application was reviewed by Council's Engineering Certification team and no issue regarding MRV access to the site were raised subject to conditions of consent including MRV movements to be restricted to off-peak times to minimise potential pedestrian conflict.</p> <p>Subject to a condition of consent.</p> <p>The application was reviewed by Council's Environment and Health Team (Public Health) Officer and no issue was raised regarding food waste subject to conditions of consent.</p> <p>Regular maintenance of waste management facilities is proposed in the waste management plan.</p> <p>A private waste collection contractor is proposed. A condition of consent is recommended that evidence of the private waste contract is kept on site at all times.</p>	
<p>5.3 Camden Town Centre Development Controls</p>		
<p>5.3.1 Camden – E1 Local Centre</p>		
<p><i>Layout/Design</i></p> <p>2. Buildings should maintain and enhance the historic character of Argyle, Hill and John Streets in the town centre.</p> <p><i>Heritage and Character</i></p>	<p>The proposed works will enable the premises to contribute to the commercial functions of the town centre, as it has historically.</p>	<p>Yes</p>

<p>4. The Camden township is located within the Camden Heritage Conservation Area. Reference must be made to Part 2 of this plan, with specific regard to Chapter 16.</p>	<p>See 2.16 of this assessment table.</p>	
<p>5. Development within the E1 Local Centre zone at Camden must be consistent with the Camden Town Centre Urban Design Framework.</p>	<p>The proposed development is consistent with the Camden Town Centre Urban Design Framework</p>	

**DEVELOPMENT APPLICATION
ALTERATIONS AND ADDITIONS to
1-13 HILL STREET / 76-100 ARGYLE STREET,
CAMDEN NSW 2570**
for WOLIN INVESTMENTS PTY LTD ATF FULLER FAMILY TRUST



HILL STREET EXISTING VIEW



HILL STREET PROPOSED VIEW



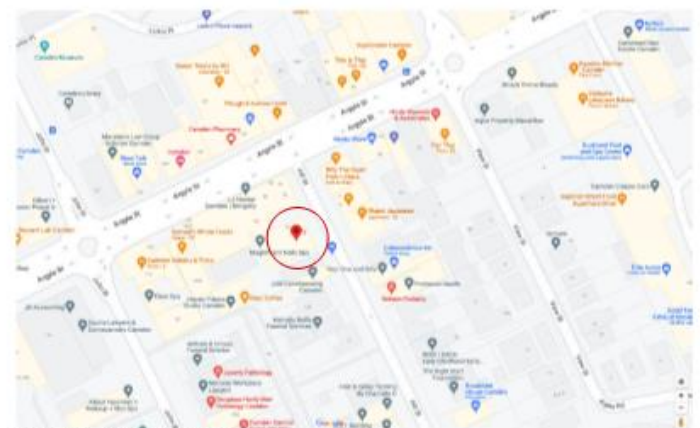
EXISTING VIEW



PROPOSED REAR VIEW

DRAWING LIST

Page	Drawing Name
DA01	TITLE PAGE
DA02	1:500 PROPOSED SITE PLAN
DA03	GROUND FLOOR DEMOLITION & CUT-FILL PLAN
DA04	FIRST FLOOR & ROOF DEMOLITION PLAN
DA05	AREAS PLAN
DA06	PROPOSED GROUND FLOOR SITE PLAN
DA07	PROPOSED GROUND FLOOR LEVEL
DA08	PROPOSED FIRST FLOOR LEVEL
DA09	PROPOSED ROOF LEVEL
DA10	PROPOSED SECTIONS
DA11	PROPOSED NORTH & EAST ELEVATIONS
DA12	PROPOSED SOUTH & WEST ELEVATIONS
DA13	MATERIALS AND COLOURS
DA14	PARKING SECTIONS



LOCATION PLAN - NOT TO SCALE

NOTES:
- FIRE RATINGS / FIRE COMPARTMENTS / FIRE SEPARATION & EGRESS REQUIREMENTS PENDING BCA & FIRE ENGINEERS REVIEW
- DDA REQUIREMENTS PENDING BCA REVIEW

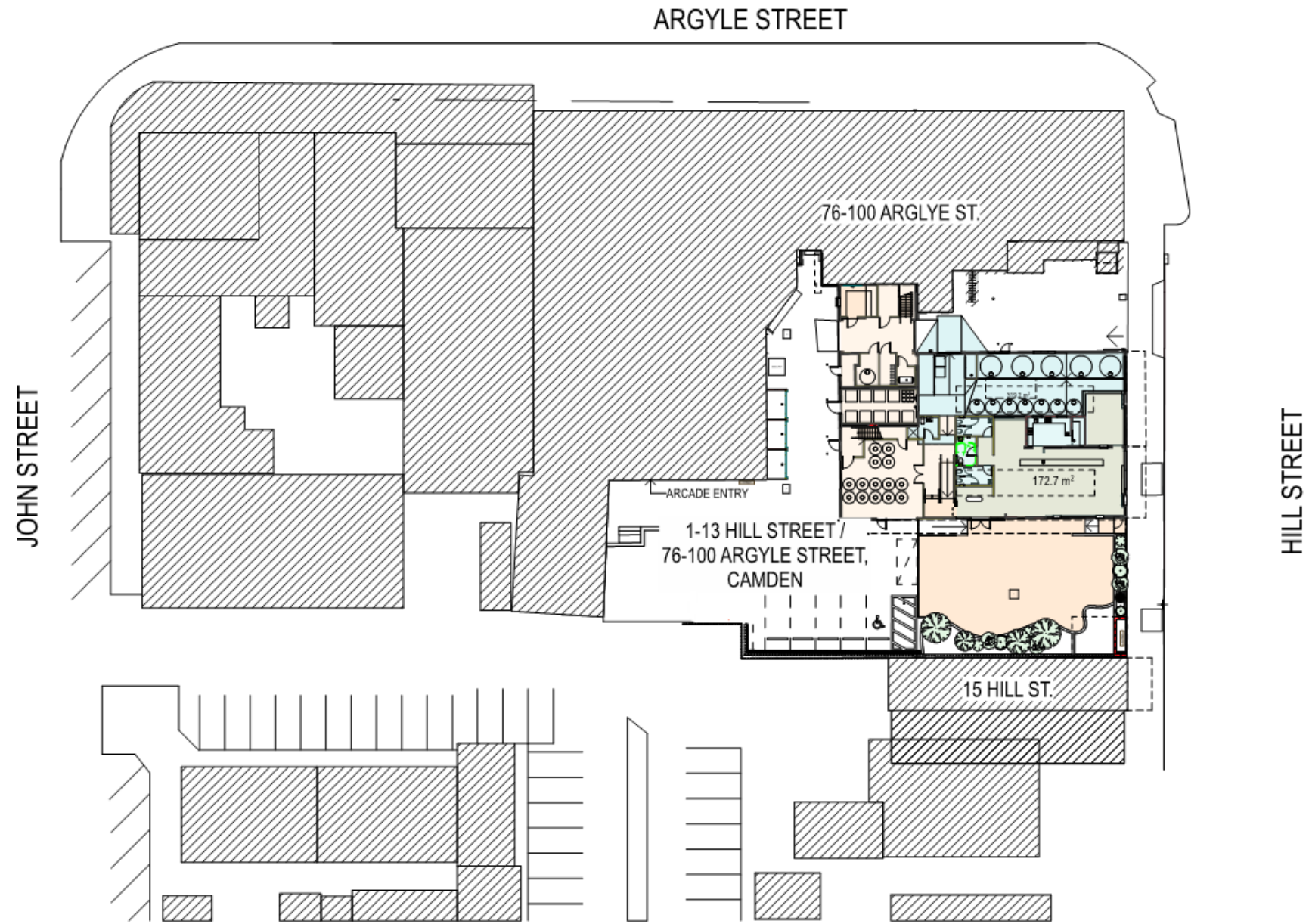
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REV	DESCRIPTION	DATE	BY	REV	DESCRIPTION	DATE	BY	LEGEND
01	DEVELOPMENT APPLICATION	07.11.23	RHF					
02	RPI 1 REPLY	08.04.24	RHF					

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CLIENT
WOLIN INVESTMENTS PTY LTD
PROJECT
1-13 HILL STREET / 76-100 ARGYLE STREET,
CAMDEN NSW 2570
FOR
DEVELOPMENT APPLICATION

DRAWING TITLE		
TITLE PAGE		
SCALE	DRAWN BY	DATE
	NM RHF	12/5/23
DRAWING NO.	REVISION	
DA01	02	
FILE	230511 - BURRABROOK BREWERY - DA-01.rvt	



1 1:500 PROPOSED SITE PLAN
1:500



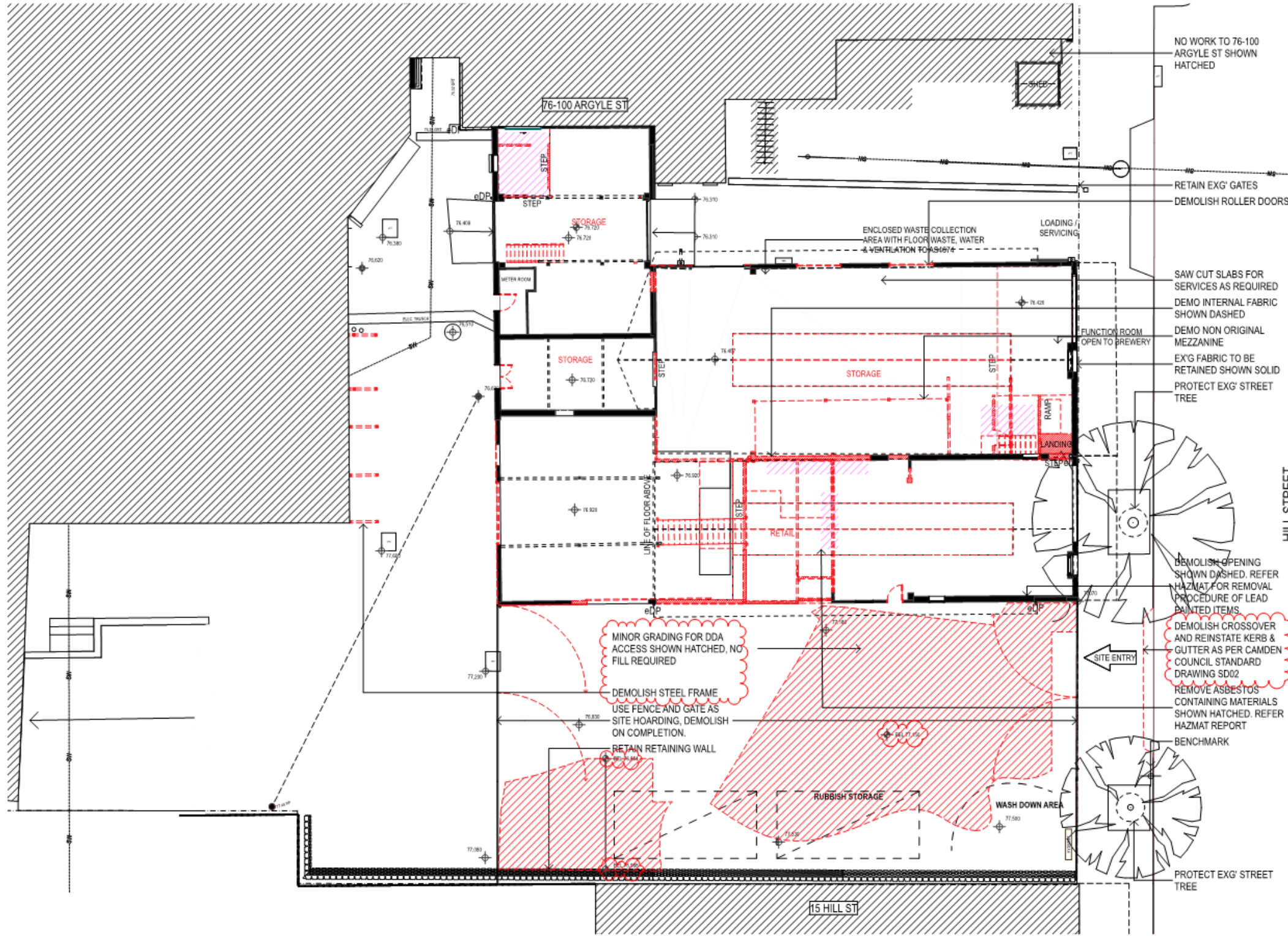
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CLIENT
WOLIN INVESTMENTS PTY LTD
PROJECT
1-13 HILL STREET / 76-100 ARGYLE STREET,
CAMDEN NSW 2570
FOR
DEVELOPMENT APPLICATION

DRAWING TITLE		
1:500 PROPOSED SITE PLAN		
SCALE	DRAWN BY	DATE
1:500	NM RHF	12/5/23
DRAWING NO.	REVISION	
DA02	02	
FILE: 238111 - BURRACORANG BREWERY - DA-01.dwg		



- DEMOLITION NOTES:**
- ALL DEMOLITION WORK MUST BE CARRIED OUT IN ACCORDANCE WITH THE FOLLOWING:
 - a) COMPLIANCE WITH THE REQUIREMENTS OF AUSTRALIAN STANDARDS AS 2601 'THE DEMOLITION OF STRUCTURES' WITH SPECIFIC REFERENCE TO HEALTH AND SAFETY OF THE PUBLIC, HEALTH AND SAFETY OF THE SITE PERSONNEL, PROTECTION OF ADJOINING BUILDINGS AND PROTECTION OF THE IMMEDIATE ENVIRONMENT;
 - b) ALL WORKS INVOLVING THE DEMOLITION, REMOVAL, TRANSPORT AND DISPOSAL OF MATERIAL CONTAINING ASBESTOS MUST BE CARRIED OUT BY SUITABLY QUALIFIED PERSONS IN ACCORDANCE WITH THE 'WORKSAFE CODE OF PRACTICE FOR REMOVAL OF ASBESTOS' AND THE REQUIREMENTS OF THE WORKCOVER AUTHORITY OF NSW AND THE DEPARTMENT OF ENVIRONMENT, CLIMATE CHANGE AND WATER;
 - c) ALL BUILDING MATERIALS ARISING FROM THE DEMOLITION MUST BE DISPOSED OF IN AN APPROVED MANNER IN ACCORDANCE WITH PART 2.21 OF MARRICKVILLE DEVELOPMENT CONTROL PLAN 2011 - SITE FACILITIES AND WASTE MANAGEMENT AND ANY APPLICABLE REQUIREMENTS OF THE DEPARTMENT OF ENVIRONMENT, CLIMATE CHANGE AND WATER;
 - d) SANITARY DRAINAGE, STORMWATER DRAINAGE, WATER, ELECTRICITY AND TELECOMMUNICATIONS MUST BE DISCONNECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE RESPONSIBLE AUTHORITIES;
 - e) THE GENERATION OF DUST AND NOISE ON THE SITE MUST BE CONTROLLED;
 - f) THE SITE MUST BE SECURED TO PROHIBIT UNAUTHORISED ENTRY;
 - g) SUITABLE PROVISION MUST BE MADE TO CLEAN THE WHEELS AND BODIES OF ALL VEHICLES LEAVING THE SITE TO PREVENT TRACKING OF DEBRIS AND SOIL ONTO THE PUBLIC WAY;
 - h) ALL TRUCKS AND VEHICLES ASSOCIATED WITH THE DEMOLITION, INCLUDING THOSE DELIVERING TO OR REMOVING MATERIAL FROM SITE, MUST ONLY HAVE ACCESS TO THE SITE DURING WORK HOURS NOMINATED BY COUNCIL AND ALL LOADS MUST BE COVERED;
 - i) ALL VEHICLES TAKING MATERIALS FROM SITE MUST BE LOADED WHOLLY WITHIN THE PROPERTY UNLESS OTHERWISE PERMITTED BY COUNCIL;
 - j) NO WASTE COLLECTION SKIPS, SPOIL, EXCAVATION OR DEMOLITION MATERIAL FROM THE SITE MUST BE DEPOSITED ON THE PUBLIC ROAD, FOOTPATH, PUBLIC PLACE OR COUNCIL OWNED PROPERTY WITHOUT THE APPROVAL OF COUNCIL; AND
 - k) THE PERSON ACTING ON THIS CONSENT MUST ENSURE THAT ALL CONTRACTORS AND SUB-CRATORS ASSOCIATED WITH THE DEMOLITION ARE FULLY AWARE OF THESE REQUIREMENTS.
- RETAIN AND CLEAN BRICKS FOR REUSE IF ECONOMIC

1 GROUND FLOOR DEMOLITION PLAN 1:200



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REV	DESCRIPTION	DATE	BY	REV	DESCRIPTION	DATE	BY
01	DEVELOPMENT APPLICATION	07.11.23	RHF				
02	RPI 1 REPLY	08.04.24	RHF				

DEMOLITION LEGEND:

- FABRIC TO BE RE-USED
- FABRIC TO BE DEMOLISHED
- ASBESTOS CONTAINING MATERIAL (ACM)

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 Nat'l. Murrumbidgee. NSW Reg. #2512 (1) Nat'l. Pract. Reg. #1228
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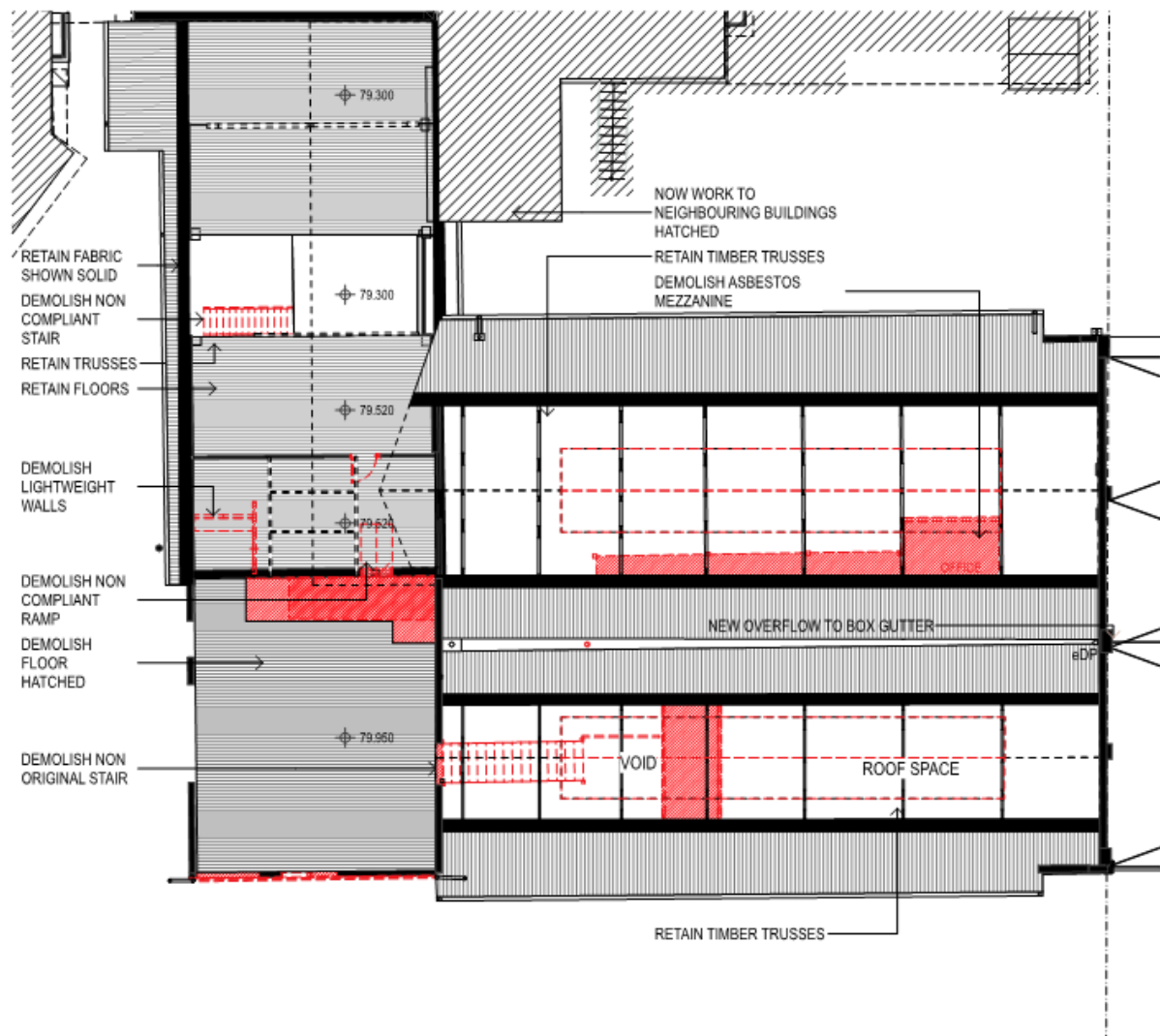
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 CAMDEN NSW 2570

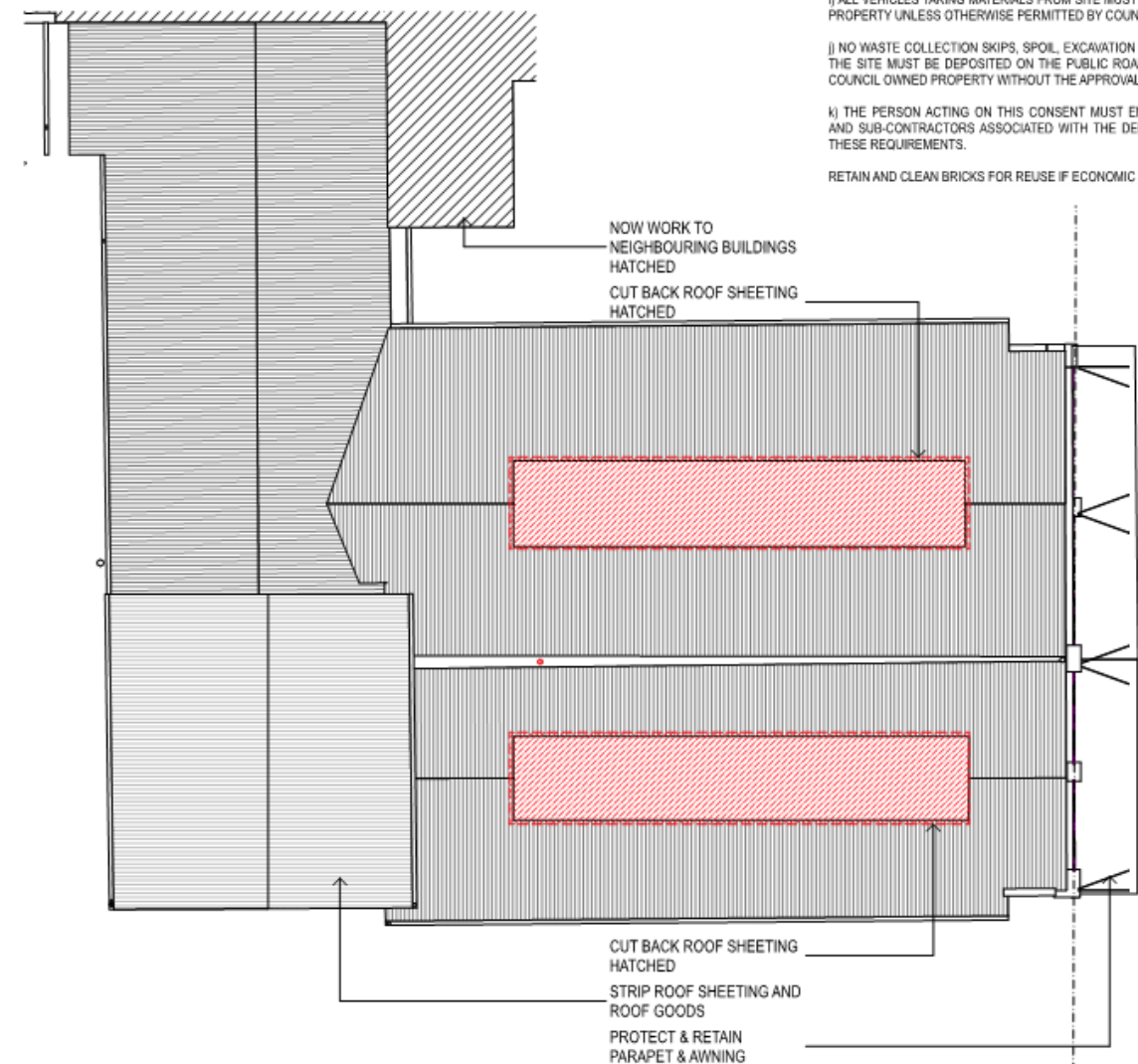
FOR
 DEVELOPMENT APPLICATION

DRAWING TITLE		
GROUND FLOOR DEMOLITION & CUT-FILL PLAN		
SCALE	DRAWN BY	DATE
1:200	NM RHF	12/5/23
DRAWING NO.	REVISION	
DA03	02	
FILE: 23011 - BUNRADDONG BREWERY - DA01.dwg		

- DEMOLITION NOTES:**
- a) ALL DEMOLITION WORK MUST BE CARRIED OUT IN ACCORDANCE WITH THE FOLLOWING:
 - a) COMPLIANCE WITH THE REQUIREMENTS OF AUSTRALIAN STANDARDS AS 2601 'THE DEMOLITION OF STRUCTURES' WITH SPECIFIC REFERENCE TO HEALTH AND SAFETY OF THE PUBLIC, HEALTH AND SAFETY OF THE SITE PERSONNEL, PROTECTION OF ADJOINING BUILDINGS AND PROTECTION OF THE IMMEDIATE ENVIRONMENT;
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 - d) SANITARY DRAINAGE, STORMWATER DRAINAGE, WATER, ELECTRICITY AND TELECOMMUNICATIONS MUST BE DISCONNECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE RESPONSIBLE AUTHORITIES;
 - e) THE GENERATION OF DUST AND NOISE ON THE SITE MUST BE CONTROLLED;
 - f) THE SITE MUST BE SECURED TO PROHIBIT UNAUTHORISED ENTRY;
 - g) SUITABLE PROVISION MUST BE MADE TO CLEAN THE WHEELS AND BODIES OF ALL VEHICLES LEAVING THE SITE TO PREVENT TRACKING OF DEBRIS AND SOIL ONTO THE PUBLIC WAY;
 - h) ALL TRUCKS AND VEHICLES ASSOCIATED WITH THE DEMOLITION, INCLUDING THOSE DELIVERING TO OR REMOVING MATERIAL FROM SITE, MUST ONLY HAVE ACCESS TO THE SITE DURING WORK HOURS NOMINATED BY COUNCIL AND ALL LOADS MUST BE COVERED;
 - i) ALL VEHICLES TAKING MATERIALS FROM SITE MUST BE LOADED WHOLLY WITHIN THE PROPERTY UNLESS OTHERWISE PERMITTED BY COUNCIL;
 - j) NO WASTE COLLECTION SKIPS, SPOIL, EXCAVATION OR DEMOLITION MATERIAL FROM THE SITE MUST BE DEPOSITED ON THE PUBLIC ROAD, FOOTPATH, PUBLIC PLACE OR COUNCIL OWNED PROPERTY WITHOUT THE APPROVAL OF COUNCIL; AND
 - k) THE PERSON ACTING ON THIS CONSENT MUST ENSURE THAT ALL CONTRACTORS AND SUB-CRONTACTORS ASSOCIATED WITH THE DEMOLITION ARE FULLY AWARE OF THESE REQUIREMENTS.
 - RETAIN AND CLEAN BRICKS FOR REUSE IF ECONOMIC



1 FIRST FLOOR DEMOLITION PLAN
1:200



2 ROOF LEVEL DEMOLITION PLAN
1:200

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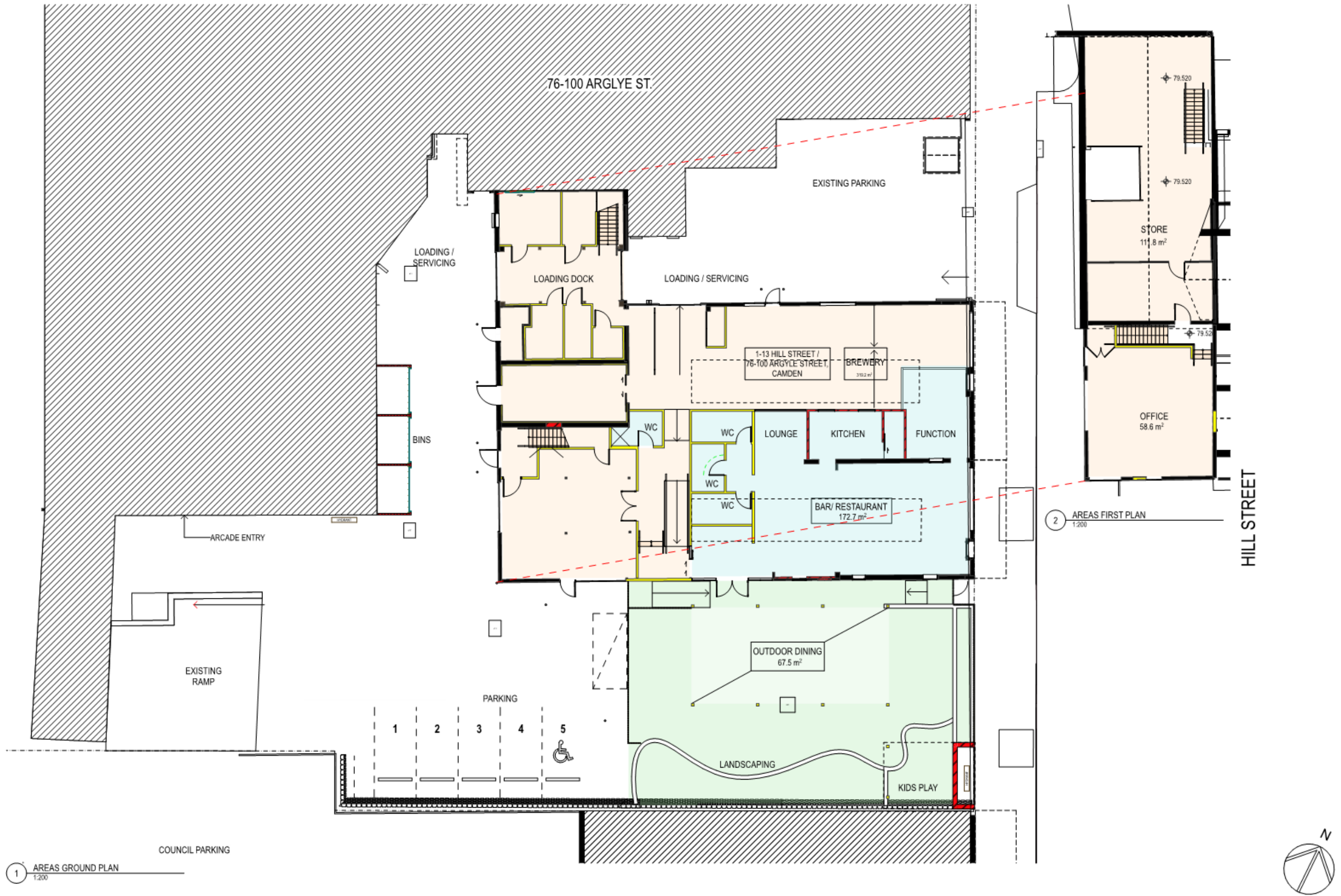
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01	DEVELOPMENT APPLICATION	07.11.23	RHF				
02	RPI 1 REPLY	08.04.24	RHF				

DEMOLITION LEGEND	
	FABRIC TO BE RETAINED
	FABRIC TO BE DEMOLISHED
	ASBESTOS CONTAINING MATERIAL (ACM)

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DRAWING TITLE		
FIRST FLOOR & ROOF DEMOLITION PLAN		
SCALE 1:200	DRAWN BY NM RHF	DATE 12/5/23
DRAWING NO. DA04	REVISION 02	
FILE 23011 - BUNRAGORANG BREWERY - DA01.rvt		



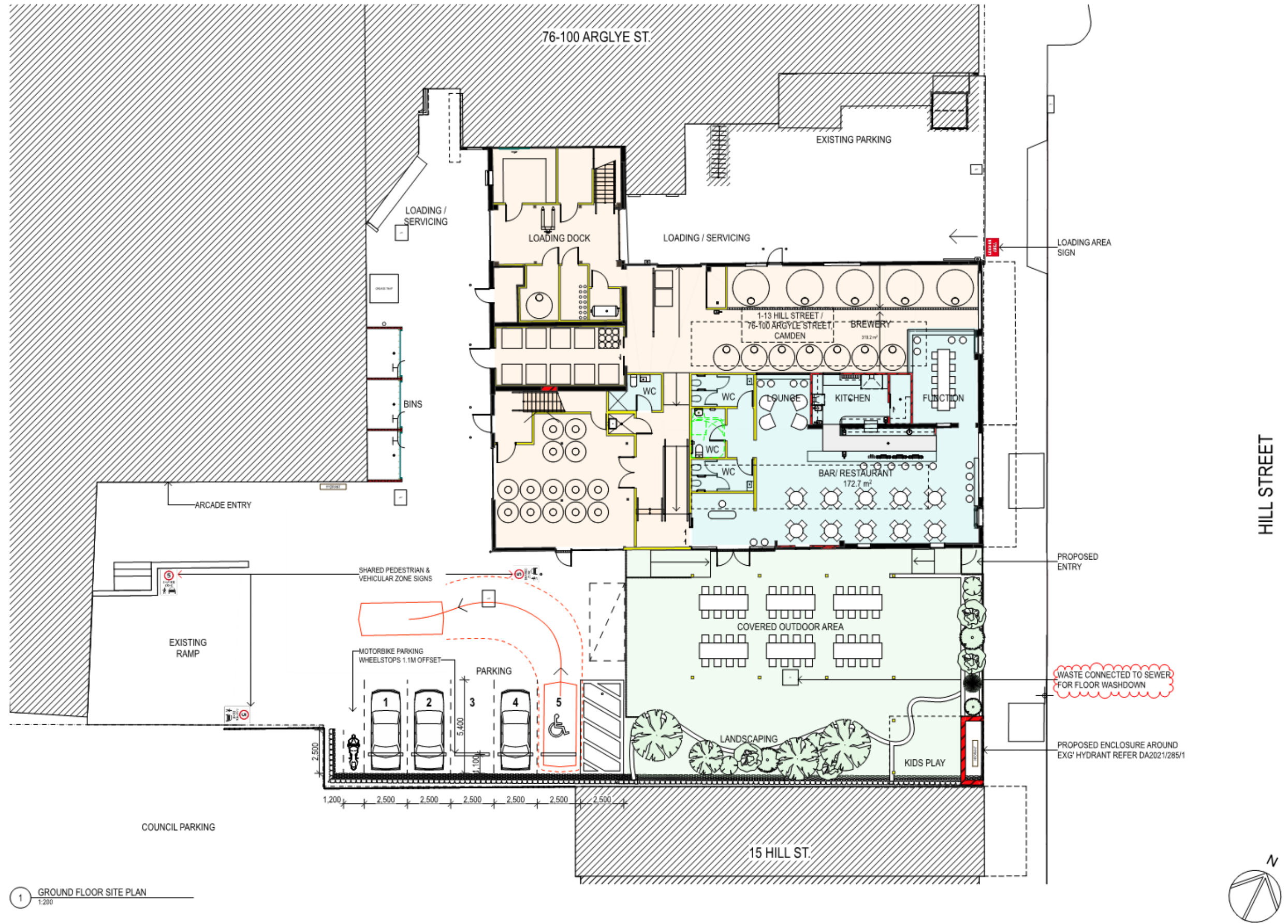
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02	RPI 1 REPLY	08.04.24	RHF					

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DRAWING TITLE		
AREAS PLAN		
SCALE 1:200	DRAWN BY NM RHF	DATE 12/5/23
DRAWING NO. DA05	REVISION 02	
FILE 230111 - BURRACORANG BREWERY - DA01.dwg		



1 GROUND FLOOR SITE PLAN
1:200

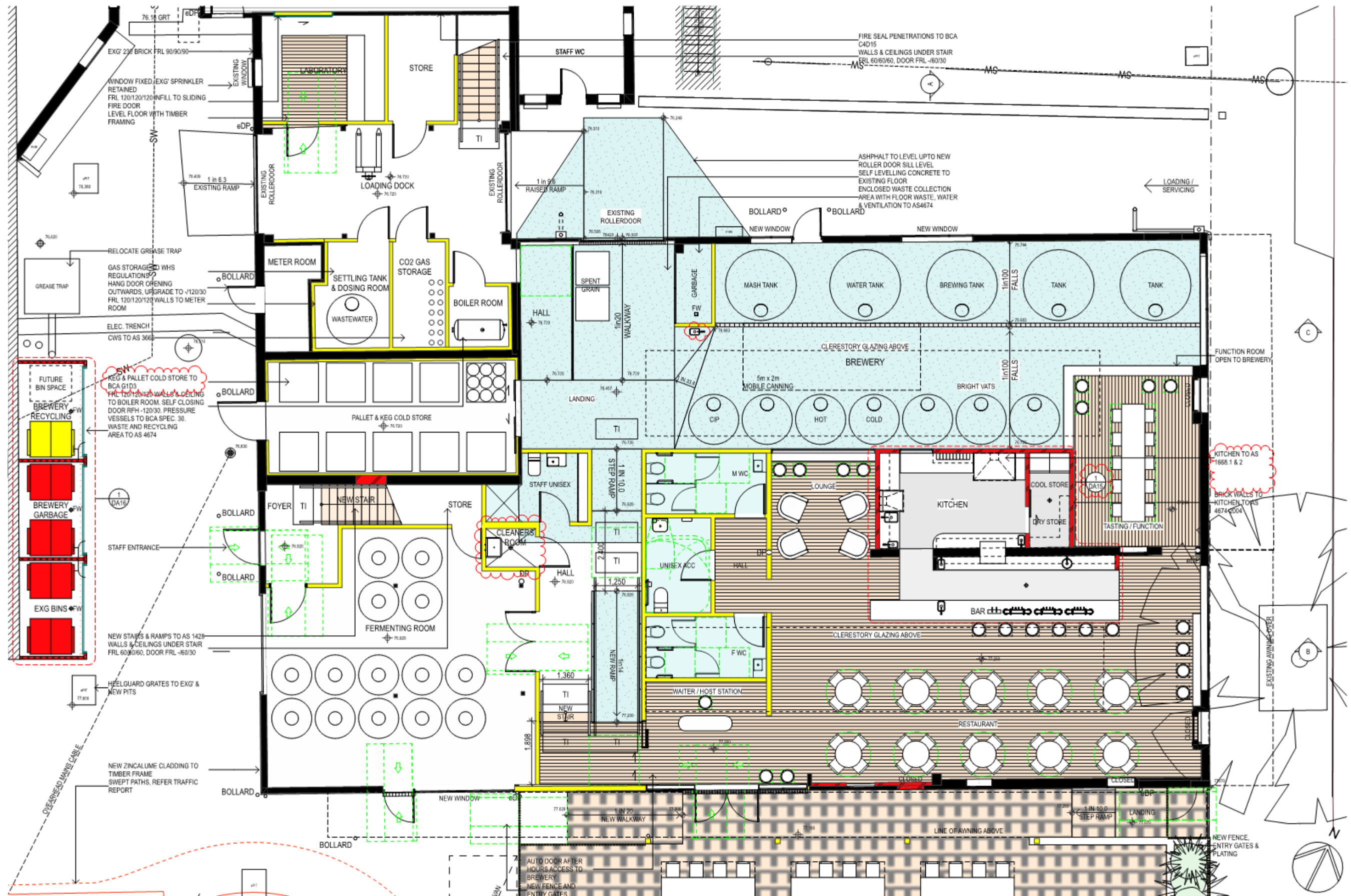
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REV	DESCRIPTION	DATE	BY	REV	DESCRIPTION	DATE	BY	LEGEND
01	DEVELOPMENT APPLICATION	07.11.23	RHF					
02	RFI 1 REPLY	08.04.24	RHF					
03	RFI 2 REPLY	06.05.24	RHF					

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DRAWING TITLE		
PROPOSED GROUND FLOOR SITE PLAN		
SCALE: 1:200	DRAWN BY: NM RHF	DATE: 12/5/23
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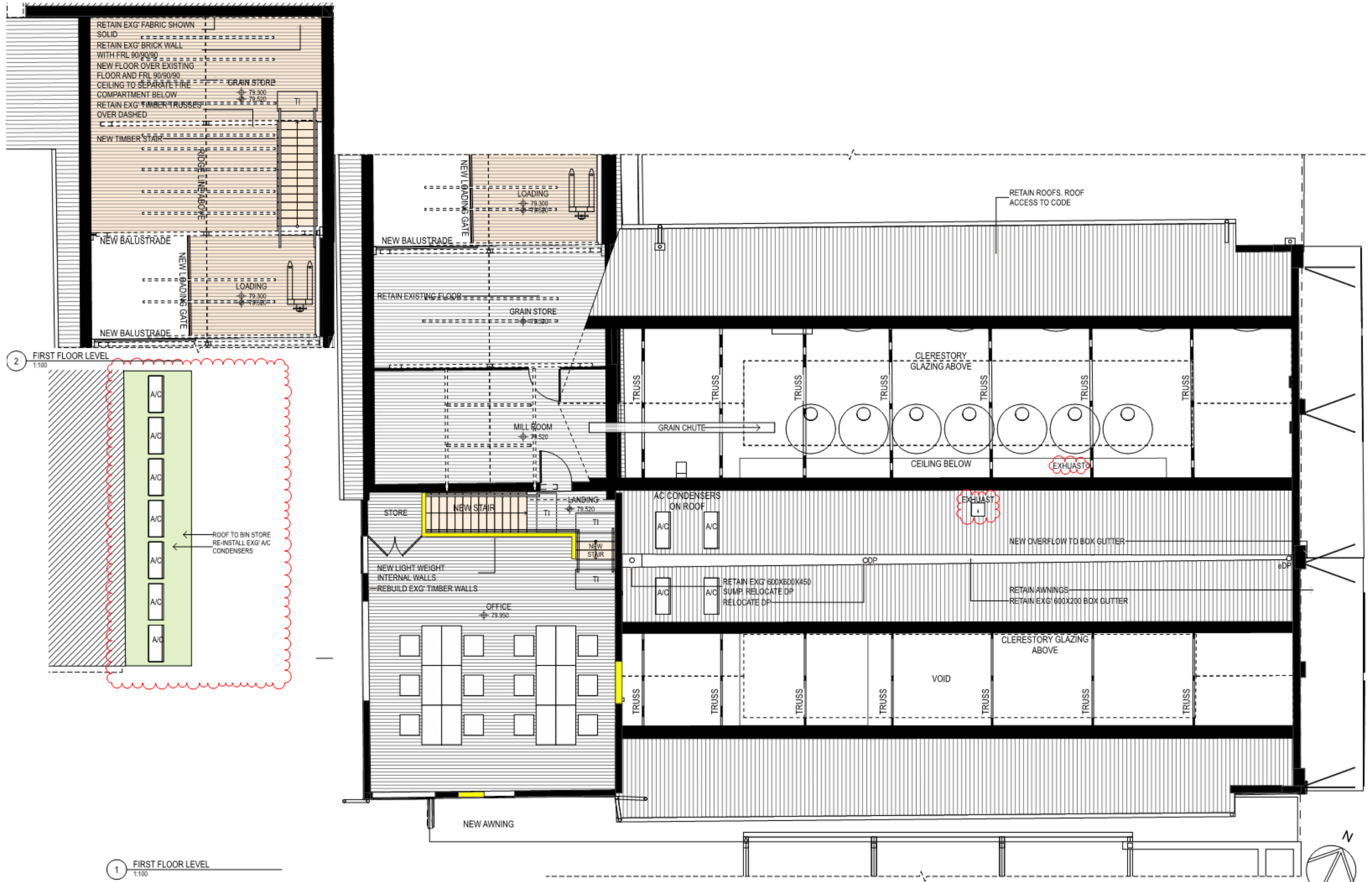
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REV	DESCRIPTION	DATE	BY	REV	DESCRIPTION	DATE	BY	LEGEND
01	DEVELOPMENT APPLICATION	07.11.23	RHF					
02	RF1 1 REPLY	08.04.24	RHF					
03	RF1 2 REPLY	06.05.24	RHF					

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 FOR: DEVELOPMENT APPLICATION

DRAWING TITLE		
PROPOSED GROUND FLOOR LEVEL		
SCALE: 1:100	DRAWN BY: NM RHF	DATE: 12/5/23
DRAWING NO: DA07		REVISION: 03
FILE: 230111 - BUNRADDONG BREWERY - DA-01.rvt		



2 FIRST FLOOR LEVEL
1:100

1 FIRST FLOOR LEVEL
1:100

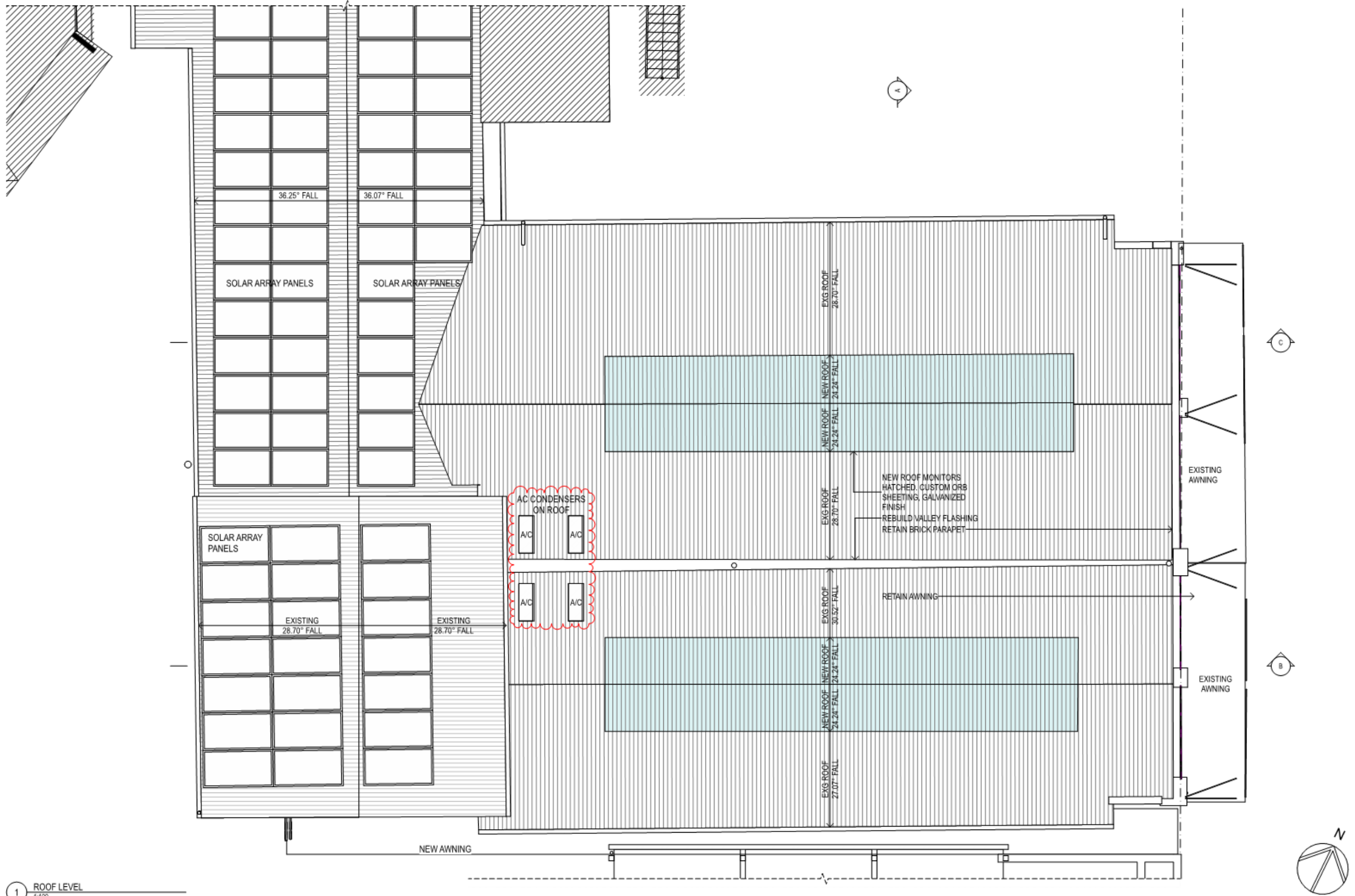
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01	DEVELOPMENT APPLICATION	07.11.23	RHF					
02	RF1 1 REPLY	08.04.24	RHF					
03	RF1 2 REPLY	06.05.24	RHF					

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DRAWING TITLE		
PROPOSED FIRST FLOOR LEVEL		
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FILE: 230111 - BURRACORANG BREWERY - DA01.rvt		



1 ROOF LEVEL
1:100

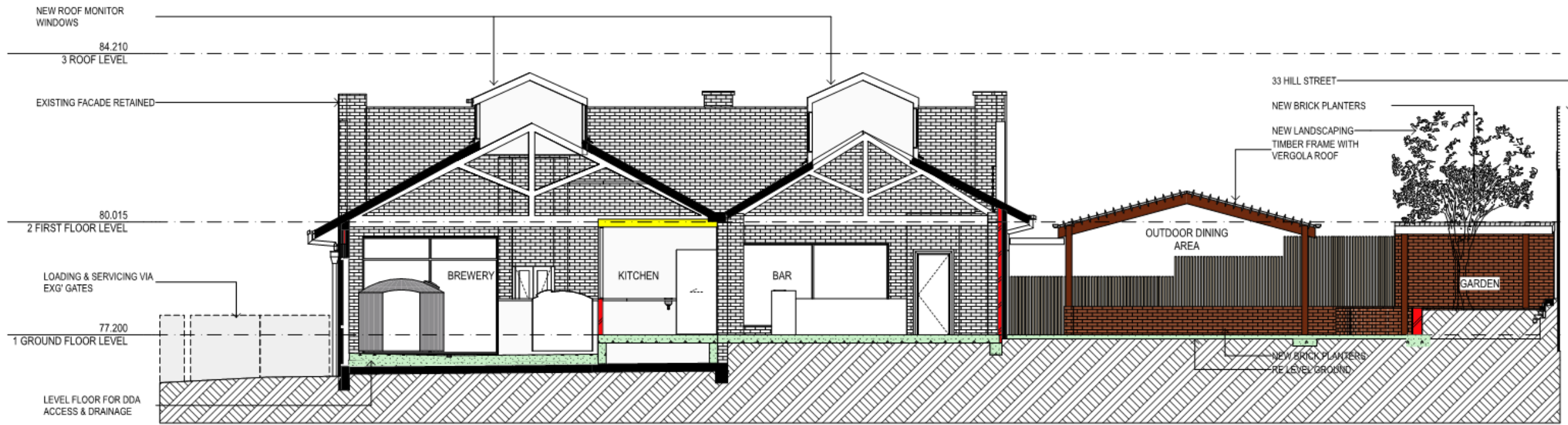
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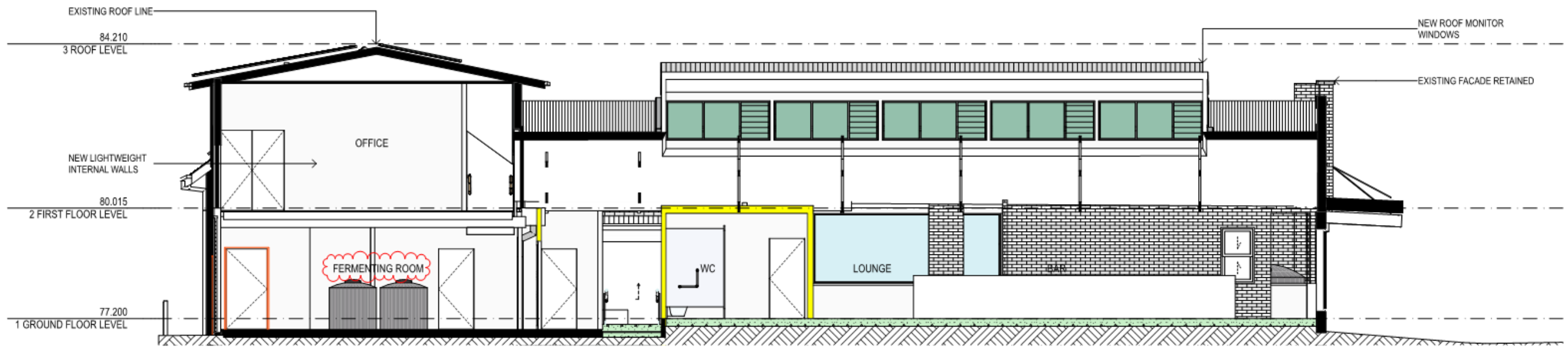
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DRAWING TITLE PROPOSED ROOF LEVEL		
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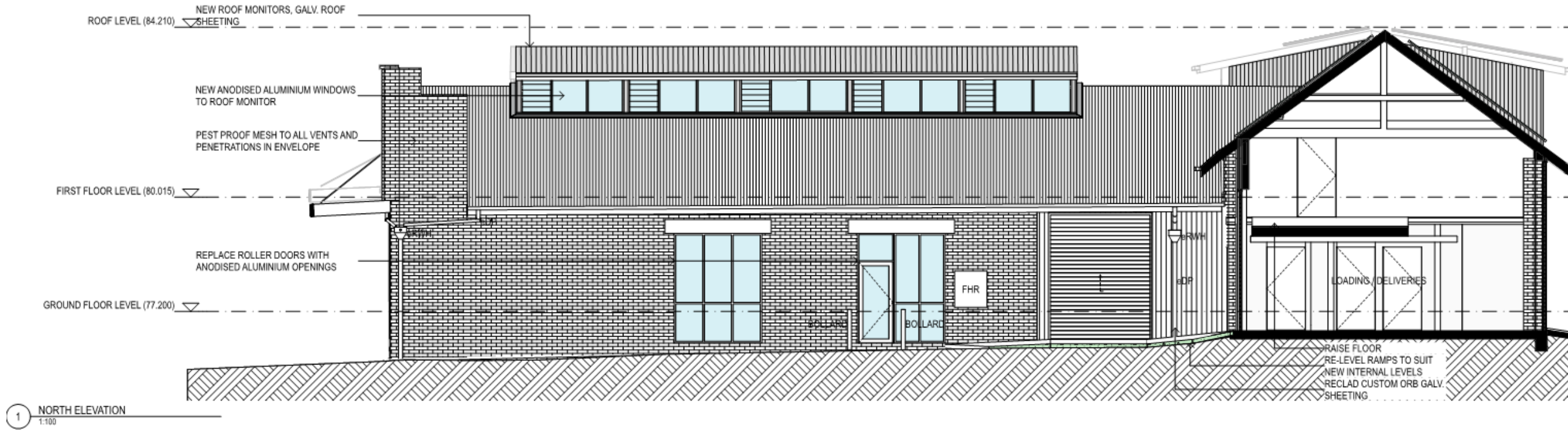


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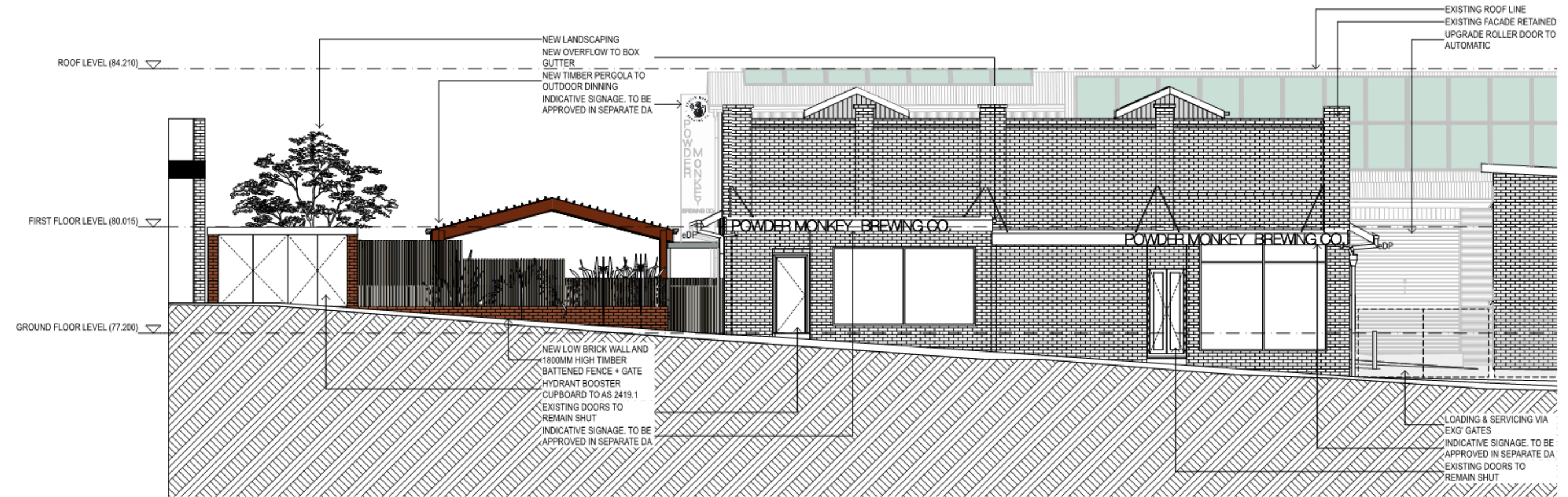


2 SECTION B
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01	DEVELOPMENT APPLICATION	07.11.23	RHF																																							
02	RPI 1 REPLY	08.04.24	RHF																																							



1 NORTH ELEVATION
1:100



2 EAST ELEVATION
1:100

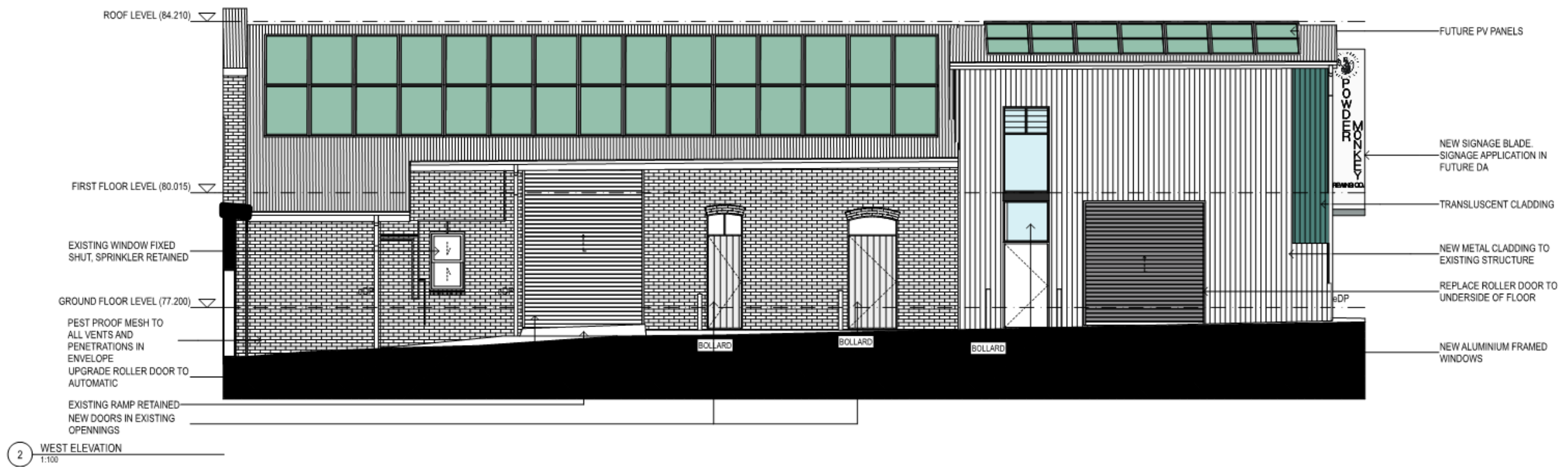
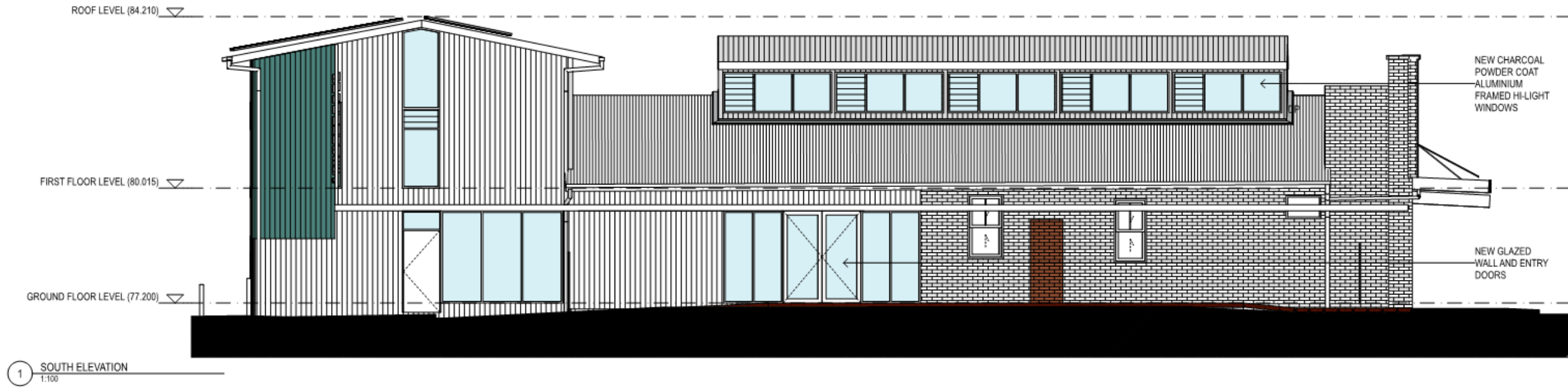
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DRAWING TITLE PROPOSED NORTH & EAST ELEVATIONS		
SCALE 1:100	DRAWN BY NM RHF	DATE 12/5/23
DRAWING NO. DA11	REVISION 02	
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	02	RPI 1 REPLY	08.04.24	RHF						DRAWING NO.	DA12	REVISION		02
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ROOFING



METAL ROOFING & WALLING GALVANISED

EXTERNAL WALL CLADDING



COLOUR 1 - COLORBOND CUSTOM ORB METAL WALL CLADDING JASPER



COLOUR 2 - COLORBOND CUSTOM ORB METAL WALL CLADDING WOODLAND GREY

FENCING



PAINTED TIMBER BATTENED FENCE - DULUX NAMADJI



BRICKWORK BASE TO FENCE - BOWRAL BLUE (DARK BLUE / BLACK FACE BRICK)



SIGNAGE BLADE - DULUX RED TERRA (BURNT ORANGE)



TIMBER WINDOWS - DULUX PALE TENDRIL (LIGHT GREY)



ALUMINIUM WINDOWS - DULUX NAMADJI (CHARCOAL)

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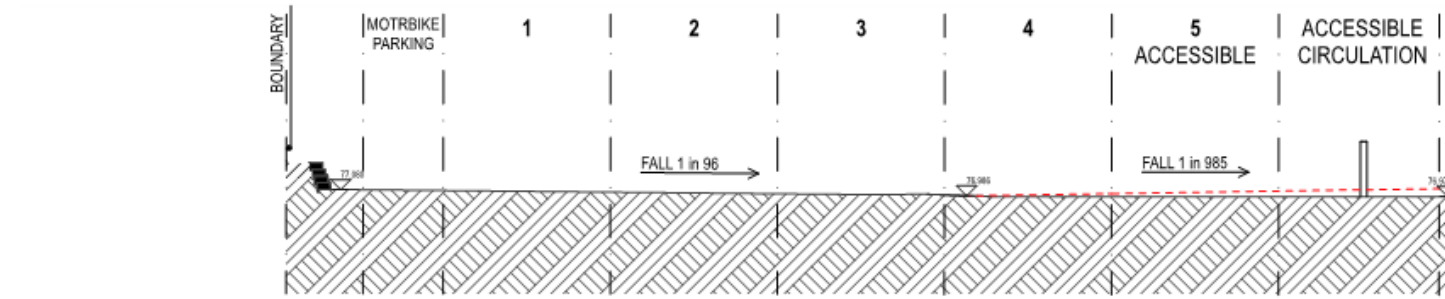
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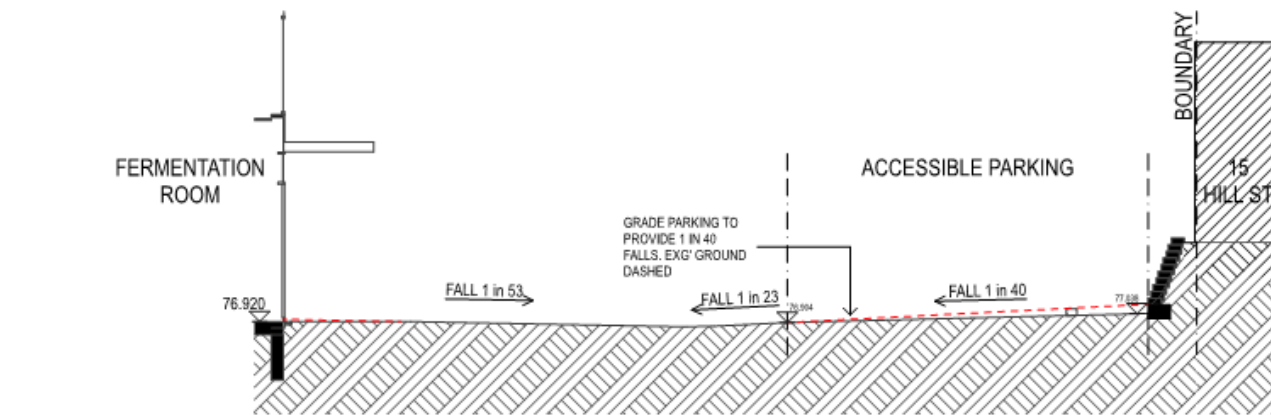
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 1-13 HILL STREET / 76-100 ARGYLE STREET,
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 FOR
 DEVELOPMENT APPLICATION

DRAWING TITLE MATERIALS AND COLOURS		
SCALE	DRAWN BY NM RHF	DATE 12/5/23
DRAWING NO. DA13	REVISION 02	
FILE: 230111 - BURRABROOK BREWERY - DA-01.rvt		

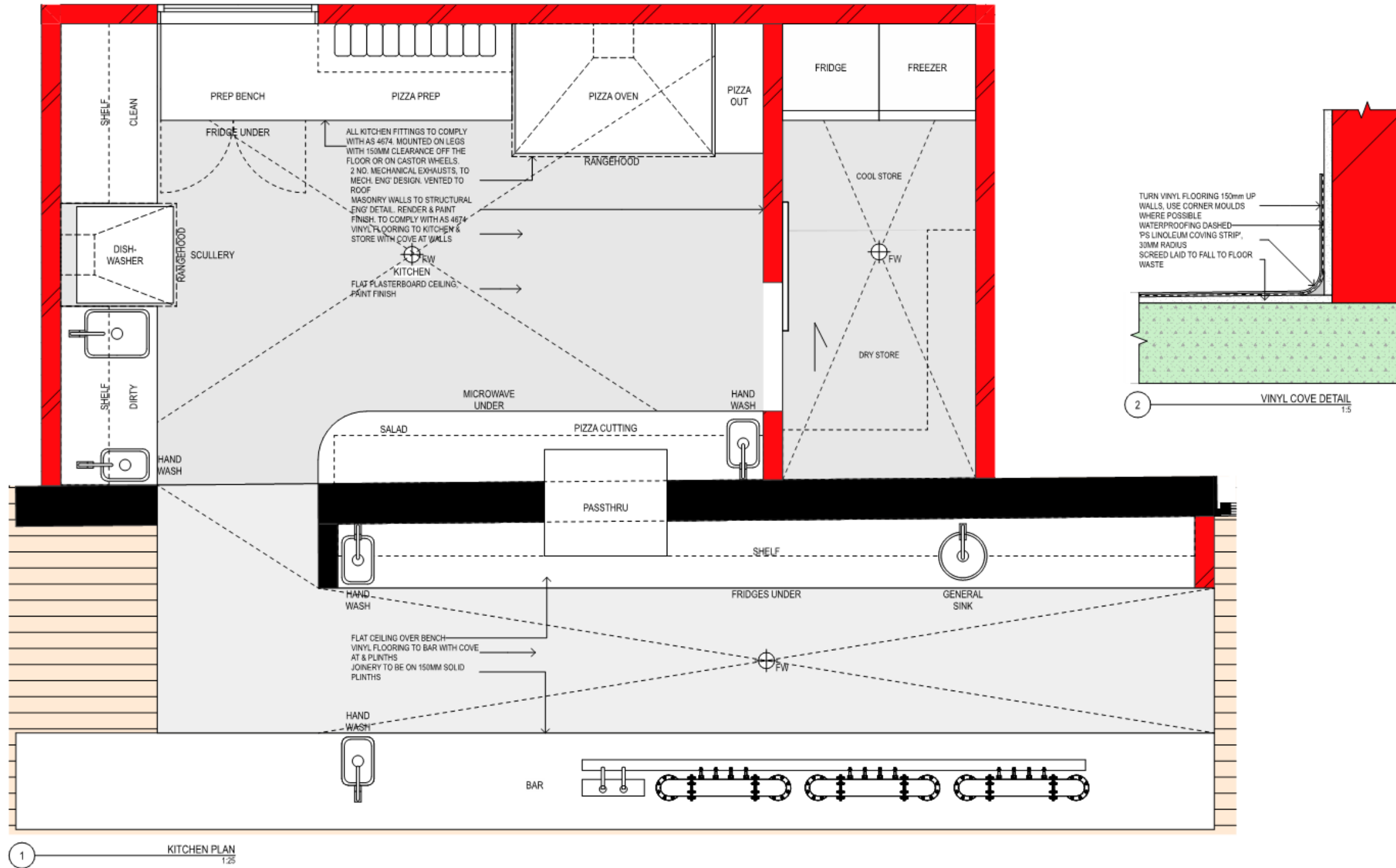


1 PARKING LONGITUDINAL SECTION 1:100



2 ACCESSIBLE PARKING TO BUILDING 1:100

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	01	RFI 1 REPLY	08.04.24	RHF								<p>PARKING SECTIONS</p> <p>SCALE: 1:100</p> <p>DRAWN BY: NM RHF</p> <p>DATE: 12/5/23</p> <p>DRAWING NO: DA14</p> <p>REVISION: 01</p> <p>FILE: 230111 - BUNRAGORANG BREWERY - DA01.rvt</p>		



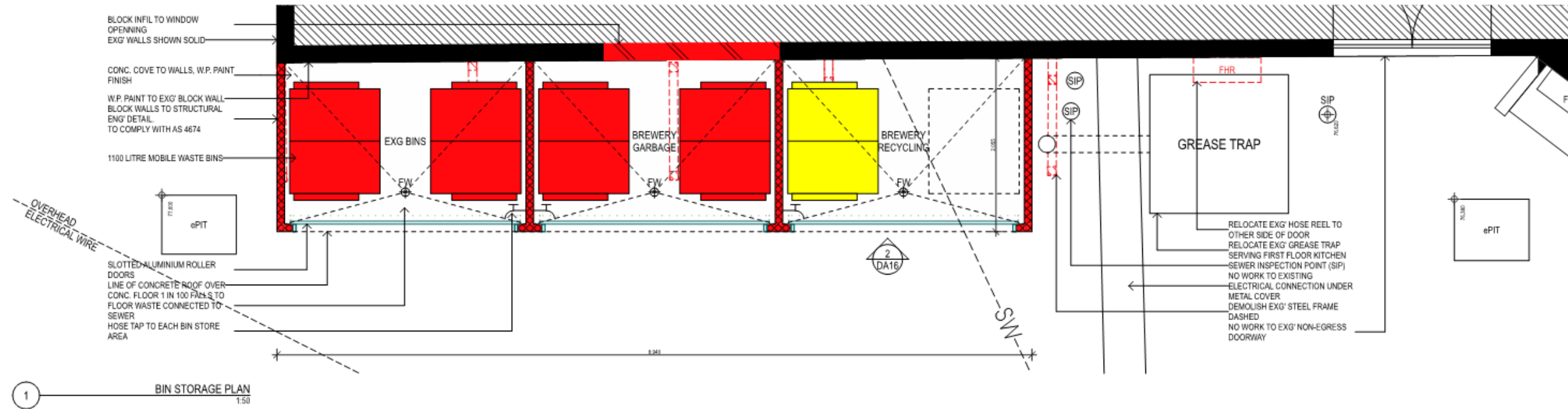
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REV	DESCRIPTION	DATE	BY	REV	DESCRIPTION	DATE	BY	LEGEND
01	RFI 2 REPLY	06.05.24	RHF					

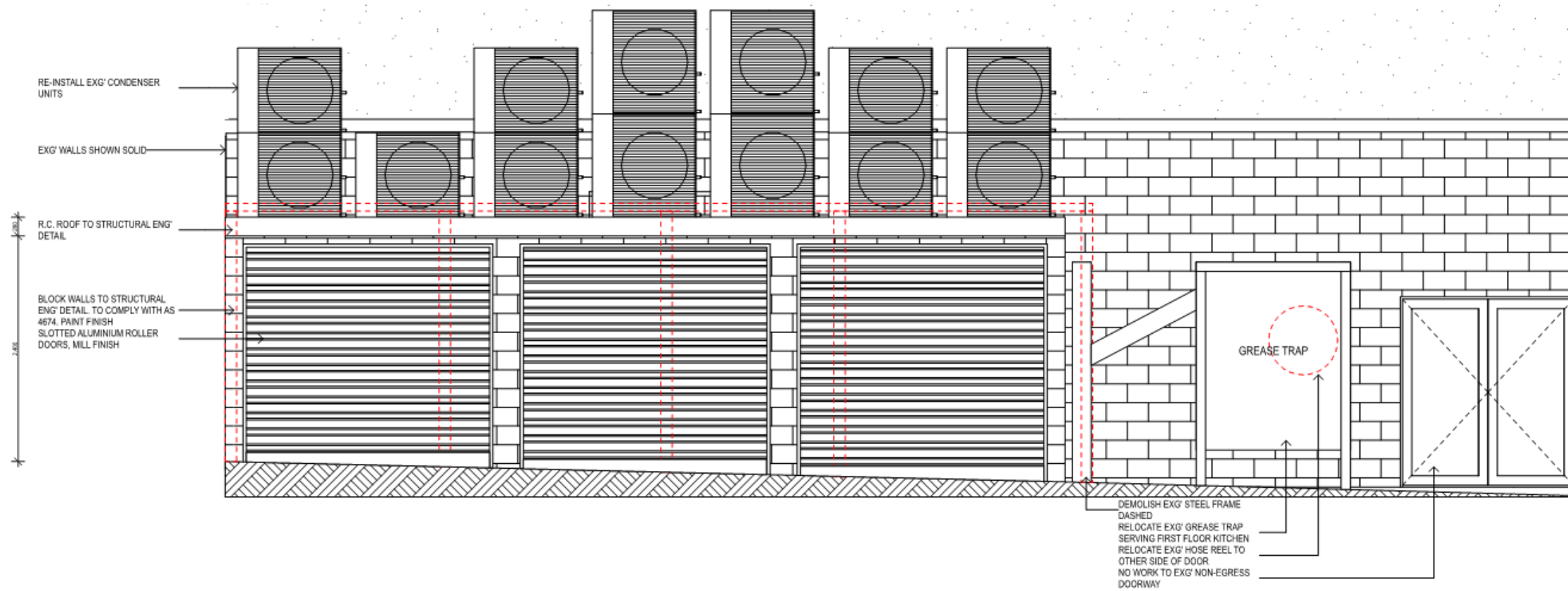
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 PROJECT
 1-13 HILL STREET / 76-100 ARGYLE STREET,
 CAMDEN NSW 2570
 DRAWING NO.
 DA15
 FOR
 DEVELOPMENT APPLICATION

DRAWING TITLE		
KITCHEN & BAR PLAN		
SCALE	DRAWN BY	DATE
1:25	NM RHF	12/5/23
DRAWING NO.	REVISION	
DA15	01	
FILE 230111 - BURRACORANG BREWERY - DA01.rvt		



1 BIN STORAGE PLAN 1:50



2 BIN STORE ELEVATION 1:50

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REV	DESCRIPTION	DATE	BY	REV	DESCRIPTION	DATE	BY	LEGEND
01	RFI 2 REPLY	06.05.24	RHF					

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 1-13 HILL STREET / 76-100 ARGYLE STREET,
 CAMDEN NSW 2570
 FOR
 DEVELOPMENT APPLICATION

DRAWING TITLE		
BIN STORE PLAN		
SCALE 1:50	DRAWN BY NM RHF	DATE 12/5/23
DRAWING NO. DA16	REVISION 01	
FILE 238111 - BUNRABONG BREWERY - DA01.rvt		

7-9 HILL STREET CAMDEN NSW DA ISSUE

28.03.24 MPA REVIEW
□ UPDATE BIN STORE

Attachment 5 CLPP01

STORMWATER SERVICES LEGEND

PIPEWORK SYMBOLS & ABBREVIATIONS

	ACM	AMENDMENT
	ASM	AUTHORITY GAS MAIN
	ASW	AUTHORITY SEWER MAIN
	ASWM	AUTHORITY STORMWATER MAIN
	AWM	AUTHORITY WATER MAIN
	CASTIN	CAST IN
	DISCONNECTED SERVICE	DISCONNECTED SERVICE
	ELEC	ELECTRICAL SERVICE
	GRW	GREY WATER
	INSET BORDER	INSET BORDER
	IRRIGATION LINE	IRRIGATION LINE
	IRRIGATION LINE - EXISTING	IRRIGATION LINE - EXISTING
	NCW	NON-POTABLE COLD WATER
	nNCW	NON-POTABLE COLD WATER - EXISTING
	NHW	NON-POTABLE HOT WATER
	nHW	NON-POTABLE HOT WATER - EXISTING
	NHW-R	NON-POTABLE HOT WATER RETURN
	RR	RAINWATER RE-USE
	rRR	RAINWATER RE-USE - EXISTING
	RW	RECLAIMED WATER
	rRW	RECLAIMED WATER - EXISTING
	STORMWATER CATCHMENT	STORMWATER CATCHMENT
	SWD	STORMWATER DRAINAGE
	sSWD	STORMWATER DRAINAGE - EXISTING
	SWRM	STORMWATER RISING MAIN
	sSWRM	STORMWATER RISING MAIN - EXISTING
	SSD	SUBSOIL DRAINAGE
	sSSD	SUBSOIL DRAINAGE - EXISTING
	SOF	SYPHONIC OVERFLOW
	sSOF	SYPHONIC OVERFLOW - EXISTING
	SSW	SYPHONIC STORMWATER
	sSSW	SYPHONIC STORMWATER - EXISTING

DRAWING SCHEDULE

DRAWING NUMBER	DRAWING SCALE	DRAWING TITLE
SW-000	NTS	COVER SHEET AND LEGEND - STORMWATER SERVICES
SW-100	1:200	SITE PLAN - STORMWATER SERVICES
SW-101	1:100	GROUND FLOOR PLAN - STORMWATER SERVICES
SW-102	1:100	LEVEL 1 PLAN - STORMWATER SERVICES
SW-103	1:100	ROOF PLAN - STORMWATER SERVICES

SYMBOLS

	RISER
	DROP / RISE
	DROPPER
	TEE DROPPER
	PIPEWORK CAP
	PIPEWORK CONTINUATION
	UNDOCUMENTED CONTINUED LINE
	PIPEWORK SECTION
	DIRECTION ARROW
	NEW CONNECTION
	NEXT DRAWING
	DIRECTION OF FLOW
	SERVICE DESCRIPTION
	DIRECTION OF FLOW
	STOP VALVE
	CHECK VALVE
	3 - WAY VALVE
	BALL VALVE
	DICL
	REDUCED PRESSURE ZONE DEVICE
	PRESSURE RELIEF VALVE
	PRESSURE LIMITING VALVE
	DOUBLE CHECK VALVE
	INFRA RED SENSOR
	WATER FILTER
	REFLUX VALVE
	REFLUX VALVE IN PIT
	PATHBOX
	EXPANTION JOINT
	PRESSURE GAUGE
	FLOW SWITCH
	PRESSURE SWITCH
	WATER POINT
	HOSE TAP
	PUMP
	CONTROL PANEL
	CLEAROUT TO SURFACE
	SYPHONIC OUTLET
	RAINWATER OUTLET
	SPREADER
	OVERLAND FLOW ARROW
	STORMWATER FLOW ARROW
	PENETRATION / CORE HOLE IN SLAB
	BEAM PENETRATION
	REDUCER
	STORMWATER GRATE
	STORMWATER COVER
	TRENCH GRATE
	REVISION
	KERB ENTRY PIT
	HAY BALE
	RAINWATER HEAD

ABBREVIATIONS

AS	Australian Standards
BCA	Building Code Of Australia
BDO	Balcony Drain Outlet
BR	Brass
BV	Ball Valve
BWL	Bottom Water Level
CHV	Check Valve
CI	Cast Iron
CIC	Cast In Column
CICL	Cast Iron Cement Lined
CIS	Cast In Slab
CL	Ceiling Level
COS	Clear Out To Surface
CP	Chrome Plated
CU	Copper
CV	Control Valve
DCV	Double Check Valve
DCV-A	Double Check Valve Assembly
DIA	Diameter
DICL	Ductile Iron Cement Lined
DP	Downpipe
DWG	Drawing
e	Existing
ECV	Expansion Control valve
EJ	Expansion Joint
ELEC	Electrical Service
FCR	For Continuation Refer
FFL	Finished Floor Level
FRC	Fibre Reinforced Concrete
FSL	Finished Surface Level
GAL	Galvanised
GD	Grated Drain
GDO	Grated Drain Outlet
GL	Ground Level
GMS	Galvanised Mild Steel
GO	Gutter Outlet
GV	Gate Valve
H/L	High Level
HD	Heavy Duty
HDPE	High Density Polyethylene
HP	High Point
HV	High Voltage
ID	Inside Diameter
IL	Invert Level
IO	Inspection Opening
IS	Inspection Shaft
IV	Isolation Valve
JU	Jump Up
KIP	Kerb Inlet Pit
KPA	Kilopascal
KW	Kilowatt
L	Litres
L/L	Low Level
L/S	Litres Per Second
LD	Light Duty

ABBREVIATIONS cont.

LV	Low Voltage
M	Metre
M.HEAD	Metres Head
M/S	Metres per Second
M3/HR	Cubic Metres per Hour
MDPE	Medium Density Polyethylene
MIN	Minimum
MJD	Movement Joint Drain
MM	Millimetres
MS	Mild Steel
NRV	Non-Return Valve
NTS	Not To Scale
O/F	Overflow
OD	Outside Diameter
OJ	Oblique Junction
PDO	Planter Drain Outlet
PG	Pressure Gauge
PLV	Pressure Limiting Valve
PRV	Pressure Relief Valve
PVC	Polyvinyl Chloride
RCP	Reinforced Concrete Pipe
RHS	Rectangular Hollow Section
RL	Reduced Level
RPZD	Reduced Pressure Zone Device
RV	Reflux Valve
RWH	Rain Water Head
RWO	Rainwater Outlet
S/S	Stainless Steel
SDO	Spoon Drain Outlet
SL	Surface Level
SO	Syphonic Outlet
SOF	Syphonic Overflow
SPD	Spreader
SQ	Square
SSL	Structural Slab Level
STD	Sprinkler Test Drain
SV	Stop Valve
SWIP	Stormwater Inspection Pit
SWMH	Stormwater Manhole
SWP	Stormwater Pit
SWS	Stormwater Sump
SYP	Syphonic
TB	Thrust Block
TBR	To Be Removed
TEL	Telecommunication Service
TG	Trench Grate
TWL	Top Water Level
TYP	Typical
U/S	Underside
UNO	Unless Noted Otherwise
UPVC	Unplasticised Polyvinyl Chloride
UV	Ultra Violet
VCP	Vitrified Clay Pipe
WL	Water Level

REV	DATE	DESCRIPTION	DRN	APP
A	28.06.23	PRELIMINARY ISSUE	MA	PC
B	25.08.23	DA ISSUE	MA	PC

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Email info@adcar.com.au
Web www.adcar.com.au
Hydraulic & Fire Consultants
ABN 12 152 581 587



Architect:

MACKENZIEPRONK ARCHITECTS

Drawing Title:

**COVER SHEET AND LEGEND
STORMWATER SERVICES**

Project:

**7-9 HILL STREET
CAMDEN, NSW**

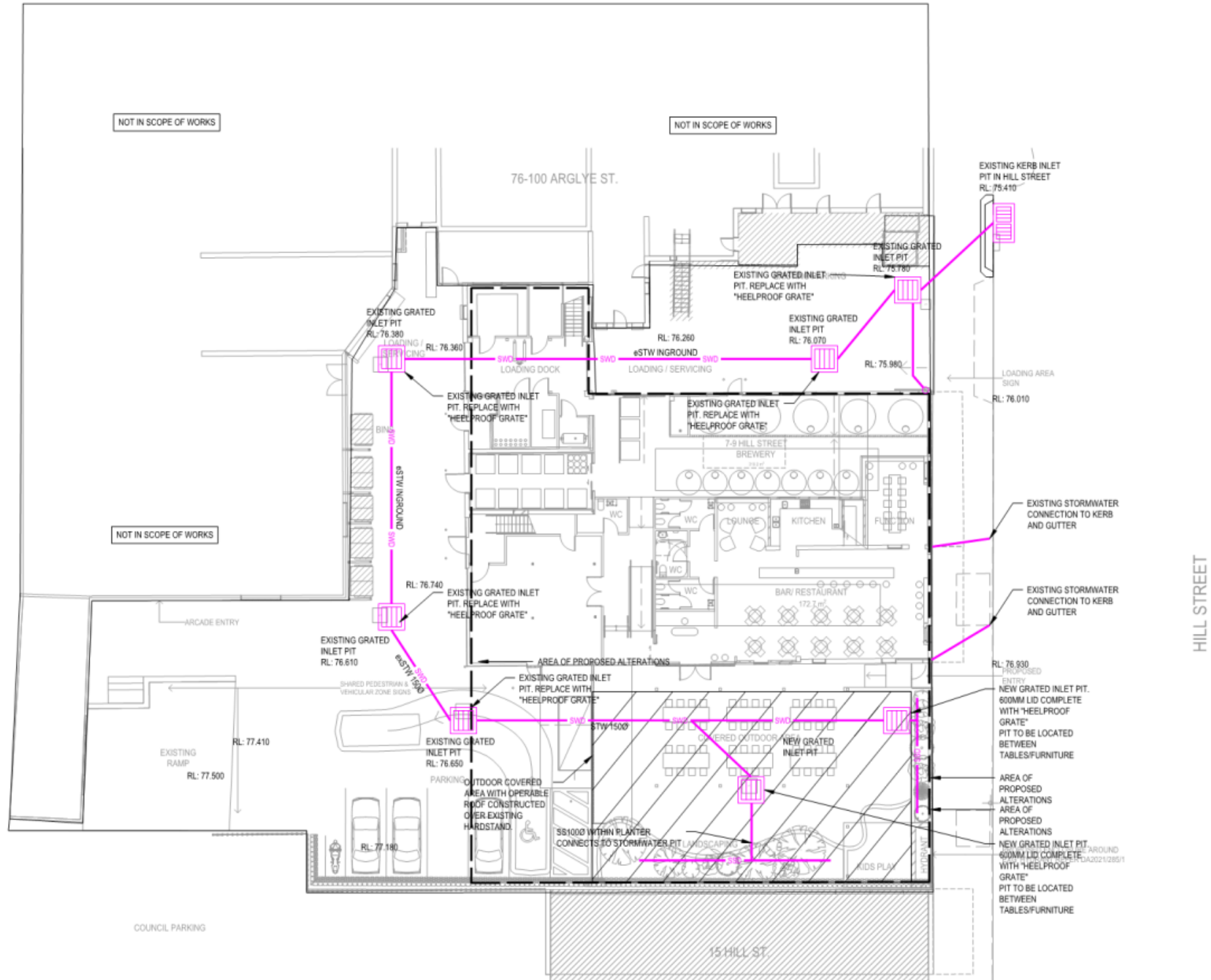


DRAWN	ENGINEER	CHECKED	SCALE
MA	MA	PC	NTS
PROJECT No.	DRAWING No.	REVISION	
ADC230505	SW-000	B	

ORIGINAL SIZE: A2

TOTAL SITE AREA: 3172M2
 AREA OF PROPOSED WORKS: 879M2
 AREA OF NEW ROOF CONSTRUCTED OVER EXISTING HARDSTAND: 196M2

THE PROPOSED WORKS ARE TO REUSE EXISTING PIPEWORK AND CONNECTS AS REQUIRED.
 ALL PIPEWORK SHALL BE CLEANED USING A "JET BLASTER" AND THEN USE A CCTV CAMERA TO CONFIRM THE EXISTING PIPEWORK IS SOUND AND IN GOOD CONDITION.
 ANY FAULTS FOUND SHALL BE RECTIFIED TO AS-3500.3 REQUIREMENTS.



REV	DATE	DESCRIPTION	DRN	APP
A	28.06.23	PRELIMINARY ISSUE	MA	PC
B	25.08.23	DA ISSUE	MA	PC
C	29.08.23	DA ISSUE	MA	PC
D	20.03.24	DA ISSUE	MA	PC

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 Hydraulic & Fire Consultants
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Drawing Title:
**SITE PLAN
 STORMWATER SERVICES**

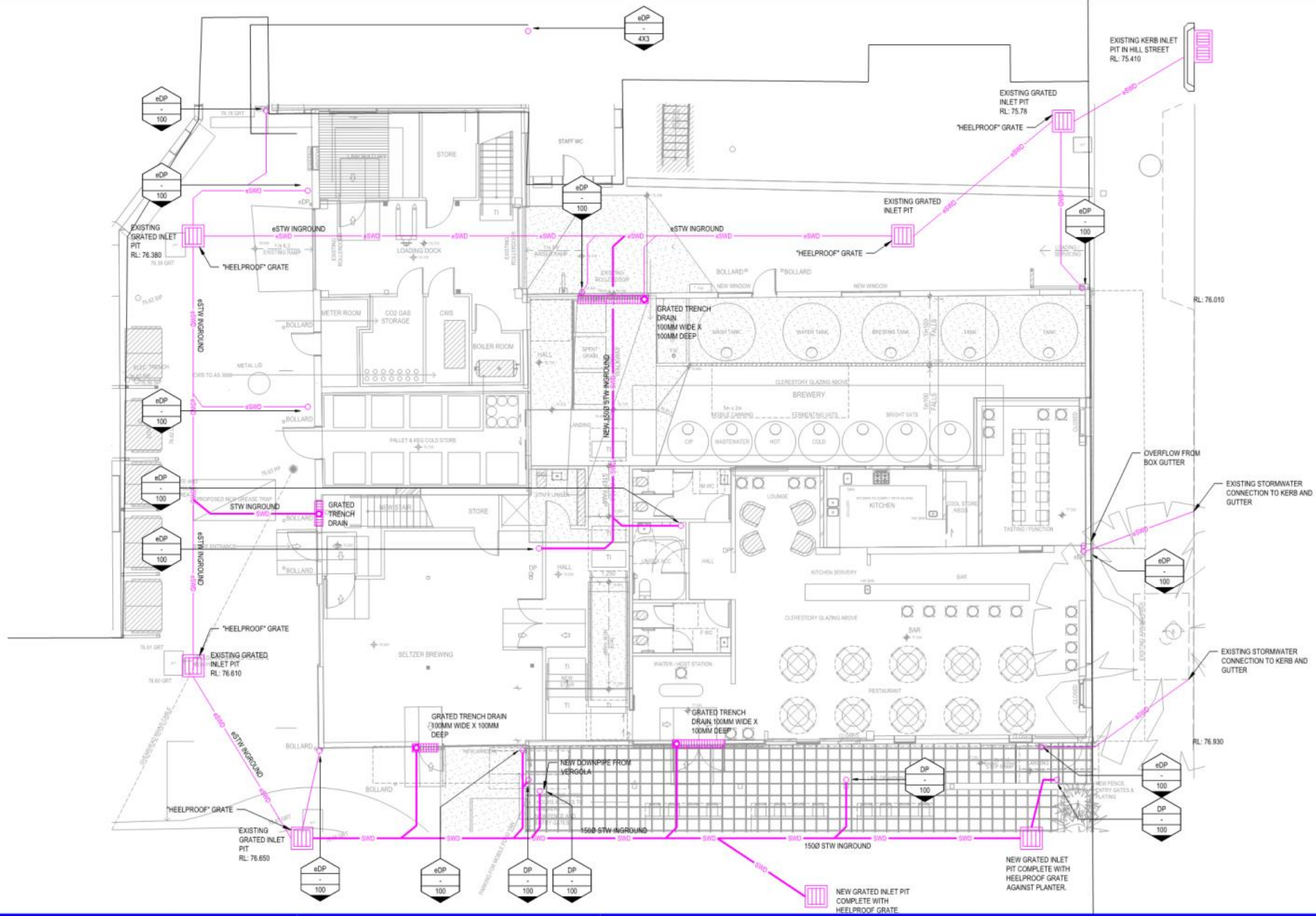
Architect:
MACKENZIEPRONK ARCHITECTS

Project:
**7-9 HILL STREET
 CAMDEN, NSW**



DRAWN	ENGINEER	CHECKED	SCALE
MA	MA	PC	1:200
PROJECT No.	DRAWING No.	REVISION	
ADC230505	SW-100	D	

[ORIGINAL SIZE: A2]



REV	DATE	DESCRIPTION	DRN	APP
A	28.06.23	PRELIMINARY ISSUE	MA	PC
B	25.08.23	DA ISSUE	MA	PC
C	29.08.23	DA ISSUE	MA	PC
D	29.08.23	DA ISSUE	MA	PC
E	21.03.24	DA ISSUE	MA	PC

Notes:

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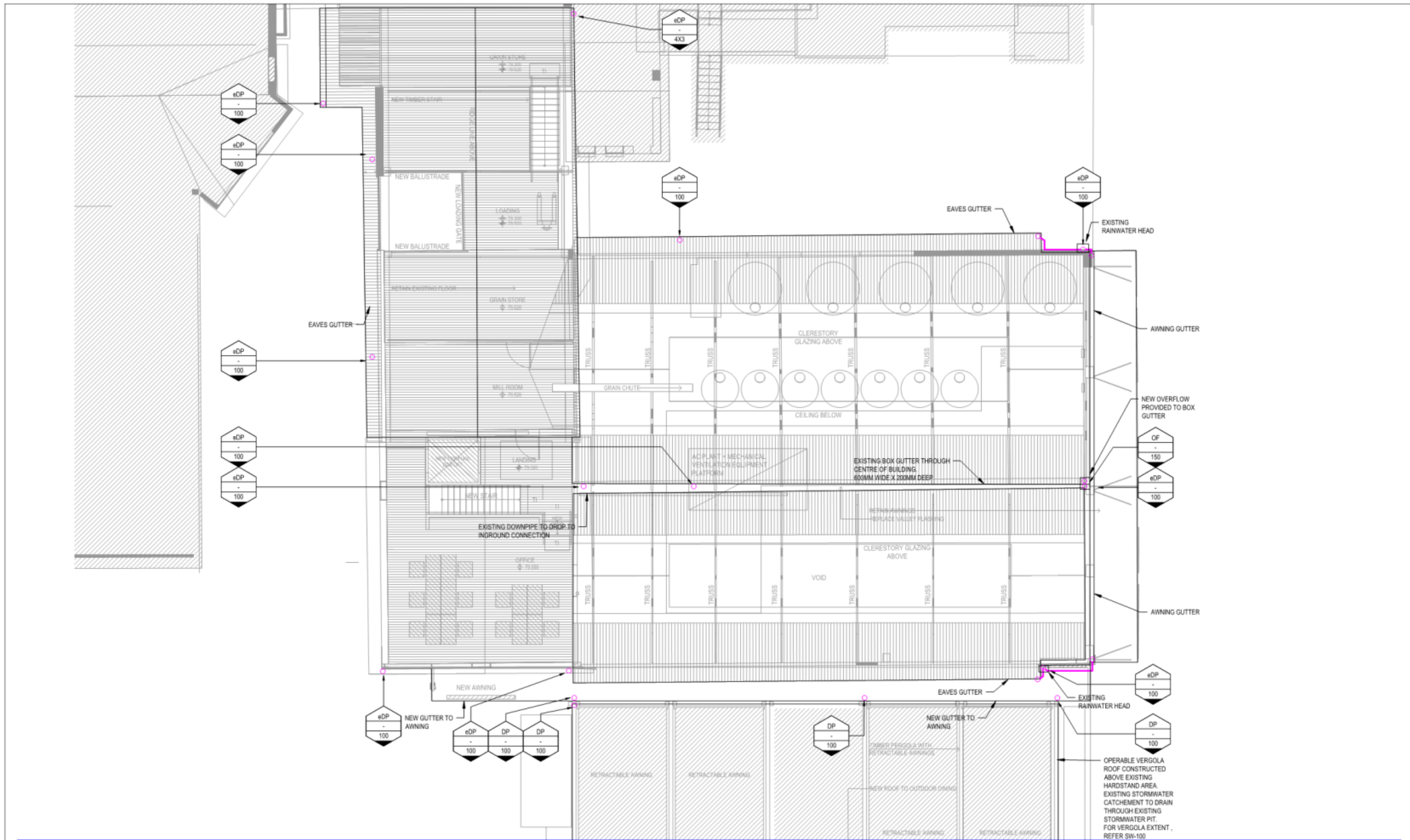
Drawing Title:
**GROUND FLOOR PLAN
 STORMWATER SERVICES**

Architect:
MACKENZIEPRONK ARCHITECTS

Project:
**7-9 HILL STREET
 CAMDEN, NSW**



DRAWN	ENGINEER	CHECKED	SCALE
MA	MA	PC	1:100
PROJECT No.	DRAWING No.	REVISION	
ADC230505	SW-101	E	



REV	DATE	DESCRIPTION	DRN	APP
A	28.06.23	PRELIMINARY ISSUE	MA	PC
B	25.08.23	DA ISSUE	MA	PC
C	29.08.23	DA ISSUE	MA	PC
D	29.08.23	DA ISSUE	MA	PC
E	21.03.24	DA ISSUE	MA	PC

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 Hydraulic & Fire Consultants
 ABN 12 152 581 587



Architect:

MACKENZIEPRONK ARCHITECTS

Drawing Title:

**LEVEL 1 PLAN
 STORMWATER SERVICES**

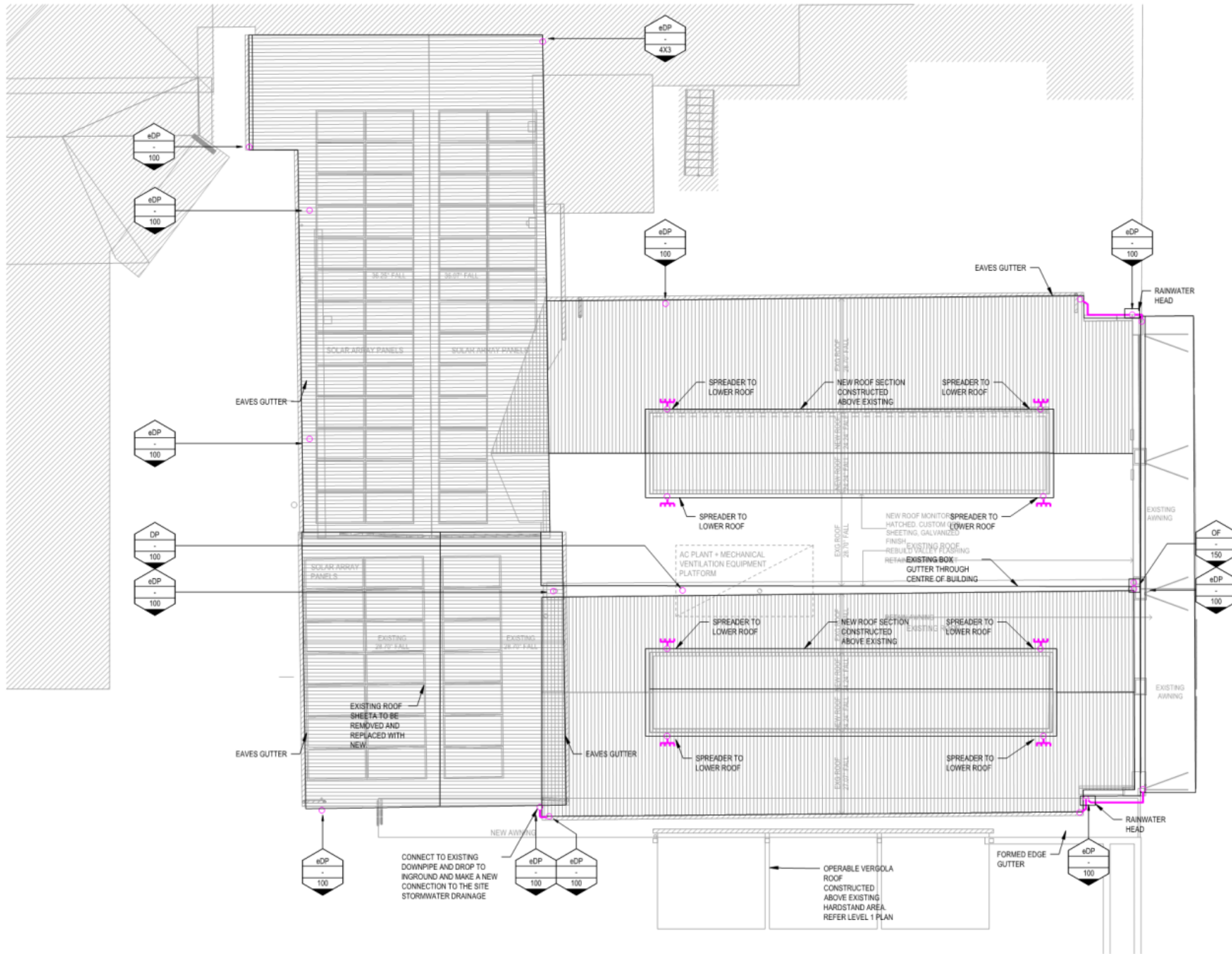
Project:

**7-9 HILL STREET
 CAMDEN, NSW**



DRAWN	ENGINEER	CHECKED	SCALE
MA	MA	PC	1:100
PROJECT No.	DRAWING No.	REVISION	
ADC230505	SW-102	E	

ORIGINAL SIZE: A2



REV	DATE	DESCRIPTION	DRN	APP
A	28.06.23	PRELIMINARY ISSUE	MA	PC
B	25.08.23	DA ISSUE	MA	PC
C	21.03.24	DA ISSUE	MA	PC

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 Hydraulic & Fire Consultants
 ABN 12 152 581 587



Drawing Title:
**ROOF PLAN
 STORMWATER SERVICES**

Architect:
MACKENZIEPRONK ARCHITECTS

Project:
**7-9 HILL STREET
 CAMDEN, NSW**



DRAWN	ENGINEER	CHECKED	SCALE
MA	MA	PC	1:100
PROJECT No.	DRAWING No.	REVISION	
ADC230505	SW-103	C	

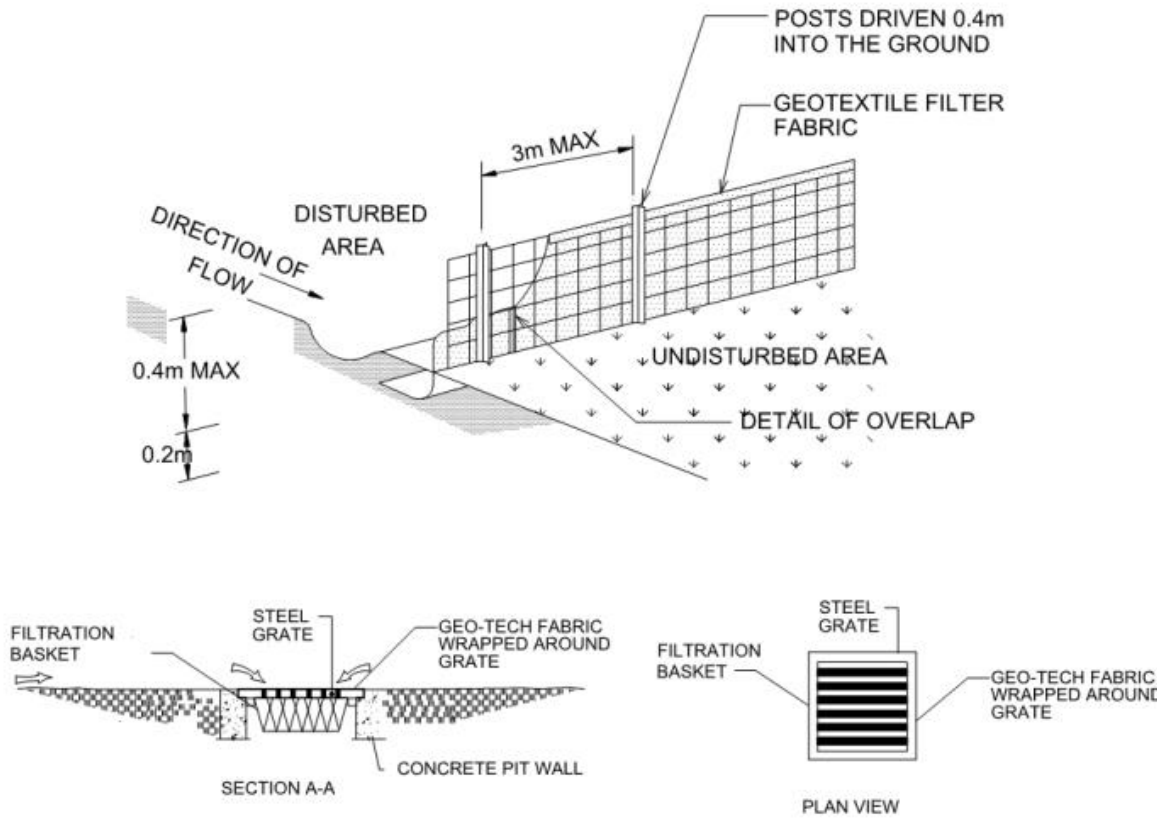
ORIGINAL SIZE: A2

EROSION CONTROL NOTES

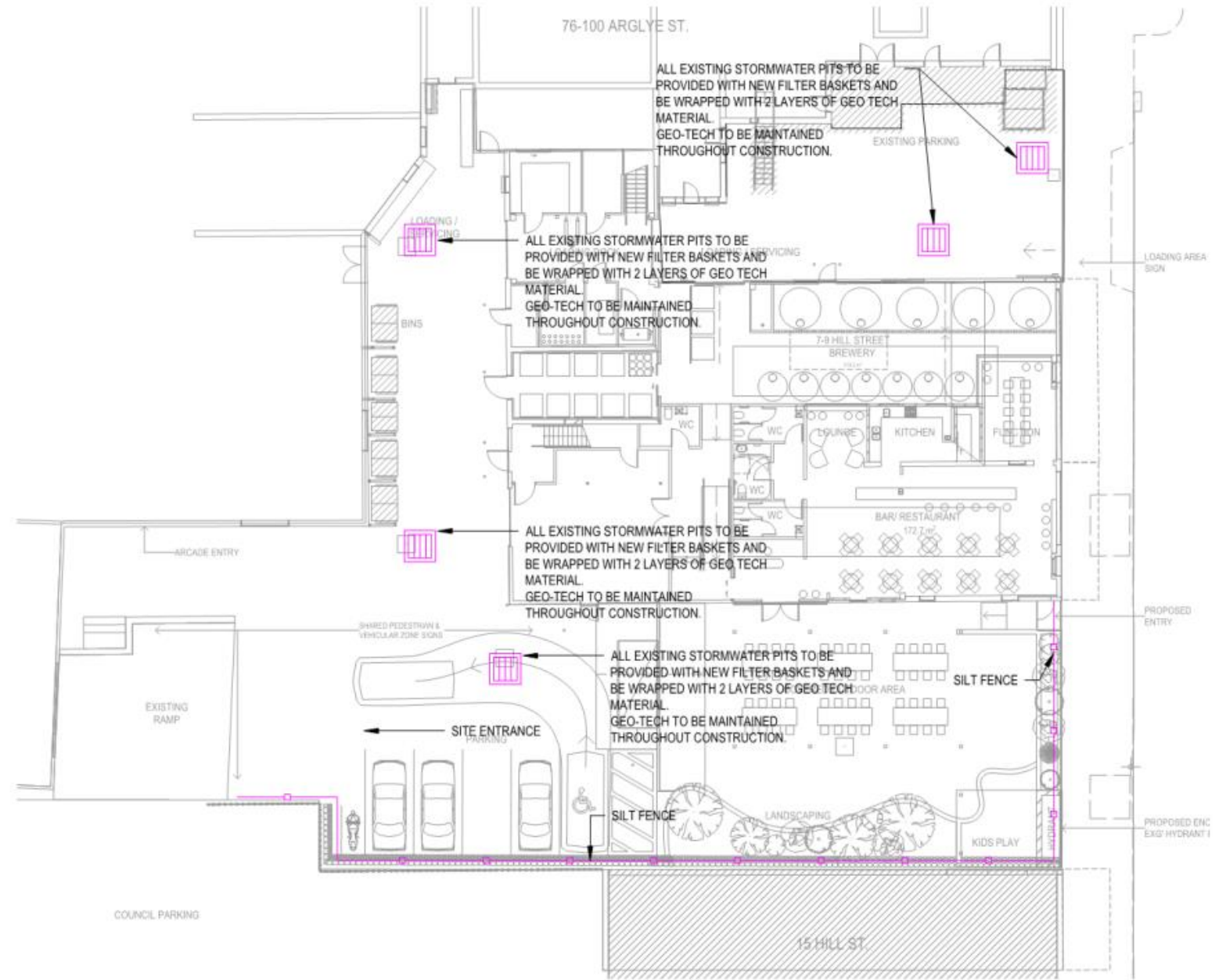
1. ALL INITIAL SEDIMENT CONTROL MEASURES SHALL BE IN PLACE PRIOR TO COMMENCING TOPSOIL STRIPPING AND EARTHWORKS.
2. IMMEDIATELY ANY BATTER OR FOOTPATH IS COMPLETED, THE SECTION SHALL BE TOPSOILED AND SEEDED OR TURFED.
3. THE RECOMMENDED SEED MIX AND FERTILIZER SPREAD RATE SHALL BE AS DIRECTED BY SUPERINTENDENT.
4. IMMEDIATELY AREAS ARE SEEDED, THEY SHALL BE PROPERLY WATERED TO PROMOTE GROWTH. THE GROWTH SHALL BE WATERED UNTIL REVEGETATION TO SUPERINTENDENT'S SATISFACTION IS ACHIEVED.
5. A STRIP OF TURF SHALL BE PLACED IMMEDIATELY BEHIND THE KERB ON ALL NEW ROADS TO ACT AS A FILTER STRIP.
6. PLACE KERB INLET SEDIMENT TRAPS, DETAILED ABOVE, URBAN EROSION AND SEDIMENT CONTROL MANUAL, ON ALL INLET PITS.
7. THE CONTRACTOR SHALL NOTE THAT HIS CONTRACT IS NOT COMPLETED UNTIL THE REVEGETATION IS ACCEPTED BY COUNCIL. SOME AREAS MAY REQUIRE THE PLACEMENT OF TURF TO ACHIEVE SATISFACTORY REVEGETATION.
8. ALL VEHICLE MOVEMENTS TO BE RESTRICTED TO AREAS OF CONSTRUCTION ONLY.

ORDER OF CONSTRUCTION:

- REFER TO DETAILED CONSTRUCTION SCHEDULE FOR SPECIFIC DETAILS.
1. PROVIDE SILT FENCE AROUND BOUNDARIES AS SHOWN ON THE PLAN. RETURNS TO BE PROVIDED EVERY 20m MAXIMUM.
 2. CONSTRUCT SILT TRAPS AROUND EXISTING PITS & SEDIMENT TRAP.
 3. PROVIDE DIVERSION BANKS ALONG THE SIDES AS SHOWN ON THE PLAN. BANKS TO SPILL ONTO SCALLOPED SILT FENCING.
 4. PROVIDE TEMPORARY ENTRY/EXIT AREA AS SHOWN.
 5. STRIP TOPSOIL FROM IMMEDIATE WORK AREA AND REMOVE SURPLUS AS DIRECTED. STOCKPILE REMAINED ON SITE IN AREA DESIGNATED WITH DIVERSION BANK IN PLACE UPSLOPE AND SILT FENCE IN PLACE DOWNSLOPE.
 6. CONSTRUCT BULK EARTHWORKS
 7. CONSTRUCT DRAINAGE & OSD WORKS TO SPECIFICATION.
 8. DURING CONSTRUCTION OF DRAINAGE PIPELINES TEMPORARY PROTECTION TO BE PROVIDED AROUND PITS & PIPE OPENINGS. ALL SPOIL TO BE STOCKPILED ON HIGH SIDE OF TRENCH PRIOR TO BACKFILLING.
 9. PROVIDE TURF STRIPS BEHIND ROADS.
 10. REMOVE SEDIMENT CONTROL MEASURES.



STORMWATER PIT WITH FILTER BASKET AND WRAPPED WITH GEO-TECH FABRIC N.T.S.



REV	DATE	DESCRIPTION	DRN	APP
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 Hydraulic & Fire Consultants
 ABN 12 152 581 587



Architect:

MACKENZIEPRONK ARCHITECTS

Drawing Title:

**SEDIMENT AND EROSION CONTROL PLAN
 STORMWATER SERVICES**



Project:

**7-9 HILL STREET
 CAMDEN, NSW**

DRAWN	ENGINEER	CHECKED	SCALE
MA	MA	PC	1:200
PROJECT No.	DRAWING No.	REVISION	
ADC230505	SW-200	C	

ORIGINAL SIZE: A2

CLPP02

CLPP02

SUBJECT: DA/2024/142/1 - DEMOLITION OF EXISTING DWELLING, CONSTRUCTION OF A SHED AND OFFICE, REGULARISATION OF COMPLETED LAND FORMING AND USE OF LAND AS A VEHICLE SALES AND HIRE PREMISES - 3 EXETER STREET, CAMDEN

FROM: Manager Statutory Planning

EDMS #: 24/372746

DA Number:	2024/142/1.
Development:	Demolition of existing dwelling, construction of a shed and office, regularisation of completed land forming and use of land as a vehicle sales and hire premises.
Estimated Cost of Development:	\$184,950.
Site Address(es):	3 Exeter Street, Camden.
Applicant:	Michael Brown Planning Strategies Pty Ltd.
Owner(s):	IMMS Pty Ltd.
Number of Submissions:	11 objections
Development Standard Contravention(s):	Height of buildings >10%.
Classification:	Local.
Recommendation:	Refuse.
Panel Referral Criteria:	More than 10 submissions and development standard contravention greater than 10%.
Report Prepared By:	Jordan Soldo, Executive Planner.

PURPOSE OF REPORT

The purpose of this report is to seek the Camden Local Planning Panel's (the Panel's) determination of a development application (DA) for the demolition of the existing dwelling, construction of a shed and office, regularisation of completed land forming and use of land as a vehicle sales and hire premises at 3 Exeter Street, Camden.

The Panel is to exercise Council's consent authority functions for this DA as, pursuant to the Minister for Planning's Section 9.1 Direction, it is subject to 10 or more submissions by way of objection and proposes to contravene the height of buildings development standard that applies to the site by more than 10%.

SUMMARY OF RECOMMENDATION

That the Panel determine DA/2024/142/1 for the demolition of the existing dwelling, construction of a shed and office, regularisation of completed land forming and use of land as a vehicle sales and hire premises pursuant to Section 4.16 of the *Environmental Planning and Assessment Act, 1979* by refusing the application for the reasons outlined at the end of this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the demolition of the existing dwelling, construction of a shed and office, regularisation of completed land forming and use of land as a vehicle sales and hire premises at 3 Exeter Street, Camden.

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

The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 3 to 16 May 2024 and 11 submissions were received, all of which objected to the development.

The issues raised in the submissions relate to:

1. Impacts on the Camden Heritage Conservation Area and nearby heritage items,
2. Unacceptable visual impacts,
3. Flooding impacts and inconsistency with Council's Flood Risk Management Policy,
4. Contaminated land concerns, and
5. Insufficient information.

The application does not appear to be for the stated purpose of a '*vehicle sales or hire premises*'. Information provided with the application indicates that the site will be used for the parking of vehicles associated with the business operating at 1 Edward Street. The development is considered to be more appropriately categorised as a '*transport depot*' which is a prohibited land use in the zone.

The applicant proposes a contravention to the height of buildings development standard that applies to the site. The development standard limits buildings to a maximum height of 7m above existing ground level. The applicant has calculated the building height as 7.645m however, Council officers have calculated the height to be at least 8.21 metres. Insufficient information has been submitted to enable an accurate calculation of building height. The proposed contravention, and the applicant's clause 4.6 written request, have been assessed in this report and is not supported by Council officers.

A review of aerial imagery and Council's records indicates that work has been carried out at the site without development consent since 2019. The works include importation of fill, construction of hard stand areas and widening of the vehicle crossover. The site is also currently being used for the parking of trucks without development consent. Prior to 2019, the site was used for residential purposes. Figure 1 and Figure 2 show the site before and after works were carried out. Regulatory compliance action has been ongoing since 2022 and has been temporarily suspended to allow the assessment and determination of this application.

Based on the assessment, it is recommended that the DA be refused for the reasons outlined at the end of this report.

KEY PLANNING CONTROL VARIATIONS

Control	Proposed	Variation
7m maximum building height.	≥8.21m maximum building height.	≥1.21m (17.3%).

AERIAL PHOTO



Figure 1: Aerial photo taken September 2017 with the subject site outlined in red.



Figure 2: Aerial photo taken January 2023 with the subject site outlined in red.

THE SITE

The site is located on the southern side of Exeter Street, opposite the Macquarie Grove Road intersection, being the northern entrance to the township of Camden.

The site is 1,011.7sqm in area with a 20.117m frontage to Exeter Street. The site contains a single storey dwelling house with an elevated floor level that was constructed prior to the 1950's.

To the east of the site at 1 Edward Street is a business that operates in the hire of water carts, tipper hire, truck sales, vehicles purchases and the sale of Green Slips. It is proposed that the subject development will operate in conjunction with this business.

The western front corner of site is bush fire prone land, and the majority of the site is affected by the Nepean River 20% AEP flood. Extracts from Council's mapping data showing bush fire and flood affectation are shown in Figure 3 and Figure 4.

The site is zoned MU1 Mixed Use pursuant to Clause 2.2 of the Camden LEP. An extract from the Camden LEP Land Zoning Map is shown in Figure 5.

The site forms part of the Camden Heritage Conservation Area and is within the vicinity of nearby heritage items, including 'Nant Gwylan' at 33A and 33B Exeter Street and the Camden Town Farm at 40 Exeter Street, Camden. An extract from the Camden LEP Heritage Map is shown in Figure 6.

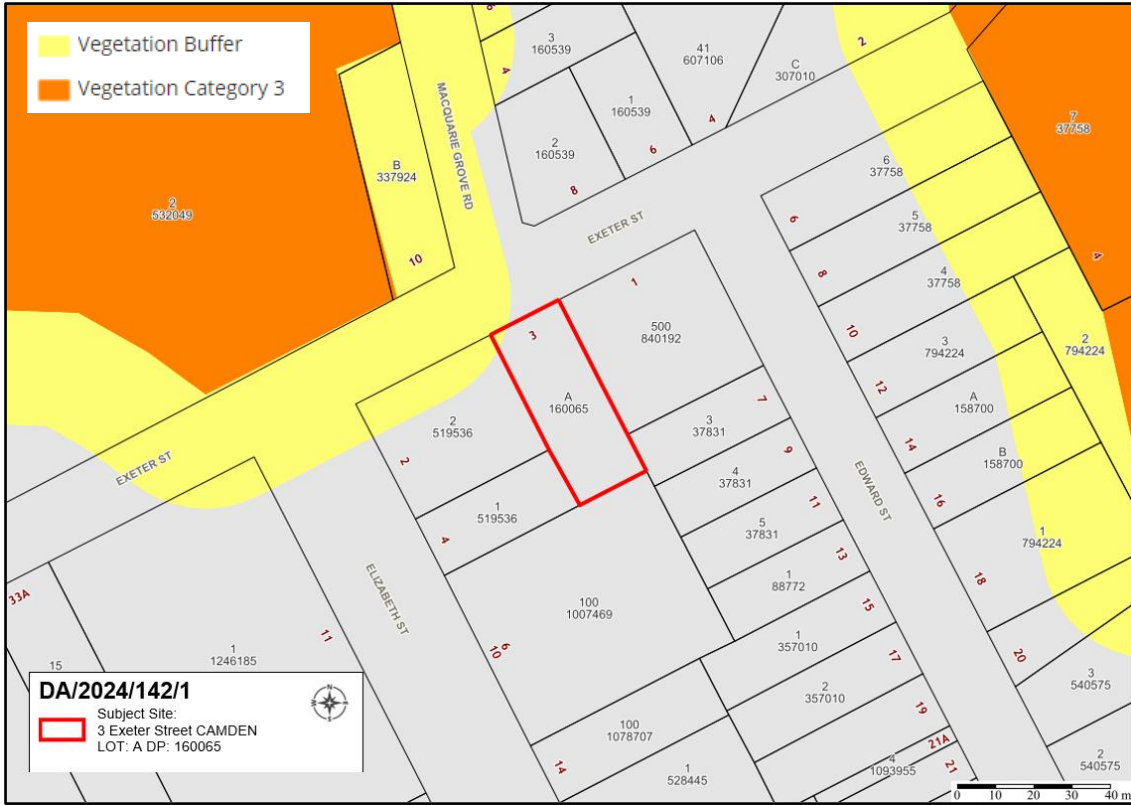


Figure 3: Extract from Council's bush fire prone land maps.

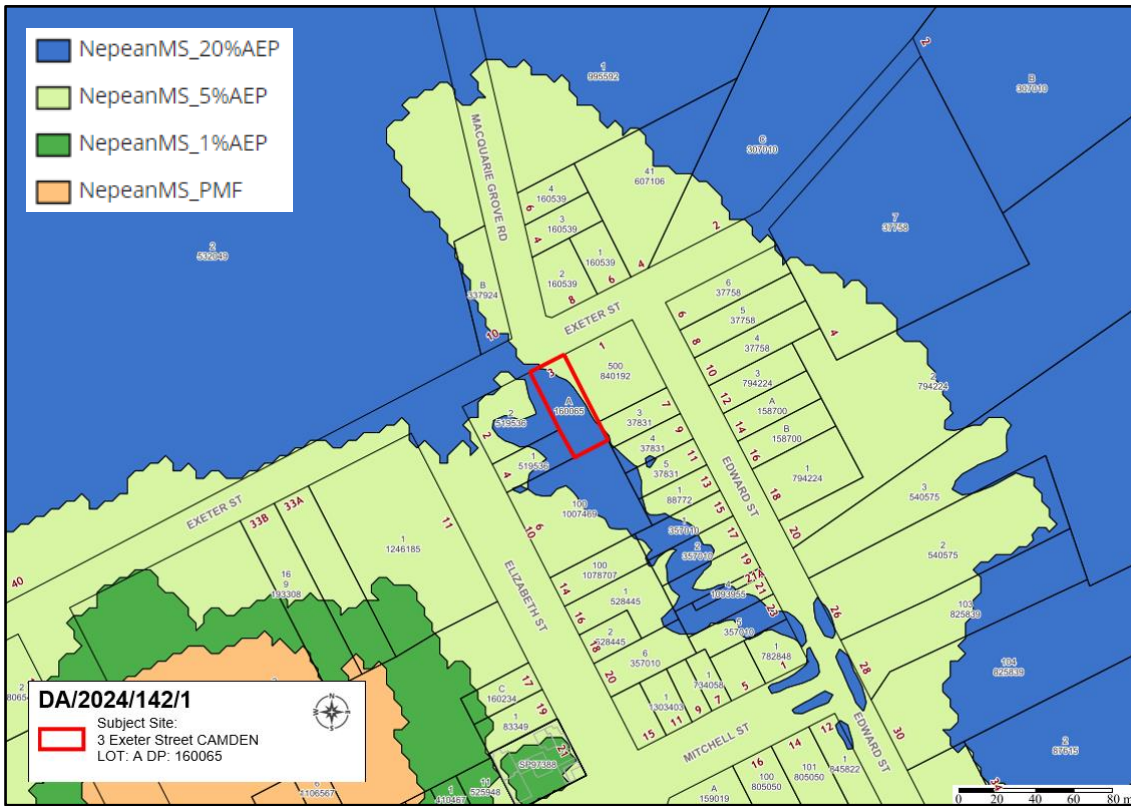


Figure 4: Extract from Council's Nepean River mainstream flooding maps.

ZONING PLAN

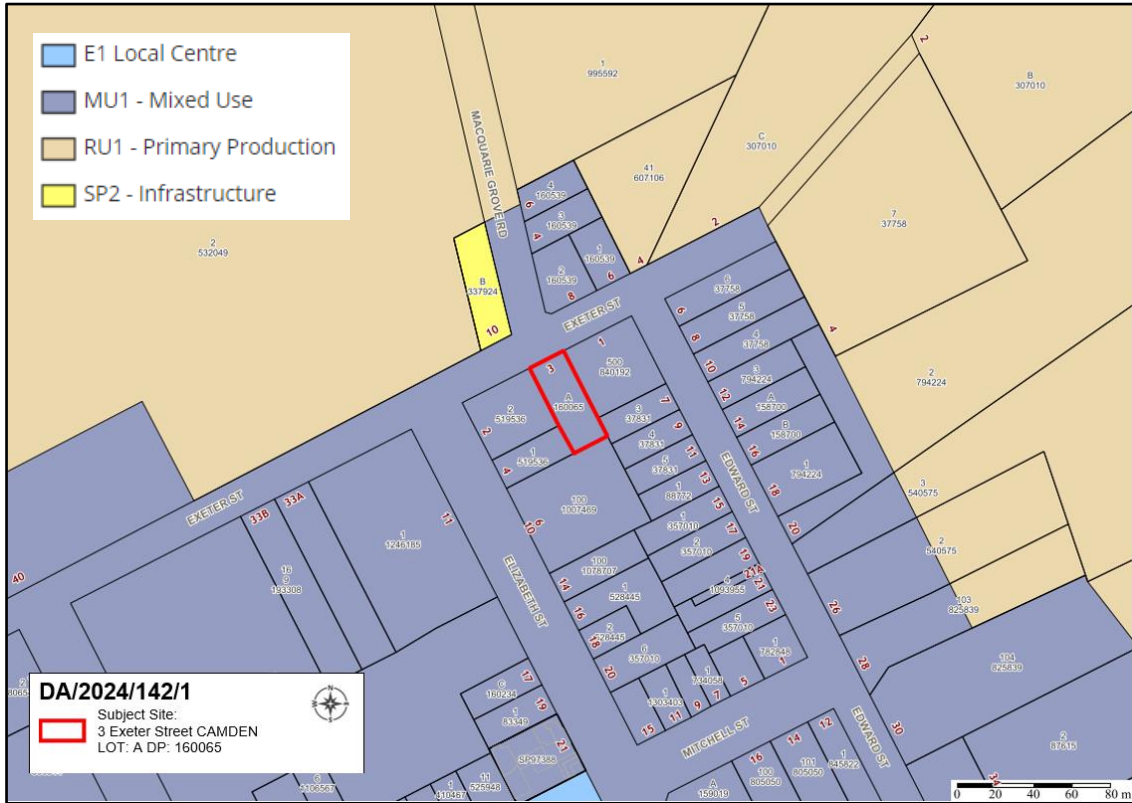


Figure 5: Extract from the Camden LEP Land Zoning Map.

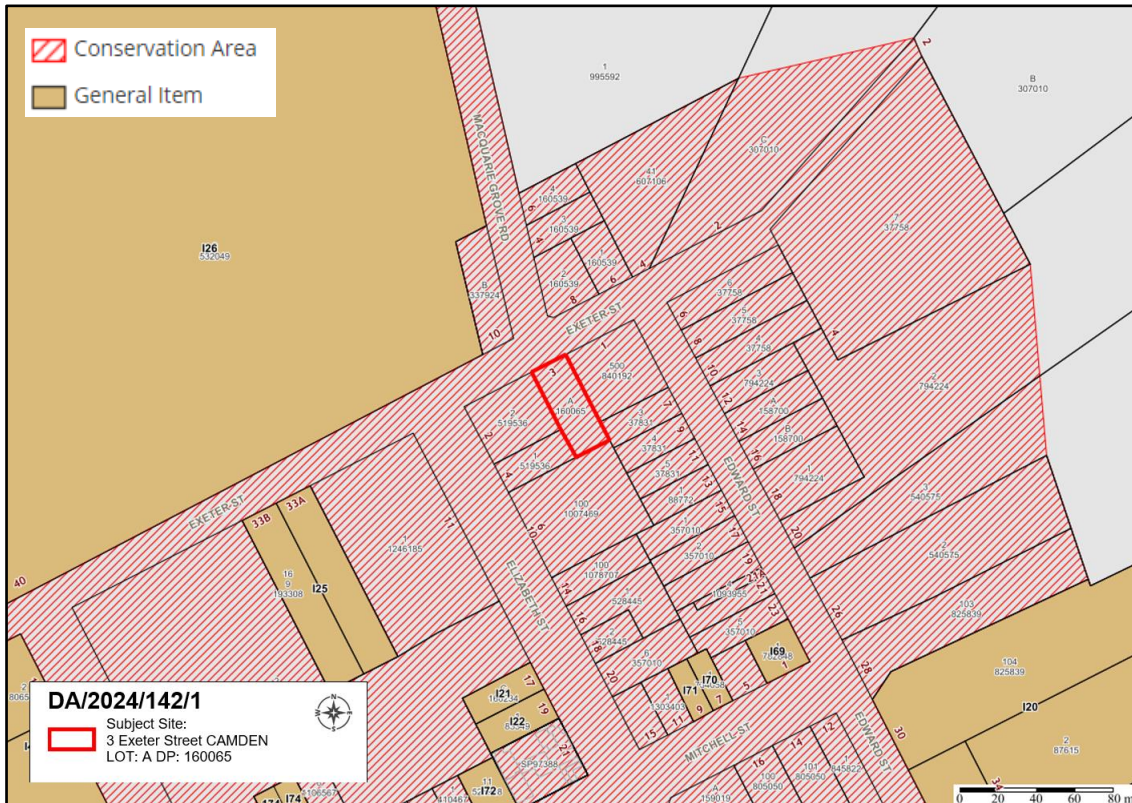


Figure 6: Extract from the Camden LEP Heritage Map.

HISTORY

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

Date	Development
Ongoing	Regulatory compliance action has been ongoing since 2022 in relation to unauthorised work and use of the subject site. Figure 1 and Figure 2 show the site before and after works were carried out.
30 March 2023.	DA/2023/181/1 - Development application for the demolition of the existing dwelling and construction of sun cover safety shed was withdrawn.
14 December 2023	DA/2023/430/1 – Development application for the demolition of existing dwelling, construction of a shed, regularisation of completed land forming and use of property as a vehicle sale and hire premises was refused by the Camden Local Planning Panel.

THE PROPOSAL

DA/2024/142/1 seeks approval for a vehicle sales and hire premises.

Specifically, the development involves:

- Demolition of the existing dwelling,
- Construction of a shed and office,
- Hardstand areas and landscaping,
- Regularisation of completed land forming, and
- Use of land as a vehicle sales and hire premises.

An extract from the architectural plans is shown in Figure 7 below. A complete set of plans is included as an attachment to this report.

CLPP02

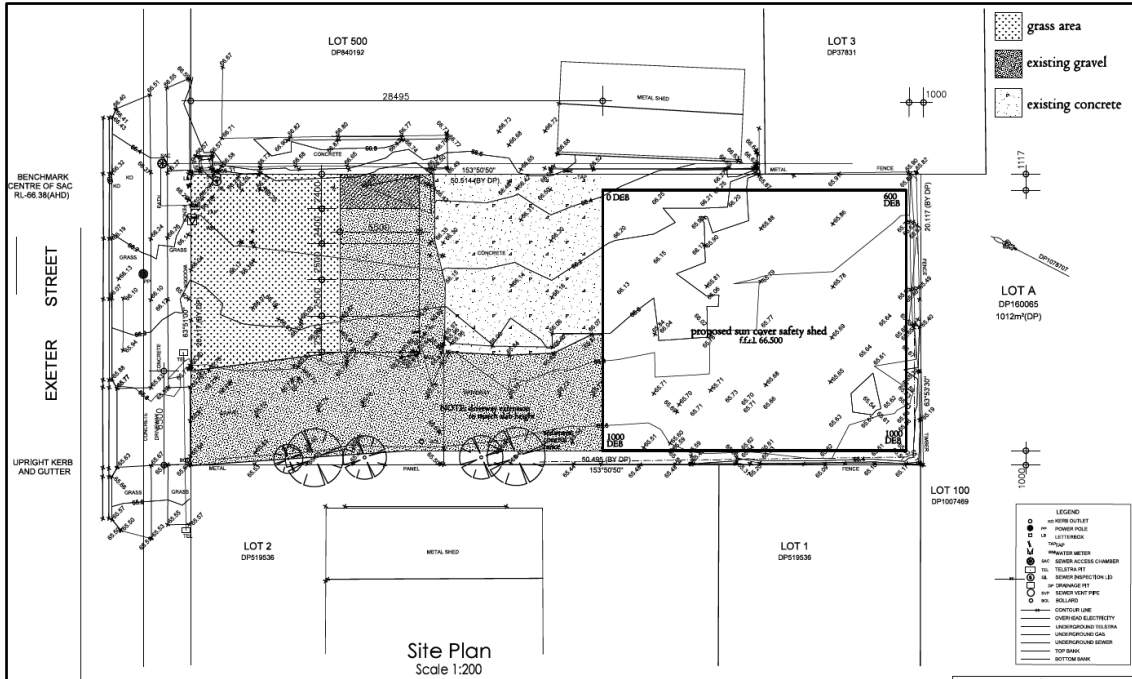


Figure 7: An extract from the submitted architectural plans.

ASSESSMENT

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

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

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

The environmental planning instruments that apply to the development are:

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

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

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

A contamination assessment was provided which identified areas of environmental concern including asbestos fragments and total recoverable hydrocarbons on site. The assessment concluded that there are preliminary indicators that on site contamination may represent an unacceptable risk to human health or the environment and that further

investigation is required to determine the extent of the contamination and the suitability of the site.

In the absence of the further investigations and/or the remediation of the contamination, the consent authority cannot be satisfied that the site is suitable for the development.

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

Chapter 6 of the Biodiversity and Conservation SEPP applies to land within the Hawkesbury-Nepean Catchment. Section 6.8 requires the consent authority to be satisfied that development on flood liable land will not, if there is a flood, result in a release of pollutants that may have an adverse impact on the water quality of a natural waterbody.

Insufficient information was submitted with the application to determine that, should the development be impacted by a flood, it would not result in a release of pollutants that impact a natural waterbody. In the absence of more detailed operational information and further contamination investigations, the consent authority cannot be satisfied as to the matters raised in this section.

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 Act.

Site Zoning

The site is zoned MU1 Mixed Use pursuant to Clause 2.2 of the Camden LEP.

Development Characterisation/Permissibility

The applicant has characterised the development as a *'vehicle sales or hire premises'*.

The Camden LEP defines a *'vehicle sales or hire premises'* as *"a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there"*.

A *'vehicle sales or hire premises'* is permitted with consent in the MU1 Mixed Use zone as the genus land use *'commercial premises'* is nominated as being permitted with consent.

Council officers do not consider the proposal to be for the stated purpose of a *'vehicle sales or hire premises'*. The development will not be operating independently, but rather will form an extension of the existing operations occurring at 1 Edward Street. The primary purpose of the development is therefore the parking of vehicles for the adjoining business rather than the sale or hire of vehicles.

The development is therefore considered to be more appropriately categorised as a *'transport depot'* which is nominated as a prohibited land use in the MU1 Mixed Use zone.

The Camden LEP defines a ‘transport depot’ as “a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking”.

Based on the above, Council officers are not satisfied that the development is permitted with consent.

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, with the proposed contraventions further addressed below.

Clause 4.3 Height of Buildings

The applicant proposes a contravention to the height of buildings development standard that applies to the site. The development standard limits buildings to a maximum height of 7m above existing ground level. The applicant has calculated the building height as 7.645m. However, based on the submitted survey plan and architectural plans, the maximum proposed height is 8.21 metres which equates to a 17.3% exceedance.

Notwithstanding the above, the actual building height is likely to be higher as the survey plan is based on ground levels after unauthorised filling was carried out across the site. The height should be calculated using the ground levels of the site before the site was filled however this information was not provided with the application.

Pursuant to Clause 4.6(3) the applicant has submitted a written request that seeks to justify the contravention of the development standard. Council is not satisfied that the applicant has demonstrated the required matters of the subclause for the following reasons:

- The maximum height stated in the written request significantly understates the true height of the proposal.
- The written request refers to the superseded version of Clause 4.6 of the Camden LEP.
- The objectives of Clause 4.3 are not achieved as the proposed shed will result in adverse impacts to the Camden HCA.

Consequently, it is recommended that the Panel not support the proposed contravention to Clause 4.3 of the Camden LEP.

Clause 5.10 Heritage Conservation

Before granting development consent in respect of a heritage item or a heritage conservation area, the consent authority must consider the effect of the proposed development on the heritage significance of the item or area concerned.

The Heritage Impact Statement submitted as part of the DA has not sufficiently demonstrated that the development is sympathetic to the historic context of the area or that the demolition of the existing dwelling house is necessary.

It is assessed that the proposal will result in unacceptable impacts on the Camden Heritage Conservation Area and will be a detracting element should it be constructed.

Clause 5.21 Flood Planning

Development consent must not be granted to development on land at or below the flood planning level unless the consent authority is satisfied the development meets the matters outlined in the clause.

The subject land is below the flood planning level, with the majority of the site impacted by the Nepean River 20% AEP flood. The application is inconsistent with Council's Flood Risk Management Policy 2023 (FRMP) for the following reasons:

- The FRMP prohibits development within floodways. The majority of the site is classified as a floodway.
- The FRMP only permits Concessional and Rural & Recreational development in high flood risk precincts. The entire site is classified as a high flood risk precinct.

Furthermore, the unauthorised filling and proposed additional filling of the site will likely adversely affect flood behaviour and may result in increased impacts for adjoining properties. No modelling has been provided to demonstrate otherwise.

As such, Council is not satisfied that the development is compatible with the flood function and behaviour of the land.

(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)

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

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

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

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

The *Environmental Planning and Assessment Regulation 2021* prescribes several matters that could be addressed through conditions of consent (if the application was to be approved).

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

As demonstrated by the above assessment, the development is likely to have unreasonable adverse impacts on the natural and built environments.

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

As demonstrated by the assessment, the site is not considered to be suitable for the development.

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

The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 3 to 16 May 2024. Eleven (11) submissions were received, all of which objected to the development.

The following discussion addresses the issues raised in the submissions.

1. This development does not comply with clause 5.21 of the Camden LEP or the Flood Risk Management Policy.

Officer comment

As noted in this report and relevant attachments, the proposal is inconsistent with the flooding provisions of the Camden LEP, Camden DCP and Council's Flood Risk Management Policy 2023.

2. The site is likely contaminated to the extent that the development cannot proceed under this DA.

Officer comment

The contamination assessment submitted with the DA concluded that there are preliminary indicators that on site contamination may represent an unacceptable risk to human health or the environment and that further investigation is required to determine the extent of the contamination and the suitability of the site.

In the absence of the further investigations and/or remediation of the contamination, the consent authority cannot be satisfied that the site is suitable for the development.

3. The site is too small to constitute a vehicle sale and hire premises, especially as the applicant advertises as specialising in any size commercial vehicles ranging through car fleets, tractors, utilities, buses, coaches and prime movers.

Officer comment

It is noted that semi-trailers and truck and dog combinations are currently using the site. As such, the development should be designed to accommodate these vehicles. The proposal has only been designed to accommodate up to an MRV.

4. The development is unsightly and inconsistent with expectations of the town's Heritage Conservation Area

Officer comment

As noted in the above assessment it is assessed that the development will have a negative impact on the Camden Heritage Conservation Area (HCA).

5. The existing cottage contributes to the heritage significance of the town.

Officer comment

The Heritage Impact Statement identifies the existing dwelling as non-contributory. While the dwelling may have a neutral contribution, Council officers do not support its removal and replacement with a development that will be a detracting element in the HCA.

6. The development will have detrimental impacts to the streetscape.

Officer comment

The proposed development would have an adverse impact on the streetscape.

7. The shed exceeds the LEP height standard.

Officer comment

The proposed shed contravenes the maximum height of buildings development standard and the contravention is not supported by Council officers.

(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. Given the substantiated issues raised in the public submissions and the unacceptable impacts that will result from the proposal, the development is not considered to be in the public interest.

EXTERNAL REFERRALS

Referrals to external agencies were not required for this application.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 4.15(1) of the *Environmental*

Planning and Assessment Act, 1979 and all relevant instruments, plans and policies. The DA is recommended for refusal for the reasons outlined below.

RECOMMENDED

That the Panel refuse DA/2024/124/1 for the demolition of the existing dwelling, construction of a shed and office, regularisation of completed land forming and use of land as a vehicle sales and hire premises at 3 Exeter Street, Camden for the following reasons:

1. In the absence of further investigations as recommended by the provided contamination assessment, the consent authority cannot be satisfied the land is suitable for the proposed development having regard to Section 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021.
2. Insufficient information was submitted with the application to determine that, should the development be impacted by a flood, it would not result in a release of pollutants that impact a natural waterbody. In the absence of this information, the consent authority cannot be satisfied as to the matters raised in Section 6.8 of State Environmental Planning Policy (Biodiversity and Conservation) 2021.
3. Insufficient information has been provided to clearly demonstrate that the proposed use can be properly categorised as a '*vehicle sales or hire premises*' and that the site will not be used for a purpose that is otherwise prohibited in the zone.
4. The proposed development contravenes clause 4.3 (height of buildings) of the Camden Local Environmental Plan 2010 and the applicant's clause 4.6 written request fails to demonstrate that the standard is unreasonable or unnecessary in the circumstances of the case or that there are sufficient environmental planning grounds to justify the contravention.
5. The application has not demonstrated that the development is sympathetic to the historic context of the area or that the demolition of the existing dwelling house is necessary. The proposal will result in unacceptable visual impacts on the Camden Heritage Conservation Area and will be a detracting element should it be constructed.
6. The proposed development does not comply with clause 5.21 (flood planning) of the Camden Local Environmental Plan 2010 as the proposal is not compatible with the flood hazards of the subject site and the development will adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other properties.
7. The proposed development is of an excessive height, bulk, scale and form and is inconsistent with the existing and/or desired future character of the area.
8. The proposed development does not comply, or insufficient information was provided to assess compliance, with the following sections of the Camden Development Control Plan 2019:
 - a. Section 2.1:

- i. The development fails to demonstrate that clean fill / virgin excavated natural material has been used in the completed land forming.
 - ii. No information about ground levels prior to the unauthorised filling were provided.
- b. Section 2.3:
 - i. The development fails to demonstrate compliance with Council's Engineering Specifications in relation to water quality and quantity controls.
- c. Section 2.7:
 - i. A bush fire assessment was not provided that details the development's compliance with Planning for Bush Fire Protection 2019.
- d. Section 2.8:
 - i. The development does not comply with Council's Flood Risk Management Policy 2023.
- e. Section 2.9:
 - i. The application did not provide sufficient information to determine the suitability of the site with respect to contamination.
- f. Section 2.12:
 - i. The application did not provide sufficient information to assess the potential acoustic impacts on surrounding residential receivers.
- g. Section 2.14:
 - i. The application did not provide sufficient information to assess the waste management requirements of the operational phase of development.
- h. Section 2.16:
 - i. The proposal is not sympathetic to the prevailing character and will be a detracting item should it be constructed.
 - ii. The impacts of the proposed built form have not been sufficiently negated.
 - iii. The HIS has failed to demonstrate how the proposed demolition has been considered as a last resort.
- i. Section 2.18:
 - i. The application does not appear to be for the stated purpose of a '*vehicle sales or hire premises*'. Further clarification about the characterisation is required before an assessment of parking rates can be made.
- j. Section 5.2:
 - i. The application did not provide sufficient information to assess the potential acoustic impacts on surrounding residential receivers.
 - ii. The development does not address the street.
 - iii. Existing views and vistas will be impacts.
 - iv. The proposed mass and scale is not consistent with the surrounding development.
 - v. The development is not of a high quality architectural design and no architectural design features have been incorporated into the front façade.
 - vi. No legible, safe and comfortable pedestrian access has been provided.
 - vii. Insufficient waste management information has been provided.
 - viii. The proposal has not been designed to accommodate an HRV.
- k. Section 5.3:

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- i. The development does not contribute to the local distinctiveness of the Camden township.
9. The development application is unclear about the development consent sought as there are numerous inconsistencies between the plan sets, including:
- The landscape plan includes a note requiring changes to ground levels and stormwater pipe alignment. This is not reflected in the civil plans.
 - The proposed car parking area is only shown in the architectural plans.
 - The architectural plans show the shed as an open structure whilst the structural plans show the shed as enclosed on three sides.
10. The development will have unreasonable adverse impacts on the natural and built environments.
11. Given the substantiated issues raised in the public submissions and the unacceptable impacts associated with the development, the proposal is not in the public interest.

ATTACHMENTS

- Camden LEP Assessment Table
- Camden DCP Assessment Table
- Public Submissions - *Supporting Document*
- Clause 4.6 Written Request
- Architectural Plans

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance
<p>2.3 Zone objectives and land use table</p> <p>The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.</p> <p>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.</p> <p>The zone objectives for this site are:</p> <ul style="list-style-type: none"> • To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities. • To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces. • To minimise conflict between land uses within this zone and land uses within adjoining zones. • To encourage business, retail, community and other non-residential land uses on the ground floor of buildings. • To encourage development that supports or complements the primary office and retail functions of the local centre zone. 	<p>The applicant has characterised the development as a <i>'vehicle sales or hire premises'</i>.</p> <p>The Camden LEP defines a <i>'vehicle sales or hire premises'</i> as <i>"a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there"</i>.</p> <p>A <i>'vehicle sales or hire premises'</i> is permitted with consent in the MU1 Mixed Use zone as the genus land use <i>'commercial premises'</i> is nominated as being permitted with consent.</p> <p>The application does not appear to be for the stated purpose of a <i>'vehicle sales or hire premises'</i>. Information provided with the application indicates that the use will be for the parking of vehicles used in connection with the business at 1 Edward Street. This is reinforced by the current unauthorised use of the site which appears to be for the parking of vehicles associated with the adjoining business.</p> <p>As the development will not be operating independently, it appears that the primary purpose of the development is the parking of vehicles for the adjoining business rather than the sale or hire of vehicles. As such, the development is considered to be characterised as a <i>'transport depot'</i> which is nominated as a prohibited land use in the MU1 Mixed Use zone.</p> <p>The Camden LEP defines a <i>'transport depot'</i> as <i>'a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking'</i>.</p> <p>With respect to the objectives of the zone, Council officers are not satisfied that the development is consistent with the objectives for the following reasons:</p> <ul style="list-style-type: none"> • The development will not provide a diverse and active street frontage to attract pedestrian traffic and to contribute to a vibrant, diverse and functional street. 	<p>No.</p>

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance
	<ul style="list-style-type: none"> The application has not demonstrated that land use conflict has been minimised between uses within the MU1 zone and the adjacent RU1 zone. The development is not deemed to support or complement the primary office and retail functions of the local centre. 	
<p>2.7 Demolition requires development consent</p> <p>Development consent is required to demolish a building or work (unless the demolition is exempt or complying development under another environmental planning instrument).</p>	<p>The application seeks consent for demolition of the existing dwelling in accordance with this clause.</p>	<p>Yes.</p>
<p>4.3 Height of buildings</p> <p>Maximum building heights must not exceed the maximum building height shown on the Height of Buildings Map.</p> <p>The maximum building height for this site is 7m.</p>	<p>Insufficient information has been submitted. Based on the provided plans, the RL of the highest point of the shed is 73.849 and the ground level RL is 65.64. This equates to a maximum height of 8.21 metres which is a 17.3% variation.</p> <p>It's noted that the actual building height is likely to be higher as the survey plan is based on ground levels after unauthorised filling was carried out across the site. The height should be calculated using the ground levels of the site prior to the filling however this information was not provided with the application.</p>	<p>No.</p>
<p>4.6 Exceptions to development standards</p> <p>Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument.</p> <p>Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that:</p> <p>(a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and</p> <p>(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.</p>	<p>The Clause 4.6 written request is insufficient for the following reasons:</p> <ul style="list-style-type: none"> The maximum height stated in the request significantly understates the true height of the proposal. The request states the height is 7.645m. Council officers have calculated the height to be at least 8.21 metres based on the RL provided for the ridge of the shed and RL provided for the ground levels. The request refers to the superseded version of clause 4.6 of the Camden LEP. The objectives of Clause 4.3 are not achieved as the proposed shed will result in significant adverse impacts to the Camden HCA. <p>Council officers are therefore not satisfied that the application has demonstrated that compliance with the development</p>	<p>No.</p>

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance
	standard is unreasonable or unnecessary in the circumstances, and that there are sufficient environmental planning grounds to justify the contravention of the development standard.	
<p>5.10 Heritage conservation</p> <p>Before granting development consent in respect of a heritage items or a heritage conservation area, the consent authority must consider the effect of the proposed development on the heritage significance of the item or area concerned.</p> <p>The consent authority may require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the item or heritage conservation area concerned.</p>	<p>The Heritage Impact Statement has not sufficiently demonstrated that the development is sympathetic to the historic context of the area or that the demolition of the existing dwelling house is necessary.</p> <p>The proposal would result in unacceptable impacts on the Camden Heritage Conservation Area as it would be a detracting element should it be constructed.</p>	No.
<p>5.21 Flood planning</p> <p>Development consent must not be granted to development on land at or below the flood planning level unless the consent authority is satisfied the development:</p> <p>(a) is compatible with the flood function and behaviour on the land, and</p> <p>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</p> <p>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</p> <p>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</p> <p>In deciding whether to grant development consent on land to which this clause applies, the consent authority must</p>	<p>The application does not comply with Council's Flood Risk Management Policy 2023 (FRMP).</p> <p>The FRMP prohibits development within floodways. The majority of the site is classified as a floodway.</p> <p>Additionally, the FRMP only permits Concessional and Rural & Recreational development in high flood risk precincts. The entire site is classified as a high flood risk precinct and the proposed development is not considered to be Concessional or Rural & Recreational.</p> <p>Council's Floodplain Management Team has reviewed the application and advised that the development is not compatible with the flood function of the land.</p> <p>A further discussion of flooding issues is contained within the main report.</p>	No.

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance
<p>consider the following matters:</p> <ul style="list-style-type: none"> (a) the impact of the development on projected changes to flood behaviour as a result of climate change, (b) the intended design and scale of buildings resulting from the development, (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood, (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion. 		

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
1.2 Notification and Advertising Requirements		
Notification and advertising requirements are now listed in Part 3.0 of the CPP.	The application was notified for 14 days in accordance with the Camden Community Participation Plan 2021. The notification period was from 3 May to 16 May 2024 and 11 submissions were received objecting to the proposed development. A discussion of the issues raised in the submissions is contained within the main report.	Yes.
2.1 Earthworks		
Building work should be designed to respond to the natural topography of the site wherever possible, minimising the extent of cut and fill.	Insufficient information has been provided with the application. The site has been the subject of unauthorised filling. No details were provided regarding the natural ground levels of the site prior to the filling. An accurate assessment of ground level changes is unable to be carried out without this information.	No.
Building work must be designed to ensure minimal cut and fill is required for its construction phase.	Insufficient information has been provided with the application. The site has been the subject of unauthorised filling. No details were provided regarding the natural ground levels of the site prior to the filling. An accurate assessment of ground level changes is unable to be carried out without this information.	No.
All retaining walls proposed are to be identified in the development application.	Insufficient information has been provided with the application. The bulk earthworks plan appears to show steep batters along the southwestern and southeastern boundaries which should be retained by a retaining wall. Alternatively, confirmation that the batter can be stabilised without retaining structures shall be provided from a suitably qualified person.	No.
All land forming operations should involve the use of clean fill (also known as Virgin Excavated Natural Material or 'VENM'). The VENM must also meet the same salinity characteristics of the receiving land. Council may consider alternatives to VENM on merit.	Insufficient information has been provided with the application. The site has been the subject of unauthorised filling using a material other than VENM. Whilst materials other than VENM can be considered on merit, the provided contamination assessment identified contamination on the site and recommended further investigations. It's not clear if the contamination was a result of the fill and the further investigations remain outstanding. Regarding the proposed additional fill, conditions could be imposed that requires future fill brought on to the site to be VENM should the application be approved.	No.
2.2 Salinity Management		
Groundwater recharge is to be minimised.	Conditions of consent could be imposed to ensure groundwater recharge is minimised should the application be approved.	Yes.
All development, where saline and sodic soils are identified, must incorporate soil	Conditions of consent could be imposed to require adequate sediment and erosion	Yes.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
conservation measures to minimise soil erosion and siltation during construction and following completion of development. Soil and Water Management Plans, prepared in accordance with Managing Urban Stormwater – Soils and Construction are to be submitted with each subdivision DA.	controls measures be implemented should the application be approved.	
All sediment and erosion controls are to be installed prior to the commencement of any works and maintained throughout the course of construction until disturbed areas have been revegetated/ established. Certification is required to be submitted to Council prior to commencement of construction.	Conditions of consent could be imposed to require adequate sediment and erosion controls measures be implemented should the application be approved.	Yes.
In the absence of a salinity report, all works proposed must be designed to achieve the requirements of Council's current Engineering Design Specification.	No salinity report was provided. Should the application be approved, conditions of consent could be imposed to require compliance with Council's Engineering Design Specifications.	Yes.
2.3 Water Management		
All development must demonstrate compliance with the relevant provisions of Council's Engineering Specifications including requirements for detention, drainage and water sensitive urban design.	Insufficient information has been submitted with the application. The application has not demonstrated compliance with Council's Engineering Specification as insufficient information regarding water management has been provided. The following additional information is required for assessment: <ul style="list-style-type: none"> Stormwater report. Water quality model/report. The following amendments are required: <ul style="list-style-type: none"> Provide hydrocarbon treatment. Provide on-site detention. Amend stormwater plans to be consistent with landscape plans. 	No.
2.7 Bush Fire Risk Management		
Development on land identified as bushfire prone on Council's Bush Fire Prone Land Map must address the bush fire protection measures in the NSW RFS publication Planning for Bush Fire Protection (or equivalent).	Insufficient information has been submitted. The proposed development is on bush fire prone land. Section 4.14 of the EP&A Act requires Council to be satisfied that the application conforms to the requirements of Planning for Bush Fire Protection. The applicant has failed to submit a bush fire assessment to determine if the proposed development can satisfy the requirements of Planning for Bush Fire Protection 2019.	No.
2.8 Flood Hazard Management		
Development on flood prone land must comply with Council's Engineering Design Specifications and Flood Risk Management Policy.	The application does not comply with Council's Flood Risk Management Policy 2023 (FRMP). The FRMP prohibits development within floodways. The majority of the site is classified as a floodway. Additionally, the FRMP only permits Concessional and Rural & Recreational	No.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
	development in high flood risk precincts. The entire site is classified as a high flood risk precinct. A further discussion of flooding issues is contained within the main report.	
2.9 Contaminated and Potentially Contaminated Land Management		
An assessment is to be made by the applicant under State Environmental Planning Policy (Resilience and Hazards) 2021 (or equivalent) as to whether the subject land is contaminated prior to the submission of a development application	Insufficient information has been submitted with the application. A contamination assessment was provided which identified areas of environmental concern including asbestos fragments and total recoverable hydrocarbons on site. The assessment concluded that there are preliminary indicators that on site contamination may represent an unacceptable risk to human health or the environment and that further investigation is required to determine the extent of the contamination and the suitability of the site. In the absence of the further investigations or remediation of the contamination, the consent authority cannot be satisfied that the site is suitable for the development.	No.
If contamination is present on the land, Council must consider whether the proposed land use is suitable or, if not suitable, can the land be made suitable following remediation pursuant to State Environmental Planning Policy (Resilience and Hazards) 2021. Where land is proposed to be remediated, appropriate documentation is to be presented to Council supporting the works to be undertaken to achieve suitability.	Insufficient information has been submitted with the application. A contamination assessment was provided which identified areas of environmental concern including asbestos fragments and total recoverable hydrocarbons on site. The assessment concluded that there are preliminary indicators that on site contamination may represent an unacceptable risk to human health or the environment and that further investigation is required to determine the extent of the contamination and the suitability of the site. In the absence of the further investigations or remediation of the contamination, the consent authority cannot be satisfied that the site is suitable for the development.	No.
2.10 Development near Camden Airport		
Buildings or structures located within the area affected by the Camden Airport OLS or PANS-OPS contained in the Camden Airport Master Plan must use materials that have low reflectivity.	The proposed materials will have low reflectivity.	Yes.
2.12 Acoustic Amenity		
An acoustic assessment will be required for industrial and commercial development where the development is located within a 100m radius from, or has a direct line of site of a distance of 150m to, residences or noise sensitive receivers.	Insufficient information has been submitted with the application. Two adjoining lots (7 & 9 Edward Street) contain residential land uses. An acoustic assessment is required to determine any acoustic impacts on surrounding residential receivers and determine if any noise mitigation measures are required. No acoustic assessment was	No.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
	submitted with the application.	
2.14 Waste Management		
A Waste Management Plan (WMP) must be submitted for all new development, including demolitions, construction and the ongoing (or change of) use. A WMP outlines the waste that will be generated and how the development proposes to manage the waste.	Insufficient information has been submitted with the application. The submitted waste management plan includes information about the demolition and construction phases. Minimal information has been provided about the operational phase. Information about waste generation rates and waste storage and collection locations is required.	No.
2.16.2 Heritage Concepts		
Council requires a HIS to be provided with a development application where, in the opinion of Council, the heritage significance of a heritage conservation area could be affected.	The site is within the Camden Heritage Conservation Area (Camden HCA) and a Heritage Impact Statement has been submitted with the application.	Yes.
2.16.3 General Heritage Provisions		
New buildings must be of a simple, contemporary design that avoids "heritage style" replication of architectural or decorative detail.	The proposed shed is a simple design that avoids 'heritage style' replication of architectural and/or decorative detail.	Yes.
New work must be easily identified as such and is required to be sympathetic to the heritage place.	The proposal is not sympathetic to the Camden HCA or nearby heritage items.	No.
New development must be designed to interpret and complement the general form, bulk, scale, height, architectural detail and other significant elements of the surrounding heritage place.	The proposal does not interpret, nor complement, the general form, scale and details of other elements of the Camden HCA or nearby heritage items.	No.
Where there is a uniform building front setback, new development must recognise this.	No uniform front setback has been established along this section of Exeter Street. The proposed front setback is not inconsistent with adjoining setbacks.	Yes.
The existing informal and irregular pattern of rear property building alignments is to be retained.	The proposed rear setback will contribute towards an informal and irregular pattern of rear property building alignments.	Yes.
Materials, finishes, and textures must be sympathetic to the historic context of the original significant buildings within the streetscape.	The proposal is not sympathetic to the historic context of the streetscape.	No.
Contemporary materials are permitted where their proportions, detailing and quantities are compatible with the character of the area. Large expanses of glass and reflective wall and roof cladding are not appropriate.	The large expansive roof form of the proposed shed is not appropriate.	No.
New buildings need not employ traditional colour schemes but should use colours sympathetic to surrounding development and contribute to the cohesiveness of the Heritage Place. A material and colour palette sheet must be provided to Council for assessment.	A materials and colours schedule has been provided with the development application. Whilst the proposed colours could be considered sympathetic in some instances, the large expanses of solid colours contributes to the bulk and scale of the shed.	No.
Vehicle access must not impact adversely upon the architectural character and significance of buildings or the	The proposed widening of the driveway and excessive hardstand areas will adversely impact the streetscape.	No.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
streetscape.		
Driveways should be constructed of gravel, crushed sandstone, bricks or plain concrete or be designed as separated wheel strips. Stencilled concrete is generally not appropriate.	The proposed driveway will be a mix of gravel and plain concrete.	Yes.
Hard stand areas should be kept to a minimum.	839m ² of hard stand area is proposed which equates to 83% of the site. This is considered excessive.	No.
Skylights, air conditioning units, antennas, solar panels, satellite dishes etc. must not be visible from the street.	Conditions of consent could be imposed to address this should the application be approved.	Yes.
2.16.4 Camden Heritage Conservation Area		
Views associated with the St John's Church spire must not be compromised.	The proposal will not compromise views to/from St John's Church.	Yes.
Existing cottage dominated streetscapes must be retained, new development such as extensions/additions should be compatible with the existing streetscape.	The shed is proposed to be constructed at the rear of the site. However, demolition of the existing dwelling located at the front of the site and exposure of the shed structure will adversely affect the existing streetscape.	No.
A two storey height limit must prevail except for significant architectural features incorporated into the design of buildings in significant locations.	The proposal is single storey.	Yes.
Large built forms in cottage dominated precincts must be avoided through the use of various roof forms and pitches, wall openings and recesses, materials, recessive colours and landscaping	The impacts of the proposed large built form have not been sufficiently negated.	No.
Development of the flood affected fringes of the town must not compromise the prevailing character.	The proposal is not sympathetic to the prevailing character and will likely be considered a detracting item should it be constructed.	No.
2.18 Traffic Management and Off-Street Parking		
2.18.2 Off Street Car parking rates/requirements		
<u>Vehicle Sales and Hire Premises</u> 0.75 car parking spaces per 100m ² of display site area and 6 car parking spaces per service work bay.	The application complies with the minimum car parking required for a vehicle sales and hire premises. The minimum number of spaces is 3 and the application provides 4.	
<u>Transport Depot</u> Assessed on merit.	As discussed in the main report, the application seeks consent for the use of the site as a 'vehicle sales or hire premises'. However, the development is considered to be more appropriately characterised as a 'transport depot' based on the information provided with the application.	No.
Council will assess the extent and size of service vehicle parking area to be provided having regard to the nature of a particular development and its likely servicing requirements.	It's noted that semi-trailers and truck and dog combinations are currently using the site. As such, the development should be designed to accommodate these vehicles. The proposal has only been designed to accommodate up to a MRV.	No.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
5.2 General Controls Applying to all Business Zone Areas		
Development within business zones must incorporate a range of local retail, commercial, entertainment, childcare, residential and community uses to serve the needs of the local community.	As discussed in the main report, the application seeks consent for the use of the site as a 'vehicle sales or hire premises' which would comply with this control. However, the development is considered to be characterised as a 'transport depot' based on the information provided with the application. A transport depot is not consistent with the uses stated in this control.	No.
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.	Insufficient information has been submitted with the application. Two adjoining lots (7 & 9 Edward Street) contain residential land uses. As such, an acoustic assessment is required to determine any acoustic impacts on surrounding residential receivers and determine if any noise mitigation measures are required. No acoustic assessment was submitted with the application.	No.
Where development fronts the street or any other public place (including car parking areas and pedestrian thoroughfares) the development must be designed so that it addresses the street or public place.	The development does not address Exeter Street.	No.
New development must not detract from significant existing views and vistas.	The site is located opposite the southern end of Macquarie Grove Road which is a distinct tree lined visual gateway to Camden. The proposal is likely to detract from existing views and vistas given the prominent location.	No.
Buildings should have a similar mass and scale to create a sense of consistency. Within business zones, generally there will be gradation of massing from a dense inner core to a less dense outer edge to provide an appropriate interface with land uses in the adjoining zones and symmetry to the building.	The mass and scale of the proposal is inconsistent with the buildings at the rear of adjoining Edward and Elizabeth Streets lots.	No.
Business development must feature high quality architectural design and a built form that promotes a 'sense of place' and contemporary character for all business zones	The development is not considered to be of high quality architectural design.	No.
Development in business zones must be compatible with surrounding business development in terms of appearance, type, bulk and scale, design and character.	The shed is inconsistent with the adjoining buildings in terms of bulk and scale.	No.
Building wall planes must contain variations and architectural design features in their front facades in order to provide visual interest.	No architectural design features have been incorporated to provide visual interest.	No.
Roof forms should be appropriately designed to respond to the built form of other nearby business development. The design of roofs may adopt traditional	The roof form is consistent with other outbuilding roofs in the immediate vicinity. However, the scale of the roof is substantially greater and more consistent with an industrial	No.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
forms found in the immediate locality, or alternatively they may adopt a more contemporary appearance to a juxtaposition to traditional roof forms. However, it must be clearly demonstrated that the proposed roof form relates appropriately to the existing adjoining development.	type of development.	
New development must not cause significant overshadowing or overlooking of public places, relative to the patterns of usage of those places.	The proposed shed is not expected to cause significant overshadowing to public places.	Yes.
Where a building addresses a public space, buildings must always address and embellish that public space. Public spaces may include a street, any form of urban open space (e.g. courtyard, plaza, etc), or any form of landscaped open space. This must also help contribute towards place-making.	The proposal does not sufficiently address the street.	No.
Service infrastructure such as air conditioning and other plant must be screened from public view and must be incorporated into the design of the building.	Conditions of consent could be imposed to address this should the application be approved.	Yes.
Site facilities such as loading, waste storage, servicing and other infrastructure must be designed to minimise the visual impact on the public domain and impacts on neighbours.	Extensive hard stand areas for loading, parking and manoeuvring will likely have significant adverse visual impacts on the public domain.	No.
Security devices must be integrated with the design of the building and must enable design features to be interpreted outside centre trading hours.	Conditions of consent could be imposed to address this should the application be approved.	Yes.
Business development must be designed to facilitate high levels of pedestrian amenity and permeability, including access and facilities for cyclists.	The proposal has not demonstrated that a high level of pedestrian amenity and permeability will be provided throughout the site.	No.
Buildings should be designed to minimise overshadowing of pedestrian thoroughfares and footpaths wherever possible.	The proposed shed is not expected to cause significant overshadowing of pedestrian thoroughfares or footpaths.	Yes.
Development must include a high quality landscape design including a co-ordinated package of street furniture and lighting that enhances the character of the business zone. The design of landscaping and the public domain must be generally in accordance with Council's Landscape and Streetscape Elements Manual (or equivalent).	Landscaping is proposed however it is generally contained to the northern corner of the site. The quality of the landscaping would be improved by increasing the amount of landscaped area and more evenly distributing the embellishment across the site.	No.
The building and landscape design is to be complementary to ensure legible, safe, comfortable and easy access for pedestrian from the street frontages, within the business zone and to adjoining land, where appropriate.	The proposal does not provide legible, safe comfortable and easy access to the site.	No.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
Street tree and open space plantings are to provide generous shade for pedestrians.	Conditions of consent could be imposed to address this should the application be approved.	Yes.
The visibility of parking areas at street frontages must be minimised through parking layout and design, building location and design and landscaping treatments. Bitumen and cars are not to be the dominant features of the landscape.	The proposed landscaping does not sufficiently negate the adverse impacts of the proposed hard stand areas. Parking areas and vehicles will likely be the dominant feature of the landscape.	No.
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	The proposal does not provide legible, safe comfortable and easy access to the site.	No.
Car parking must be provided in accordance with Part 2 of this DCP.	See control 2.18.2 above.	No.
A detailed Waste Management Plan (WMP) must be submitted for the ongoing use of the site. A WMP must outline the waste that will be generated from the site and proposed arrangements for managing waste onsite and for collection.	Insufficient information has been submitted with the application. Minimal information has been provided about the operational phase. Information about waste generation rates and waste storage and collection locations is required.	No.
The site plan and floor plans must show: the location of temporary waste and recycling storage areas within each tenancy; the location of designated waste and recycling storage room(s) or areas that are sized to meet the waste and recycling needs of all tenants (refer to Council's Waste Management Guidelines for generation rates); an identified collection point for the collection and emptying of waste, recycling and other waste bins; and the path of travel for moving bins from the storage area to the identified collection point (if collection is to occur away from the storage area). There must be step-free access between the point at which bins are collected/emptied and the waste/recycling storage room(s) or area(s).	Insufficient information has been submitted with the application. Minimal information has been provided about the operational phase. Information about waste generation rates and waste storage and collection locations is required.	No.
A swept path analysis must be prepared by a suitably qualified professional in accordance with AS2890.2. It must be demonstrated that a Heavy Rigid Vehicle: can enter, manoeuvre and exit the site in a forward direction; perform collections in a safe manner; and is provided with adequate height and width clearance to safely access the site.	The proposal has been designed to accommodate a vehicle up to an MRV only. However, it is observed that semi-trailers and truck and dog combinations are currently using the site	No.
Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids and stored in	Insufficient information has been submitted with the application. Minimal information has been provided about the operational phase. Information about waste generation rates and	No.

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
designated waste/recycling storage room(s) or area(s).	waste storage and collection locations is required.	
The number of bins to be provided must be calculated based on waste generation rates in Council's Waste Management Guidelines;	Insufficient information has been submitted with the application. Minimal information has been provided about the operational phase. Information about waste generation rates and waste storage and collection locations is required.	No.
In exceptional circumstances where onsite collection cannot be achieved, waste/recycling containers should be collected from a kerbside, rear laneway or service passage. Waste collection should not be provided along shop frontages.	Insufficient information has been submitted with the application. Minimal information has been provided about the operational phase. Information about waste generation rates and waste storage and collection locations is required.	No.
5.3 Camden Town Centre Development Controls		
5.3.3 Camden – MU1 Mixed Use		
Development in the MU1 Mixed Use zone should be complementary to the existing land uses in the B2 Local Centre zone which forms the core business and retail precinct of the Camden township.	As discussed in the main report, the application seeks consent for the use of the site as a 'vehicle sales or hire premises' which would comply with this control. However, the development is considered to be characterised as a 'transport depot' (which is a prohibited land use) based on the information provided with the application.	No.
Buildings must contribute to the local distinctiveness of the Camden township by using a varied palette of colours, materials and finishes.	The proposal is not considered to contribute to the local distinctiveness of the Camden township.	No.
Buildings in full corporate colours will not be permitted. Corporate colours can, however, be sensitively integrated as part of an overall design and signage strategy.	Corporate colours for the building are not proposed.	Yes.
The Camden township is located within the Camden Heritage Conservation Area. Reference must be made to Part 2 of this DCP.	An assessment against the relevant controls has been made earlier in this table. The proposal is inconsistent with these controls.	No.

**Written Request under Clause 4.6 Exceptions to Development
Standards of Camden Local Environmental Plan 2010**

Lot A DP 160065, 3 Exeter Street, CAMDEN

Prepared For:
IMMS
Prepared By



April 2024

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1. Introduction

This clause 4.6 written variation request has been prepared by Michael Brown Planning Strategies Pty Ltd on behalf of IMMS. It is submitted to Camden Council in support of a development application for the demolition of the existing dwelling and construction of a shed at No 3 Exeter Street, CAMDEN. The subject shed has a height of 7.645m and Clause 4.3 of Camden Local Environmental Plan 2010 provides a height control of 7m. There is a non-compliance with the height of 645m or 9.21%.

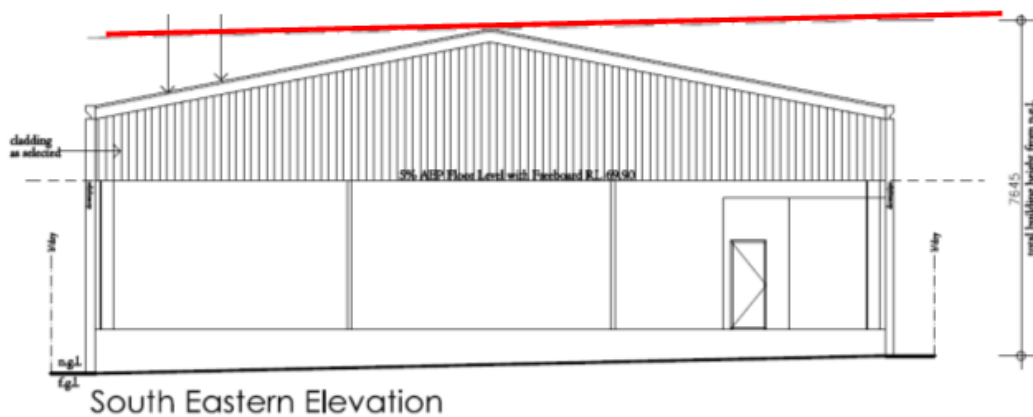
The proposal seeks a variation to the maximum building height limit. In brief, the proposal involves part of the roof of the building exceeding the 7m building height control under Clause 4.3(2) of Camden Local Environmental Plan 2010 ("CLEP 2010"). Refer to Figure 1 for detail and shown on Sheet 5 Revision A of Appendix A of the plans submitted with the application prepared by Devine Drafting & Design.

It would be noted that under the Heights of Building Map under Clause 4.3 of Camden Local Environmental Plan 2010 (CLEP) that the maximum height control for the site is 7m, with the shed exceeding the height control at 645m (worse-case scenario - Figure 1). The site is zoned MU1 Mixed Use and the proposed development is permissible with development consent, as addressed in Section 4.5 of the Statement of Environmental Effects (SoEE) prepared by this firm.

The height of the roof varies depending on existing ground levels. However, ground levels change from different points and therefore the exceedance varies depending on where the measurement is taken from. Notwithstanding, the roof of the shed exceeds the height control of Cl4.3(2) of CLEP 2010 by 645m. It would be noted that the north eastern elevation on Sheet 5 of Appendix A shows that the building has a height of 6.849m and therefore less than 7m.

The exceedance is calculated at 9.21% (less than 10%) and we note that the application will be determined by Council officers.

FIGURE 1 - SECTION ELEVATION



Clause 4.6 (3) and (4)(a)(ii) requires the consent authority to consider a written request from the applicant that seeks to justify the contravention of the development standard.

Clause 4.6(4)(a) states that development consent must not be granted for development that contravenes a development standard unless the consent authority is satisfied:

- (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

The consent authority's satisfaction in respect of those matters must be informed by the objectives of clause 4.6, which are to provide an appropriate degree of flexibility in the application of the relevant controls and to achieve better outcomes for and from the development in question by allowing flexibility in particular circumstances.

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

This approach was later rephrased by Chief Justice Preston, in the decision of *Wehbe v Pittwater Council* [2007] NSWLEC 827 (*Wehbe*). While these cases referred to the former SEPP 1, the analysis remains relevant to the application of clause 4.6(3)(a). Further guidance on clause 4.6 of the Standard Instrument has been provided by the Land and Environment Court in a number of decisions, including:

- *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118.
- *Turland v Wingecarribee Shire Council* [2018] NSWLEC 1511.
- *Bettar v Council of the City of Sydney* (2014) NSWLEC 1070 at 39-41.
- *Four2Five Pty Ltd v Ashfield Council* [2010] NSWLEC 1009.
- *Micaul Holdings Pty Limited v Randwick City Council* [2010] NSWLEC 1386.
- *Moskovich v Waverley Council* [2016] NSWLEC 1015.
- *Rihani V Waverley Council* (2022) NSWLEC 1292.

Notwithstanding, of relevance to the subject application is a recent Land & Environment Court decision in the matter of how the Court adopts a new way of measuring building height on brownfield sites.

Notwithstanding, the level from existing ground level to the roof, the building exceeds the height control, as shown as a red line on the elevation plans at **Figure 1**.

1.1 SUBJECT PROPOSAL

In accordance with CLEP 2010 requirements, this Clause 4.6 request provides sufficient justification to vary the standard in that:

- It establishes that compliance with the development standard is unreasonable or unnecessary in the circumstances of this particular case.
- Demonstrates there are sufficient environmental planning grounds to justify contravention.

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

This cl4.6 written variation request demonstrates that compliance with the maximum height development standard is unreasonable and unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravention of the standard and that proposal is in the public interest.

This clause 4.6 variation request demonstrates that:

- There are sufficient environmental grounds to justify the contravention. The proposed height variation does not generate any unacceptable environmental impacts in respect of overshadowing and will not impact on any significant view lines and vistas from the public domain or from adjoining dwellings or buildings (refer to heritage impact statement at **Appendix B**).
- There are site specific environmental grounds which justify the breach, in particular the requirement to have regard to the existing ground levels and the flood affectation of the subject property. It is noted that the 1% AEP flood level is RL 71.10m and the finished floor level of the shed is RL 66.50m, which is 4.6m below this level. The shed has to be constructed at this level to allow vehicles access to the shed, as the use of the property is for a vehicle sales and hire premises.
- Notwithstanding the proposed height variation, the proposed development remains consistent with the objectives of the height standard and the MU1 Mixed Use zone (refer to **Figure 2** for extract from the zone map under CLEP 2010).
- The proposed height variation will not be perceivable from the public domain and as such the proposed development will have an appropriate impact, in terms of its scale, form and massing and will not have a significant impact on existing buildings in the immediate area. It should be noted that the existing dwelling has a finished floor level of RL 68.46m and a roof ridge height of RL 73.49m. The finished floor level of the shed is RL 66.50m, with a roof ridge height of RL 73.849m, essentially the same height as the existing dwelling (refer to survey plan at **Appendix G**).
- The proposed development is in the public interest. The proposed development and variation to the height control will enable the orderly and efficient use of the property for the owners to operate the proposed use in conjunction with the existing business at No 1 Edward Street, Camden, and therefore is in accordance with the objects of the Act. Therefore, the DA may be approved with the variation as proposed in accordance with the flexibility allowed under clause 4.6 of the CLEP 2010.

The height of the shed exceeds the height control under Clause 4.3 of *Camden Local Environmental Plan 2010* by 645m worst-case scenario or 9.21% and as such a Clause 4.6 variation request is provided to justify that the proposal is in the public interest and addresses the potential environmental impacts of the proposal.

This report should also be read in conjunction with architectural plans prepared by Devine Drafting & Design that accompany the development application at **Appendix A**.

FIGURE 2 - EXTRACT OF ZONE MAP



This report comprises a written request from the Applicant under Clause 4.6 of Camden Local Environmental Plan 2010 ("CLEP 2010") that seeks to justify the contravention by a proposed development to the development standard for the height control in Clause 4.3(2) of LEP 2010. This clause states:

- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

1.2 STATUTORY OBLIGATIONS OF THE APPLICANT AND COUNCIL

The authority established within a judgement in *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118*, provides that a cl4.6 variation need not establish that a development containing a variation provides a better or even neutral outcome for a development site compared with that which would be provided by a compliant development proposal for the site.

In light of this judgement, it is necessary to distinguish between the obligations of the applicant, and the obligations of Council. The applicant must address the matters required by cl4.6(3). Note however, that for completeness and to assist Council in its assessment, this variation request has addressed cl4.6(3) and 4.6(4).

The consent authority need only be satisfied of the matters required within 4.6(4)(a), namely that the applicant has adequately addressed 4.6(3), and that the development is consistent with the objectives of the standard and the objectives of the zone. The issue of compliance with the objectives of the zone are addressed by this firm in the Statement of Environmental Effects (SoEE) accompanying the development application.

The Initial Action judgement states that “the consent authority, or the Court on appeal, does not have to directly form the opinion of satisfaction regarding the matters in cl4.6(3)(a) and (b), but only indirectly form the opinion of satisfaction that the applicant’s written request has adequately addressed the matters required to be demonstrated by cl4.6(3)(a) and (b)”.

The independent role for the consent authority is therefore to determine whether the proposed development will be consistent with the objectives of the standard and the objectives of the zone. This involves a consideration of the “development” in its entirety, not just the proposed variation. It is clear that the development meets the objectives of the standard as discussed throughout this written request.

Therefore, strict compliance with the objectives of the MU1 Mixed use zone have been met and we would contend that the development is not inconsistent with the objectives of encouraging businesses to operate and create employment and does not impact on the environmental qualities of the property or nearby properties, given the location of this development site. This aspect of the request is addressed in this cl4.6 request.

The responsibilities of the applicant had earlier been clarified within *Four2Five Pty Ltd v Ashfield Council (2010) NSWCA 248*. In addressing cl4.6(3), the applicant must establish reasons that the variation should be supported, aside from the consistency of the development with the objectives of the standard and the objectives of the zone.

It is generally understood that Clause 4.6(3) can be satisfied if it is established that a development satisfies one or more of points 2-5 on page 11 of this request. The information contained within this written request directly addresses the third and fourth reason within the list.

Note that although this request is structured to address cl4.6(3) and 4.6(4)(a)(ii) individually, the report should be read in its entirety as fulfilling the applicant’s obligations under cl4.6(3).

1.3 DEVELOPMENT STANDARD TO BE VARIED

This Clause 4.6 written variation request seeks to justify contravention of the development standard set out in cl4.3 of the CLEP. Clause 4.3 provides that the maximum height control for the Site is 7m, as shown on the heights of building map extract (**Figure 3**).

FIGURE 3 - EXTRACT OF HEIGHTS OF BUILDINGS MAP



Clause 4.6(2) & (3) of LEP 2010 states:

- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

The land the subject of this objection is known as Lot A DP 160065, 3 Exeter Street, CAMDEN, as shown on **Figure 4**. The proposal seeks consent to undertake the demolition of the existing dwelling on the subject property and construct a shed to be used in conjunction with the existing business at No 1 Edward Street.

The development is shown on the submitted plans prepared by Devine Drafting & Design at **Appendix A** and addressed in the accompanying Statement of Environmental Effects (SoEE) prepared by this firm.

The remainder of this report seeks to demonstrate that compliance with Clause 4.3(2) of CLEP 2010 is both unreasonable and unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard in this instance and that the proposal is in the public interest.

FIGURE 4 - AERIAL SITE CONTEXT



Clause 4.6(4) of LEP 2010 states:

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

The property has a height control specified under Cl4.3(2) to enable the consent authority to approve without further investigation of the specific objectives.

This report has been prepared to support a variation to the development standards of Cl4.3(2) of Camden Local Environmental Plan 2010 (CLEP 2010). As such a written variation is sought under 'Clause 4.6 - Exceptions to development standards' under CLEP 2010. It is proposed by the development proposal to undertake the demolition of the existing dwelling and construct a shed with a height of 7.645m or 645m worst-case scenario above the height control of 7m.

This equates to a 9.21% variation to the development standard. Basically, the building exceeds the height as shown on **Figure 1**.

It is noted that Cl4.3 is not "expressly excluded" from the operation of Cl4.6 and it is therefore open to the consent authority to grant development consent to the development pursuant to this Clause, despite the proposed variation to Cl4.3.

2 Exception to Development Standards – Clause 4.6

Clause 4.6 of the CLEP 2010 operates as a precondition to the exercise of power to grant consent and unless a consent authority is satisfied that the precondition has been met, consent cannot be granted to a proposed development that contravenes development standards.

Two positive opinions of satisfaction under cl4.6(4)(a)(i) and (ii) must be made.

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

1. *Wehbe v Pittwater Council* [2007] NSW LEC 827; and
2. *Four2Five Pty Ltd v Ashfield Council* [2010] NSWLEC 1009.

The relevant matters contained in cl4.6 of the CLEP, with respect to the maximum building height development standard, are each addressed below, including with regard to these decisions.

2.1 CLAUSE 4.6(4)(A)(I) - ADEQUATE ADDRESS OF MATTERS UNDER CL 4.6(3)

In response to cl4.6(3) two matters must be addressed:

- A. compliance with the development standards is unreasonable and unnecessary in the circumstances of the case; and
- B. there are sufficient environmental planning grounds to justify contravention of the development standard.

(A) Compliance with the development standard is unreasonable and unnecessary in the circumstances of the case

The objectives of cl4.3(1) are:

- (a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,
- (b) to minimise the visual impact, disruption of views, loss of privacy and loss of solar access to existing development,
- (c) to minimise the adverse impact of development on heritage conservation areas and heritage items.

The above objectives are achieved notwithstanding the objectives of cl4.3 making it unnecessary to apply the height control in the heights of building map.

Historically, the most common way to establish whether a development standard was unreasonable or unnecessary was by satisfying the first method set out in *Wehbe v Pittwater Council* [2007] NSWLEC 827. This method requires the objectives of the standard be achieved despite the non-compliance with the standard.

This was recently re-affirmed by the Chief Judge in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 at [16]-[17].

Similarly, in *Randwick City Council v Micaul Holdings Pty Ltd [2016] NSWLEC 7 at [34]* the Chief Judge held that “establishing that the development would not cause environmental harm and is consistent with the objectives of the development standards is an established means of demonstrating that compliance with the development standard is unreasonable or unnecessary”.

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

While *Wehbe* related to objections made pursuant to State Environmental Planning Policy No. 1 – Development Standards (SEPP 1), the analysis can be of assistance to variations made under clause 4.6 where subclause 4.6(3)(a) uses the same language as clause 6 of SEPP 1 (see *FourFive* at [61] and [62]). As the language used in subclause 4.6(3)(a) of the CLEP 2010 is the same as the language used in clause 6 of SEPP 1, the principles contained in *Wehbe* are of assistance to this cl4.6 variation request.

The five methods outlined in *Wehbe* include:

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

The Request also seeks to demonstrate the ‘unreasonable and unnecessary’ requirement is met because the burden placed on the community by not permitting the variation would be disproportionate to the non-existent or inconsequential adverse impacts arising from the proposed non-complying development. This disproportion provides sufficient grounds to establish unreasonableness (relying on comments made in an analogous context, in *Botany Bay City Council v Saab Corp [2010] NSWCA 308 at [15]*).

The objectives of the development standard contained in clause 4.3 of the CLEP are summarised in **Table 1**.

TABLE 1 – COMPLIANCE TABLE

Objective	Proposed
Clause 4.3(1)	
<p>(a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,</p>	<p>This objective articulates the ultimate function of the height of buildings development standard. The maximum height for buildings on land within the Camden Local Government Area is identified on the Height of Buildings Map. As previously described, the maximum building height permitted on the subject site is 7m and the maximum height of the proposal is 7.645m or 645m above the control.</p> <p>The proposal varies the standard, which has prompted the preparation of this written variation request. Despite the nature and scale of development proposed by this Development Application, Clause 4.3 achieves the objective of nominating a range of maximum building heights across land use zones, using the Height of Buildings Map as a mechanism to do so. This written request identifies the extent of variation proposed and explains why the variation is acceptable in the circumstances. As discussed in the context of the other objectives, the proposal will not conflict with the underlying aims for built form and land use intensity in the zone or the site’s relationship to the “hierarchy” of height limits for surrounding land.</p> <p>Height controls are set via height in metres, to best respond to variation in natural landforms. The proposed exceedance of the height control does not impact this reflection of natural landforms, nor the height control across the site. In fact, the proposed shed (and height variation) better reflect the natural landform, noting the height of the existing dwelling has a roof ridge height of RL 73.49m; whilst the shed has a roof ridge height of RL 73.849m, essentially the same height as the existing dwelling.</p> <p>In combination (height controls and topography) place restrictions on designing a compliant development. Notwithstanding, the design results in a non-compliance that is considered acceptable, particularly when viewed from the public domain, which will not be discernible when compared with the height of the existing dwelling and the location of the shed at the rear of the subject property.</p> <p>This written request identifies the extent of variation proposed and explains why the variation is acceptable in the circumstances having regard to the heights permitted on the subject site and not taking into account the flood affectation.</p>

Objective	Proposed
	<p>As discussed in the context of the other objectives, the proposal will not conflict with the underlying aims for built form and land use intensity in the zone or the site’s relationship to the “hierarchy” of height limits for surrounding land, which has been addressed throughout this request.</p> <p>The proposal is consistent with the Planning Principle of the Land & Environment Court in the matter of Veloshin V Randwick Council (2007) NSWLEC 428 at 32-33.</p> <p><i>Planning principle: assessment of height and bulk</i></p> <ul style="list-style-type: none"> The appropriateness of a proposal’s height and bulk is most usefully assessed against planning controls related to these attributes, such as maximum height, floor space ratio, site coverage and setbacks. The questions to be asked are: <p><i>Are the impacts consistent with impacts that may be reasonably expected under the controls? (For complying proposals this question relates to whether the massing has been distributed so as to reduce impacts, rather than to increase them. For non-complying proposals the question cannot be answered unless the difference between the impacts of a complying and a non-complying development is quantified.)</i></p> <p><i>How does the proposal’s height and bulk relate to the height and bulk desired under the relevant controls?</i></p> Where the planning controls are aimed at preserving the existing character of an area, additional questions to be asked are: <p><i>Does the area have a predominant existing character and are the planning controls likely to maintain it?</i></p> <p><i>Does the proposal fit into the existing character of the area?</i></p> Where the planning controls are aimed at creating a new character, the existing character is of less relevance. The controls then indicate the nature of the new character desired. The question to be asked is: <p><i>Is the proposal consistent with the bulk and character intended by the planning controls?</i></p>

Objective	Proposed
	<ul style="list-style-type: none"> Where there is an absence of planning controls related to bulk and character, the assessment of a proposal should be based on whether the planning intent for the area appears to be the preservation of the existing character or the creation of a new one. In cases where even this question cannot be answered, reliance on subjective opinion cannot be avoided. The question then is: <i>Does the proposal look appropriate in its context?</i> <p>33 The above principles are supplementary to, and consistent with, the principles established in <i>Stockland Development Pty Ltd v Manly Council [2004] NSWLEC 472</i>.</p> <p>As detailed in this variation request, we are of the opinion that the height and scale of the development is not inconsistent with the existing character of this part of Camden that contains mixed use developments and noting the height, bulk and scale of the Mitre 10 hardware store directly opposite and the height of the existing dwelling.</p> <p>The proposed scale of development relates to the built form envisaged by the planning controls, specifically building height, despite the relatively numerical departure from the height of buildings development standard. The proposed non-compliance will better achieve the aims, than would a scheme that strictly complied through the reduction in height.</p> <p>It is concluded that the design of the development is compatible with the character of the local area in the required sense of “capable of existing in harmony”.</p>
<p>(b) to minimise the visual impact, disruption of views, loss of privacy and loss of solar access to existing development,</p>	<p>Although the proposed development projects beyond the maximum building height plane (refer to Figure 1), it is submitted that there will be no adverse impact as follows:</p> <ul style="list-style-type: none"> Visual impact: The non-compliant element is a direct result of existing ground levels and flood affectation. View loss: The extent of variation is numerically (9.21%) and the non-compliant element is not likely to impinge on any significant public or private views.

Objective	Proposed
	<p>It is noted that the maximum permitted building height on land adjoining the site is 7m, noting the 1% AEP flood level is RL 71.10m.</p> <p>Therefore, the additional building height proposed will not obscure views from public or private areas, noting the height and location of the existing dwelling. The proposed height variation does not impact on any significant view lines and vistas from the public domain. The potential view loss will be no greater than a compliant development.</p> <p>This is consistent with the decision of Senior Commissioner Roseth in <i>Tenacity Consulting Pty Ltd V Camden Council (2004)</i> NSWLEC 140.</p> <p>Having regard to all of the above, it is our opinion that compliance with the height of buildings development standard is unnecessary in the circumstances of the case as the development meets the objectives of that standard and the zone objectives, as described in this written variation request.</p> <p>Compliance with the development standard is both unreasonable and unnecessary in this case given that the characteristics of the site and the circumstances of the proposed building allowing for the proposed height and the flood affectation on the subject property.</p>
<p>(c) to minimise the adverse impact of development on heritage conservation areas and heritage items.</p>	<p>The subject property is located in a heritage conservation area and will have no impact on heritage items within the surrounding area, as detailed in Appendix B, with the location of the heritage conservation area and heritage items shown of Figure 5.</p>

FIGURE 5 – LOCATION OF HERITAGE PROPERTIES



2.2 CONCLUSION

Having regard to all of the above, it is our opinion that strict compliance with the height control standard is unnecessary in the circumstances of the case as the development meets the objectives of that standard and the zone, as described in this written variation request.

It is not considered that a variation to the development standard in these circumstances would act as a general planning change more appropriately dealt with under *Part 3* of the *Environmental Planning & Assessment Act 1979*, as the variation to the height control of cl4.3(2) being a 9.21% variation and will not be discernible from the public domain.

As such, it is considered that the variation request in this instance can be addressed under the current zoning regime applying to the subject property.

3 Objectives of the Zone

The objectives of the MU1 zone are:

- To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.

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

Clause 4.6(4)(a)(ii) also requires that the consent authority be satisfied that the development is in the public interest because it is consistent with relevant zone objectives. The proposed development is consistent with the objectives of Zone MU1 Mixed Use zone.

For these reasons the development proposal meets the objectives for development in Zone MU1, despite non-compliance with the building height development standard.

4 Sufficient Environmental Planning Grounds

(B) that there are sufficient environmental planning grounds to justify contravening the development standard.

The Land & Environment Court judgment in *Initial Action Pty Ltd v Woollahra Council* [2018] NSWLEC 2018, assists in considering whether there are sufficient environmental planning grounds to justify a variation from the development standard. Preston J observed:

“...in order for there to be 'sufficient' environmental planning grounds to justify a written request under clause 4.6, the focus must be on the aspect or element of the development that contravenes the development standard and the environmental planning grounds advanced in the written request must justify contravening the development standard, not simply promote the benefits of carrying out the development as a whole; and ...there is no basis in Clause 4.6 to establish a test that the non-compliant development should have a neutral or beneficial effect relative to a compliant development”

Having regard to the objectives of the *Environmental Planning and Assessment Act 1979* sufficient environmental planning grounds exist in this case to justify breaching the height standards. In particular the objects under section 1.3(a), (b), (c), (g) and (h) are pursued by this development. The objective seeking orderly and economic development of land and good design are clearly supported by approval of this development, noting that the existing dwelling is located in a commercial zone (MU1).

Part of the environmental planning grounds in this matter arise from the individual design aspects of that part of the shed in breach and they are supportive of the variation sought to the height control to allow variations of a nature (9.21%).

Clause 4.6(3)(b) requires that the written request to vary a development standard demonstrates that there are sufficient environmental planning grounds to justify contravening the development standard. In order to demonstrate that there are sufficient environmental planning grounds to justify varying the development standard and to satisfy objective (1)(b) of Clause 4.6 by demonstrating that the proposed variation allows for a better outcome for and from the development. The following discussion is provided:

- The discussion provided throughout this variation request demonstrates that the additional building height will not result in any adverse environmental impacts, in terms of amenity impacts, overshadowing nor will there be any adverse impacts given the nature of the departure. The height of the proposed shed is essentially the same as the height of the dwelling and the fact that the subject property is flood affected.

Exceedance of the height control is therefore not a prohibition, but more relating to development that may be developed in such a zone with height controls restricting development to 7m, despite the fact that this part of the Township is severely affected by flooding in minor and major flood events. As such the development offers a level of amenity suitable to the proposed development. The height non-compliance, on its own, has no impacts on any surrounding land or the public domain, as detailed in this request.

There is an absence of environmental harm arising from the contravention and positive planning benefits arising from the proposed development as outlined in detail above. These include:

- The proposal satisfies the general objectives in section 1.3 of the *Environmental Planning and Assessment Act 1979* in that it promotes the orderly and economic use and development of land.
- The proposed variation is 9.21% of the roof at 645m above the height control (refer to **Figure 1**).
- The proposed variation will not result in any unacceptable environmental impacts on the site. Based on the above, it has been demonstrated that there are sufficient environmental planning grounds to justify the proposed cl4.3(2) building height non-compliance in this instance.

Clause 4.6(3)(b) requires that the written request to vary a development standard demonstrates that there are sufficient environmental planning grounds to justify contravening the development standard. The height control requirements under CLEP 2010 are, in the circumstances of this matter, unreasonable and unnecessary, as discussed in this submission.

The site is zoned MU1 Mixed Use with a height control of 7m. Exceedance of the height control is therefore not a prohibition, but more relating to development that may be developed in MU1 zones.

(C) In addition, under cl 4.6(4)(a)(ii) of the LEP, the consent authority must also be satisfied that:

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

In the judgement within Initial Action, Preston CJ indicated that a consent authority only needs to be satisfied that an applicant has adequately addressed the matters within clause 4.6(3), and that, pursuant to cl4.6(4)(a)(ii), the development is consistent with the objectives of the standard and consistent with the objectives of the zone. Although not strictly required, this variation has addressed the reasons that the development satisfies 4.6(4)(a)(ii).

The objectives of the height standard were addressed above. It is evident from the above that Objectives (i) to (iv) have been addressed. It is also evident that the existing locality referred to within the objectives, is eclectic and is not characterised by any particular homogenous built form, particularly having regard to the built form of the commercial developments in this street and nearby streets. Some of these buildings are substantial as shown on **Figure 4** with large footprints and typologies. Notwithstanding, the size of the proposed shed is consistent with the size of dwellings in Edward Street that are used for commercial purposes.

The public interest has been demonstrated in several sections of this report and is found to be consistent with the objectives of Clause 4.3 under CLEP 2010. Accordingly, the proposed development is in the public interest, as it is consistent with the overarching height objectives.

The proposed non-compliance with the building height standard will not raise any matter of significance for State or regional environmental planning. It has been demonstrated that the proposed variation is appropriate based on the specific circumstances of the case and would be unlikely to result in an unacceptable precedent for the assessment of other development proposals.

The proposed development achieves the objectives of the building height standard despite the technical non-compliance.

There are no significant public disadvantages which would result from the proposed development and it is considered that there are no matters that warrant refusal of the proposal on grounds of the development being contrary to the public interest. The proposed development is therefore considered to be justified on public interest grounds.

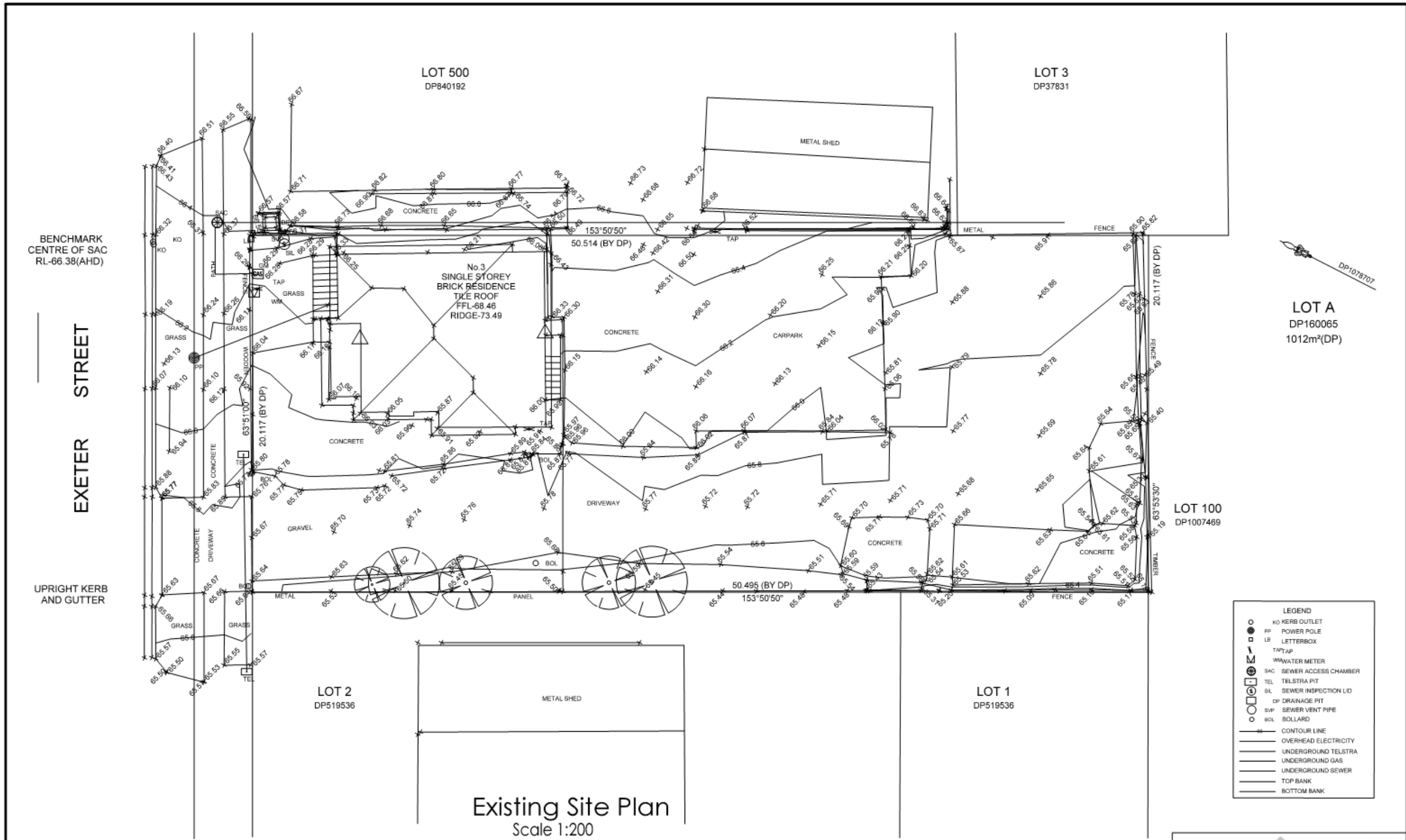
4.1 SUMMARY

Having regard to the judgement in *Wehbe*, the objectives of the *Environmental Planning and Assessment Act 1979*, the objectives of the zone and the objectives of the standard, sufficient environmental planning grounds exist in this case to justify breaching the height standard. The reasons for the variation can be summarised as follows:

- The subject development is compatible with the existing site context and the proposal achieves the objectives of the development standard as provided in Clause 4.3 of CLEP 2010.
- Therefore, the underlying objective or purpose of the height control standard would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.
- The constraints and opportunities associated with the site have influenced the design of the proposal, and the proposal is a carefully considered response to these constraints detailed in this report.
- Does not generate any unacceptable environmental impacts in respect of overshadowing, or material view loss, as detailed above in **Table 1**.
- Although the standard has not been abandoned or destroyed, the strict application of the standard in these circumstances is not appropriate.

The authority within the judgement in Initial Action has reaffirmed that the role for the consent authority is to determine whether the proposed development will be consistent with the objectives of the standard and the objectives of the zone. This involves a consideration of the "development" in its entirety, not just the proposed variation. It is clear that the development meets the objectives of the standard and of the zone.

This written request has demonstrated that strict compliance with the standard in this instance would be unnecessary and unreasonable and that there are environmental planning grounds to justify the contravention of the development standard and that the development is in the public interest. Given the above, it is considered that the requirements of Clause 4.6 have been satisfied and that the variation to the height development standard can be approved.



Client:
Steve Wilson

Job:
Proposed Sun Cover
Safety Shed

3 Exeter Street, Camden (Lot A)

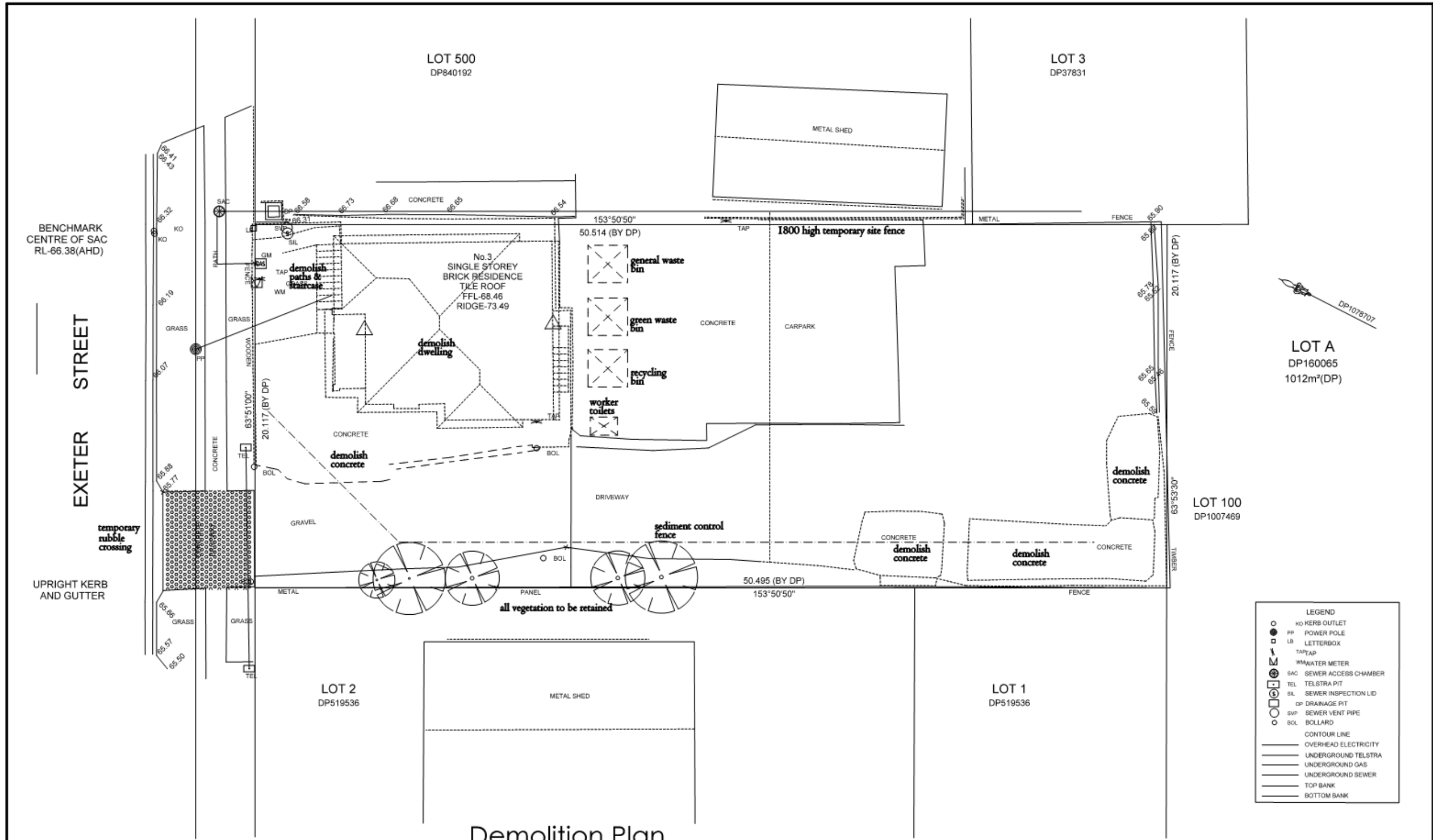
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Date:

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Demolition Plan
Scale 1:200

LEGEND

- KO KERB OUTLET
- PP POWER POLE
- LB LETTERBOX
- ⊥ TAP/TAP
- ⊕ WM WATER METER
- ⊕ SAC SEWER ACCESS CHAMBER
- ⊕ TEL TELSTRA PIT
- ⊕ SIL SEWER INSPECTION LID
- ⊕ DP DRAINAGE PIT
- ⊕ SVP SEWER VENT PIPE
- BOL BOLLARD
- CONTOUR LINE
- OVERHEAD ELECTRICITY
- UNDERGROUND TELSTRA
- UNDERGROUND GAS
- UNDERGROUND SEWER
- TOP BANK
- BOTTOM BANK

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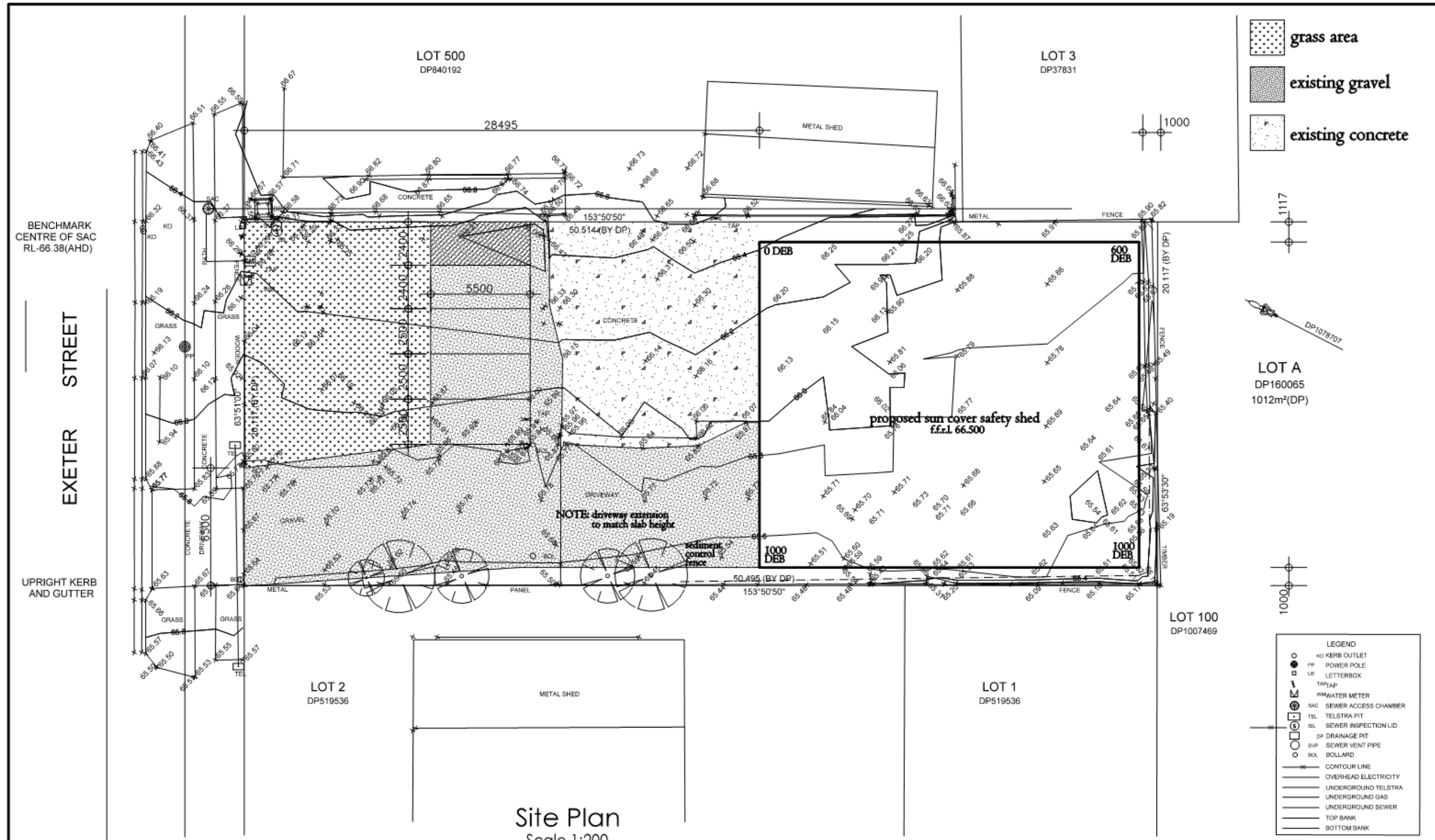
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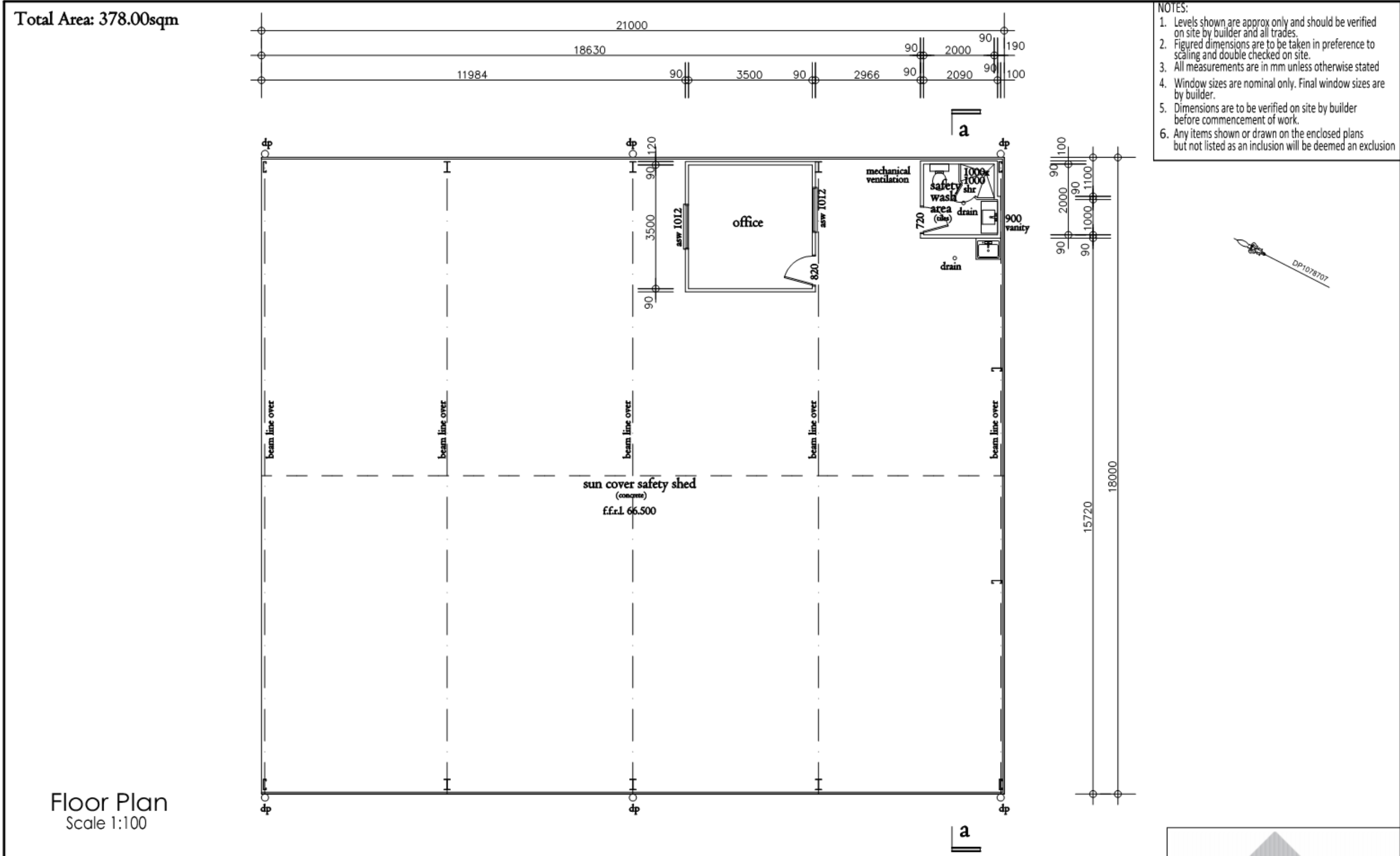
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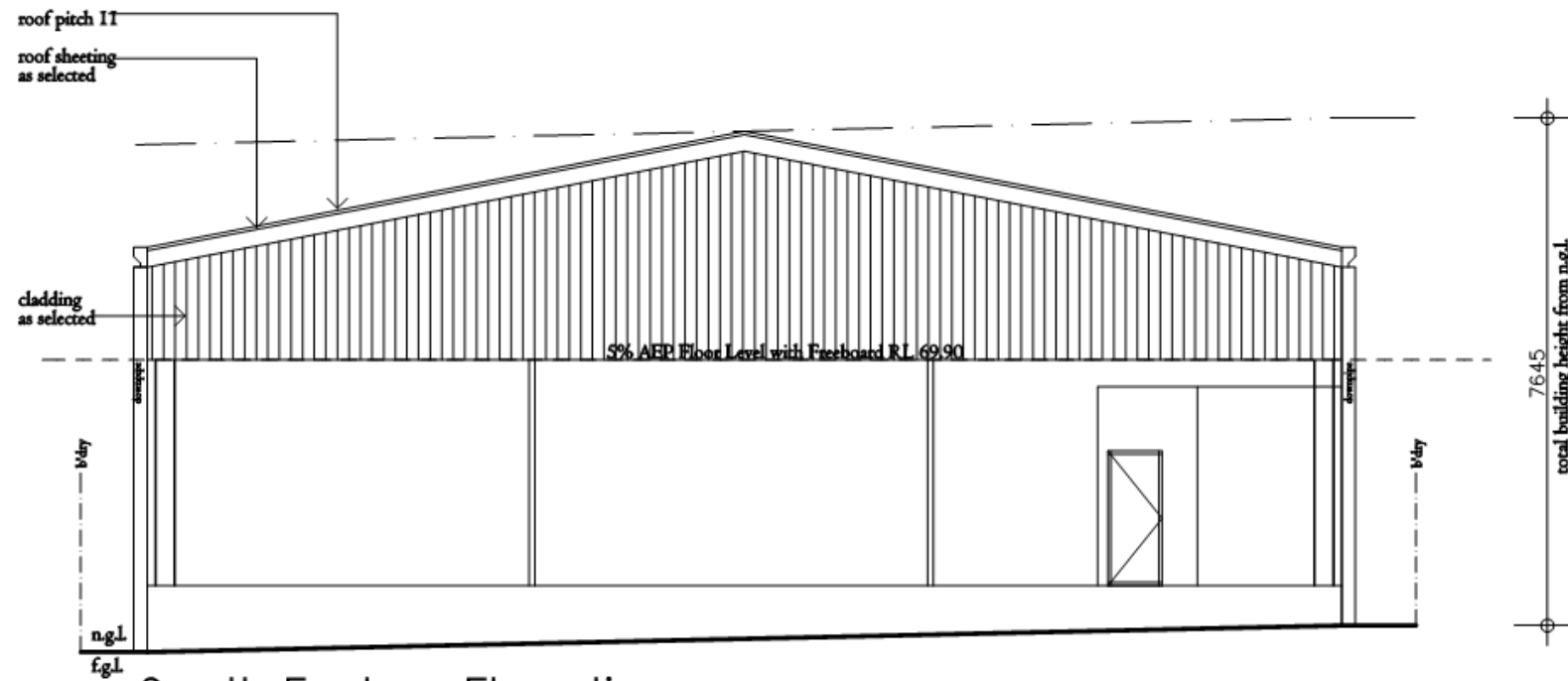
Client: Steve Wilson	Job: Proposed Sun Cover Safety Shed 3 Exeter Street, Camden (Lot A)	Scale: 1:200	Date: 12-4-24	Approval from client		1300 4 DEVINE admin@devinedrafting.com.au PO Box 7323 Mount Annan NSW 2567 © Devine Drafting & Design Pty Ltd 2023	
		Drawing No: 23009-2 m.w	Sheet: 3	ISSUE: C	Date:		



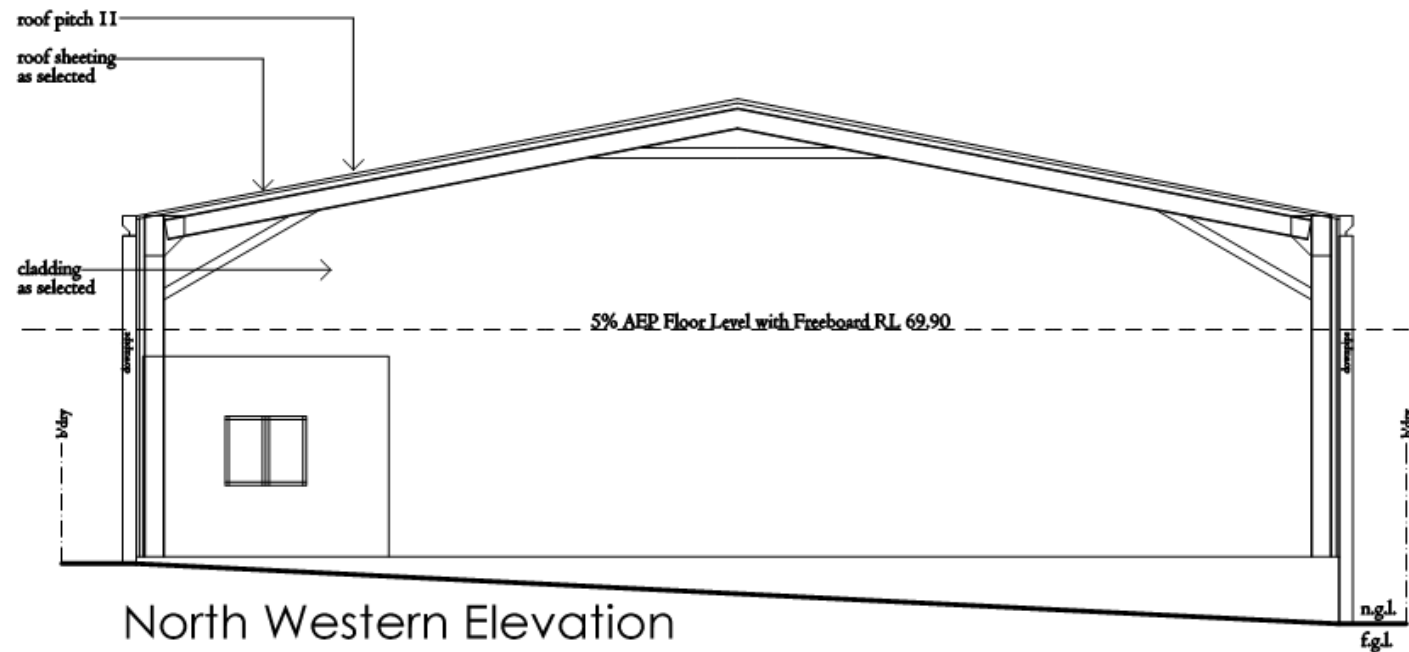
- NOTES:
1. Levels shown are approx only and should be verified on site by builder and all trades.
 2. Figured dimensions are to be taken in preference to scaling and double checked on site.
 3. All measurements are in mm unless otherwise stated
 4. Window sizes are nominal only. Final window sizes are by builder.
 5. Dimensions are to be verified on site by builder before commencement of work.
 6. Any items shown or drawn on the enclosed plans but not listed as an inclusion will be deemed an exclusion

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South Eastern Elevation



North Western Elevation

- NOTES:
1. Levels shown are approx only and should be verified on site by builder and all trades.
 2. Figured dimensions are to be taken in preference to scaling and double checked on site.
 3. All measurements are in mm unless otherwise stated.
 4. Window sizes are nominal only. Final window sizes are by builder.
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 6. Any items shown or drawn on the enclosed plans but not listed as an inclusion will be deemed an exclusion.

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Proposed Sun Cover
Safety Shed

3 Exeter Street, Camden (Lot A)

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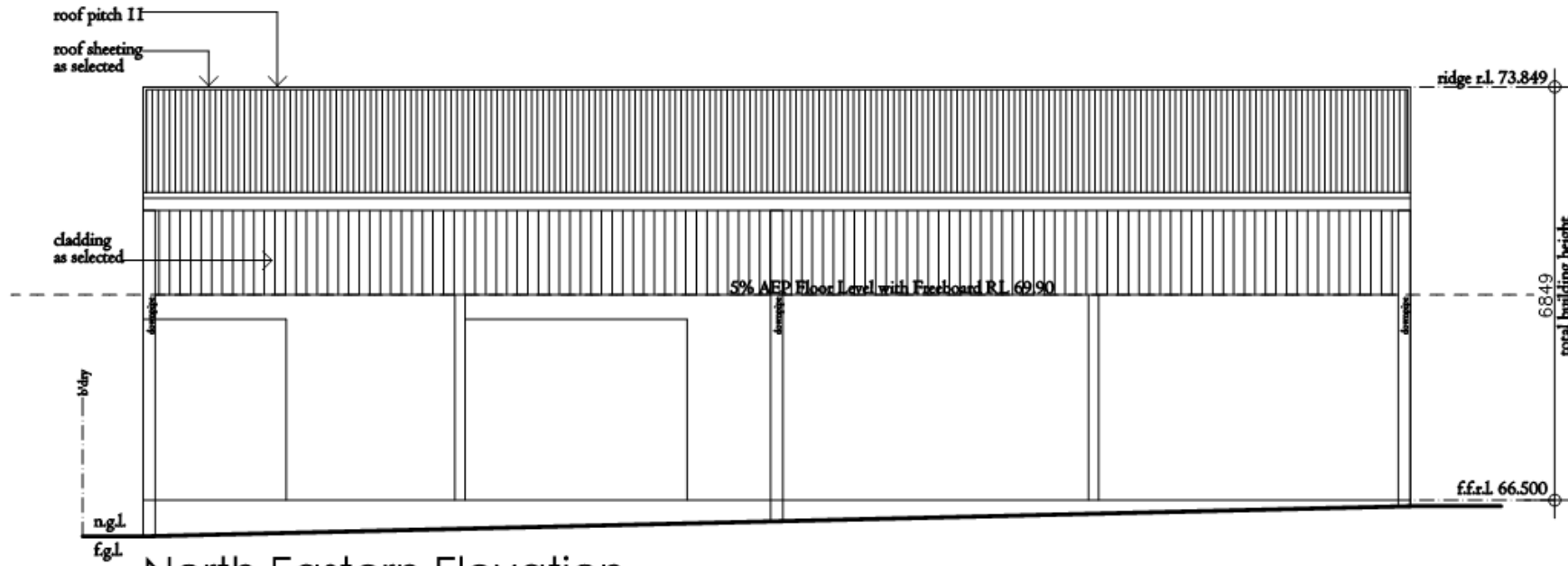
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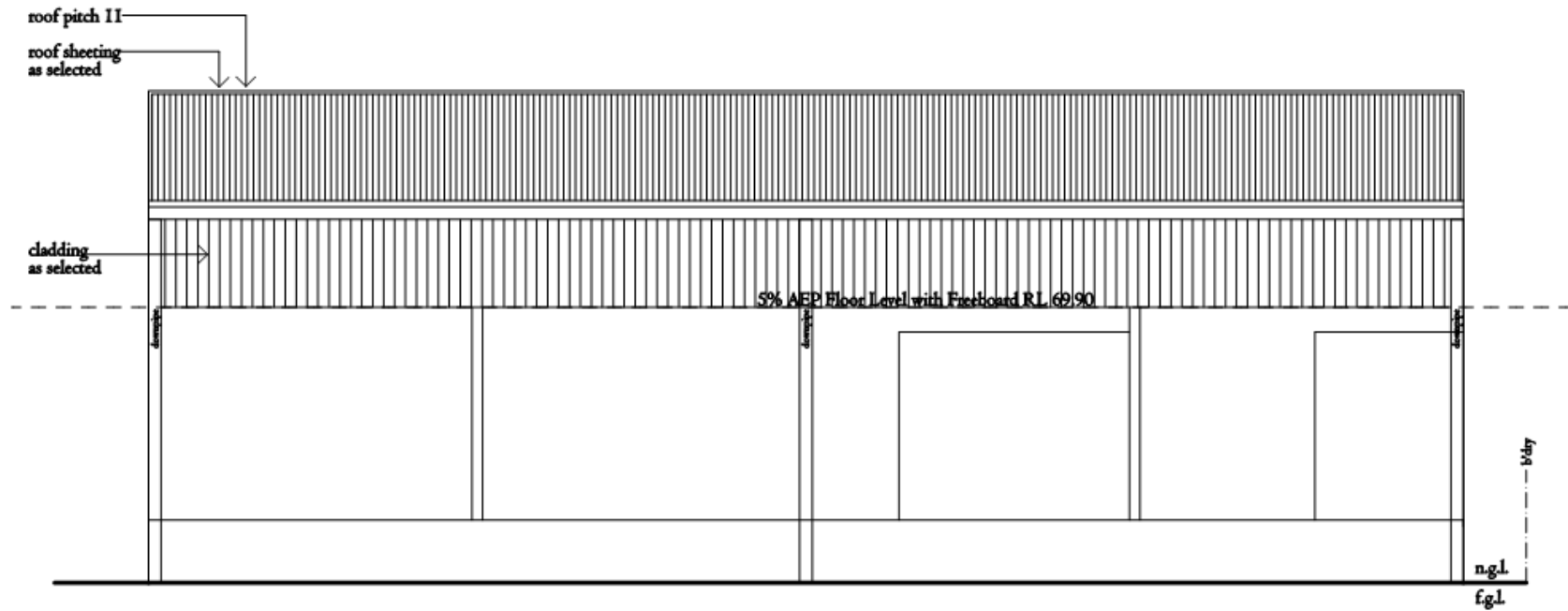
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North Eastern Elevation



South Western Elevation

- NOTES:
1. Levels shown are approx only and should be verified on site by builder and all trades.
 2. Figured dimensions are to be taken in preference to scaling and double checked on site.
 3. All measurements are in mm unless otherwise stated
 4. Window sizes are nominal only. Final window sizes are by builder.
 5. Dimensions are to be verified on site by builder before commencement of work.
 6. Any items shown or drawn on the enclosed plans but not listed as an inclusion will be deemed an exclusion

Client:
Steve Wilson

Job:
Proposed Sun Cover
Safety Shed

3 Exeter Street, Camden (Lot A)

Scale:
1:100

Drawing No:
23009-2 m.w

Date:
12-4-24

Sheet:
6

ISSUE:
C

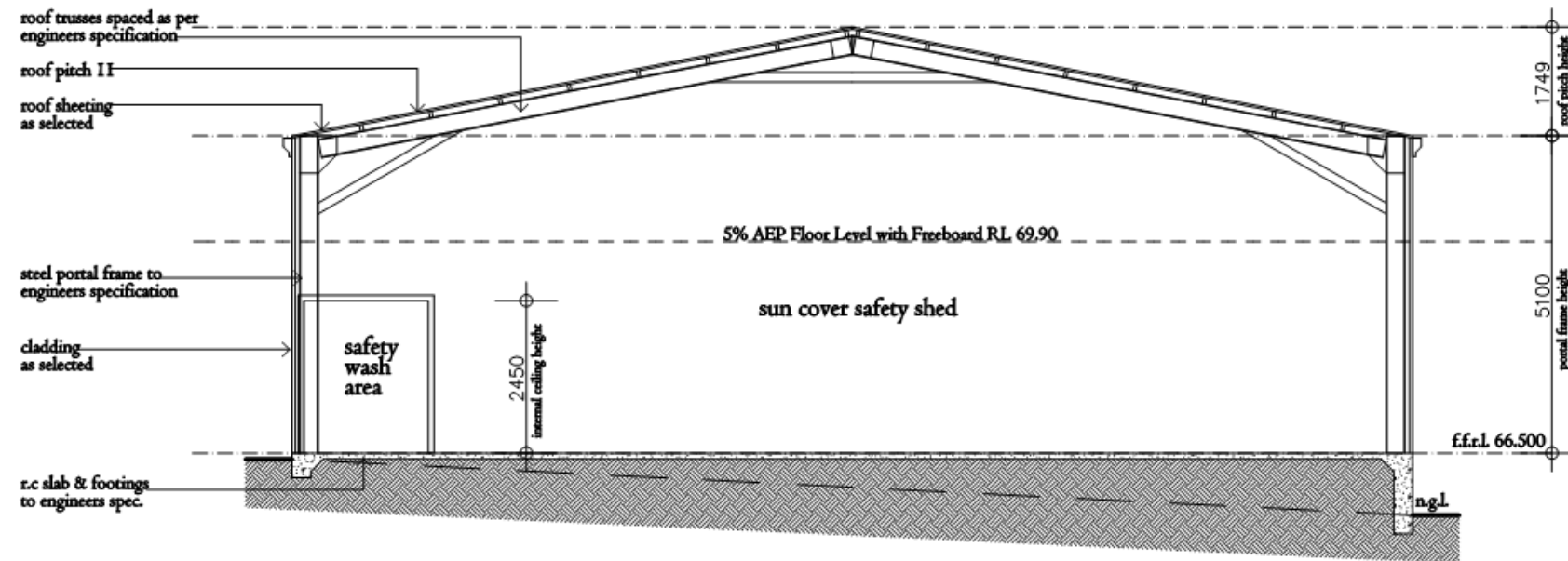
Approval from client

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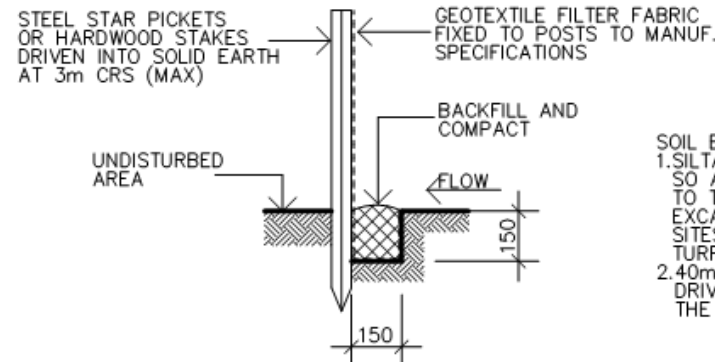
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Section A-A
Scale 1:100

- NOTES:
1. Levels shown are approx only and should be verified on site by builder and all trades.
 2. Figured dimensions are to be taken in preference to scaling and double checked on site.
 3. All measurements are in mm unless otherwise stated
 4. Window sizes are nominal only. Final window sizes are by builder.
 5. Dimensions are to be verified on site by builder before commencement of work.
 6. Any items shown or drawn on the enclosed plans but not listed as an inclusion will be deemed an exclusion



Typical Silt Fence
Scale 1:20

SOIL EROSION AND SEDIMENT CONTROL
 1. SILTATION FENCING IS TO BE PLACED AS SHOWN ON THE SITE PLAN SO AS TO PREVENT SILT RUN OFF TO ANY ADJOINING PROPERTY OR TO THE STREET. THIS MEASURE IS TO BE PLACED PRIOR TO ANY EXCAVATION WORK BEGINS AND IS TO BE REMOVED ONLY WHEN THE SITE SURFACE HAS BEEN STABILIZED, i.e. PAVED, LANDSCAPED OR TURFED.
 2. 40mm CRUSHED ROCK AGGREGATE IS TO BE PLACED AS AN ACCESS DRIVEWAY TO THE SITE AND MUST BE MAINTAINED THROUGHOUT THE COURSE OF CONSTRUCTION

Client:
Steve Wilson

Job:
Proposed Sun Cover
Safety Shed

3 Exeter Street, Camden (Lot A)

Scale:
1:100

Drawing No:
23009-2 m.w

Date:
12-4-24

Sheet:
7

ISSUE:
C

Approval from client

Date:

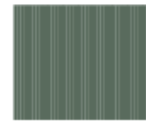
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External Colour Selections



Cladding
Wilderness



Downpipes
Pale Eucalypt



Portal Frame
Pale Eucalypt



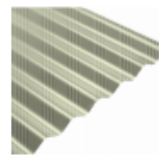
Fascia
Pale Eucalypt



Gutters
Pale Eucalypt



Colours
Plain Concrete



Roof Sheeting
Pale Eucalypt



Driveway
Plain Concrete

General Notes

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

Note - All Dimensions to be verified on site before commencement of work

Lift off hinges to be fitted to all hinged toilet doors

bathroom tiling as per tender and bathroom details

Granite guard termite barrier

NOTE: All plans as per design - Best Sheds Job No. 1920637206 (17-01-2023)

Client:
Steve Wilson

Job:
Proposed Sun Cover
Safety Shed

3 Exeter Street, Camden (Lot A)

Scale:
NTS

Drawing No:
23009-2 m.w

Date:
12-4-24

Sheet:
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ISSUE:
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Approval from client

Date:

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ENGINEERING SCHEDULE

CERTIFIED STEEL PORTAL FRAME SHED DESIGN FOR "REGION A" TERRAIN CATEGORY 2.0, 2.5 & 3.0 - IMPORTANCE LEVEL 2.

Internal Pressure: 0.5
Design Snow Load: 0.00 KPa, Roof Snow Load: 0.00 KPa

Customer: Leigh Middlemiss
Site Address: 3 Exeter Street, Camden NSW 2570

Main Building: Span: 18, Length: 21, Height: 5.6, Roof Pitch: 11 degrees
The length being comprised of 4 bays, the largest bay is 5.25m bays.
Left LeanTo: NA
Right LeanTo: NA

Total Kit Weight: 9384.84kg

INTERNAL PORTALS
Column: 2C30030 Rafter: 2C30030 Knee Brace: 2C15015 Knee Brace Length: 3100 Apex Brace: 2C15015 Apex Brace Length: 4600

END PORTALS
Column: C30030 Rafter: C30030 Knee Brace: C15015 Knee Brace Length: 3100 Apex Brace: C15015 Apex Brace Length: 4600 Endwall Mullion: C30030

LEFT LEAN TO PORTALS
Internal Column: NA Internal Rafter: NA End Column: NA End Rafter: NA Knee Brace: NA Knee Brace Length: NA

RIGHT LEAN TO PORTALS
Internal Column: NA Internal Rafter: NA End Column: NA End Rafter: NA Knee Brace: NA Knee Brace Length: NA

NOTE: All unclad intermediate columns are always back to back (refer to drawing: Floor Plan).

PURLINS AND GIRTS		
Eave Purlin: TH120100	Max Spacing: 1250	Overlap: 10%
Side Wall Girts: TH120100	Max Spacing: NA	Overlap: NA
Front End Wall Girts: NA	Max Spacing: 1250	Overlap: 10%
Back End Wall Girts: TH120100	Max Spacing: 1200	Overlap: 10%
Roof Purlins: TH120100	Max Spacing: 1200	Overlap: 10%

NOTE: Girt spacing will vary to a maximum 1.25m where window/s are located.

FASTENERS
Sleeve Anchor Bolts: M16x105 Sleeve Anchor Frame Bolts: M16x45 Purlin Assembly Zinc (Mild) Frame Screws: Frame Screw 14x14x22 Cross Bracing Strap: 32mm x 1.2 strap Open Bay Header Height: NA

COLOUR SCHEDULE
Roof Sheets: Colour External Wall Sheets: Colour Roller Doors: NA Flashings: Colour PA Doors: Colour Windows: NA

DOMESTIC & LIGHT INDUSTRIAL STEEL PORTAL FRAME SHED STRUCTURES

This structure is designed in compliance with AS4600, AS3600 and AS1170 1 to 4 as Importance Level 2 with a Live Load of 0.25kPa as "Air Leaky Structures" providing stability when openings are prevalent.

The structures are clad with corrugated pre-painted finish, 0.42mm walls and 0.42mm roof (compliant with AS1562.1 Metal) over cold formed 450 to 550mPa galvanized steel C sections primary frames.

Primary framing is fastened together with 4.6 Class galvanized bolts adequately tensioned on ground prior to erection.

Secondary framing steel bracing, with purlins and girts lapped, are all tek fastened to primary steel with a minimum of two (2) teks per connection as specified in details.

All rainwater products are compliant with AS2179.1 (Metal).

ENGINEERING

The undersigning engineer has checked that the design of the structure complies with relevant current Australian Standards as stated above and the following i.e AS4671- 2001 Steel Reinforcing materials, AS3600 - Concrete structures. However, he will not be present during construction, neither will he conduct inspections nor construction supervision.

The class 10a buildings are designed for erection on pad footings or slab based on soil of classification "A"- "P" with minimum bearing capacity 100kPa (i.e. organic soil is to be removed to a suitable material below natural surface).

Where (suitable) fill is required to level the site, it should be placed and compacted in layers of 150mm maximum.

Concrete pad footings and slab supply and placement is to be in compliance with AS2870-2011 Residential Slabs & Footings, AS3600-2009 Concrete Structures for A2 and B2 exposure (i.e. 25mPa strength @ 28 days strength) with recommended slump 75 to 80mm for light pneumatic tyred traffic all trafficable floors.

For sites where these conditions are considered to be inadequate, a customized foundation design for the structure can be supplied to suit a specific purpose.

CONSTRUCTION

Erection of the structure is to be in compliance with local and state ordinances,

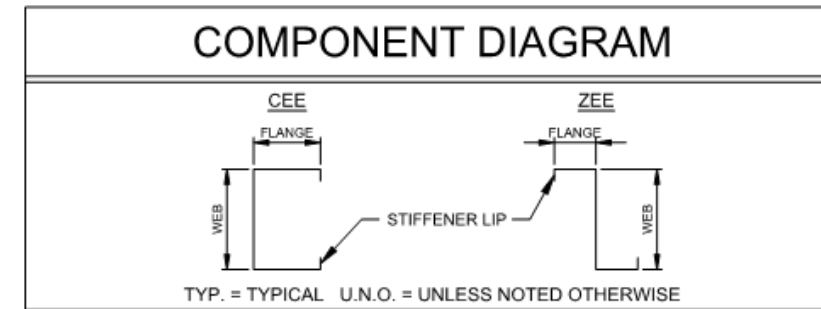
Occupational Health and Safety Regulations and with plans provided.

GENERAL

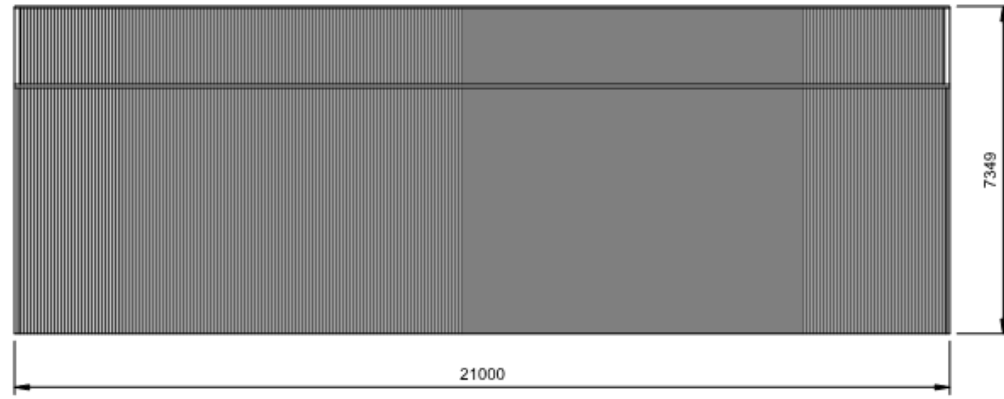
The designs as portrayed on the drawings remain the intellectual property of Best Sheds Pty Ltd and are provided for building approval and construction purposes only and are only valid when blue ink signed and dated by the engineer.

SNOW LOAD

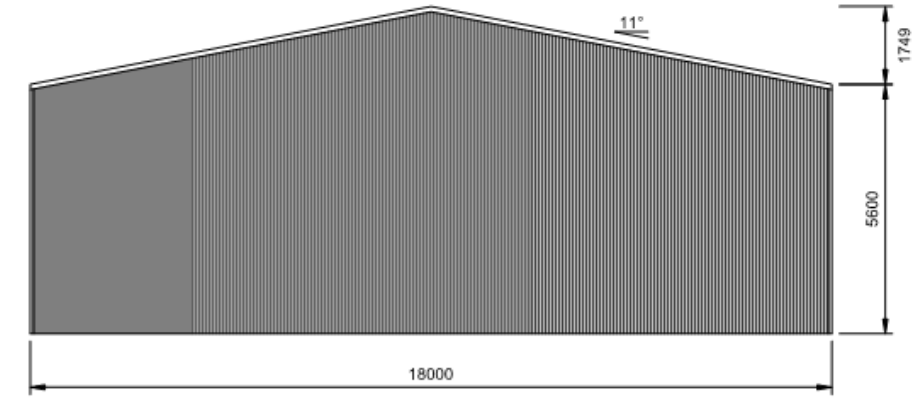
Following conditions only apply to buildings with snow loading:
- No maintenance or roof traffic permitted on the roof while there is snow present.
- No other structure to be erected within 500mm of the gutters of this building.



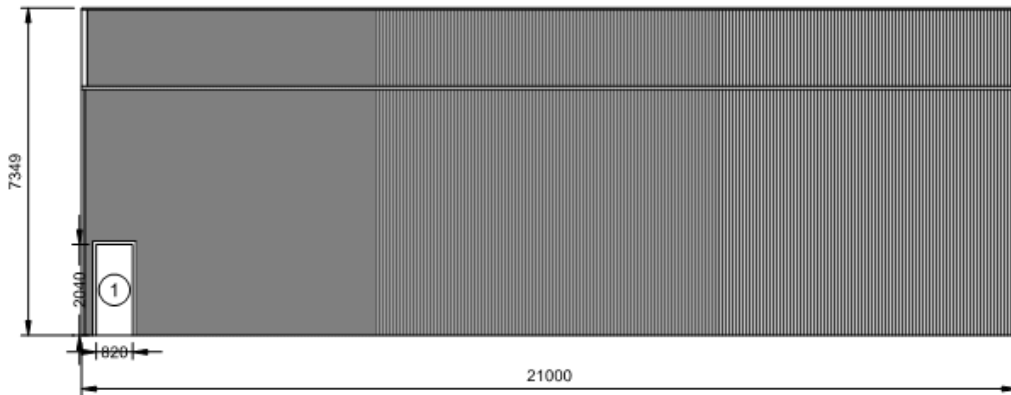
<p style="font-size: 8px; margin-top: 5px;">Value & Quality Direct to You</p>	151 Smeaton Grange Road, Smeaton Grange, NSW, 2567 Phone: 02 4648 7777 Fax: 02 4648 7700 Email: sales@bestsheds.com.au	<p style="font-size: 8px; margin-top: 5px;">DESIGN & CONSTRUCTION</p>	CIVIL & STRUCTURAL ENGINEERS COMMERCIAL - INDUSTRIAL - RESIDENTIAL - FORENSIC - STEEL DETAILING CAMILO PINEDA MORENO Bend MIE Aust RPEng RPEQ 15562 TBP PE003976 (VIC) Signature: Date: 17.01.2023	Customer Name: Leigh Middlemiss Site Address: 3 Exeter Street Camden, NSW, 2570	DATE 17-01-2023 JOB NO. 1920637206 SHEET 1 of 6
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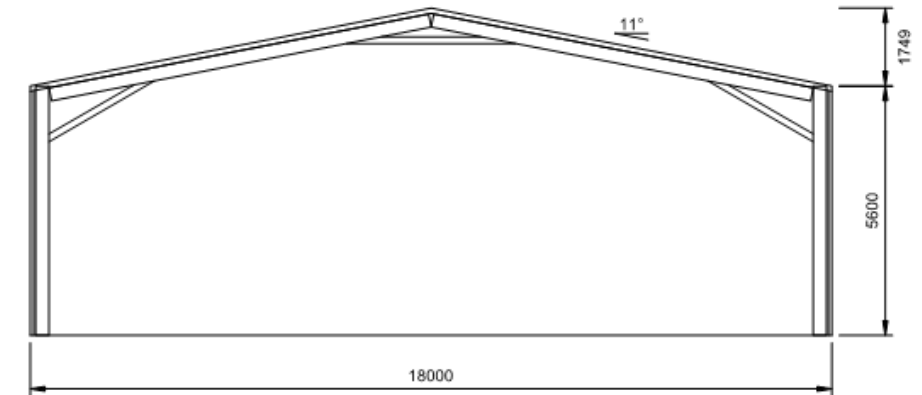
2 LEFT ELEVATION
 2 SCALE: 1:150






3 REAR ELEVATION
 2 SCALE: 1:150 FRAME #5

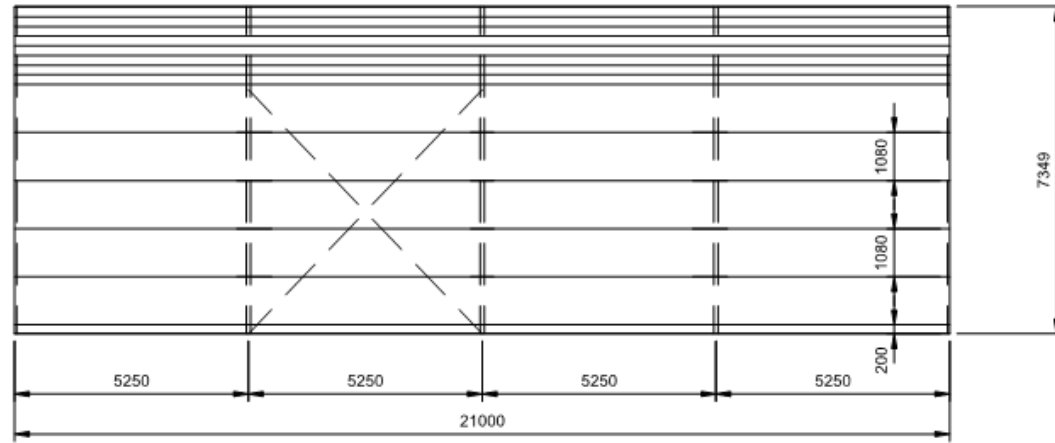


1 RIGHT ELEVATION
 2 SCALE: 1:150

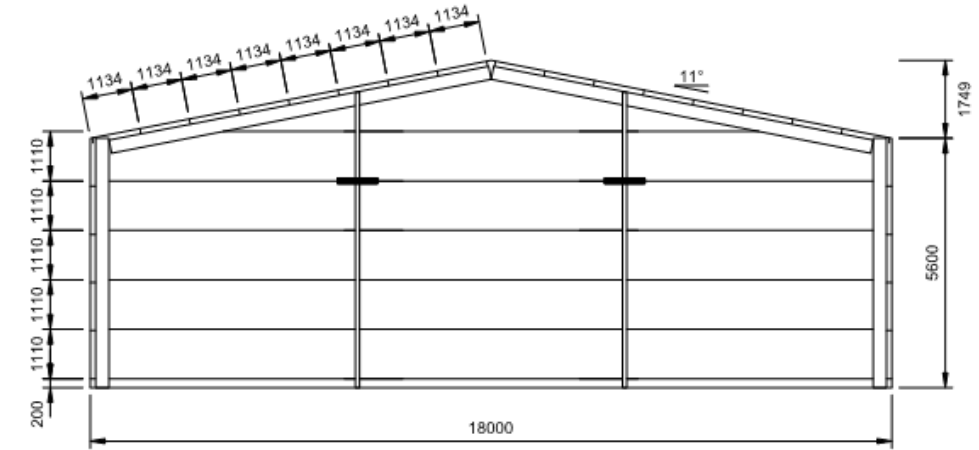


4 FRONT ELEVATION
 2 SCALE: 1:150 FRAME #1

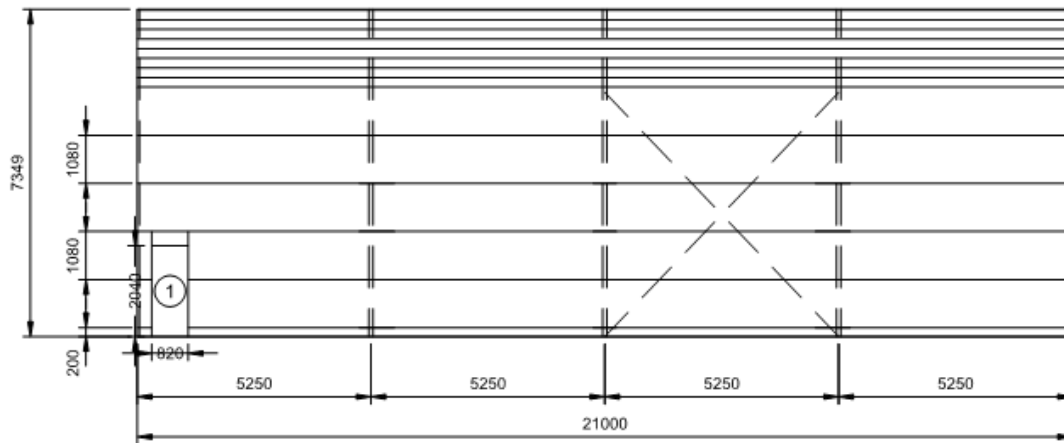
 <p>151 Smeaton Grange Road, Smeaton Grange, NSW, 2567 Phone: 02 4648 7777 Fax: 02 4648 7700 Email: sales@bestsheds.com.au</p>	 <p>CIVIL & STRUCTURAL ENGINEERS COMMERCIAL - INDUSTRIAL - RESIDENTIAL - FORENSIC - STEEL DETAILING CAMILO PINEDA MORENO Bend MIE Aust RPEng RPEQ 15562 TBP PE003976 (VIC) Signature:  Date: 17.01.2023</p>	<p>Customer Name: Leigh Middlemiss Site Address: 3 Exeter Street Camden, NSW, 2570</p>	<p>DATE 17-01-2023 JOB NO. 1920637206 SHEET 2 of 6</p>
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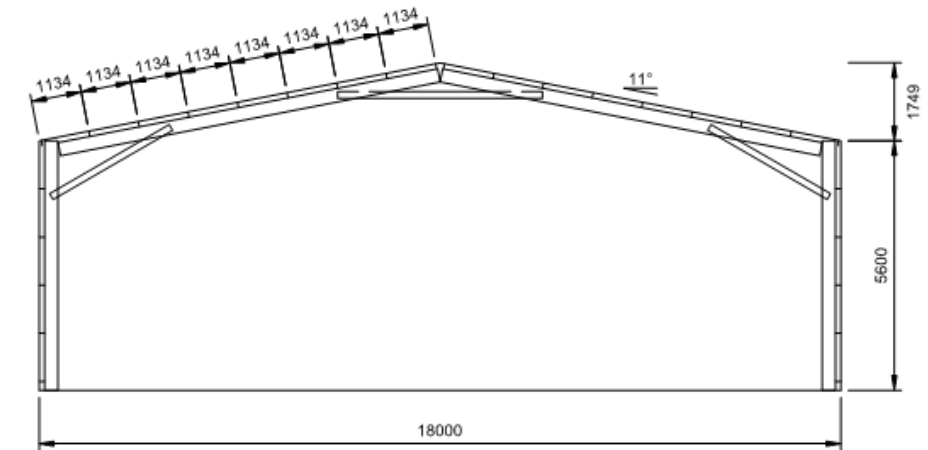
2 LEFT ELEVATION
3 SCALE: 1:150





3 REAR ELEVATION
3 SCALE: 1:150 FRAME #5

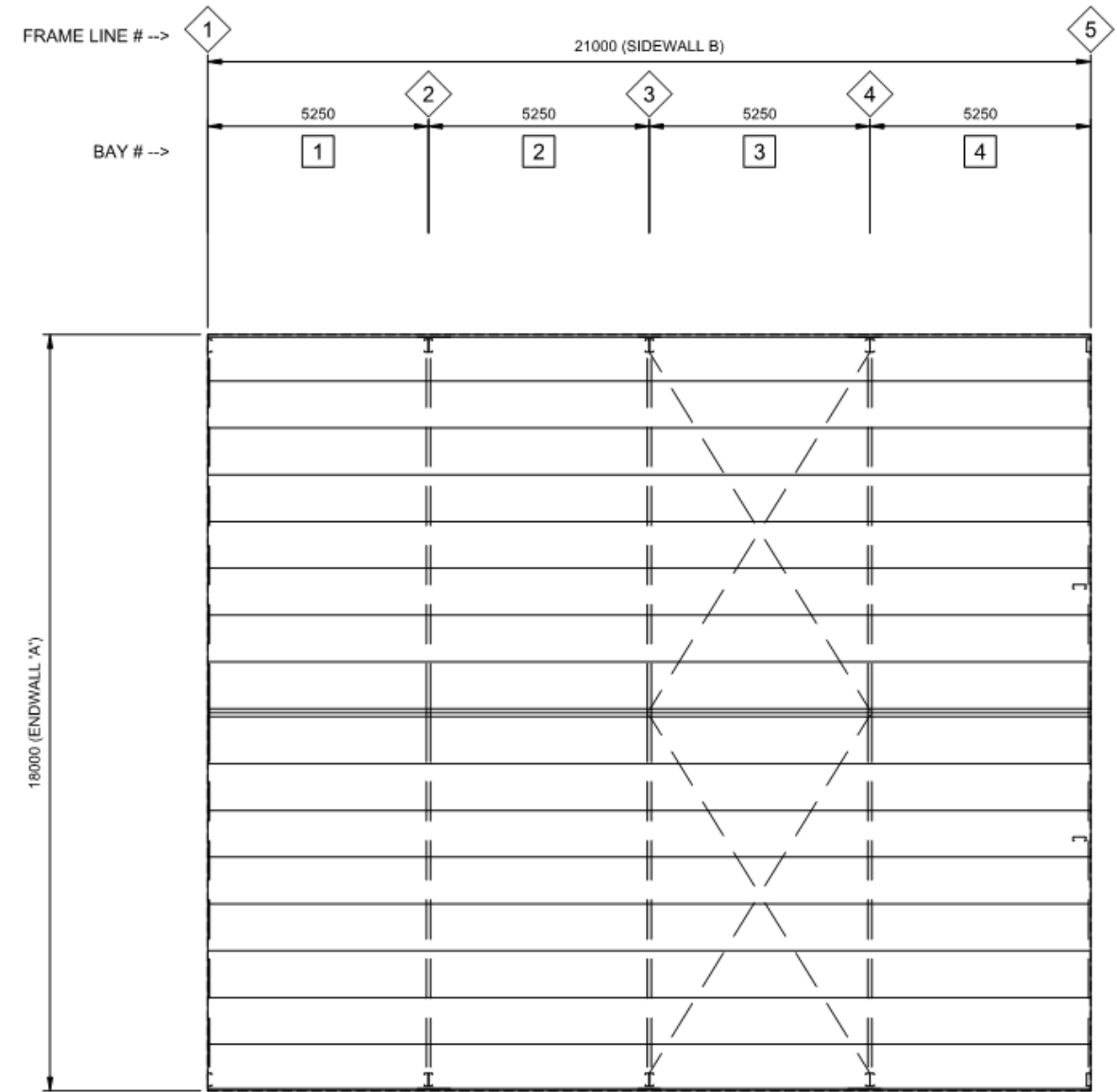
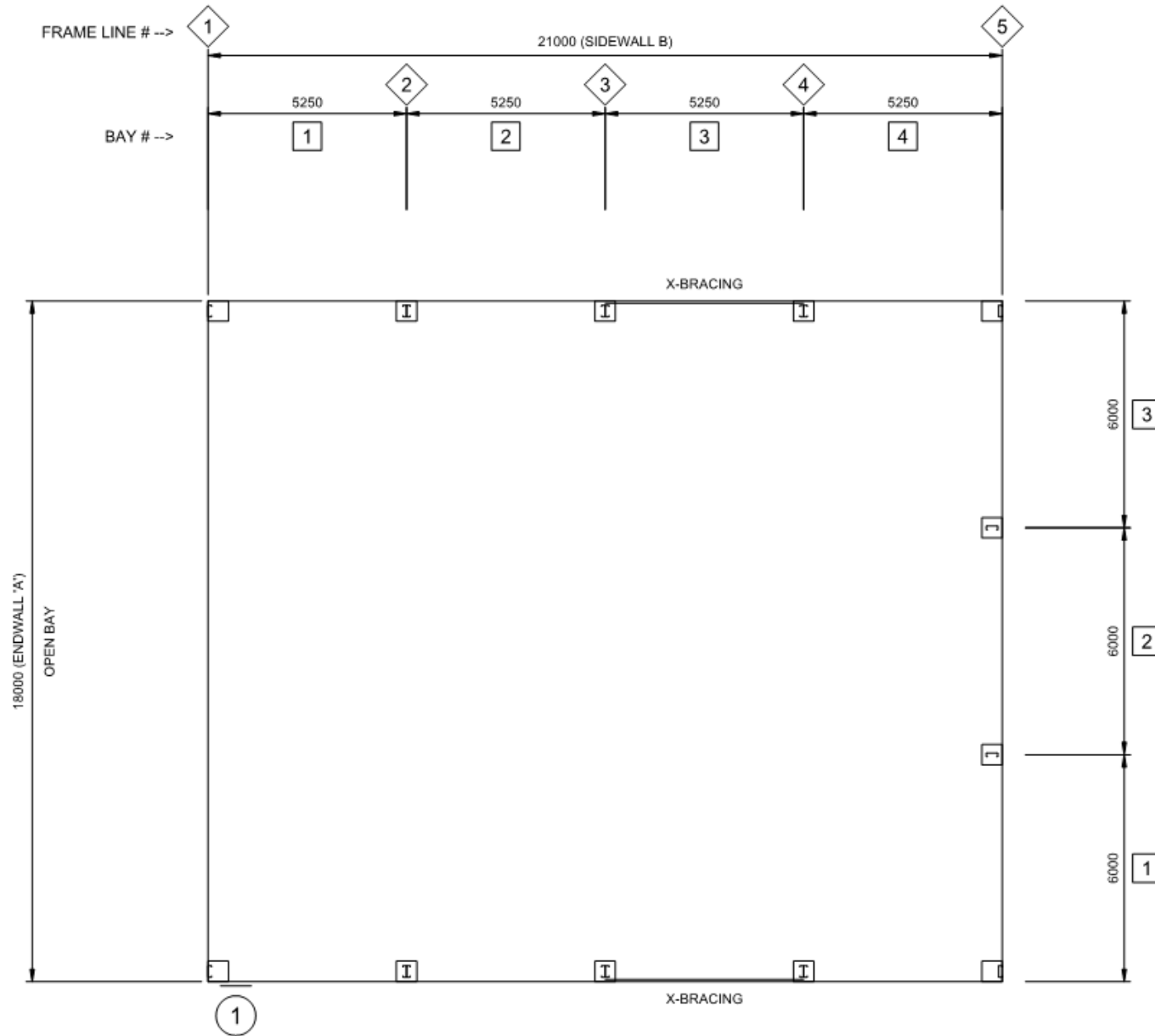


1 RIGHT ELEVATION
3 SCALE: 1:150





4 FRONT ELEVATION
3 SCALE: 1:150 FRAME #1

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1 FLOOR PLAN
4 SCALE: 1:150

2 ROOF FRAMING PLAN
4 SCALE: 1:150

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SLAB FOUNDATIONS DOMESTIC / LIGHT INDUSTRIAL (100mm MINIMUM CONCRETE SLAB INCLUDED)					
SOIL CLASSIFICATION (COMPACTED)	REINFORCING IN SLAB	EDGE BEAM	PIER	EDGE BEAM (slab thickness not included)	
	MESH REINFORCING	TRENCH MESH	ø x DEPTH	DEPTH	WIDTH
A, S, & M	SL72	---	450 x 400	---	---
M - D	SL82	L11TM3	---	300	300
H TO H - D	SL82	L11TM3	---	400	300
E TO E - D	SL82	L11TM4	---	400	400
P (DROP EDGE BEAM OR STANDARD EDGE BEAM WITH PIERS UNDER COLUMNS 300 INTO FIRM GROUND)	SL82	L11TM4	450ø	400	400

THICKNESS: 100MM WITH MINIMUM 30MM COVER. REFER TO SLAB FOUNDATION TABLE FOR REINFORCING SPECIFICATION

STRENGTH: 25mPa

2 x M16 BOLTS
2 X 16MM DIA SLEEVE ANCHORS, 12MM DIA INTERNAL ROD-MIN 110MM LONG
REFER TO SLAB TABLE FOR MESH TYPE - 30MM COVER
POLYTHENE WATERPROOF MEMBRANE ON CONSOLIDATED SUB-BASE SHOWN DASHED
DEPTH
WIDTH

NOTE: ENSURE EARTH/SOIL IS KEPT CLEAR OF WALL CLADDING AT ALL TIMES.
2C30030 COLUMN
1500
600

12g x14 x 35mm LONG ROOF SCREWS
RIDGE PURLIN
INTERMEDIATE PURLIN
EAVE PURLIN
0.42 BMT CORRUGATED ROOF SHEETING

10g x 16mm LONG WALL SCREWS
WALL GIRTS
EAVE PURLIN
0.42 BMT CORRUGATED WALL SHEETING

Z	H	I	Y
ALTERNATE PIER DETAIL	ROOF SHEETING	WALL SHEETING	SLAB DETAIL

10G X 16MM SHEETING SCREW, REFER TO SCREW SPACING DIAGRAM FOR FREQUENCY
2 X 14G TEK SCREWS
TOPHAT 120 WALL GIRTS WITH 10% MINIMUM OVERLAP
2C30030 COLUMN

2 x 14G TEK SCREWS ABOVE & BELOW IN SIDE OF PURLIN - UNDERSIDE SCREW NOT VISIBLE IN DETAIL
4 x 14G TEK SCREWS PER COLUMN - UNDERSIDE SCREW NOT VISIBLE IN DETAIL

TOPHAT 64
10G X 16MM SHEETING SCREW, REFER TO SCREW SPACING DIAGRAM FOR FREQUENCY
12G X 35MM SHEETING SCREW, REFER TO SCREW SPACING DIAGRAM FOR FREQUENCY
TOPHAT 120
SHEETING
2 x 14G TEK SCREWS
C30030 COLUMN

INDICATES 16 mm GRADE 4.6 BOLT
2C30030 FRAME RAFTER
2C30030 FRAME COLUMN
DBL. 3mm 11' HAUNCH BRACKET (SAME DEPTH AS MEMBERS)
4348 mm TO TOP OF CONCRETE FOUNDATION
8 X 14G TEK SCREWS
2C15015 KNEE BRACE, 3100 mm LONG (OMIT AT ENDWALLS, U.N.O.)
(2) 16 mm GRADE 4.6 BOLTS AT EACH END OF KNEE BRACE
NOTE: ALL DOUBLE COMPONENTS SHALL BE SINGLE AT ENDWALLS.

2C30030 FRAME RAFTER
DBL. 3mm 11' APEX BRACKET, WITH (8) 16 mm GRADE 4.6 BOLTS PER BRACKET
8 X 14G TEK SCREWS
2250 mm
(2) 16 mm GRADE 4.6 BOLTS AT EACH END OF APEX BRACE
2C15015 APEX BRACE (OMIT AT ENDWALLS, U.N.O.), 4600 mm LONG
NOTE: ALL DOUBLE COMPONENTS SHALL BE SINGLE AT ENDWALLS.

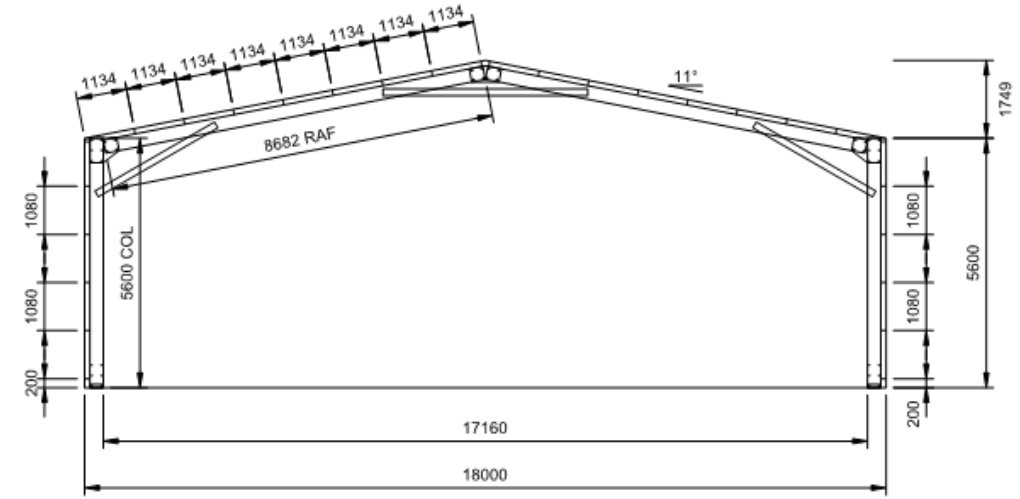
C30030 ENDWALL RAFTER
NOTE: SEE DETAIL L/6 FOR BASE CONNECTION OF ENDWALL MULLION.
50mm x 200mm x 200mm TALL MFA BRACKET WITH 8 X 14G TEK SCREWS INTO RAFTER WEB AND 12 X 14G TEK SCREWS INTO MULLION WEB
C30030 (OPEN SIDE OF CEE MAY FACE EITHER DIRECTION, U.N.O.)

TOPHAT 120 ROOF PURLIN WITH 10% MINIMUM OVERLAP
12G X 35MM SHEETING SCREW, REFER TO SCREW SPACING DIAGRAM FOR FREQUENCY
C30030 RAFTER
4 X 14G TEK SCREW

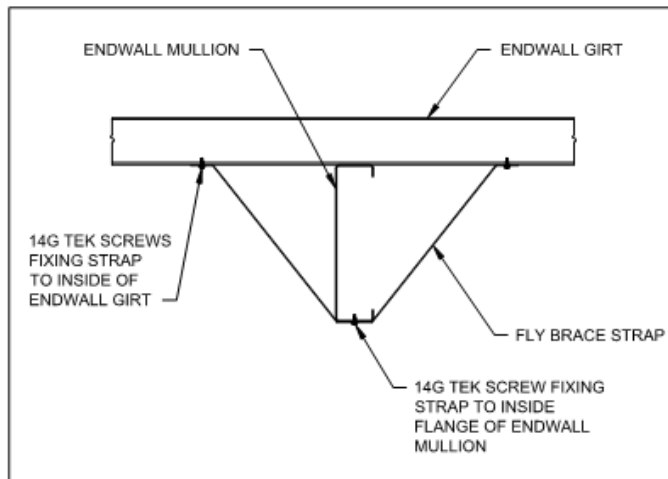
F	F	G	A
GIRT CONNECTION	TOP HAT CONNECTION	EAVE CONNECTION	HAUNCH CONNECTION

B	C	E
APEX CONNECTION	ENDWALL MULLION TO RAFTER	PURLIN CONNECTION

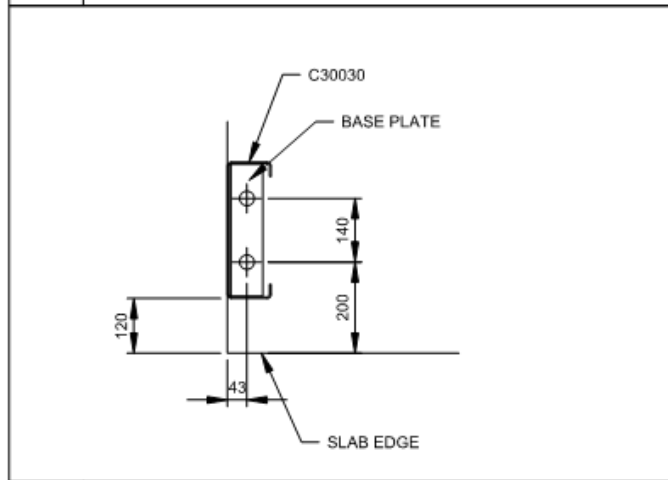
<p>151 Smeaton Grange Road, Smeaton Grange, NSW, 2567 Phone: 02 4648 7777 Fax: 02 4648 7700 Email: sales@bestsheds.com.au</p>	<p>CIVIL & STRUCTURAL ENGINEERS COMMERCIAL - INDUSTRIAL - RESIDENTIAL - FORENSIC - STEEL DETAILING CAMILO PINEDA MORENO Bend MIE Aust RPEng RPEQ 15562 TBP PE003976 (VIC) Signature: Date: 17.01.2023</p>	<p>Customer Name: Leigh Middlemiss Site Address: 3 Exeter Street Camden, NSW, 2570</p>	<p>DATE 17-01-2023 JOB NO. 1920637206 SHEET 5 of 6</p>
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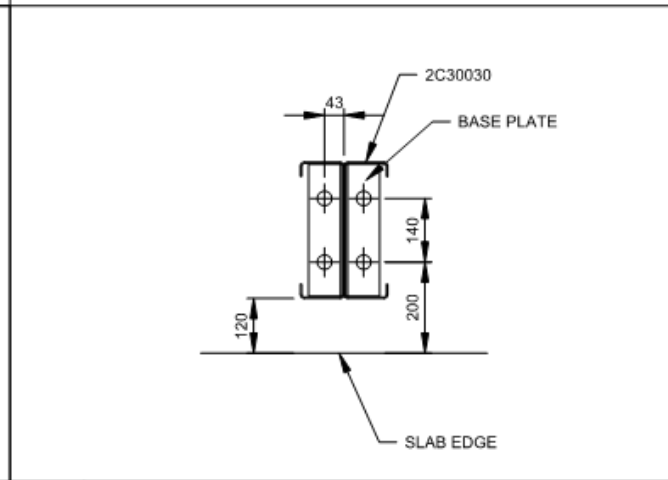
1
6 TYP. FRAME CROSS-SECTION
SCALE: 1:150
FRAMES 2-4



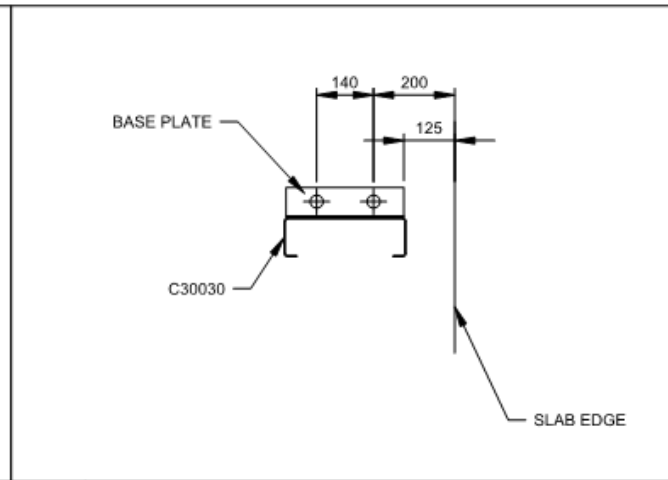
N FLYBRACE



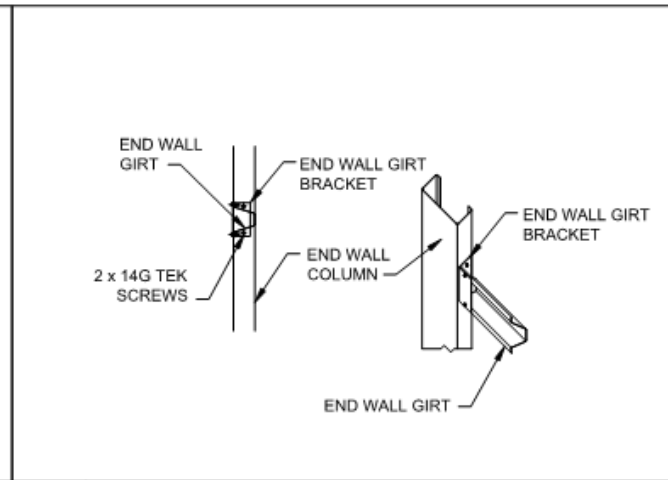
J CORNER COLUMN BASE



K INTERNAL COLUMN BASE



L ENDWALL MULLION BASE



M ENDWALL GIRT BRACKET

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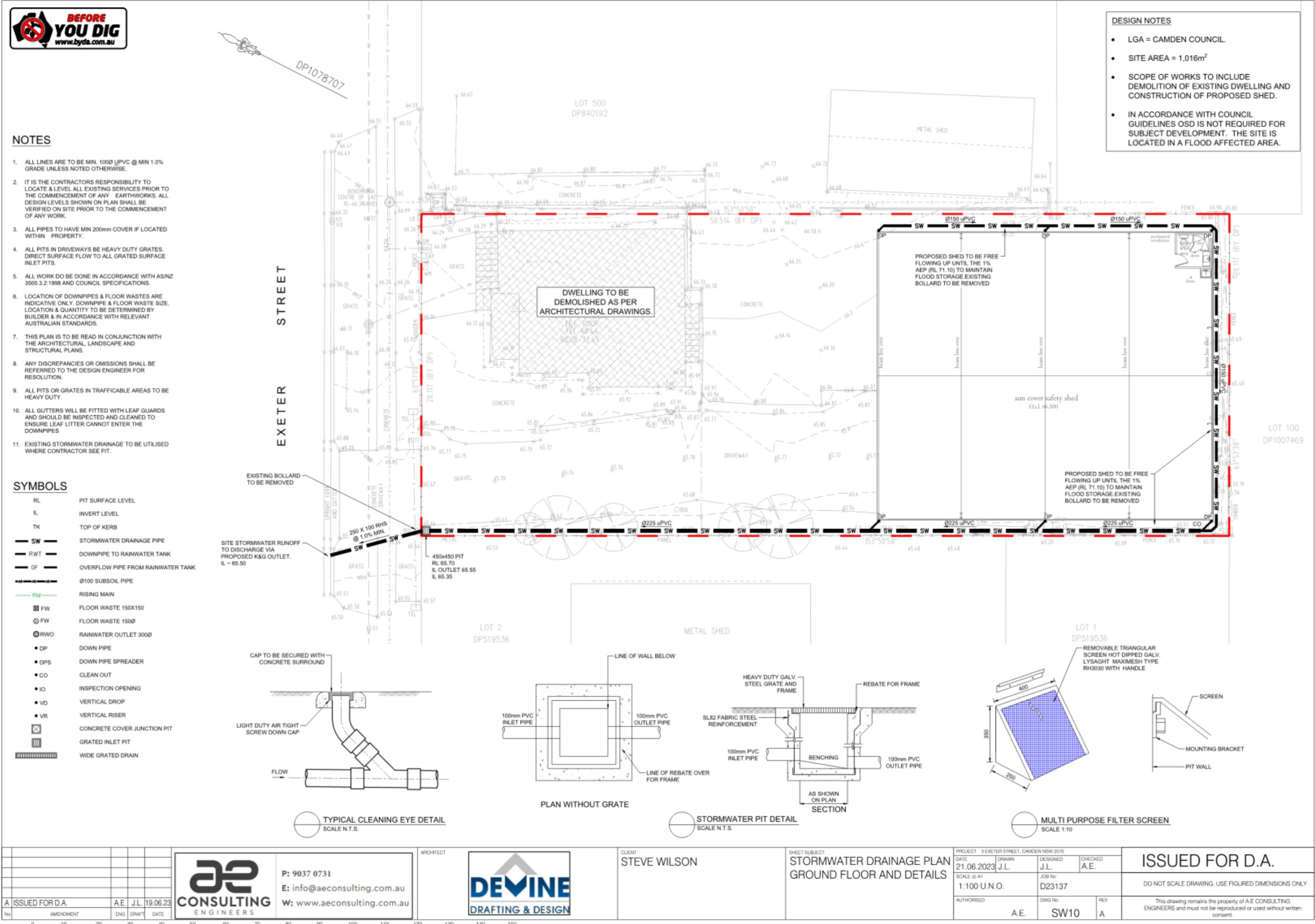
EMERALD
DESIGN & CONSTRUCTION

CIVIL & STRUCTURAL ENGINEERS
COMMERCIAL - INDUSTRIAL - RESIDENTIAL - FORENSIC - STEEL DETAILING
CAMILO PINEDA MORENO
Bend MIE Aust RPEng
RPEQ 15582 TBP PE003976 (VIC)

Signature: *[Signature]* Date: 17.01.2023

Customer Name: Leigh Middlemiss
Site Address: 3 Exeter Street
Camden,
NSW, 2570

DATE 17-01-2023
JOB NO. 1920637206
SHEET 6 of 6

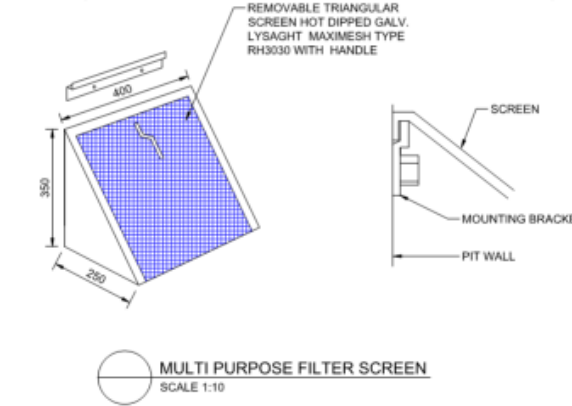
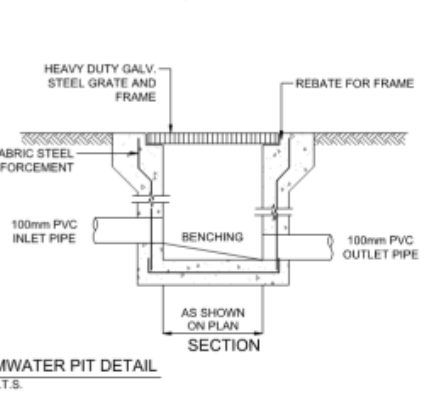
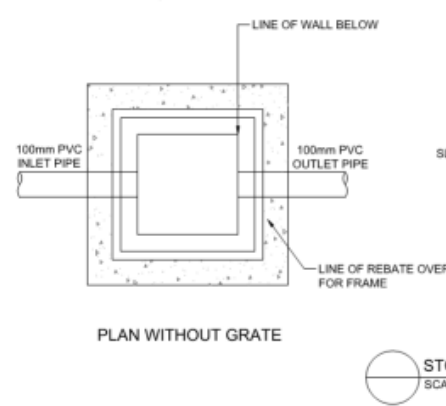
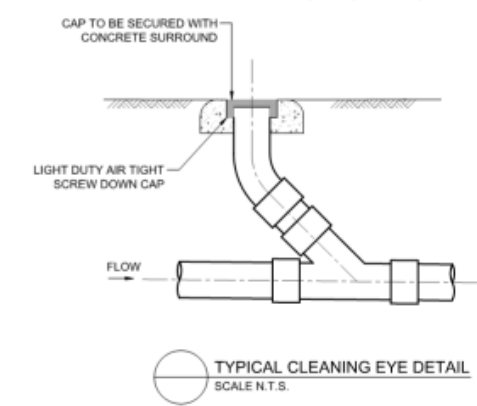


DESIGN NOTES

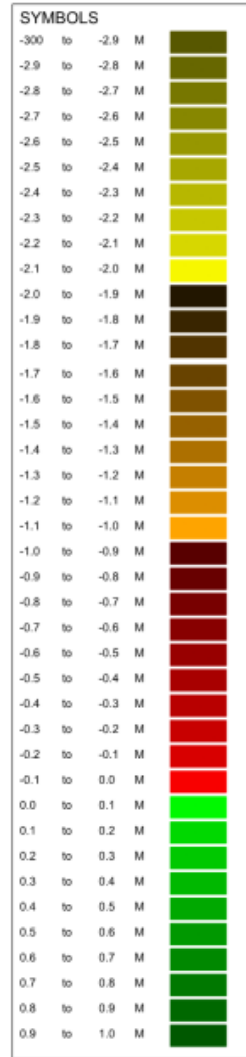
- LGA = CAMDEN COUNCIL.
- SITE AREA = 1,016m²
- SCOPE OF WORKS TO INCLUDE DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF PROPOSED SHED.
- IN ACCORDANCE WITH COUNCIL GUIDELINES OSD IS NOT REQUIRED FOR SUBJECT DEVELOPMENT. THE SITE IS LOCATED IN A FLOOD AFFECTED AREA.

- NOTES**
- ALL LINES ARE TO BE MIN. 1000 uPVC @ MIN 1.0% GRADE UNLESS NOTED OTHERWISE.
 - IT IS THE CONTRACTORS RESPONSIBILITY TO LOCATE & LEVEL ALL EXISTING SERVICES PRIOR TO THE COMMENCEMENT OF ANY EARTHWORKS. ALL DESIGN LEVELS SHOWN ON PLAN SHALL BE VERIFIED ON SITE PRIOR TO THE COMMENCEMENT OF ANY WORK.
 - ALL PIPES TO HAVE MIN 200mm COVER IF LOCATED WITHIN PROPERTY.
 - ALL PITS IN DRIVEWAYS BE HEAVY DUTY GRATES. DIRECT SURFACE FLOW TO ALL GRATED SURFACE INLET PITS.
 - ALL WORK DO BE DONE IN ACCORDANCE WITH AS/NZ 3500.3.2-1998 AND COUNCIL SPECIFICATIONS.
 - LOCATION OF DOWNPIPES & FLOOR WASTE ARE INDICATIVE ONLY. DOWNPIPE & FLOOR WASTE SIZE, LOCATION & QUANTITY TO BE DETERMINED BY BUILDER & IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS.
 - THIS PLAN IS TO BE READ IN CONJUNCTION WITH THE ARCHITECTURAL, LANDSCAPE AND STRUCTURAL PLANS.
 - ANY DISCREPANCIES OR OMISSIONS SHALL BE REFERRED TO THE DESIGN ENGINEER FOR RESOLUTION.
 - ALL PITS OR GRATES IN TRAFFICABLE AREAS TO BE HEAVY DUTY.
 - ALL GUTTERS WILL BE FITTED WITH LEAF GUARDS AND SHOULD BE INSPECTED AND CLEANED TO ENSURE LEAF LITTER CANNOT ENTER THE DOWNPIPES
 - EXISTING STORMWATER DRAINAGE TO BE UTILISED WHERE CONTRACTOR SEE FIT.

- SYMBOLS**
- RL PIT SURFACE LEVEL
 - IL INVERT LEVEL
 - TK TOP OF KERB
 - SW STORMWATER DRAINAGE PIPE
 - RWT DOWNPIPE TO RAINWATER TANK
 - OF OVERFLOW PIPE FROM RAINWATER TANK
 - Ø100 SUBSOIL PIPE
 - RM RISING MAIN
 - FW FLOOR WASTE 150X150
 - ⊙ FW FLOOR WASTE 150Ø
 - ⊙ RWO RAINWATER OUTLET 300Ø
 - DP DOWN PIPE
 - DPS DOWN PIPE SPREADER
 - CO CLEAN OUT
 - IO INSPECTION OPENING
 - VD VERTICAL DROP
 - VR VERTICAL RISER
 - ⊗ CONCRETE COVER JUNCTION PIT
 - ⊗ GRATED INLET PIT
 - ▨ WIDE GRATED DRAIN

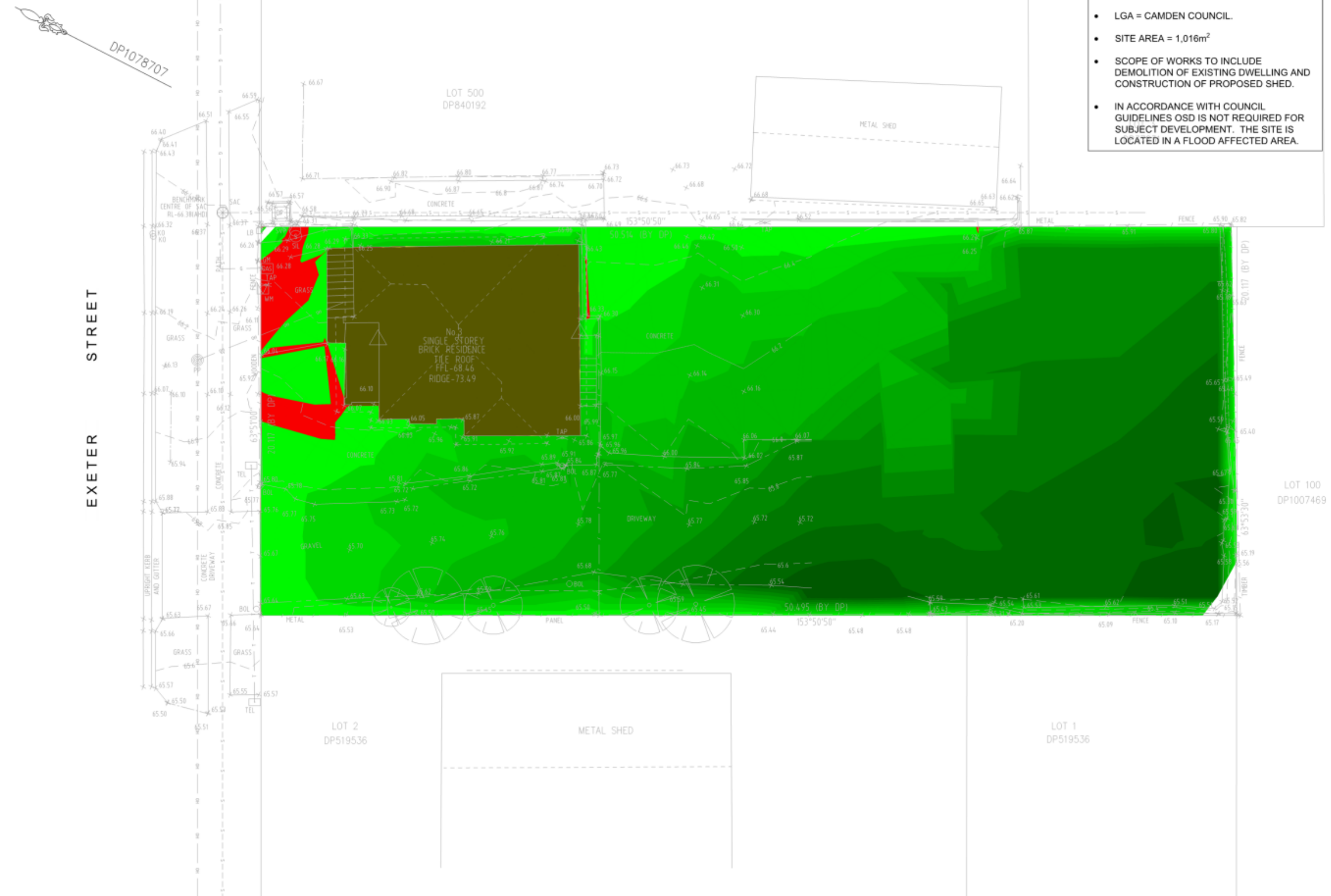


		ARCHITECT 		CLIENT STEVE WILSON		SHEET SUBJECT STORMWATER DRAINAGE PLAN GROUND FLOOR AND DETAILS		PROJECT 9 EXETER STREET, CAMDEN NSW 2570		ISSUED FOR D.A.	
P: 9037 0731 E: info@aeconsulting.com.au W: www.aeconsulting.com.au				DATE 21.06.2023		DRAWN J.L.		DESIGNED J.L.		CHECKED A.E.	
A ISSUED FOR D.A.		A.E. J.L. 19.06.23		SCALE OF A1 1:100 U.N.O.		JOB No D23137		REV A		DO NOT SCALE DRAWING. USE FIGURED DIMENSIONS ONLY This drawing remains the property of A.E CONSULTING ENGINEERS and must not be reproduced or used without written consent.	



DESIGN NOTES

- LGA = CAMDEN COUNCIL.
- SITE AREA = 1,016m²
- SCOPE OF WORKS TO INCLUDE DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF PROPOSED SHED.
- IN ACCORDANCE WITH COUNCIL GUIDELINES OSD IS NOT REQUIRED FOR SUBJECT DEVELOPMENT. THE SITE IS LOCATED IN A FLOOD AFFECTED AREA.



A	ISSUED FOR D.A.	A.E.	J.L.	19.06.23
No	AMENDMENT	ENG	DRAFT	DATE

ae CONSULTING ENGINEERS

P: 9037 0731
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W: www.aeconsulting.com.au

ARCHITECT

DEVINE DRAFTING & DESIGN

CLIENT
STEVE WILSON

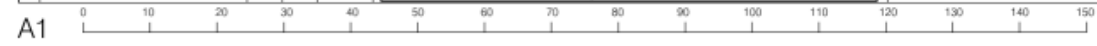
SHEET SUBJECT
BULK EARTHWORKS LAYOUT PLAN

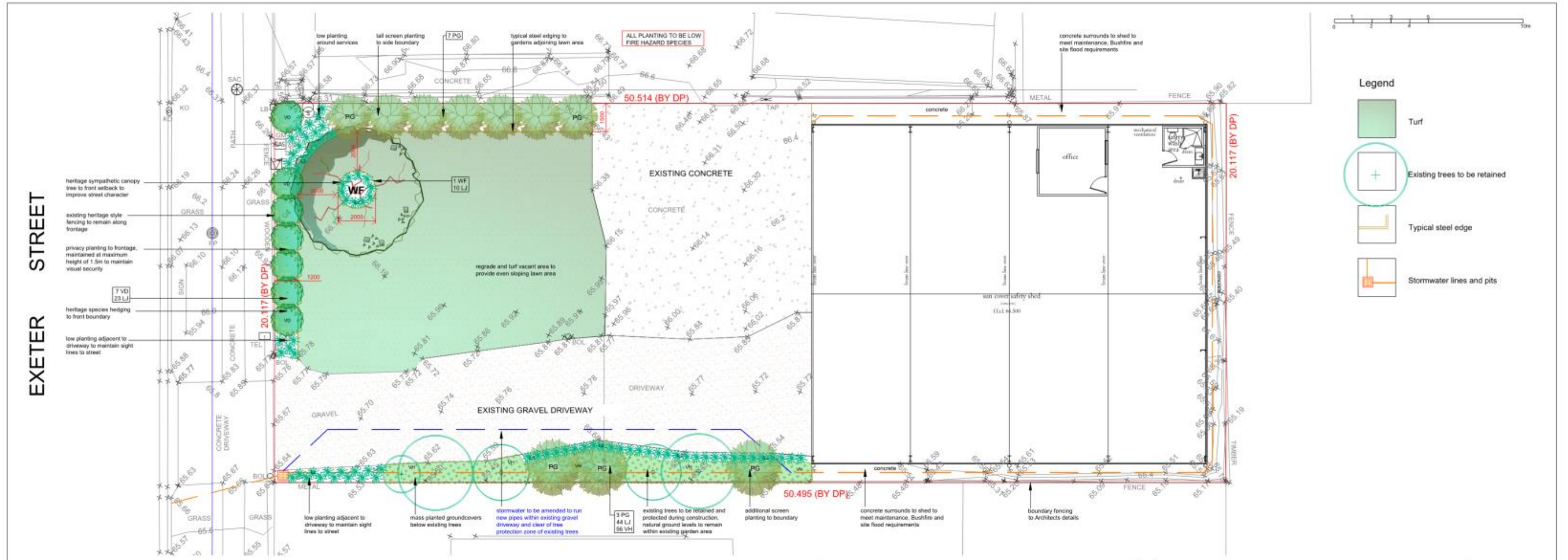
PROJECT 9 EXETER STREET, CAMDEN NSW 2570			
DATE	DRAWN	DESIGNED	CHECKED
21.06.2023	J.L.	J.L.	A.E.
SCALE @ A1	JOB No		
1:100 U.N.O.	D23137		
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A.E.	SW11	A	

ISSUED FOR D.A.

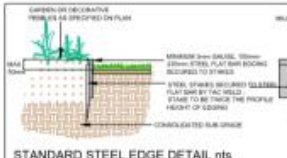
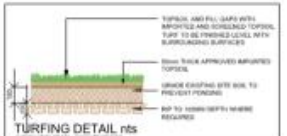
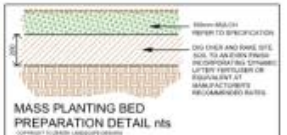
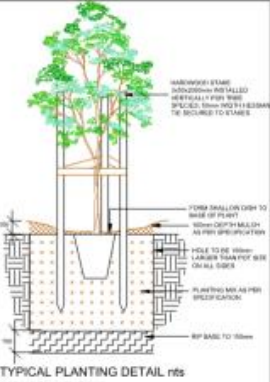
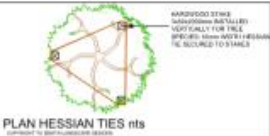
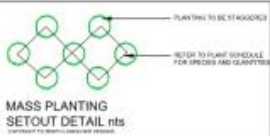
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PLANT SCHEDULE - low fire hazard and heritage sympathetic species						
SYMBOL	SPECIES	Nr.	Plt Size	Max. Hg.	ESK	COMMON NAME
	<i>Waterhousea borbonica</i>	1	430	3m+	yes	Weeping Lily Pilly
	<i>Phorbia glabra 'Rubens'</i>	10	250	3m	no	Red Phorbia
	<i>Viburnum 'Dense Fencer' (hedged)</i>	7	50	1.5m	no	Viburnum
	<i>Unisp. mucosa 'Just Right'</i>	77	150mm	0.5m	no	Giant Turf Lily
	<i>Viola heterodoxa</i>	96	150mm	glosser	no	Native Violet
	Sapphire Buffalo Turf					



- ### LANDSCAPE GUIDELINES
- GENERAL**
 - 1.1 The Contractor shall familiarise themselves with the site prior to tender.
 - 1.2 The Contractor will be held responsible for any damage to utility services, pipes, building structures, paving surfaces, fencing, footpaths, kerbs, roads and existing plant material.
 - 1.3 The site to be left in a clean and tidy condition at the completion of works to the satisfaction of the Superintendent.
 - 1.4 No work involving an excavation shall be undertaken unless approval is first obtained from the Superintendent.
 - 1.5 No substitute material shall be made unless approval is given by the Superintendent.
 - 1.6 The Contractor shall continuously maintain all areas of the Contract during progress of the works specified.
 - SITE PREPARATION**
 - 2.1 Prepare sub-grade to be free of stones larger than 100mm diameter, cement, rubble and any other foreign matter that could hinder plant growth.
 - 2.2 Works shall be completed by a combination of chemical and hand weeded techniques.
 - 2.3 Once clear of weed growth, grass and debris, sub-grade shall be subsoiled to a minimum depth of 100mm incorporating Dynacore Lifer or equivalent at the manufacturers recommended rates.
 - 2.4 Works shall be completed by a combination of chemical and hand weeded techniques.
 - MASS PLANTING AREAS**
 - 3.1 Once clear of weed growth, grass and debris, sub-grade shall be subsoiled to a minimum depth of 100mm incorporating Dynacore Lifer or equivalent at the manufacturers recommended rates.
 - 3.2 Works shall be completed by a combination of chemical and hand weeded techniques.
 - PLANTING**
 - 4.1 All plant material to be handled off, disease and insect free and true to species, type and variety. Plants are to be well grown but not root bound and shall comply with 'Guides to Purchasing Landscape Trees', AS 2303 - 2016, Tree Stock M Landscaping Use and NATSPEC 'Specifying Trees: a guide to assessment of tree quality (2020)'. All plants are to be removed from their containers prior to planting with as little disturbance to the root system as possible.
 - 4.2 All plants are to be removed from their containers prior to planting with as little disturbance to the root system as possible.
 - 4.3 Planting shall not be carried out in dry soil or extreme weather conditions.
 - 4.4 Plants should be planted at the same depth as the plants were in the containers and allow for a shallow saucer of soil to be formed around the plant to aid the penetration of water.
 - 4.5 All plant material should be watered thoroughly immediately after planting.
 - 4.6 The Contractor shall be responsible for the failure of plants during construction, except for acts of vandalism.
 - 4.7 Labels shall be removed entirely from the plants.
 - STAKING**
 - 5.1 Ties should be firmly attached to the stakes, in a way to avoid damage to the stem while allowing a small degree of movement.
 - TURF AREAS**
 - 6.1 Turf areas should be cultivated before laying by tipping or harrowing.
 - 6.2 At the completion of laying the whole area shall be thoroughly soaked and kept moist till the completion of landscape works.
 - MULCH**
 - 7.1 All impacted Concrete, Soil conditioners and Mulches to meet AS 4434.
 - 7.2 Mulch for all general mass planted beds shall be 'Droughtmaster' mulch as supplied by A.N.L. or similar.
 - SOIL MIXES**
 - 8.1 All impacted soil to meet AS4410 Soils for Landscaping and Garden Use.
 - 8.2 Soil mix for mass planted areas shall be 3 parts site soil to 1 part 'Organic Garden Mix' as supplied by A.N.L. or equivalent.

- ### TREE PROTECTION GUIDELINES
- WORK NEAR TREES**
 - 1.1 GENERAL: All existing trees which are to remain undisturbed are indicated on the drawings and shall be adequately protected for the duration of the contract as specified by the client. Any variation from this specification or enquiries regarding the protection/health of the trees to be retained must be referred to Council's Landscape Officer or Tree Preservation Officer for approval and/or advice.
 - 1.2 REQUIREMENTS: Trees shall not be removed or topped unless specific instruction is given in writing by the Superintendent. All tree protection works shall be carried out before excavation, grading and site works commence. Pruning of existing trees to be supervised by a suitably qualified Arborist and in accordance with AS 4373 Pruning of Amenity Trees.
 - PROTECTION**
 - 2.1 Method: Fences of the root zone of all existing trees to be retained in accordance with the Tree Protection Detail. Protective fencing is to remain in place until the completion of all building and hard landscape construction. Fencing is to be located as shown on the Existing Tree Plan. A layer of organic mulch 100mm thick shall be placed over the protected area where existing garden beds are not already present. Where building works are required within the root zone of existing trees these works must be supervised by a qualified Arborist.
 - 2.2 Harmful materials: Do not store or otherwise place bulk materials and harmful materials under or near trees. Do not place spoil from excavations against tree trunks. Prevent and/or remove materials such as cement from burning trees and plants. Prevent concrete wash or other substances from entering the protection zone.
 - 2.3 Damage: Prevent damage to tree bark. Do not attach signs, guys and the like to trees.
 - 2.4 Work under trees: Do not add or remove topsoil within the drip line of the tree. If it is necessary to excavate within the drip line, use hand methods such that root systems are preserved intact and undamaged. Open up excavations under tree canopies for as short a period as possible.
 - 2.5 Roots: Do not cut tree roots exceeding 50mm diameter unless undertaken by a qualified Arborist.

DISCLAIMER
Every effort is made to ensure the accuracy of these documents, however they should be thoroughly checked before being issued to any other persons or authority or used for construction purposes. Any inaccuracies, omissions or discrepancies should be referred back to Zenith Landscape Designs immediately.

These drawings may be protected in whole or in part by copyright laws. The intellectual property of Zenith Landscape Designs and may not be used in part or whole for any other purpose without the prior permission of Zenith Landscape Designs.

NOTES

1. Vehicular pavement, fencing and built structures details shall be to Architect's specification.
2. All surface and sub-surface drainage requirements shall be to Engineers details.
3. Numerical dimensions should be taken in preference to scaling.
4. All dimensions should be checked on site prior to commencing construction.
5. Contractors shall verify the location of all site features prior to commencing works.
6. Soil testing has not been undertaken as part of the preparation of this design. Contractors shall determine the need for soil testing prior to any planting works.
7. A bank of underground services has not been undertaken as part of the preparation of this design. It is recommended that Contractors contact DIAL BEFORE YOU DIG 1100 prior to commencing any works.
8. This plan is to be read in conjunction with the architectural and engineering plans.
9. It is recommended that an approved root barrier be installed to manufacturers recommendations to all new planting in the vicinity of structures, walls and kerb paved areas.
10. Mass planted beds will require a fully automated irrigation system which is to be designed and installed by an irrigation consultant prior to planting.

ZENITH
LANDSCAPE DESIGNS
Ph: 9545 5200 info@zenithlandscapes.com.au

Landscape Design Institute
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DIAL 1100 BEFORE YOU DIG
www.1100.com.au

ARCHITECT: DEVINE DRAFTING AND DESIGN
ENGINEER: AE CONSULTING
SURVEYOR: STRAIGHTLINE SURVEYING
ARBORIST:
CLIENT: STEVE WILSON

Rev. no. ISSUE: DATE: 09.06.2024
DA APPLICATION

LANDSCAPE PLAN
3 EXETER STREET
CAMDEN

SCALE: 1:100 **A1**

PROJECT No: 24-5014 L01
ISSUE: DA SHEET: 1 OF 1
DRAWN: MG REVISION:

CLPP03

CLPP03

SUBJECT: DA/2024/250/1 - ALTERATIONS AND ADDITIONS TO AN EXISTING MEDICAL CENTRE INCLUDING THE REPLACEMENT OF A WINDOW WITH A DOOR - 19 QUEEN STREET, NARELLAN

FROM: Manager Statutory Planning

EDMS #: 24/404268

DA Number:	2024/250/1.
Development:	Alterations and additions to an existing medical centre including the replacement of a window with a door, concrete landing and display of a wall sign.
Estimated Cost of Development:	\$9,405
Site Address(es):	19 Queen Street, Narellan.
Applicant:	Mr Gorgi Gulevski.
Owner(s):	Camden Council.
Number of Submissions:	None.
Development Standard Contravention(s):	None.
Classification:	Local development
Recommendation:	Approve with conditions.
Panel Referral Criteria:	Council is the landowner.
Report Prepared By:	Alyssa Markland (Town Planner).

PURPOSE OF REPORT

The purpose of this report is to seek the Camden Local Planning Panel’s (the Panel’s) determination of a development application (DA) for alterations and additions to an existing medical centre including the replacement of a window with a door, concrete landing and display of a wall sign at 19 Queen Street, Narellan.

The Panel is to exercise Council’s consent authority functions for this DA as, pursuant to the Minister for Planning’s Section 9.1 Direction, the land owner of the site is Camden Council.

SUMMARY OF RECOMMENDATION

That the Panel determine DA/2024/250/1 for alterations and additions to an existing medical centre including the replacement of a window with a door, concrete landing and display of a wall sign, pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions attached to this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for alterations and additions to an existing medical centre including the replacement of a window with a door, concrete landing and display of a wall sign at 19 Queen Street, Narellan.

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 3 July 2024 to 6 August 2024 and no submissions were received.

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

AERIAL PHOTO



Figure 1 – Aerial image of site

THE SITE

The site is commonly known as 19 Queen Street Narellan and is legally described as Lot 2 in DP 1085432.

The site is irregular in shape and is a corner lot with a secondary street frontage facing Elyard Street. The lot size is 2.16 hectares and the site has a natural fall of 10m from the southwest corner to the northeast corner of the lot. Vehicular access is provided from Queen Street along the western boundary of the site.

The surrounding area contains predominantly mixed use and residential dwellings constructed on smaller lots. The subject site is located across the road from the Narellan Town Centre.

ZONING PLAN

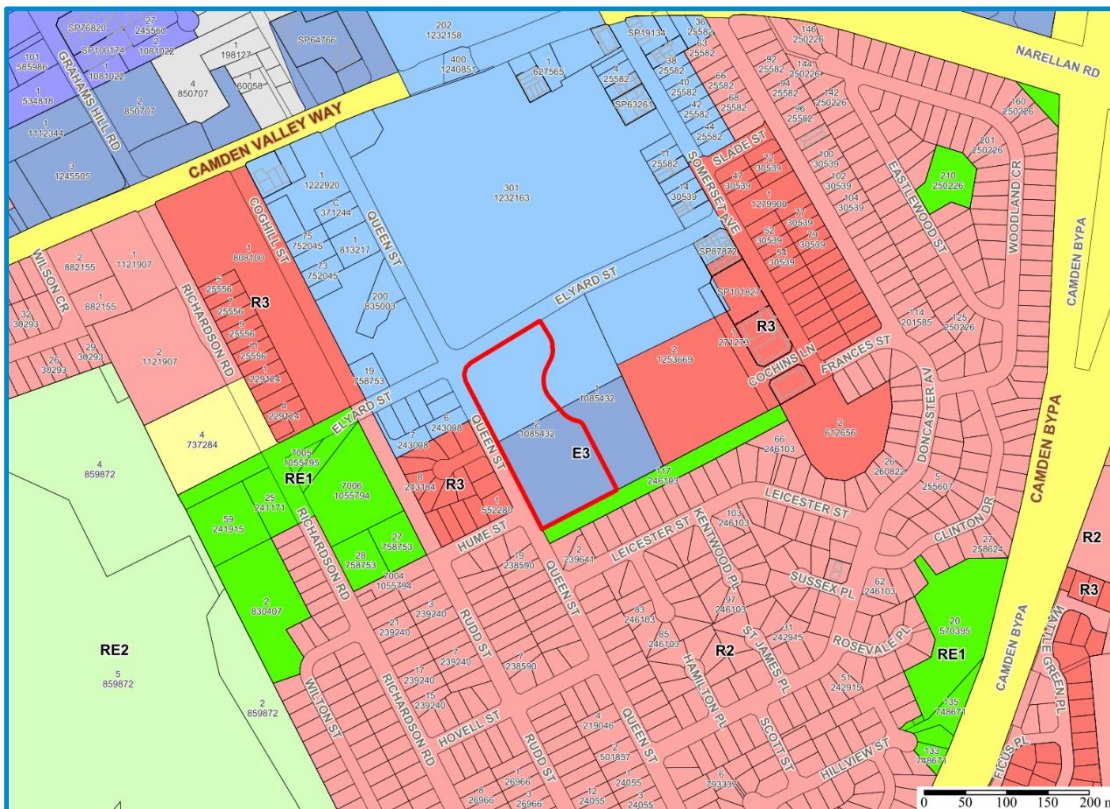


Figure 2 – Extract of zoning map

HISTORY

The development history of the site is as follows:

Date	Description
21 March 2022	Approval of DA/2022/131/1 for business identification signage.
8 August 2018	Approval of DA/2018/654/1 for a new pergola to cover outdoor area for café.
19 February 2018	Approval of DA/2017/1616/1 for the installation of 9 business identification signs and vehicle wayfinding signs.
30 January 2017	Approval of DA/2016/925/1 for the alterations and additions to a commercial building to be used as a medical centre incorporating a pharmacy together with the reconfiguration of an existing carpark.
27 February 2015	Approval of DA/2015/253/1 for the library Plaza, and pop up market.
10 May 2013	Approval of DA/2013/346/1 for a new awning/pergola.
16 March 2010	Approval of DA/2010/159/1 – for new commercial – café fit-out Narellan library.
1 October 2010	Approval of DA/2010/1003/1 for Narellan Rhythms Festival.
30 January 2008	Approval of DA/2008/79/1 for the use of Narellan Library as Place of Public Entertainment (Band Night).

18 August 2008 | Approval of DA/2008/786/1 for a place of public entertainment.

THE PROPOSAL

DA/2024/250/1 seeks approval for alterations and additions to an existing medical centre including the replacement of a window with a door, concrete landing and display of a wall sign.

Specifically, the development involves:

- Demolition of an existing single window and replacement with an external access door;
- Construction of a concrete landing; and
- New 10m x 0.7m pharmacy wall signage.

The estimated cost of the development is \$9,405.

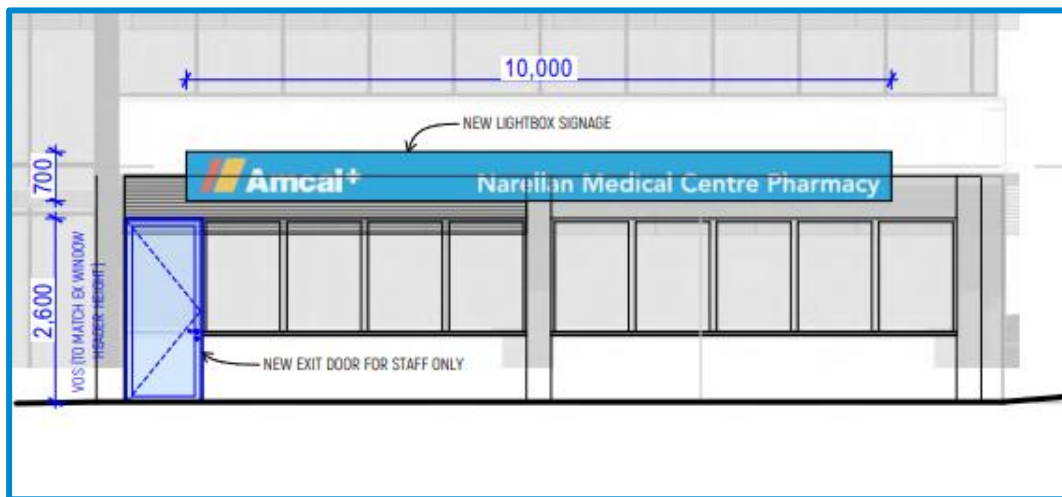


Figure 3 – Front elevation

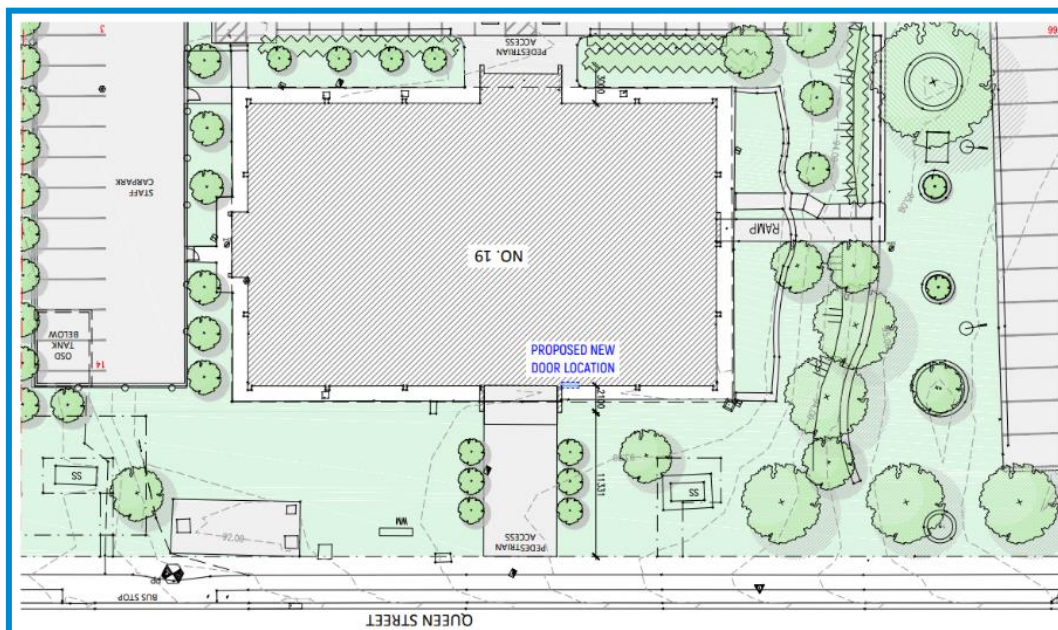


Figure 4 - Site plan

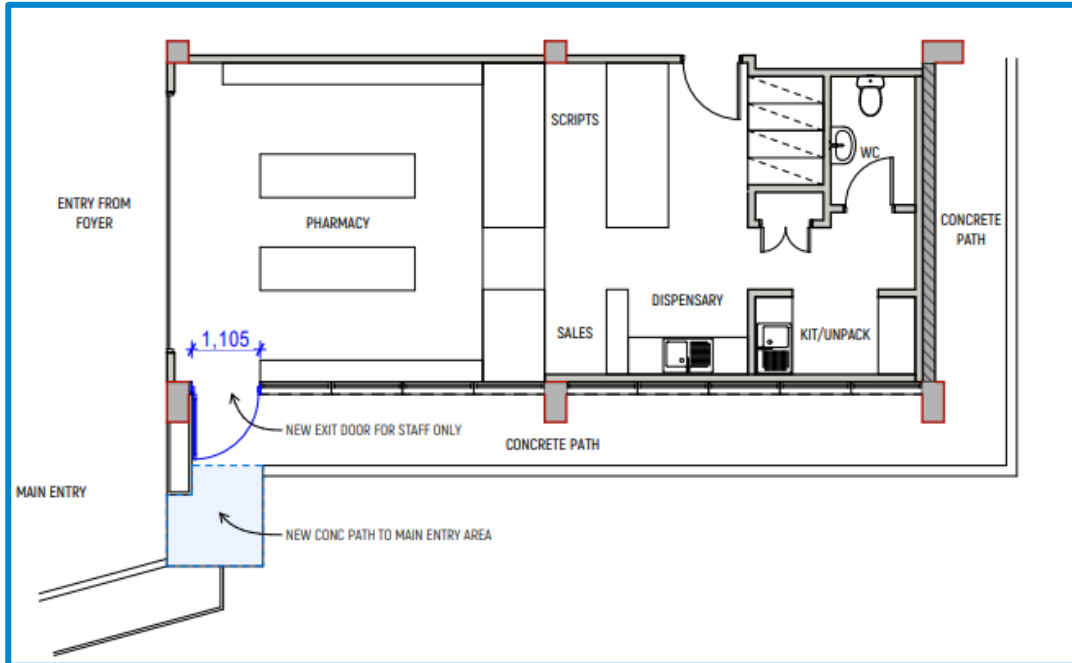


Figure 5 – Floor plan

No other works are proposed to the medical centre or the pharmacy.

ASSESSMENT

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

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

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

The environmental planning instruments that apply to the development are:

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

State Environmental Planning Policy (Biodiversity and Conservation) 2021

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 (Industry and Employment) 2021 – Chapter 3 Advertising and Signage.

The Industry and Employment SEPP for advertising and signage aims to:

- a) ensure that signage is -
 - i. compatible with the desired amenity and visual character of an area, and
 - ii. provides effective communication in suitable locations, and
 - iii. is of high-quality design and finish, and
- b) to regulate signage (but not content) under Part 4 of the Act, and
- c) to provide time-limited consents for the display of certain advertisements, and
- d) to regulate the display of advertisements in transport corridors, and
- e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

An assessment against Schedule 5 of the SEPP is provided as an attachment to this report.

Camden Local Environmental Plan 2010

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 Act.

Site Zoning

The site is zoned E3 Productivity Support pursuant to Clause 2.2 of the Camden LEP.

Development Characterisation/Permissibility

The development is characterised as being ancillary to the approved 'medical centre' as defined by the Camden LEP.

The development is an innominate permissible with consent under the E3 Land Use table.

Planning Controls

An assessment table in which the development is considered against 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

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

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

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

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

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

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

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

(c) the suitability of the site for the development

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

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

The DA was publicly exhibited for a period of 28 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 3 July 2024 to 6 August 2024 and no submissions were received.

(e) the public interest

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

EXTERNAL REFERRALS

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

External Referral	Response
Endeavour Energy	Supported with conditions.

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/2024/250/1 for alterations and additions to an existing medical centre including the replacement of a window with a door, concrete landing and display of a wall sign 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 the 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 the Camden Development Control Plan 2019
3. The development is considered to be an appropriate 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. Industry and Employment SEPP Assessment Table
3. Camden LEP Assessment Table
4. Camden DCP Assessment Table
5. Architectural Plans

RECOMMENDED CONDITIONS

1.0 - General Conditions of Consent

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

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

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
DA.1	A	Site Plan	George Banks Architecture	03/06/2024
DA.2	A	Location Plan	George Banks Architecture	03/06/2024
DA.3	A	Section A	George Banks Architecture	03/06/2024
DA.4	A	Section A	George Banks Architecture	03/06/2024

Approved Documents			
Document title	Version number	Prepared by	Date of document
Waste Management Plan	None.	George Banks Architecture	18/06/2024
Endeavour Energy Agency Decision	CNR-70233	Endeavour Energy	24/06/2024

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

- (2) **Authority requirements** - The development must be carried out in accordance with the following authority requirements:
1. Endeavour Energy Agency Decision - CNR-70233, date: 24/06/2024.
- (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.

2.0 - Before Building Work Commences

- (4) **Demolition Work** - Before any demolition work commences, the following requirements must be complied with to the satisfaction of the principal certifier (or Council where there is no requirement for a principal certifier):
1. 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.
 2. All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.

- (5) **Utility services protection** - Before any site 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.
 4. The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
 5. No activities are to occur in easements and they must adhere to minimum safety requirements.
 6. Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.

3.0 - During Works

- (6) **Work hours** - While site 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.

- (7) **Work Noise** - While site work is being carried out, noise levels must comply with:
1. For work periods of 4 weeks or less, the LAeg 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 LAeg 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 LAeg 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.

- (8) **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.

4.0 – Ongoing Use

- (9) **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.
- (10) **Fire safety schedule** - During occupation and ongoing use of the development, the fire safety schedule issued by Council with this development consent and all fire safety measures detailed therein must be complied with and maintained at all times.

State Environmental Planning Policy (Industry and Employment) 2021 – Schedule 5 Assessment Table

Section	Assessment	Compliance?
<p>Part 3.1, Aims, objectives, etc.</p> <p>A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied that the signage:</p> <ul style="list-style-type: none"> • is compatible with the desired amenity and visual character of an area, and • provides effective communication in suitable locations, and • is of high quality design and finish. 	<p>The signage will be compatible with the E3 zoning and surrounding amenity and does not obscure the visual character of the area.</p> <p>The signage provides effective communication through its simplistic design.</p> <p>The signage is proposed with a high-quality design and finish.</p>	Yes.
<p>Schedule 5 Assessment criteria - Character of the area</p> <ul style="list-style-type: none"> • Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? • Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	<p>The signage is compatible with the existing use and desired character of the area.</p> <p>Not applicable.</p>	Yes.
<p>Schedule 5 Assessment criteria - Special areas</p> <ul style="list-style-type: none"> • Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? 	<p>The business identification sign does not detract from the amenity of the local area.</p>	Yes.
<p>Schedule 5 Assessment criteria - Views and vistas</p> <ul style="list-style-type: none"> • Does the proposal obscure or compromise important views? • Does the proposal dominate the skyline and reduce the quality of vistas? • Does the proposal respect the viewing rights of other advertisers? 	<p>The signage will not have any impact on any views and vistas as it is located on the ground floor to a multi-storey building and faces a low traffic street.</p>	Yes.
<p>Schedule 5 Assessment criteria - Streetscape, setting or landscape</p> <ul style="list-style-type: none"> • Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? • Does the proposal contribute to the visual interest of the streetscape, setting or landscape? 	<p>The scale, proportion and form of the signage is appropriate for the streetscape, setting and landscape.</p> <p>The signage will contribute to the visual interest of the streetscape through the design.</p>	Yes.

State Environmental Planning Policy (Industry and Employment) 2021 – Schedule 5 Assessment Table

Section	Assessment	Compliance?
<ul style="list-style-type: none"> Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management? 	<p>Signage will not create clutter as it is built into the design of the pharmacy exterior and will reflect the character of the medical building.</p> <p>No, unsightliness.</p> <p>The signage does not protrude above buildings, structures or tree canopies.</p> <p>The signage is located on the building façade and does not require ongoing vegetation management.</p>	
<p>Schedule 5 Assessment criteria - Site and building</p> <ul style="list-style-type: none"> Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	<p>The signage is built into the design of the pharmacy exterior and will reflect the character of the medical building. The proposed signage respects important features of the building and integrates into the façade design.</p>	Yes.
<p>Schedule 5 Assessment criteria - Associated devices and logos with advertisements and advertising structures</p> <ul style="list-style-type: none"> Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed? 	<p>Not applicable.</p>	Not applicable.
<p>Schedule 5 Assessment criteria - Illumination</p> <ul style="list-style-type: none"> Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft? Would illumination detract from the amenity of any residence or other form of accommodation? Can the intensity of the illumination be adjusted, if necessary? 	<p>The illumination will not result in unacceptable glare, affect safety or detract from amenity. An illumination condition to meet Australian Standards will be implemented.</p>	Yes.

State Environmental Planning Policy (Industry and Employment) 2021 – Schedule 5 Assessment Table

Section	Assessment	Compliance?
<ul style="list-style-type: none"> Is the illumination subject to a curfew? 		
<p>Schedule 5 Assessment criteria - Safety</p> <ul style="list-style-type: none"> Would the proposal reduce the safety for any public road? Would the proposal reduce the safety for pedestrians or bicyclists? Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<p>The development is low impact and not highly visible from the road. Due to the topography of the site the signage the signage location is setback away from public roads and pedestrians, ensuring safety is not reduced</p>	<p align="center">Yes.</p>

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

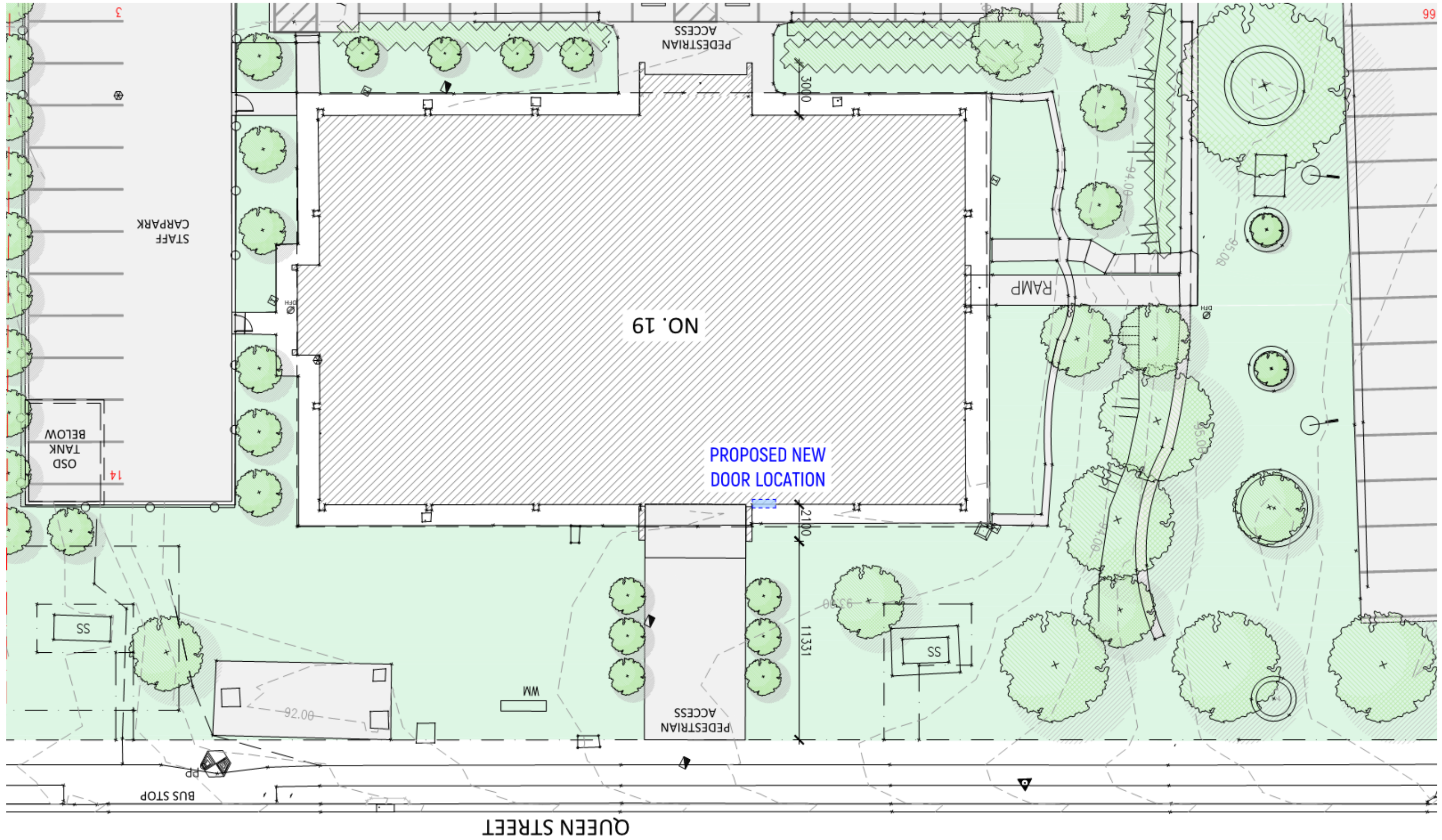
Clause	Assessment	Compliance?
<p>2.3 Zone objectives and land use table</p> <p>The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.</p> <p>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.</p> <p>The zone objectives for this site are:</p> <ul style="list-style-type: none"> • To provide a range of facilities and services, light industries, warehouses and offices. • 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. • 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. • To provide opportunities for new and emerging light industries. • 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. • To minimise the impacts of development on surrounding residential or other sensitive land uses. 	<p>The site is partly zoned E1 Local Centre and E3 Productivity Support, however the location of the proposal is entirely within the E3 Productivity Support zone.</p> <p>The development is consistent with the relevant objectives of the zone in that it will continue to provide a service to the community without conflicting with other zones or surrounding residential development.</p>	<p>Yes.</p>
<p>2.7 Demolition requires development consent</p> <p>Development consent is required to demolish a building or work (unless the demolition is exempt or complying development under another environmental planning instrument).</p>	<p>Partial demolition of a window to replace with a door is low impact and will not have adverse environmental impacts on the surrounding amenity.</p>	<p>Yes.</p>

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

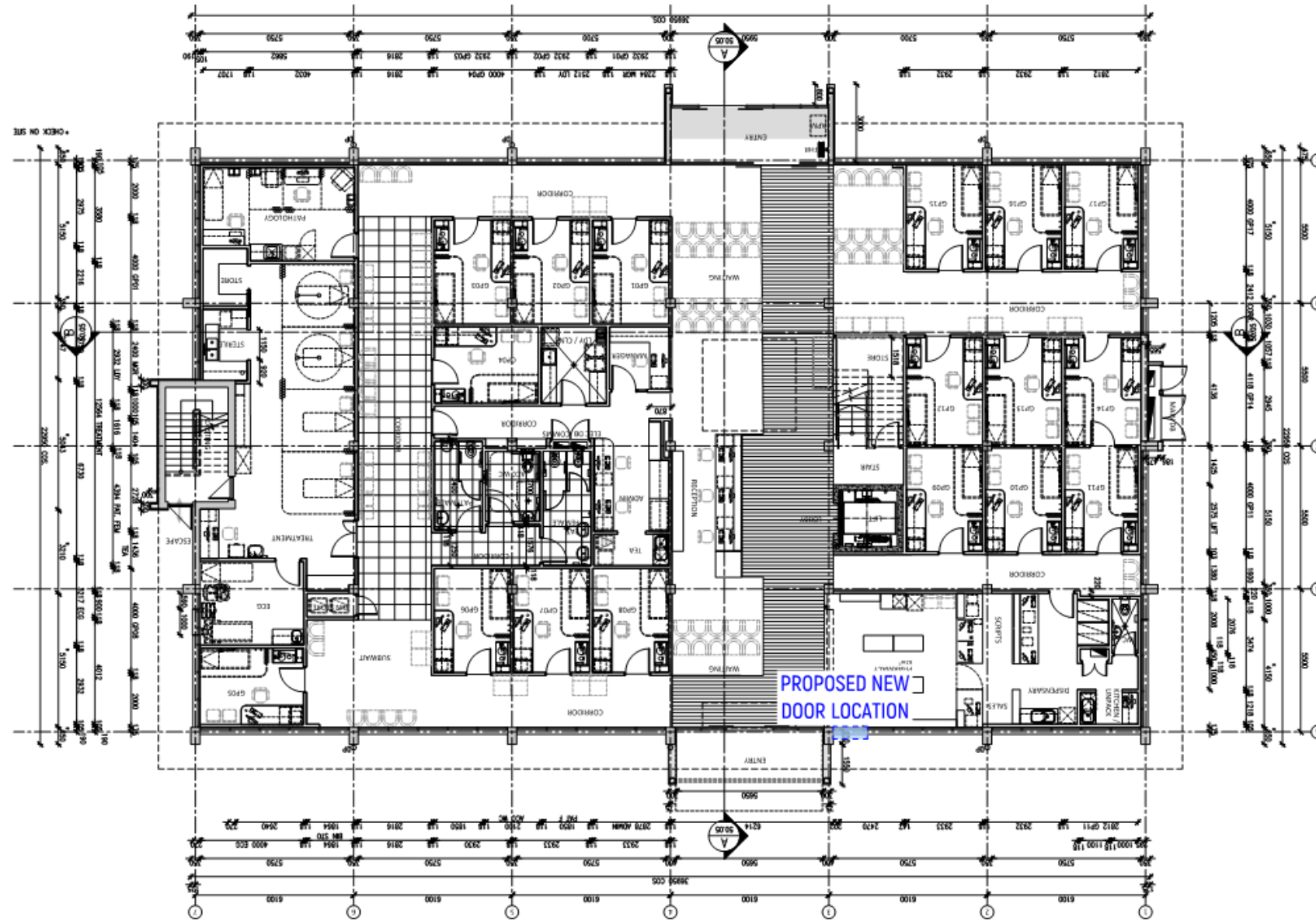
Control	Assessment	Compliance?
<p>2.17 Signage</p> <p><u>Inappropriate signage</u> Consent will not be granted to the following advertisements:</p> <ul style="list-style-type: none"> a) Above awning signs; b) Roof or sky signs; c) Vertical or horizontal projection signs; d) Flashing, electronic, running or moving signs – for example a variable message board sign (other than those signs authorised for traffic management, road traffic and road safety purposes); e) Illuminated advertising street name signs; f) Inflatable balloons or other inflatable devices; g) Banners, bunting, flagging and bill/fly posters (other than those erected by Council); h) Advertising on shipping containers, parked cars and / or trailers (registered or not registered); i) Temporary signage erected in or on a public place (other than temporary non-commercial signs); and <p>Feather fan banners (where erected on public property).</p>	<p>The proposed signage is not considered to be inappropriate signage.</p>	<p align="center">Yes.</p>
<p>2.17.1 General Requirements for Signage</p> <p>The location, quantity, type, colour, design and size of all signage must not detract from the amenity and character of the land or building to which it relates.</p> <p>All signage must be consistent with the scale of the building or the property on which it is located.</p> <p>All signage must align with an approved or exempt land use being conducted on the land to which the sign is displayed. Signs or banners approved by Council under Policy 2.8 Signs and Banners are exempted.</p> <p>All signage must remain within the property boundary.</p> <p><u>Signs and Road Safety</u></p> <p>The location of signs must not obscure views of traffic signs or traffic signals or have the potential to cause confusion with traffic signs or traffic signals.</p> <p>The location of signs must not interfere with the view of oncoming vehicles, pedestrians or a road hazard or obstruction which should be visible to drivers or other road users.</p> <p>Signs must not be located at a major intersection, pedestrian crossing or at merging or diverging lanes.</p>	<p>The signage doesn't detract from the amenity and character of the building.</p> <p>The signage is consistent with the scale of the building and amenity/character of the land.</p> <p>The signage aligns with the approved medical centre.</p> <p>The signage is located within the boundaries.</p> <p>The signage will not obscure traffic signs or signals as it is proposed on the front fascia of the building.</p> <p>The signage will not interfere with the view of oncoming vehicles or pedestrians as it is not easily seen from the forward direction of the street but proposed off the to the side.</p> <p>The proposed sign is not proposed at a major intersection, pedestrian crossing, or on a merging lane.</p>	<p align="center">Yes.</p>

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance?
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.	The signage does not propose flashing or moving lights. The illumination will be conditioned to meet the requirements of Australian Standards.	
<p>2.17.2 Commercial and Mixed Uses</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>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>Signage area = 7sqm. Elevation of the building = 189sqm = 3.7%</p> <p>Condition included in the recommended conditions.</p>	Yes.



<p>LEGEND</p> <p>EXISTING </p> <p>DEMO </p> <p>PROPOSED </p>	<p>GBA George Banks Architecture 4 Harris Road Five Dock NSW 2046 Tel: +61 2 8080 4318 N. Arch. Gorgi Gulevski 10620 gbanks.com.au</p>	<p>STRUCTURAL ENGINEER MUST VERIFY & APPROVE THIS PLAN PRIOR TO ANY WORKS COMMENCING. ALL DIMENSIONS MUST BE VERIFIED ON SITE BY BUILDER OR CONTRACTORS PRIOR TO ANY CONSTRUCTION COMMENCING. ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH BCA & CONTROL, CONCRETE. THESE DRAWINGS HAVE BEEN PRODUCED TO ILLUSTRATE DESIGN INTENT. CONSTRUCTION TO COMPLY WITH LOCAL AND STATUTORY AUTHORITY REGULATIONS INCL. BUT NOT LIMITED TO THE BUILDING OWNER, BCA AND/OR AS. DO NOT SCALE OFF DRAWINGS. USE SCALED MEASUREMENTS. THESE NOTES MUST BE READ IN CONJUNCTION WITH ACCOMPANYING DRAWINGS. PAVED AREAS SHOWN ON PLANS ARE SUBJECT TO SITE CONDITIONS. ALL CALCULATED DIMENSIONS ARE SUBJECT TO MEASURING DURING CONSTRUCTION.</p> <p>THESE DRAWINGS AND SPECIFICATIONS ARE COPYRIGHT. THEY MUST NOT BE USED, REPRODUCED OR COPIED WHOLLY OR IN PART WITHOUT THE WRITTEN PERMISSION OF THE OWNERS. THESE DRAWINGS ARE SITE SPECIFIC AND CAN ONLY BE USED FOR THE PROJECT ADDRESS AS LISTED IN THESE DRAWINGS.</p>	<p>REVISION NOTES</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 70%;">A - FOR DA</td> <td style="width: 30%; text-align: right;">3/06/2024</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	A - FOR DA	3/06/2024					<p>ADDRESS 19 QUEEN ST, NARELLAN</p> <p>SCALE 1:200@ A3</p> <p>DRAWN MK</p> <p>CHECKED GG</p>	<p>FOR DA</p> <p>PROJECT N19</p> <p>DRAWING SITE PLAN</p>	<p>REV A</p> <p>DRAWING NO. DA.1</p>
A - FOR DA	3/06/2024											



LEGEND EXISTING DEMO PROPOSED



George Banks Architecture
 4 Harris Road Five Dock NSW 2046
 Tel: +61 2 8080 4318
 N. Arch. Gorgi Gulevski 10620
 gbanks.com.au

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APPLICANT
GEORGE BANKS ARCHITECTURE

REVISION NOTES

A - FOR DA	3/06/2024



ADDRESS
19 QUEEN ST, NARELLAN

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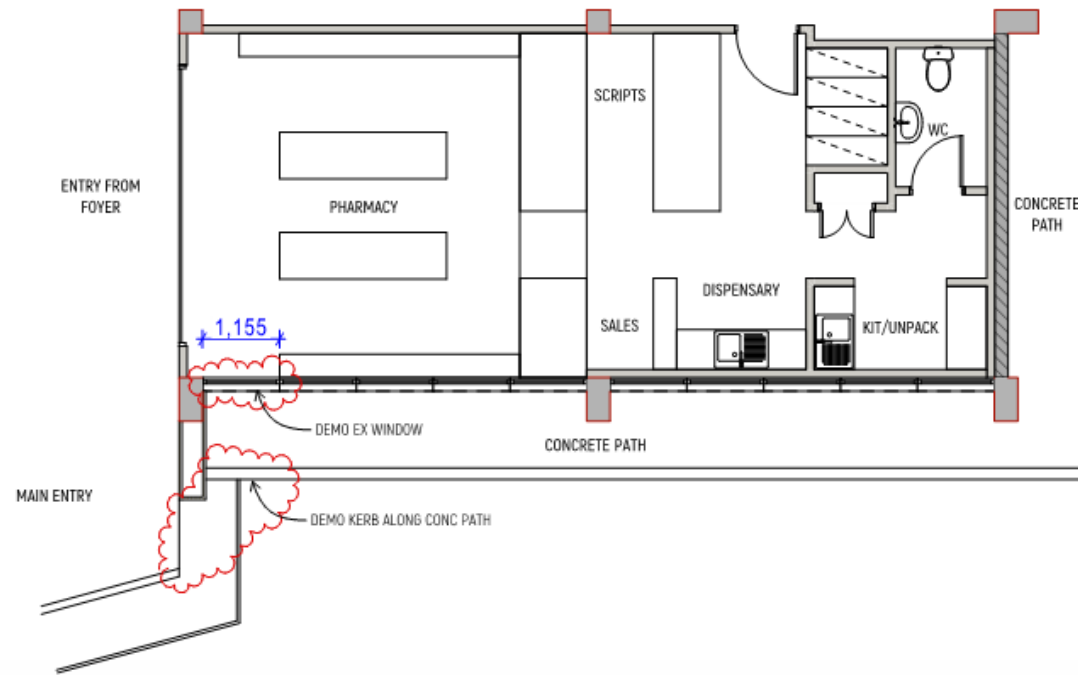
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LOCATION PLAN

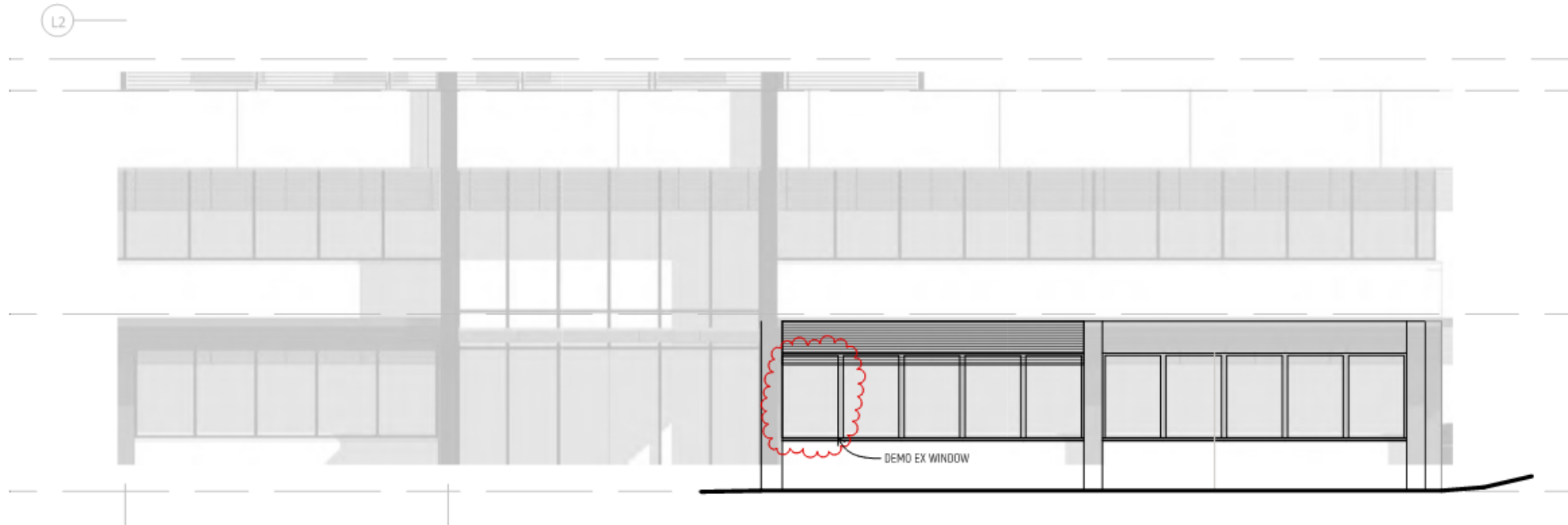
FOR DA

REV
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DRAWING NO.
DA.2



1 DEMOLITION PLAN



2 WESTERN ELEVATION (QUEEN ST)

LEGEND EXISTING DEMO PROPOSED



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APPLICANT
GEORGE BANKS ARCHITECTURE

REVISION NOTES

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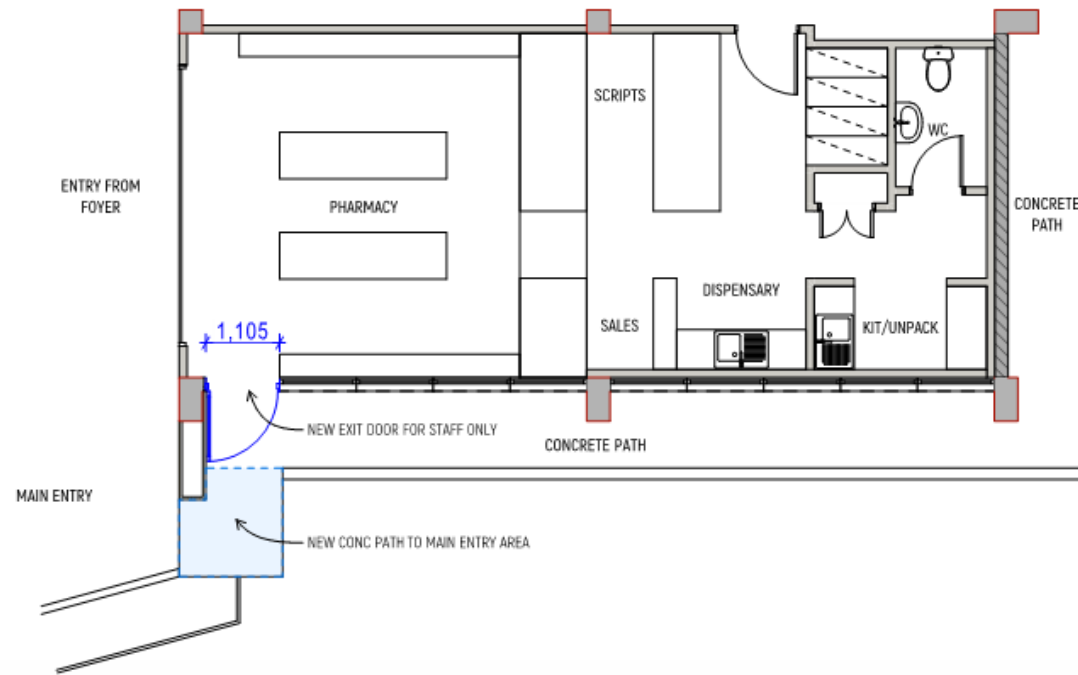
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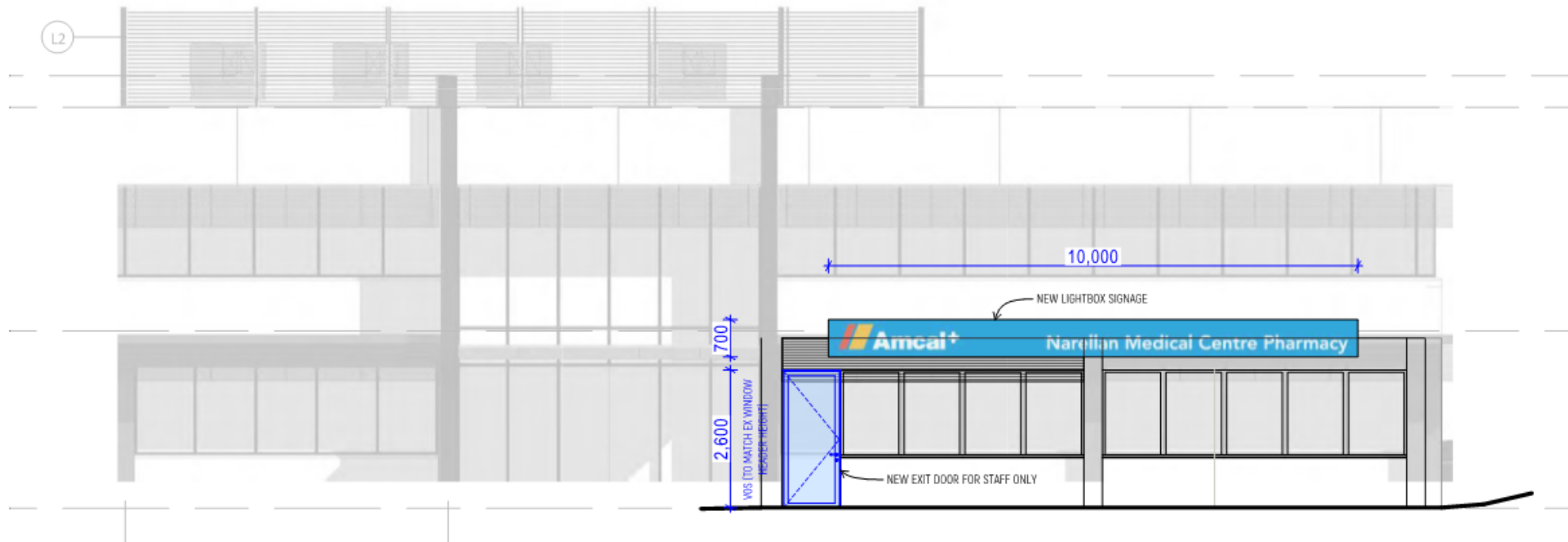
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DRAWING NO.
DA.3



1 PROPOSED PLAN



2 WESTERN ELEVATION (QUEEN ST)

LEGEND EXISTING DEMO PROPOSED



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APPLICANT
GEORGE BANKS ARCHITECTURE

REVISION NOTES	
A - FOR DA	3/06/2024



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CLPP04

CLPP04

SUBJECT: DA/2024/187/1 - INSTALLATION AND USE OF A TELECOMMUNICATIONS TOWER AND ANCILLARY STRUCTURES - 45 SOUTHWELL ROAD, 45 BRABHAM DRIVE & 600J THE NORTHERN ROAD, ORAN PARK

FROM: Manager Statutory Planning

EDMS #: 24/404582

DA Number:	2024/187/1.
Development:	Installation and use of a telecommunications tower with ancillary structures and associated site works.
Estimated Cost of Development:	\$250,000.
Site Address(es):	45 Southwell Road, 45 Brabham Drive, and 600J The Northern Road, Oran Park. LOT 2255 DP 1292733, LOT 2259 DP 1292733 and LOT 53 DP 1259061
Applicant:	Kuda Dzinotizei.
Owner(s):	Leppington Pastoral Company Pty Ltd.
Number of Submissions:	One written submission (opposing the development).
Development Standard Contravention(s):	Section 4.3 Height of Buildings
Classification:	Local development
Recommendation:	Approve with conditions.
Panel Referral Criteria:	The application proposes a departure from a development standard greater than 10%.
Report Prepared By:	Laura Poulton, Executive Planner.

PURPOSE OF REPORT

The purpose of this report is to seek the Camden Local Planning Panel’s (the Panel’s) determination of a Development Application (DA) for the installation and use of a telecommunications facility with ancillary structures and associated site works at 45 Southwell Road, 45 Brabham Drive & 600J The Northern Road, Oran Park.

The Panel is to exercise Council’s consent authority functions for this DA as, pursuant to the Minister for Planning’s Sections 9.1 Direction, the DA proposes a contravention to the height of buildings development standard by more than 10%.

SUMMARY OF RECOMMENDATION

That the Panel determine DA/2024/187/1 for the installation and use of a telecommunications facility with ancillary structures at 45 Southwell Road, 45 Brabham Drive & 600J The Northern Road, Oran Park, pursuant to Section 4.16 (1)(a) of *the*

Environmental Planning and Assessment Act, 1979 by granting consent subject to the conditions attached to this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the installation and use of a telecommunications facility with ancillary structures and associated site works at 45 Southwell Road, 45 Brabham Drive & 600J The Northern Road, Oran Park.

The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulations 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 2019*. The exhibition period was from 21 May 2024 to 3 June 2024. During this time, Council staff received one written submission, opposing the development and raising the following concerns:

- The development is inconsistent with the urban character of the wider Camden Local Government Area.
- The development will have significant adverse visual impacts on the wider area.
- Alternative locations (such as Oran Park Town Centre) should had been considered as it will benefit more residents.

A consideration of the concerns raised in this submission is provided later in this report.

While the development site is not subject to a building height standard pursuant to the *Height of Buildings map* (see **Figure 3** below), Section 4.3(5) of the Precincts SEPP prescribes a 15m height limit on lots with a frontage to The Northern Road that are zoned IN1 General Industrial. Consequently, the development site is subject to this building height standard (see **Figures 1 and 2** below). The development proposes a maximum height of 31.1m, exceeding the development standard by 16.1m or 107.33%.

The Applicant has submitted a written request seeking to justify the contravention to the development standard pursuant to Section 4.6 *Exceptions to Development Standards* of the Precincts SEPP. The written request submits that:

- Compliance with the development standard will impact the overall network performance of the facility as there will be no clear line of sight.
- Not meeting the required mobile network performance will have adverse impacts on the overall viability of the wider Employment Area.
- There are sufficient environmental grounds to justify the variation.

A variation is also sought to the minimum side setback controls contained in the *Oran Park Development Control Plan* (Oran Park DCP). Specifically, the Oran Park DCP stipulates a minimum setback of 3m from the southeastern boundary. The siting of the proposed equipment shelter is approximately 1.6m from the boundary line, resulting in a 1.4m non-compliance. The variation is assessed in further detail in this report and is supported by Council staff.

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

KEY PLANNING CONTROL VARIATIONS

Control	Proposed	Variation
Precincts SEPP		
Section 4.3 (5) <i>Height of Buildings</i> – 15m maximum above the existing ground level.	31.1m maximum building height.	16.1m or 107.33%.
Oran Park DCP		
Section 6.0 <i>Site Planning 3m setback from the southwestern boundary.</i>	1.6m	1.4m or 46.67%

AERIAL PHOTO



Figure 1 – The development site (outlined in red) and surrounding allotments.

THE SITE

The sites are legally described as Lots 2255 & 2259 in DP 1292733 and Lot 53 in DP 1259061 and is commonly known as 45 Southwell Road, 45 Brabham Drive & 600J The Northern Road, Oran Park (the Site) (see **Figure 1** above).

The Site is bounded by The Northern Road to the northwest and Southwell Road to the south and southeast. The Site is irregular in shape with a combined area of 17.39 hectares. Notwithstanding, the proposed development will encompass a total site area of 100.48m² located towards the southeastern end of the Site (see **Figures 8** and **9** below). The Site currently consists of a retaining wall (along the boundary separating 45

Southwell Road and 45 Brabham Drive, Oran Park) and various trees (see **Figures 4 and 5** below). There are currently no buildings and/or other structures on Site.

Lots within the wider Employment Area (refer to **Figure 7**) are predominately zoned IN1 General Industrial pursuant to the Precincts SEPP (see **Figure 2** below). Whilst most lots within the Employment Area (see **Figures 4, 5** and **7** below) are currently vacant, it is envisaged that they will contain large industrial built forms with building heights up to 15m. These lots are not subject to a site coverage and/or floor space ratio control. Further, a zero boundary is permitted where boundaries do not have a direct frontage to a road (as per Section 7.0, Part B5 of the Oran Park DCP). Land directly to the north and east of the Site are zoned C2 Environmental Conservation and R2 Low Density Residential. A residential subdivision has been approved and is currently under construction (see **Figure 6** below) further north of the Site. Land on the western interface of The Northern Road is zoned R1 General Residential and RU1 Primary Production. Whilst these lots are largely vacant, they are projected to contain a mix of residential accommodation types.

The Site and surrounding allotments to the east, south and west forms part of the Oran Park Precinct area whereas land to the north of the riparian corridor forms part of the Camden Growth Centres Precinct area of the South West Growth Area. The siting of the Site within the Oran Park Masterplan is shown below in **Figure 7**.

ZONING PLAN

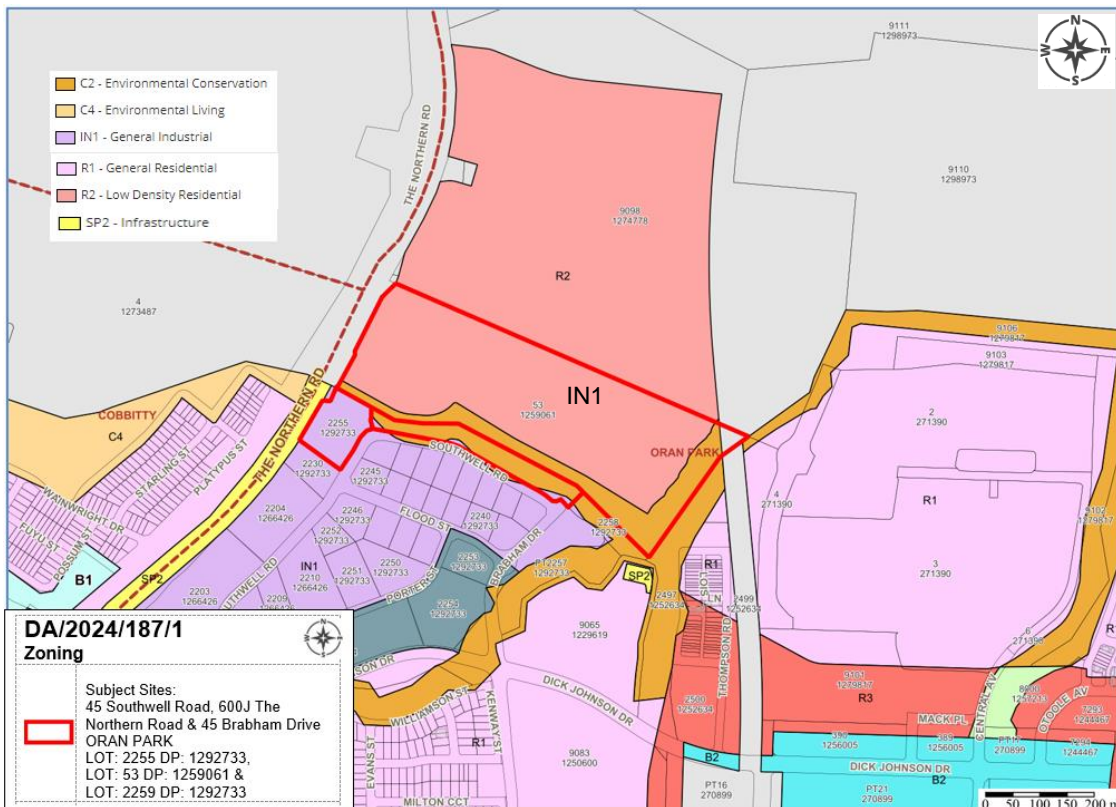


Figure 2 – Zoning Map of the Site (outlined in red) and surrounding allotments.

HEIGHT OF BUILDINGS

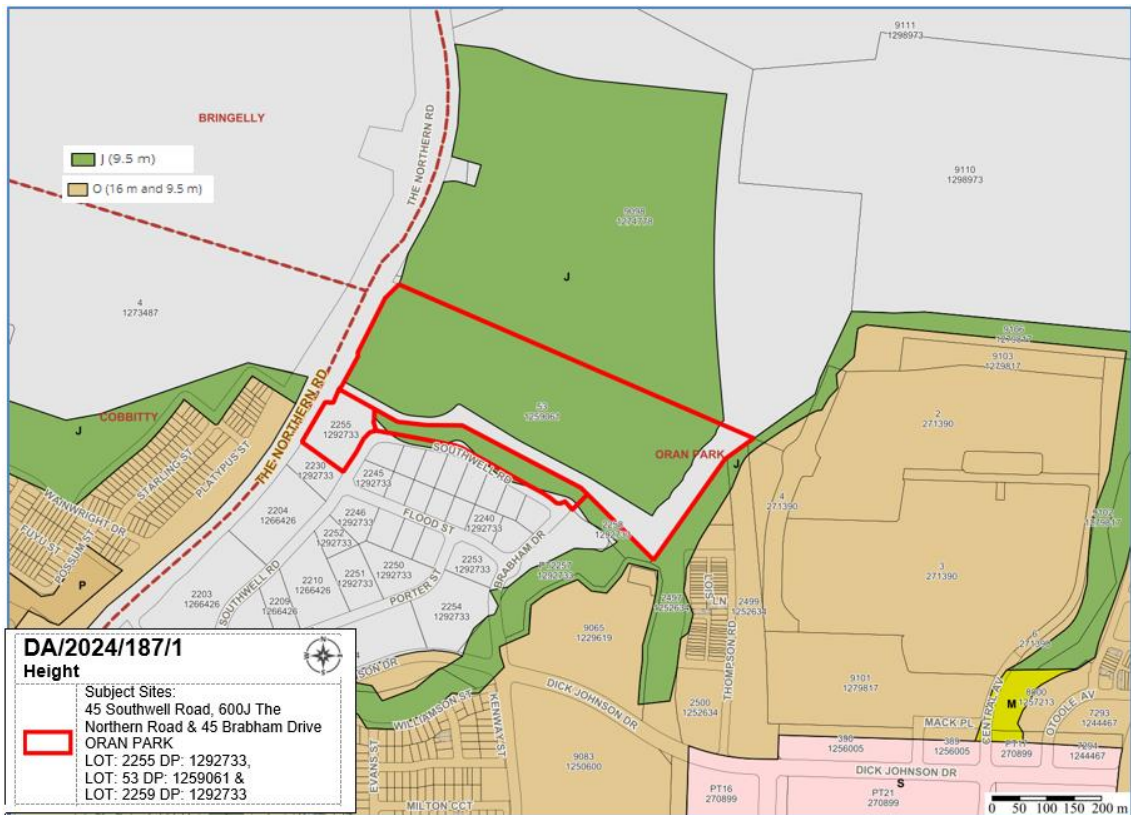


Figure 3 – Height of buildings map pursuant to the Precincts SEPP. The Site is outlined in red.



Figure 4 – The Site via the Southwell Road frontage.

CLPP04



Figure 5 – Adjoining allotments (via the Southwell Road frontage).



Figure 6 – The approved residential subdivision further north of the Site (outlined in red).

AREA MASTER PLAN

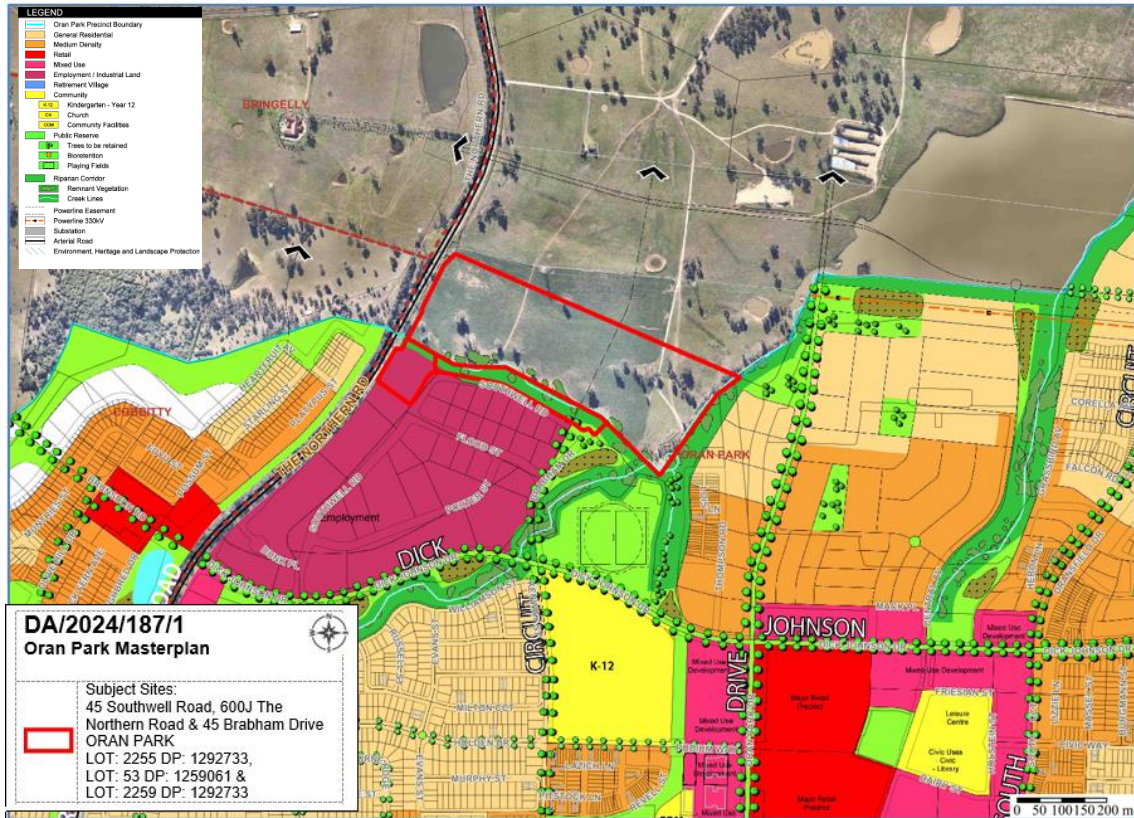


Figure 7 – Oran Park Masterplan. The Site is outlined in red.

HISTORY

There is no relevant development history applicable to the Site.

THE PROPOSAL

The DA seeks approval for:

- Excavation of the Site and installation of footings.
- Installation of a new 30m concrete monopole.
- Installation of a triangular headframe at the top of the pole.
- Installation of nine panel antennas for the provision of 4G and 5G technology, mounted on the headframe, with a maximum height of 31.1m.
- Installation of ancillary equipment including transceivers, remote radio units, amplifiers, antenna mounts, cable trays, feeders, cabling, combiners, diplexers, splitters, couplers, jumpers, filters, electrical equipment, signage and other associated equipment.
- Landscaping works (around the proposed development works and within the adjoining riparian corridor).

The development will require maintenance up to three times per year, for approximately one day (in total).

A site plan of the proposed development is shown below in **Figure 8**. A site plan of the proposed development over the primary allotment (45 Southwell Road, Oran Park) is shown below in **Figure 9**. A full set of architectural plans is provided as a separate **attachment** to this report.

The estimated cost of the development is \$250,000.

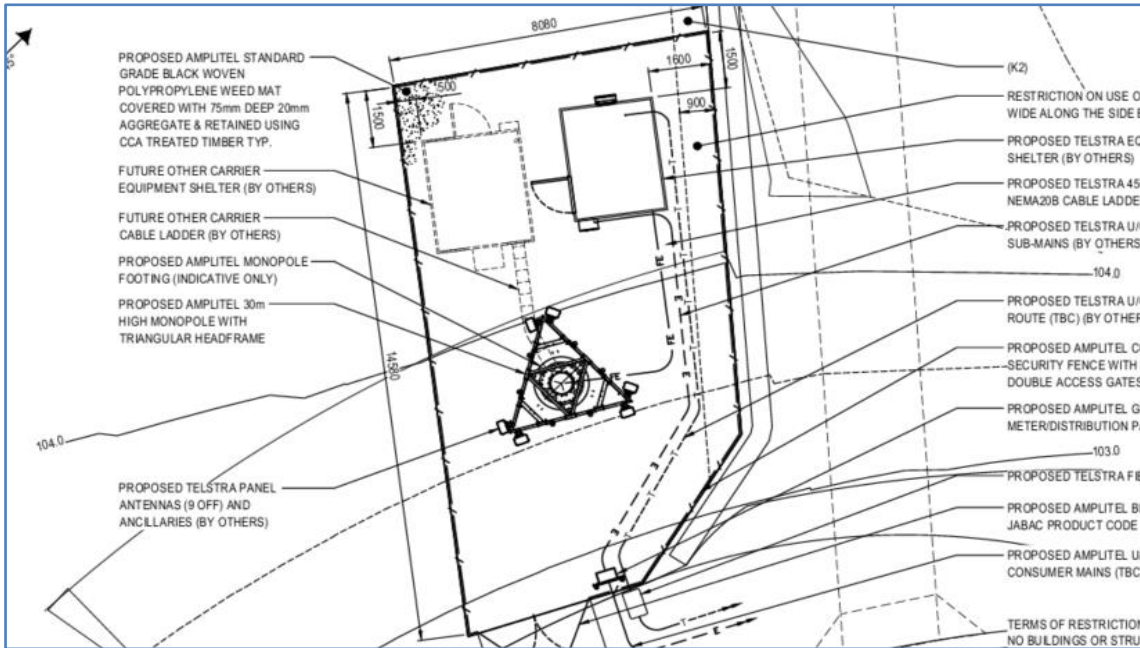


Figure 8 – Site plan of the proposed development.

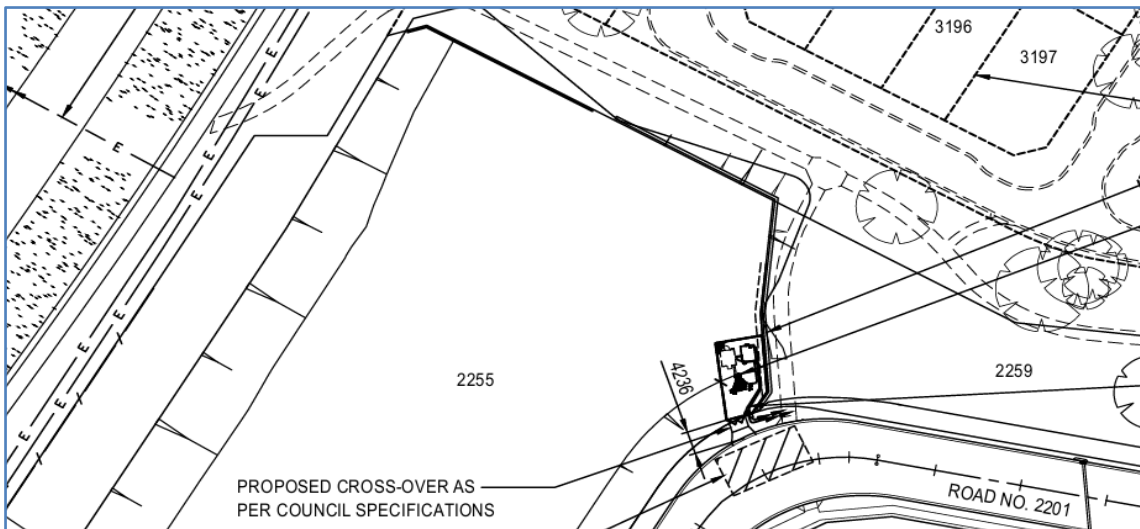


Figure 9 – Site plan of the proposed development works.

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 that are of relevance to the development:

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

The environmental planning instruments application to the development are as follows:

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

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

The Resilience and Hazards SEPP requires the consent authority to be satisfied that the Site is suitable for the intended land use with regards to contamination, prior to granting consent. The parent subdivision DA (which included the creation of the subject site) was accompanied with a preliminary contamination assessment report, which did not identify any areas of environmental concern within the Site. Since the registration of the subject lots, no illegal dumping activities and/or contaminants have been brought in proximity to the Site.

The application was referred to Council's Environmental Health Officer, where no concerns were raised regarding site suitability, subject to the imposition of recommended conditions of consent. The recommended condition requires appropriate actions to be undertaken in the event any unexpected finds are established during the construction phase of the development.

Subject to the above, it is considered that the Site is suitable for the intended land use with regards to contamination. For this reason, the proposal is consistent with the relevant matters contained in this policy.

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

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

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

The development relates to the provision of a new mobile based station which requires development consent pursuant to Division 21, Section 2.143(1) of this policy. Division 21 *Telecommunications and other facilities* of this policy provides key planning controls and matters for consideration for a development of this nature. An assessment table in which the development is considered against Division 21 and the *Telecommunications Facilities Guideline, including Broadband* is provided as a separate **attachment** to this report.

As the Site contains overhead powerlines, the DA was referred to Endeavour Energy pursuant to Division 5, Subdivision 2, Section 2.48 of this policy. No concerns were raised by Endeavour Energy, subject to the imposition of recommended conditions of consent.

Overall, the development is compliant with this policy, subject to the imposition of recommended conditions of consent.

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

The Precincts 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. The Site is subject to the relevant matters contained in Appendix 2 *Oran Park and Turner Road Precinct Plan* of this policy.

Site Zoning

The Site is zoned IN1 General Industrial and C2 Environmental Conservation pursuant to Section 2.3, Appendix 2 of the Precincts SEPP.

Land Use / Development Definitions

The development is characterised as a 'telecommunications facility' by the Precincts SEPP. All other works are ancillary land uses to the proposed 'telecommunications facility'.

Permissibility

Proposed works are sought on land zoned IN1 General Industrial only. No works associated with the telecommunications facility are sought on land zoned C2 Environmental Conservation. The provision of a 'telecommunications facility' is permitted with development consent in the IN1 General Industrial zone, pursuant to the land use table in the Precincts SEPP.

Planning Controls

An assessment table in which the development is considered against all relevant sections contained in the Precincts SEPP is provided as an **attachment** to this report.

Proposed Contravention – Height of Buildings

The Applicant proposes a contravention to the maximum building height development standard applicable to the Site. Section 4.3(5) of the Precincts SEPP restricts development on land zoned IN1 General Industrial with a frontage to The Northern Road to a maximum height of 15m above the existing ground level. The development proposes a maximum height of 31.1m, measured from the top of the headframe attached to the monopole. The development therefore exceeds the development standard by 16.1m or 107.33%.

Contravention Assessment

Pursuant to Section 4.6(3) of the Precincts SEPP, the Applicant has requested that the height of buildings development standard be contravened. A copy of the Applicant's written request is provided as an **attachment** to this report. In summary, the written request has provided the following reasons to justify the contravention:

- If the development were to comply with the applicable development standard, the proposed facility will not have a clear 'line of sight' to devices they are servicing. Consequently, the development is unlikely to meet the required network performance and quality requirements for the area. As such, compliance with the

development standard will greatly impact the viability of the wider Employment Area in the Oran Park Precinct.

- The adverse visual impacts are expected to be minimal as the development does not create a large visual profile and/or significantly overshadow the Site and/or surrounding land uses.

Whilst the proposal departs from the height standard, the environmental planning grounds put forward by the Applicant are considered appropriate and can therefore be supported by Council staff. Specifically, the assessment has noted that:

- The development will optimise the overall network coverage and capacity requirements through the delivery of high quality and reliable services within the area. The proposal will therefore have a substantial economic benefit to existing and future land uses in the vicinity of the development site as there will be more reliable network coverage for residents and businesses.
- As demonstrated within the Visual Impact Assessment (VIA) submitted with the DA, the adverse impacts with regards to bulk and scale is expected to be minimal due to the proposed slimline monopole structure and use of neutral colours and finishes.
- Based on the ‘search area’, the Site was identified as the most appropriate to accommodate the proposal due to the likely Radio Frequency Performance and limited restrictions.
- The development (as proposed) is sought to be constructed below the protection surfaces for Western Sydney Airport and is just outside the protection surfaces for Camden Airport. As such, Civil Aviation Safety Authority (CASA) have raised no issues on the proposed development.
- The development is consistent with the objectives set under Section 4.3 *Height of Buildings* of the Precincts SEPP as demonstrated below:
 - a) *To preserve the amenity of adjoining development in terms of solar access to dwellings, private open space and bulk and scale.*

The proposed development is expected to have minimal adverse amenity and visual impacts as:

- A slimline monopole with neutral colours and finishes is proposed. Consequently, as the development does not have a large visual profile, the adverse impacts with regards to bulk, scale and solar amenity are expected to be minimal on Site and on adjoining allotments.
- The proposal is located further south of an existing riparian corridor. Consequently, the development will be screened with trees and other landscaping features in addition to future built forms (projected on site and adjoining allotments). This will further reduce the dominance of the development when viewed from the approved residential subdivision (located directly north of the development, as shown in **Figure 6** above).

The VIA that accompanied the DA noted that the overall visual impacts on Site and surrounding land uses will be low to moderate when considering the existing surrounding context. The VIA did however note that views of the development from the approved residential subdivision to the north will be moderate. For this reason, it was recommended in the VIA that additional

landscaping should be included around proposed development works and on the adjoining allotment/s (within the riparian corridor).

As these details were not provided with the DA, a non-standard condition is recommended requiring revised detailed landscaping plans (to be submitted and approved to Council), showing the provision of landscaping around the proposed development works (and within the riparian corridor). The provision of additional landscaping within the riparian corridor must demonstrate a higher level of visual screening, therefore further mitigating the adverse visual impacts via the approved residential subdivision further north.

Subject to the imposition of conditions (as recommended), the overall visual and amenity impacts are expected to be acceptable.

- b) *To provide for a range of residential buildings in appropriate locations that provide a high-quality urban form.*

The location of the telecommunications facility is zoned for industrial purposes and does not propose any residential buildings. Consequently, this objective is not applicable to the subject development.

- c) *To facilitate higher density neighbourhood and town centres while minimising impacts on adjacent residential areas.*

Whilst the development does not seek the provision of any built forms, the proposed facility will enhance the mobile network performance and quality requirements to accommodate future land uses envisioned within the wider area. The development will therefore assist in the delivery of higher density development within the area.

- d) *To provide appropriate height controls for commercial and industrial developments.*

Whilst the telecommunications facility is not an industrial and/or a commercial development, the proposal is ancillary to these land uses. The proposed height is therefore required to ensure there is a clear line of sight and therefore future developments in the wider Employment Area can utilise the facility. The proposed development will not impact the delivery of future built forms (with a building height of up to 15m) in the wider Employment Area.

- The development is consistent with the zone objectives for the IN1 General Industrial zone as demonstrated below:

- a) *To provide a wide range of industrial and warehouse land uses.*

The development is an ancillary land use to future industrial and/or commercial developments within the wider Employment Area. As the proposal will enhance the overall mobile network coverage within Oran Park, there will be substantial economic benefits and improved communication that will accommodate a wider range of industrial and employment land uses within the Employment Area.

- b) *To encourage employment opportunities and to support the viability of centres.*

As noted above, the proposed development will provide substantial economic benefits to the wider Employment Area through the delivery of an enhanced mobile network coverage. This will support the viability of the wider Employment Area.

c) *To minimise any adverse effect of industry on other land uses.*

As noted above, the development is an ancillary land use for future businesses within the wider Employment Area and adjoining residential areas as it will result in further enhancements to the existing mobile network. The proposed facility will therefore have no adverse impacts on surrounding land uses.

d) *To enable development for the purpose of commercial offices only where it is associated with, and ancillary to, another permissible use on the same land.*

The development is not classified as a commercial land use. The proposal is ancillary to future industrial and/or commercial office spaces that may be proposed on Site and/or adjoining land uses.

e) *To enable development for the purpose of retail premises only where it serves convenience needs, or where the goods or materials sold are of a type and nature consistent with construction and maintenance of buildings.*

The development is not classified as a retail premises. The proposal is ancillary to future land uses on Site and on surrounding allotments.

For the abovementioned reasons, Council staff are satisfied that:

- the Applicant's written request has adequately addressed the matters required to be demonstrated by Section 4.6(3) of the Precincts SEPP, specifically noting that:
 - a) compliance with the development standard is unnecessary in this circumstance, and
 - b) there are sufficient environmental planning grounds to justify a contravention to the development standard.

In response to the above assessment, the contravention is supported by Council staff, pursuant to Section 4.6 of the Precincts SEPP.

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

There are no draft instruments applicable to the Site.

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

The Site is subject to the relevant matters contained in the Oran Park DCP and *the Camden Development Control Plan 2019* (Camden DCP). An assessment in which the development is considered against the Oran Park DCP and the Camden DCP are provided as separate **attachments** to this report.

The assessment has determined that the proposal is generally consistent with all relevant matters contained in the Oran Park DCP and Camden DCP, with the exception of one minor variation relating to the side setback. Specifically, the equipment shelter is proposed to be setback a minimum of 1.6m from the adjoining eastern boundary, resulting in a 1.4m non-compliance with **Figure 6** (contained in Part B5 *Controls for the Oran Park Employment Area*) of the Oran Park DCP.

In this instance, the variation is supported by Council staff as:

- The variation relates to the Telstra equipment shelter only which only covers a small portion of the development site. Consequently, the adverse amenity impacts are expected to be minor.
- The shelter will have a maximum building height of 2.92m, which is minimal when considering other built forms (permitted) on adjoining land uses within the wider Employment Area.
- The variation is relatively minor and therefore achieving compliance is unlikely to have any greater benefits to the Site and/or the adjoining allotments.

(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 applicable to the development. Standard conditions are recommended in the consent to ensure ongoing compliance.

(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

Visual Impacts and Streetscape Amenity

The DA was accompanied with a VIA that evaluated the view impacts from various directions to fully understand the adverse visual implications from different receptors. The VIA identified six view sheds to illustrate how the tower may be perceived from different vantage points (see **Figure 10** below). Of these view sheds, Councils Planner has identified three view sheds as being most sensitive to the development. An assessment of these view sheds is provided below.



Figure 10 – View sheds assessed in the VIA.

a) **View Shed 3** – View from Brabham Drive, near Jack Brabham Reserve (refer to **Figure 11**)

The impacts from this view shed were identified as sensitive as the adjoining land is flat, creating a clear view without any obstacles. Whilst the direct view lines are identified as sensitive, the adverse impacts will be further mitigated once industrial lots to the east of the Site are developed. Consequently, future construction on these lots will remove the existing clear line of sight via this view shed. For this reason, the adverse visual impacts were not identified as an issue by Council staff.



Figure 11 – Views to the proposed development from the existing residential development further east (View Shed 3).

b) **View Shed 5** – View from Heartfruit Avenue, Cobbitty (refer to **Figure 12** below).

This view shed has been identified with moderate impacts as the affected area is zoned for residential purposes and sits higher than the proposed tower location. As noted in this assessment report, most allotments within the Employment Area are undeveloped, which currently creates a clear line of sight, despite there being a 450m distance between the view shed and the proposed development. Whilst the current impacts are identified as moderate in the VIA, this will be further mitigated once:

- the wider area is developed, and

- residential developments and street planting on the eastern interface (of The Northern Road) are constructed (as envisioned and/or as approved).



Figure 12 – Views to the proposed development from the existing residential development further east of the site.

For the abovementioned reasons, the adverse visual impacts from this view shed are considered to be reasonable.

c) **View Shed 6 – Stage 3 Pondicherry Precinct – Tranche 41 (refer to Figure 13)**

This view shed is taken directly north and northwest of the development site, where residential allotments have been approved, but not yet registered (see **Figure 6** above). Anthony Creek currently separates the Site from the approved residential subdivision. Whilst there is currently a direct line of sight between these locations, it is noted that under DA/2022/704/1, street trees (consisting of Rough-Barked Apple and Mugga Ironbark which are expected to grow up to 30m in height) were approved along Road 421. These trees will provide an interface to Anthony Creek (refer to **Figures 14, 15 and 16**), further intensifying the landscaping buffer between the view shed and the proposed development. This will lessen the overall visual impacts. Notwithstanding this, the submitted VIA did recommend the imposition of additional landscaping around the proposed works and within the riparian corridor. Details and/or requirements on planting species were not provided on the relevant plans and/or in the VIA. For this reason, a non-standard condition is recommended that requires the provision of additional landscaping within and around the development site. These details must be submitted to and approved by Council (on an amended set of landscaping plans) prior to the issue of a construction certificate.

Subject to the imposition of the non-standard condition, the adverse impacts are considered acceptable.



Figure 13 – Views to the proposed development from the approved residential subdivision to the north of the development site.

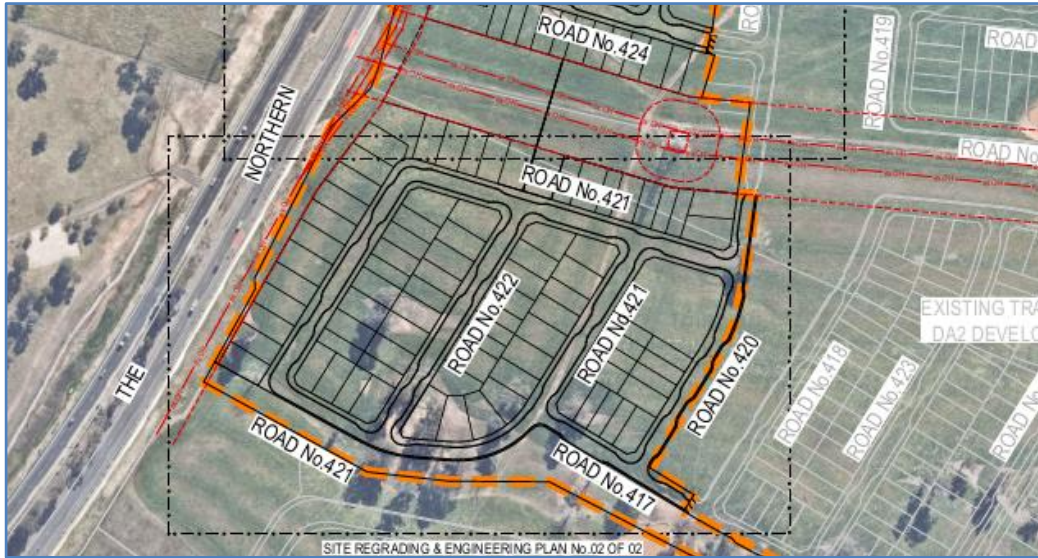


Figure 14 – Approved subdivision plan under DA/2022/704/1.



Figure 15 – Approved landscaping plan under DA/2022/704/1. Road 421 is outlined in yellow.



Figure 16 – Approved landscaping application plan under DA/2022/704/1. Road 421 is outlined in yellow.

As concluded in the above assessment, the proposed development will not present with a large visual profile from surrounding sensitive receivers, subject to the imposition of recommended conditions of consent. For this reason, the adverse likely impacts to the Site and surrounding land uses are minimal and therefore supported by Council staff.

(c) the suitability of the site for the development

As demonstrated by the assessment of this DA, the proposed development is suitable for the Site, subject to the imposition of recommended conditions of consent.

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

The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 21 May 2024 to 3 June 2024. During this time, one written submission was received, opposing the development. A response to the issues raised in the submission is provided below.

Comment: *Around the proposed site, it is closer to the Oran Reservoirs Site. Surrounding residential areas already will consist of more dense urban development with tall infrastructure (high voltage overhead power cables). This goes against the green, peaceful, scenery landscape of Camden in general. Should a 30m monopole needs to be placed, the applicant should look for another location just to spread out the visual impact to the local residence, instead of rounding them up.*

Response: The Site and surrounding area are projected to contain higher density residential and industrial land uses. As demonstrated in this assessment report, once the surrounding area is developed, the proposal is likely to form the backdrop of the current view, where the anticipated visual impacts are expected to be minimal. In addition to the above, details of potential alternative sites within Oran Park were submitted with the DA. The proposed development site was chosen for the following reasons:

- The development is permissible in the zone.
- With regards to radio frequency, the Site is able to deliver the required coverage.
- The Site is not located in the immediate vicinity of other telecommunication facilities.
- Co-location was not an option as existing services could not be upgraded to deliver the required services.
- The development site can achieve a clear line of sight to maximise areas it could service.

For the abovementioned reasons, the Site is suitable for the intended land use where the adverse impacts are acceptable.

Comment: *I'm currently living on Corella Avenue and signal isn't the best. I'm surprised to see that the proposed location is chosen to be the north western side of the whole Oran Park, instead of the centre of Oran Park where the Podium, the new Oran Park Leisure Centre, or even the future train station. Those are the locations potentially would serve the whole Oran Park community better simply the centre of the area.*

Response: The location of the development must consider a number of factors including the topography and physical constrains (such as trees, buildings), the immediate network capacity, the number of calls expected to be made in the area and the radio frequency at which the base station is located. Further, antennas must be located clear of

obstructions such as trees and geographical features in order to provide a clear line of uninterrupted sight and therefore ensure good signal quality is maintained at all times. The proposed location will:

- Service both Cobbitty and Oran Park. Specifically, these areas include the existing Oran Park Employment Area and residential development immediately surrounding the subject sites.
- Link to Telstra’s existing telecommunication network, providing high quality service which will enhance the depth of coverage and call capacity in the area.
- Meet the minimum required planning, property, engineering and radio frequency and coverage requirements applicable to the subject development.
- Have minimum adverse amenity impacts on Site and surrounding land uses with regards to amenity.

Further to the above, additional information was submitted with the DA, which detailed a minimum of seven sites that were considered for the subject development. Of those sites, two were located within the Oran Park Town Centre. Following further investigation, it was determined these sites were not suitable as the landowner did not want further equipment on the roof top and/or there is existing telecommunications equipment (located on the roof of Oran Park Podium) that is not practical to upgrade.

In response to the above, the proposed location is considered appropriate and therefore is supported by Council staff.

(e) the public interest

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act, 1979*, the *Environmental Planning and Assessment Regulation 2021*, environmental planning instruments, development control plans and policies. Based on the above assessment, the proposed development is considered to be in the public interest, subject to the imposition of recommended conditions attached to this report.

EXTERNAL REFERRALS

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

External Referral	Response / Comment
Endeavour Energy	No concerns raised, subject to the imposition of recommended conditions of consent.

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 conditions attached to this report for the reasons outlined below.

RECOMMENDED

That the Panel:

- i) support the justification in the applicant's written request lodged pursuant to Clause 4.6(3) of Appendix 2 Oran Park and Turner Road Precinct Plan of the State Environmental Planning Policy (Precincts – Western Parklands City) 2021 to the contravention of the height of buildings development standard in Section 4.3 of State Environmental Planning Policy (Precincts – Western Parklands City) 2021, and
- ii) approve DA/2024/187/1 for the construction of a telecommunications facility with ancillary structures at 45 Southwell Road, 45 Brabham Drive, Oran Park & 600J The Northern Road, Oran Park, subject to the conditions attached to this report for the following reasons:
 1. The Panel has considered the written request to contravene Section 4.3 of the State Environmental Planning Policy (Precincts – Western Parklands City) 2021 in relation to the height of buildings development standard. The Panel considers that the written request from the applicant adequately demonstrates that compliance with the development standard in Section 4.3 of the *State Environmental Planning Policy (Precincts – Western Parklands City) 2021* is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The Panel is also satisfied that the development will be in the public interest because it is consistent with the objectives of the development standard in Section 4.3 of the *State Environmental Planning Policy (Precincts – Western Parklands City) 2021* and the objectives for development within the IN1 General Industrial zone.
 2. 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 (Biodiversity and Conservation) 2021*, *State Environmental Planning Policy (Transport and Infrastructure) 2021* and *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*.
 3. The development is consistent with the objectives of the *Oran Park Development Control Plan (as amended)* and the *Camden Development Control Plan 2019*.
 4. The development is of an appropriate scale and form for the sites and the character of the locality.
 5. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.
 6. For the above reasons, the development is a suitable use of the sites and its approval is in the public interest.

ATTACHMENTS

1. Recommended Conditions
2. Precincts SEPP Assessment Table
3. Transport & Infrastructure SEPP Assessment Table
4. Oran Park DCP Assessment Table
5. Camden DCP Assessment Table
6. Public Submission - *Supporting Document*
7. Clause 4.6 Written Request
8. Architectural Plans

General Conditions

1	Approved plans and supporting documentation				
Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.					
Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.					
Approved plans					
Plan number	Revision number	Plan title	Drawn by	Date of plan	
TEL-MK51-B1-A001	0	Floor Plan	Energysys Australia Pty Ltd	4 June 2020	
TEL-MK51-B1-A002	0	Reflected Ceiling Plan	Energysys Australia Pty Ltd	16 November 2021	
TEL-MK51v-B1-A101	0	External Elevations	Energysys Australia Pty Ltd	16 November 2021	
TEL-MK51v-B1-A102	0	Internal Elevations	Energysys Australia Pty Ltd	16 November 2021	
TEL-MK51v-B1-A206	0	Footing Details	Energysys Australia Pty Ltd	16 November 2021	
TEL-MK51v-B1-A801	0	Lifting Plan	Energysys Australia Pty Ltd	3 August 2022	
NSW008348, Sheet No. 1	2	Site Layout Plan	BMM Group	22 April 2024	
NSW008348, Sheet No. S1-1	2	Site Setout Plan	BMM Group	22 April 2024	
NSW008348, Sheet No. S3	2	South Elevation	BMM Group	22 April 2024	
In the event of any inconsistency between the approved plans and documents, the approved Plans prevail.					

	In the event of any inconsistency with the approved plans and a condition of this 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	A. Authority requirements The development must be carried out in accordance with the following authority requirements: 1. Endeavour Energy, dated 3 June 2024, Reference No. CNR - 68886. Condition reason: To ensure the development complies with Authority requirements
3	Colours and Finishes The development must consist of neutral and low reflective colours and finishes. Condition reason: To ensure the overall visual impacts of the development to surrounding land uses are kept to a minimum.

Building Work

Before issue of a construction certificate

4	A. 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 2890.1 - 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.
5	A. 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 <i>Building and Construction Industry Long Service Payments Act 1986</i> . 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
6	A. Public infrastructure alterations

	<p>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 <i>Roads Act 1993</i>. Any costs incurred will be borne by the developer. Evidence of the approval must be provided to the certifier.</p> <p>Condition reason: To clarify the timing and need for approval under the Roads Act 1993</p>
7	<p>E. Damages bond</p> <p>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.</p> <p>Condition reason: To ensure that any damage to existing public infrastructure is rectified</p>
8	<p>E. Engineering specifications</p> <p>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.</p> <p>Condition reason: To ensure that the development will comply with Council's engineering specifications and the terms of this consent</p>
9	<p>Structural Engineer Certificate</p> <p>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.</p> <p>Condition reason: To ensure that building elements are designed for the site conditions.</p>
10	<p>Detailed Landscaping Plans</p> <p>Prior to the issue of a construction certificate, detailed landscaping plans must be submitted to and approved by Council to demonstrate a higher level of visual screening within the riparian corridor to the residential subdivision approved further north of the development. The plans must include (but not limited to) species type, maturity and density details.</p> <p>Condition reason: To ensure the adverse visual impacts are kept to a minimal.</p>

Before building work commences

11	A. Public liability insurance policy
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	<p>Before any site 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.</p> <p>Condition reason: To ensure adequate public liability insurance is obtained to cover development within public property</p>
12	<p>A. Site security and fencing</p> <p>Before any site work commences, the site is to be secured and fenced to the satisfaction of the principal certifier.</p> <p>Condition reason: To ensure that access to the site is managed before works commence</p>
13	<p>B. Site management plan (preparation)</p> <p>Before any site 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:</p> <ol style="list-style-type: none"> 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 <i>Protection of the Environment Operations Act 1997</i>. 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: <ol style="list-style-type: none"> 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.

	<p>10. Work health and safety. 11. Complaints recording and responses.</p>
	<p>Condition reason: To ensure site management practices are established before any works commence</p>
14	<p>E. Utility services protection</p> <p>Before any site work commences, the developer must demonstrate, to the satisfaction of the principal certifier, that the following requirements have been met:</p> <ol style="list-style-type: none"> 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.
	<p>Condition reason: To ensure that utilities are not adversely affected by development</p>
15	<p>Z. Erection of signs</p> <p>Before any site work commences, a sign must be erected in a prominent position on the site:</p> <ol style="list-style-type: none"> 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. <p>The sign must be:</p> <ol style="list-style-type: none"> 1. Maintained while the work is being carried out. 2. Removed when the work has been completed. <p>This condition does not apply in relation to:</p> <ol style="list-style-type: none"> 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 <i>Building Code of Australia</i> under Part 6 of the <i>Environmental Planning and Assessment Act 1979</i>.
	<p>Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021</p>
16	<p>Sydney Water Approval</p> <p>Before any site work commences, the approved construction certificate and/or subdivision works certificate plans must be approved by Sydney Water to confirm if sewer, water or</p>

	<p>stormwater mains or easements will be affected by the development. Visit www.sydneywater.com.au/tapin to apply. The Sydney Water approval must be provided to the principal certifier.</p>
	<p>Condition reason: To ensure that any impacts upon Sydney Water infrastructure have been approved.</p>

During building work

17	<p>A. Pollution warning sign</p> <p>While site work is being carried out, a sign must be displayed at all site entrances to the satisfaction of the principal certifier. The sign must be constructed of durable materials, be a minimum of 1.2m x 900 mm and read:</p> <p>'WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) - Solution to Pollution'.</p> <p>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 must have a white background and a red border.</p> <p>The sign must be maintained until the works have been completed.</p> <p>Condition reason: To ensure that potential fines for pollution are clearly advertised</p>
18	<p>A. Priority (noxious) weeds management (during work)</p> <p>While site work is being carried out, weed dispersion must be minimised and weed infestations must be managed under the <i>Biosecurity Act 2015</i> and the <i>Biosecurity Regulation 2017</i>. 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.</p> <p>Condition reason: To ensure priority (noxious) weeds are managed in accordance with statutory requirements</p>
19	<p>A. Work hours</p> <p>While site work is being carried out, all work (including the delivery of materials) must be:</p> <ol style="list-style-type: none"> 1. Restricted to between the hours of 7am to 5pm Monday to Saturday. 2. Not carried out on Sundays or public holidays. <p>Unless otherwise approved in writing by Council.</p>

	Condition reason: To protect the amenity of the surrounding area
20	<p>A. Work noise</p> <p>While site work is being carried out, noise levels must comply with:</p> <ol style="list-style-type: none"> 1. For work periods of 4 weeks or less, the LAeg 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 LAeg 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 LAeg 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
21	<p>B. Site management plan (during work)</p> <p>While site work is being carried out, the approved site management plan must be complied with.</p> <p>A copy of the plan must be kept on the site at all times and provided to Council upon request.</p>
	Condition reason: To protect the amenity of the surrounding area
22	<p>B. Unexpected contamination finds contingency (general)</p> <p>While site 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.</p> <p>Where the assessment identified 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.</p>
	Condition reason: To ensure a procedure is in place to manage unexpected contamination finds encountered during site works
23	<p>J. Work near or involving vegetation</p> <p>While site work is being carried out, the following requirements must be complied with to the satisfaction of the principal certifier:</p>

	<ol style="list-style-type: none"> 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. No work (including for vehicular access or parking) that transects vegetation not approved for removal can be undertaken. 3. 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. 4. All tree pruning must be carried out in accordance with AS 4373 - Pruning of Amenity Trees. 5. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.
	<p>Condition reason: To ensure that work near of involving vegetation is carried out to industry standards</p>
24	<p>L. Archaeological discovery</p> <p>While site work is being carried out, the following requirements must be compiled with should relic(s) from the past be discovered that could have historical significance, to the satisfaction of the principal certifier:</p> <ol style="list-style-type: none"> 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 <i>National Parks and Wildlife Act 1974</i>. 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 <i>Heritage Act 1977</i>. Any requirements of Heritage NSW must be implemented.
	<p>Condition reason: To ensure unexpected archaeological discoveries are managed in accordance with statutory requirements</p>
25	<p>Z. Compliance with Building Code of Australia</p> <p>While building work is being carried out, the work must be carried out in accordance with the <i>Building Code of Australia</i>. A reference to the <i>Building Code of Australia</i> is a reference to the Building Code of Australia as in force on the relevant date (as defined by section 19 of the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i>).</p> <p>This condition does not apply:</p> <ol style="list-style-type: none"> 1. To the extent to which an exemption from a provision of the <i>Building Code of Australia</i> or a fire safety standard is in force under the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i>. 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
26	<p>Z. Shoring and adequacy of adjoining property</p> <p>While site work is being carried out, the person having the benefit of the development consent must, at the person's own expense:</p> <ol style="list-style-type: none"> 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. <p>This condition does not apply if:</p> <ol style="list-style-type: none"> 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
27	<p>Survey Report</p> <p>The structure/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 approved structure/s will be sited in accordance with the approved plans and this development consent.</p> <p>Condition reason: To ensure the structure will be sited in accordance with the approved plans and this development consent.</p>
28	<p>Salinity Management Plan</p> <p>The development shall be carried out in accordance with the approved Salinity Management Plan, titled '<i>Report of Bulk Earthworks Salinity Investigation Proposed industrial subdivision Tranche 22 Oran Park NSW</i>,' prepared by Douglas Partners, Project no. 92287.21, dated March 2019.</p> <p>Condition reason: To ensure ongoing compliance with the approved Salinity Management Plan prepared for the subject site.</p>
29	<p>Anti-graffiti finish</p> <p>While works are being carried out, an anti-graffiti finish must be applied to all external facing and publicly accessible building/structural elements, to the satisfaction of the principal certifier.</p> <p>Condition reason: To protect buildings from graffiti application.</p>

Before issue of an occupation certificate

30	<p>A. Special infrastructure contribution payment evidence</p> <p>Before the issue of an occupation certificate, a document from the Planning Secretary certifying that the payment of a special infrastructure contribution:</p> <ol style="list-style-type: none"> 1. is not required at any time before the issue of an occupation certificate, or 2. is required and the requirement has been met, <p>must be provided to the principal certifier.</p> <p>An occupation certificate must not be issued unless the principal certifier has received a copy of the document and has confirmed with the Planning Secretary that:</p> <ol style="list-style-type: none"> 1. The Planning Secretary issued the document. 2. No contributions or levies have been required since the document was issued. <p>Condition reason: To require evidence that a special infrastructure contribution has been paid if required</p>
31	<p>E. Verge Reconstruction</p> <p>Before the issue of an occupation certificate, the unpaved road verges directly adjoining the property must be reconstructed with grass species to match the adjoining road verge section.</p> <p>Condition reason: To ensure that road verges are reconstructed with grass following building works</p>
32	<p>Structure Height</p> <p>A registered surveyor shall certify that the maximum height of the approved structure is consistent with the height shown in the stamped approved plans and this consent.</p> <p>Condition reason: To ensure that the structure height complies with the approved plans and this development consent</p>

Occupation and ongoing use

33	<p>A. Goods, materials, equipment and/or waste storage</p> <p>During occupation and ongoing use of the development, all goods, materials, equipment and/or waste must be stored inside the building.</p> <p>Condition reason: To protect the visual amenity of the surrounding area and not impact the public domain</p>
34	<p>A. Graffiti removal</p>

	<p>During occupation and ongoing use of the development, all graffiti applied to the development must be removed within 48 hours of its application.</p> <p>Condition reason: To protect the visual amenity of the area surrounding the development</p>
35	<p>A. Loading and unloading</p> <p>During occupation and ongoing use of the development, all loading and unloading activities must take place within the development's approved loading area.</p> <p>Condition reason: To maintain the visual amenity of the area and off street car parking spaces and driveways approved for the development</p>
36	<p>A. Priority (noxious) weeds management (ongoing)</p> <p>During occupation and ongoing use of the development, weed dispersion must be minimised and weed infestations must be managed under the <i>Biosecurity Act 2015</i> and the <i>Biosecurity Regulation 2017</i>. All new infestations must be reported to Council.</p> <p>Condition reason: To ensure priority (noxious) weeds are managed in accordance with statutory requirements</p>
37	<p>B. Offensive noise and noise compliance</p> <p>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 <i>Protection of the Environment Operations Act 1997</i>. Operational noise must also comply with the NSW Noise Policy for Industry 2017.</p> <p>Condition reason: To protect the amenity of the surrounding area</p>
38	<p>Electromagnetic Emissions</p> <p>The installation and operation of the tower must comply with the requirements of the Australia Communications and Media Authority (ACMA) and Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). The operation of the tower must not cause the Electromagnetic Emissions (EME) that exceed the maximum levels set by ACMA and ARPANSA.</p> <p>Condition reason: To ensure compliance with the Australia Communications and Media Authority (ACMA) and Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).</p>

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

State Environmental Planning Policy (Precincts – Western Parklands City) 2021 – Appendix 2 Oran Park and Turner Road Precinct Plan		
Section	Assessment	Compliance
<p>2.3 Zone objectives and land use table <i>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</i></p> <p>IN1 General Industrial</p> <ul style="list-style-type: none"> - To provide a wide range of industrial and warehouse land uses. - To encourage employment opportunities and to support the viability of centres. - To minimise any adverse effect of industry on other land uses. - To enable development for the purpose of commercial offices only where it is associated with, and ancillary to, another permissible use on the same land. - To enable development for the purpose of retail premises only where it serves convenience needs, or where the goods or materials sold are of a type and nature consistent with construction and maintenance of buildings. 	<p>The development site is zoned IN1 General Industrial. A detailed assessment against the zone objectives is provided in the main assessment report.</p>	Yes
<p>4.3 Height of Buildings <i>Except as provided by this section, the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</i></p> <p><i>The consent authority may grant development consent for development on land within Zone B5 Business Development or Zone IN1 General Industrial, that does not exceed 15 metres in height above ground level</i></p>	<p>The site is not subject to a building height standard, pursuant to the Height of Buildings Map.</p> <p>The site has a frontage to The Northern Road and is zoned IN1 General Industrial. This development standard is applicable to the subject site.</p> <p>The development proposes a maximum height of 31.1m and therefore exceeds the building height standard by 16.1m or 107.33%. A</p>	<p align="center">Not applicable.</p> <p align="center">No – See comments below.</p>

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

<p><i>(existing), if the land has frontage to - (a) the following land as shown in the Oran Park Precinct Development Control Plan or the Turner Road Precinct Development Control Plan— (iii) The Northern Road.</i></p>	<p>contravention is therefore sought pursuant to Clause 4.6 of this policy.</p>	
<p>4.6 Exceptions to Development Standards <i>Consent may, subject to this section, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this section does not apply to a development standard that is expressly excluded from the operation of this section.</i></p>	<p>A written 4.6 request has been submitted with the application. Consideration of the written request is made in the main body of the assessment report.</p> <p>As noted in the main assessment report, it was assessed that the contravention could be supported for the following reasons:</p> <ul style="list-style-type: none"> - The development will optimise the overall network coverage within the area, which is required for future businesses envisioned within the area. If the development were to comply with the applicable development standard, the proposed facility will not have a clear 'line of sight' to devices they are servicing and therefore is unlikely to meet the required network performance and quality requirements for the area. - The overall visual impacts to the site and surrounding land uses are minimal, particularly once the surrounding area becomes more developed (as envisioned). - The subject site is considered most appropriate to accommodate this land use. - The development is consistent with the objectives set under Section 4.3 of the Precincts SEPP. - The development is consistent with the zone objectives set for the IN1 General Industrial zone. <p>In response to the above, it has been determined by Council staff that:</p> <ul style="list-style-type: none"> - Compliance with the development standard is unreasonable in this instance. - There are sufficient planning grounds to justify the contravention. 	<p align="center">Yes</p>

State Environmental Planning Policy (Transport and Infrastructure) 2021 Assessment Table

State Environmental Planning Policy (Transport and Infrastructure) 2021		
Section	Assessment	Compliance
<p>Section 2.141 Development Permitted without consent <i>Development for the purposes of telecommunications facilities (including radio facilities) may be carried out by a public authority without consent on any land.</i></p>	<p>Consent is not sought from a public authority. Consequently, the development cannot be carried out by way of exempt development, pursuant to this policy.</p>	<p>Development consent is required.</p>
<p>Section 2.143 Development Permitted with Consent <i>Development for the purposes of telecommunications facilities, other than development in section 2.141 or development that is exempt development under section 2.20 or 2.144, may be carried out by any person with consent on any land.</i></p>	<p>Development consent is sought for the provision of a telecommunications facility with ancillary structures.</p>	<p>Development consent is proposed.</p>
<p><i>Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines concerning site selection, design, construction or operating principles for telecommunications facilities that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.</i></p>	<p>A detailed assessment is provided in the table below against the Department of Planning and Environments publication <i>NSW Telecommunications Facilities Guidelines (Including Broadband)</i>.</p>	<p>See assessment table below.</p>
NSW Telecommunications Facilities and Guideline, Including Broadband		
Principle 1: Design and site telecommunications facilities to minimise visual impact.		
<p>As far as practical, integrate a telecommunications facility that is mounted on an existing building or structure with the design and appearance of the building or structure.</p>	<p>The development site and surrounding allotments are currently vacant. Further, a number of other potential sites (within the wider area) where identified in the early phases of the site selection process that could present opportunities to construct the proposed telecommunications facility above a building and/or collocate with an existing facility. The process determined that these sites were unsuitable and therefore to accommodate the required coverage and capacity requirements for the area, a mobile based station would be most appropriate.</p>	<p>Not applicable.</p>
<p><i>Minimise the visual impact of telecommunications facilities, reduce visual clutter</i></p>	<p>The development proposes the following:</p> <ul style="list-style-type: none"> - The use of a slimline monopole structure, which reduces the overall bulk 	<p>Yes</p>

State Environmental Planning Policy (Transport and Infrastructure) 2021 Assessment Table

<p><i>(particularly on tops of buildings) and ensure physical dimensions (including support mounts) are sympathetic to the scale and height of the building to which it is to be attached and to adjacent buildings.</i></p>	<p>of the development via adjoining land uses.</p> <ul style="list-style-type: none"> - The use of neutral colours and finishes (recommended as a condition of consent). - The provision of additional landscaping (around the development site and within the adjoining riparian corridor). <p>Whilst the development proposes a maximum height of 31.1m, the site and surrounding structures are envisioned to contain industrial built forms with a maximum building height of up to 15m and built with nil side setbacks. Consequently, once the area is developed, it is considered unlikely that the proposed development will have significant visual impacts on surrounding land uses and/or the wider area.</p>	
<p><i>If a telecommunications facility protrudes from a building or structure and is predominantly seen against the sky, either match the prevailing colour of the host building or structure or use a neutral colour such as pale grey.</i></p>	<p>As noted above, whilst surrounding allotments are currently vacant, the wider area will consist of future industrial buildings (south, east), dwelling houses (north and west) and large trees (within the riparian corridor) and on the adjoining road verge. With the proposed slimline structure and use of neutral colours and finishes, amenity impacts are expected to be minimal.</p>	<p>Yes</p>
<p><i>Where possible and practical, screen or house ancillary facilities using the same colour as the prevailing background and consider using existing vegetation or new landscaping.</i></p>	<p>Proposed ancillary structures will be located within an equipment shelter on the ground level, at the rear of the site. The DA was accompanied with a Visual Impact Assessment, which recommended the use of neutral finishes and colours as well as additional planting within the subject site and the adjoining riparian corridor. The use of neutral colours and finishes and provision of additional landscaping around the development site and within the adjoining riparian corridor have been imposed by way of non-standard conditions of consent.</p>	<p>Yes</p>
<p><i>Locate and design a telecommunications facility in a way that responds to its setting (rural, residential, industrial or commercial).</i></p>	<p>The proposed location/siting of the development and the use of neutral colours and finishes appropriately responds to the existing and projected setting of the area.</p>	<p>Yes</p>
<p><i>Site and design a telecommunications facility located on or adjacent to a listed heritage item or within a heritage conservation area with external colours, finishes and scale sympathetic to the heritage item or conservation area.</i></p>	<p>The development site is not located on and/or in the immediate vicinity of a heritage significant property.</p>	<p>Yes</p>

State Environmental Planning Policy (Transport and Infrastructure) 2021 Assessment Table

<i>Locate telecommunications facilities to minimise or avoid obstructing significant views of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land.</i>	See above comments.	Not applicable.
<i>Consult with relevant council when proposing pruning, lopping or removing any tree or vegetation. Obtain a tree preservation order, permit or development consent if required.</i>	None proposed.	Not applicable.
<i>Remove redundant telecommunications facilities and restore the site to the condition it was in prior to the facility's construction.</i>	The site is currently vacant.	Not applicable.
<i>Remove redundant components of existing facilities after upgrades.</i>	As noted, the site is currently vacant.	Not applicable.
<i>Where possible, consolidate telecommunications facilities to reduce visual clutter and work with other users on co-location sites to minimise cumulative visual impact.</i>	<p>The DA identified potential sites for potential co-location. In summary, the following conclusions were made on existing facilities:</p> <ul style="list-style-type: none"> - The facility at Oran Park Town Centre is mounted on an existing building. The building is too low to deliver the required service levels and therefore is not practical to upgrade the facility. - The facility at 730 The Northern Road, Oran Park is proposed to be removed as part of future redevelopment plans. As such, upgrades are not possible on this site. - The facility 220 Chittick Lane, Cobbitty is already servicing at capacity and therefore cannot accommodate further upgrades (as required). <p>For the abovementioned reasons, co-location is not considered to be a suitable option in this instance.</p>	Yes
<i>Accord with all relevant industry design guides when siting and designing telecommunications facilities.</i>	As noted in this assessment report, the development is generally compliant with the relevant statutory requirements, development control plans and state guidelines. Conditions are recommended in the consent to ensure ongoing compliance.	Yes
Principle 2: Co-locate telecommunications facilities wherever practical <i>As far as practical, locate telecommunications lines underground or within an</i>	All telecommunication lines will be constructed underground.	Yes

State Environmental Planning Policy (Transport and Infrastructure) 2021 Assessment Table

<p><i>existing underground conduit or duct.</i></p>		
<p><i>Where practical, co-locate or attach overhead lines, antennas and ancillary telecommunications facilities to existing buildings, public utility structures, poles, towers or other radiocommunications equipment to minimise clutter.</i></p>	<p>See detailed assessment above.</p>	<p>Not applicable.</p>
<p><i>Consider extending an existing tower as a practical co-location solution to new towers.</i></p>	<p>Not applicable as an extension is not sought.</p>	<p>Not applicable.</p>
<p><i>Demonstrate that co-location is not practicable if choosing not to co-locate a facility.</i></p>	<p>An investigation had been undertaken to determine the most appropriate location for the subject development, which had considered:</p> <ul style="list-style-type: none"> - Coverage and technical objectives. - Opportunity for co-location. - Surrounding landscaped areas. - Community needs. - Visual implications. <p>As noted above, co-location with an existing facility is not a suitable option.</p>	<p>Not applicable.</p>
<p><i>If choosing to co-locate, design, install and operate a telecommunications facility so that resultant cumulative levels of radio frequency emissions are within the maximum human exposure levels set out in RPS S-1.</i></p>	<p>As noted above, co-location is not proposed.</p>	<p>Not applicable.</p>
<p>Principle 3: Meet health standards for exposure to radio emissions <i>Design, install and operate a telecommunications facility so that maximum human exposure levels to radiofrequency emissions comply with RPS S-1.</i></p>	<p>The predicted maximum human exposure levels are calculated to be 3.91% (as detailed in the EME Report), which is well below the public exposure limit for the predicted infrastructure. This is within the allowable public exposure limit. A recommended requires the development to be compliant with the requirements of the Australia Communications and Media Authority and Australian Radiation Protection and Nuclear Safety Agency.</p>	<p>Yes</p>
<p><i>Using the format required by ARPANSA, report on predicted levels of EME surrounding any development covered by the Industry Code C564:2020 Mobile Phone Base Station Deployment, and how the development will comply with</i></p>	<p>As noted, the DA was accompanied by a detailed EME report, which noted that compliance has been achieved. The DA was reviewed by Council's Environmental Health Officer, where no concerns were raised, subject to the imposition of recommended conditions of consent.</p>	<p>Yes</p>

State Environmental Planning Policy (Transport and Infrastructure) 2021 Assessment Table

ACMA safety limits and RPS S-1.		
Principle 4: Minimise disturbance and risk, and maximise compliance		
<i>Ensure the siting and height of a telecommunications facility complies with the of the Commonwealth Civil Aviation Regulations 1998 and Airports (Protection of Airspace) Regulations 1996. Avoid penetrating any obstacle limitation surface (OLS) shown on a relevant OLS plan for an aerodrome or airport (as reported to the Civil Aviation Safety Authority) within 30 km of the proposed development.</i>	Correspondence with CASA was provided with the DA, noting that the proposal is located below the protection surfaces for Western Sydney Airport and just outside the protection surfaces for Camden Airport. As such, no concerns were raised by CASA. The development is therefore compliant with relevant statutory frameworks applicable to the subject proposal.	Yes
<i>Ensure no adverse radio frequency interference with any airport, port or Commonwealth defence navigational or communications equipment, including the Morundah Communication Facility, Riverina.</i>	Appropriate equipment will be used in accordance with the ACMA regulations. A condition is recommended in the consent to ensure ongoing compliance.	Yes
<i>Protect the structural integrity of any building or structure on which a telecommunications facility is erected.</i>	Not applicable as the site is currently vacant.	Not applicable.
<i>Erect the telecommunications facility wholly within the boundaries of a property as approved by the relevant landowner.</i>	The development is located wholly within the property boundaries.	Yes
<i>Mitigate obstruction or risks to pedestrians or vehicles caused by the location of the facility, construction activity or materials used in construction.</i>	The DA was accompanied with detailed swept paths, indicating that vehicular movements within the site are unlikely to impose adverse risks on other vehicles and/or pedestrians in the immediate vicinity. Further, standard conditions are included in the consent, requiring the preparation of a site management plan to ensure there are no risks to passing pedestrians and vehicles.	Yes
<i>Where practical, carry out work at times that minimise disruption to adjoining properties and public access and restrict hours of work to 7.00am and 5.00pm, Mondays to Saturdays, with no work on Sundays and public holidays.</i>	Compliance can be assured via a condition of consent.	Yes

State Environmental Planning Policy (Transport and Infrastructure) 2021 Assessment Table

<p><i>Employ traffic control measures during construction in accordance with Australian Standard AS1742.3-2002 Manual of uniform traffic control devices – Part 3: Traffic control devices for works on roads.</i></p>	<p>As noted above, a condition is included in the consent, requiring the preparation of a site management plan, which requires evidence that compliance will be achieved with AS1742.3-2002.</p>	<p>Yes</p>
<p><i>Minimise disturbance to flora and fauna and restore land to a condition similar to its condition before the work was carried out.</i></p>	<p>The site does not contain any significant flora and/or fauna.</p>	<p>Yes</p>
<p><i>Identify any potential impacts on threatened species and communities in consultation with relevant authorities and avoid disturbance to identified species and communities where possible.</i></p>	<p>The site does not contain any threatened species. No further actions are therefore required.</p>	<p>Yes</p>
<p><i>Identify the likelihood of harming an Aboriginal place and/or Aboriginal object and obtain approval from the Department of Premier and Cabinet if the impact is likely, or Aboriginal objects are found.</i></p>	<p>The parent bulk earthworks DA was accompanied with an AHIP which did not identify any potential areas containing aboriginal relics within the subject site. A condition is included in the consent, requiring appropriate actions to be undertaken in the event any unexpected finds are established during the construction phase of the development.</p>	<p>Yes</p>
<p><i>Reinstate, at your expense, street furniture, paving or other facilities removed or damaged during construction to at least the same condition as that prior to installation.</i></p>	<p>A standard condition is included in the consent, requiring the verge to be reinstated, prior to the issue of an Occupation Certificate for the development.</p> <p>Any potential structural impacts to the retaining wall located along the rear boundary of the subject site will need to be reinstated, as per the existing positive covenant and easement contained in the registered 88B instrument.</p>	<p>Yes</p>
<p>Principle 5 Undertake an alternative site assessment for new mobile phone base stations <i>Include adequate numbers of alternative sites in the alternative site assessment as a demonstration of good faith.</i></p>	<p>Information submitted with the DA notes that seven sites in total were considered for the subject development. Of these locations, the subject site and the provision of a mobile base station (as opposed to colocation) was considered most appropriate. Council staff concur with the recommendations made in this assessment.</p>	<p>Yes</p>

Oran Park Development Control Plan – Assessment Table

Oran Park Development Control Plan (as amended)		
Section	Assessment	Compliance
<p>2.1 Indicative Layout Plan <i>All development is to be undertaken generally in accordance with the Indicative Layout Plan (ILP) at Figure 2 subject to compliance with the objectives and development controls set out in this DCP.</i></p>	<p>The development site is located within the Employment Area of the ILP (see Figure 7 in the main assessment table). The proposal will enhance the overall mobile network coverage within the Employment Area which will accommodate a wider range of industrial and employment land uses. The development is consistent with Oran Park ILP.</p>	Yes
<p>2.2 Vision and Development Objectives <i>The development is to be carried out in accordance with the vision and development objectives set out for the precinct.</i></p>	<p>The development will assist in business operations, communication and connectivity, therefore supporting the viability of the wider Employment Area. Overall, the development is consistent with the vision and development objectives set out for the Oran Park Precinct.</p>	Yes
<p>2.4 Hierarchy of Centres and Employment Areas <i>Development is to be consistent with Table 1 and Figure 4.</i></p>	<p>The development is an ancillary land use to the wider B5 Employment Area. As the facility will assist in the viability of future businesses, the development is consistent with Table 1 and Figure 4 of the Oran Park DCP.</p>	Yes
<p>3.1 Street Network and Layout and Design <i>Street trees are required on all streets.</i></p>	<p>The provision of street trees were approved and delivered as part of the parent subdivision DA.</p>	Yes
<p><i>No direct vehicular site access is permitted to The Northern Road.</i></p>	<p>Access via The Northern Road is not proposed.</p>	Yes
<p>Special Area Design Principals 5.3 Oran Park Employment Area <i>The Oran Park Employment Area is to be approximately 15ha in area and be located in accordance with the figure at Appendix B.</i></p>	<p>No changes are sought to the Employment Area.</p>	Not applicable.
<p><i>The Oran Park Employment Area is to be consistent with the following principles:</i></p> <ul style="list-style-type: none"> - <i>Function and Uses.</i> - <i>Built form and Design.</i> - <i>Residential Interface.</i> 	<p>The development is consistent with the referenced principles as follows:</p> <p><i>Function and Uses</i></p> <ul style="list-style-type: none"> - The development will assist in the viability of future businesses within the Employment Area (as noted in the 	Yes

Oran Park Development Control Plan – Assessment Table

<ul style="list-style-type: none"> - <i>Pedestrian Amenity and public domain.</i> - <i>Parking and access</i> 	<p>comments above). This will positively impact the number of employment opportunities in the area.</p> <p><i>Built form and design</i></p> <ul style="list-style-type: none"> - The proposal seeks a variation to the 15m height limit, applicable to the site. An assessment on the proposed variation is provided within the main assessment report. - The variation is supported as the adverse impacts to the site and surrounding land uses are expected to be minimal. <p><i>Pedestrian Amenity and Public Domain</i></p> <ul style="list-style-type: none"> - The development will not impact existing and/or approved surrounding pedestrian networks. <p><i>Parking and Access</i></p> <ul style="list-style-type: none"> - Access via The Northern Road is not proposed. - Swept paths have been provided, demonstrating the largest vehicle to enter the site can do so safely, without obstructing surrounding vehicles and/or structures. 	
<p>6. Environmental Management 6.3 Salinity and Soil Management <i>Groundwater recharge is to be minimised.</i></p> <p><i>All development must incorporate soil conservation measures to minimise soil erosion and siltation during construction and following completion of development.</i></p> <p><i>All sediment and erosion controls are to be installed prior to the commencement of any construction works and maintained throughout the course of construction until disturbed areas have been revegetated / established.</i></p>	<p>The development will still allow for direct runoff into the existing Council infrastructure along the street verge. As the development is not proposing excess hard surfaces, additional stormwater management is not required.</p> <p>A standard condition is included in the consent, requiring a site preparation plan to be prepared, prior to the commencement of works. This plan will require details of erosion and sediment control measures, in accordance with the NSW Department of Housing Manual <i>Managing Urban Stormwater</i>.</p> <p>As noted above, a condition will be included in the consent to ensure ongoing compliance.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

Oran Park Development Control Plan – Assessment Table

<p>6.4 Aboriginal and European Heritage <i>Aboriginal Archaeological Conservation Areas are identified Figure 31.</i></p>	<p>The site does not contain any significant areas.</p>	<p>Yes</p>
<p>8. Amenity and Environmental Management 8.3 Waste Management <i>A Waste Management Plan is to be submitted with all DAs with the exception of single dwelling housing or superlot subdivision applications.</i></p>	<p>The SEE notes that proposed works are relatively minor in nature and therefore the generation of waste will be minimal. Standard conditions are recommended in the consent, requiring waste to be disposed of in accordance with Council's Waste Management Guidelines.</p>	<p>Yes</p>
<p>B5 Controls for the Oran Park Employment Area 3.0 Land Uses <i>Development is to be undertaken generally in accordance with the Land Use Plan (Figure 2) subject to consistency with the objectives and development controls set out in this DCP and the Precincts SEPP.</i></p>	<p>The development site is located within the periphery area, which is envisioned to contain higher and more intensive industrial land uses. The proposal relates to a telecommunications facility, which will enhance network coverage within the wider area. The development is classified as an ancillary land use that will support the viability of future businesses within the area.</p>	<p>Yes</p>
<p><i>Development should be designed to provide visual interest and achieve an attractive presentation to The Northern Road.</i></p>	<p>The development proposes the following design features to minimise the adverse amenity impacts via The Northern Road.</p> <ul style="list-style-type: none"> - The use of a slimline monopole structure, which reduces the overall bulk of the development. - The use of neutral finishes (which is recommended to be assured via a condition of consent). - The provision of additional landscaping around the development site and within the adjoining riparian corridor (as recommended in the Visual Impact Assessment and required by a recommended condition of consent). 	<p>Yes</p>
<p>6.0 Site Planning <i>Development must be consistent with the front setbacks shown at Figure 6.</i></p>	<p>The relevant figure identifies a minimum 5m setback to The Northern Road and 3m from adjoining boundaries. The development is generally compliant, with the exception of the side setback (southeastern elevation), where a minimum setback of 1.6m is sought via the equipment shelter. The variation is supported as:</p>	<p>No – Variation is supported in this instance.</p>

Oran Park Development Control Plan – Assessment Table

	<ul style="list-style-type: none"> - The variation is sought for the proposed Telstra equipment shelter only which does not contain a large floorplate. - The shelter will have a maximum building height of 2.92m, which is minimal when considering other built forms (permitted) on adjoining land uses within the wider Employment Area. - The variation is relatively minor and therefore achieving compliance is unlikely to have any greater benefits to the site and/or on the adjoining allotment. 	
<p>6.2 Topography Cut and Fill <i>Development applications must illustrate where it is necessary to cut and/or fill and provide justification for the proposed changes to the land levels.</i></p>	<p>Minimal cut is required to accommodate the proposed footprint.</p>	<p>Yes</p>
<p>7.0 Setbacks <i>Minimum building setbacks are to be in accordance with Figure 6.</i></p>	<p>See assessment above.</p>	<p>Yes</p>
<p>8.0 Height of Buildings <i>Building heights are to be in accordance with Figures 7. The development site is subject to a 15m height limit pursuant to Figure 7.</i></p>	<p>Refer to proposed variation in the main body of the report.</p>	<p>Yes</p>
<p>9.0 Overshadowing <i>Development should minimise impact of overshadowing on neighbouring solar panels.</i></p>	<p>The design, bulk and layout of the development is unlikely to generate adverse overshadowing impacts on surrounding allotments.</p>	<p>Yes</p>
<p>15.0 Outdoor Storage <i>External storage of goods, materials and equipment such as garbage bins, is not permitted when visible from the public domain.</i></p>	<p>All ancillary structures will be stored within an equipment shelter. Storage of goods will not be visible via the public domain.</p>	<p>Yes</p>
<p><i>The storage of plant, equipment, goods and other materials must be suitably screened.</i></p>	<p>As noted, all goods will be stored within an equipment shelter and therefore suitably screened from the public domain.</p>	<p>Yes</p>

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

Camden Development Control Plan 2019 (Camden DCP)		
Section	Assessment	Compliance
1.2 Notification and Advertising Requirements <i>Notification and advertising requirements are now listed in Part 3.0 of the CPP.</i>	As noted in the main body of the report the DA has been notified in accordance with the Camden Community Participation Plan.	Yes
2.0 General Land Use Controls <i>Building work should be designed to respond to the natural topography of the site wherever possible, minimising the extent of cut and fill.</i> <i>All retaining walls are to be of masonry construction (or the like).</i> <i>All land forming operations should involve the use of clean fill (also known as Virgin Excavated Natural Material or 'VENM').</i>	<p>The development appropriately responds to the natural topography of the site in that no extensive cut and fill works are required.</p> <p>No retaining walls are required to accommodate this development.</p> <p>No fill is proposed to be brought on site. As the site is not contaminated, no further measures are required.</p>	<p>Yes</p> <p>Not applicable.</p> <p>Not applicable.</p>
2.2 Salinity Management <i>Groundwater recharge is to be minimised.</i> <i>All sediment and erosion controls are to be installed prior to the commencement of any works and maintained throughout the course of construction until disturbed areas have been revegetated/established.</i>	<p>The proposed footprint of the development will not encourage further groundwater recharge.</p> <p>A standard condition is recommended in the consent to ensure ongoing compliance with this control.</p>	<p>Yes</p> <p>Yes</p>
2.4 Trees and Vegetation <i>A person must not cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy a tree or vegetation without approval from Council authorising such works.</i>	As shown in the figures of the main assessment table, the site does not contain any vegetation or trees.	Yes
2.7 Bush Fire Risk Management <i>Development on land identified as bushfire prone on Council's Bush Fire Prone Land Map must address the bush fire protection measures in the NSW RFS publication Planning for Bush</i>	The development site is not identified as bushfire prone.	Not applicable.

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

<i>Fire Protection (or equivalent).</i>		
<p>2.8 Flood Hazard Management <i>Development on flood prone land must comply with Council's Engineering Design Specifications and Flood Risk Management Policy.</i></p>	The development site is not identified as flood prone.	Not applicable.
<p>2.10 Development Near Camden Airport <i>Buildings or structures located within the area affected by the Camden Airport OLS or PANS-OPS contained in the Camden Airport Master Plan must use materials that have low reflectivity.</i></p>	The development site is not affected by the Camden Airport OLS or PANS-OPS. A non-standard condition is however recommended requiring the use of low reflectivity materials.	Yes
<p>2.11 Development Affected by the Western Sydney Airport <i>The WSA must be notified of all development applications buildings, structures or activities that will penetrate the Western Sydney Airport OLS and / or PANS-OPS.</i></p>	The development (as proposed) will be below the protection surfaces for Western Sydney Airport. Civil Aviation Safety Authority have raised no issues on the proposed development.	Yes
<p>2.12 Acoustic Amenity <i>Acoustic reports (where required), must be prepared by a suitably qualified consultant.</i></p>	The Statement of Environmental Effects (SEE) notes that noise generation will be limited to a domestic sized air conditioner which is installed on the equipment cabin to keep the electronics cool. Given that the proposed location is within an industrial area, it is not anticipated to cause any noise disruptions to the site and/or surrounding land uses. The application was reviewed by Council's Environmental Health Specialist, where no concerns were raised, subject to the imposition of recommended conditions of consent.	Yes
<p>2.14 Waste Management <i>A Waste Management Plan (WMP) must be submitted for all new development, including demolitions, construction and the ongoing (or change of) use.</i></p>	The SEE notes that proposed works are relatively minor in nature and therefore the generation of waste will be minimal. Standard conditions are recommended in the consent, requiring waste to be disposed of in accordance with Councils Waste Management Guidelines.	Yes



Clause 4.6 Variation Request

*For a variation to the Height of Buildings standard at 45 Southwell Road, Oran Park
2570*



1. Introduction

The proposal at 45 Southwell Road, Oran Park falls under subsection 5 of Appendix 2 Part 4, Section 4.3 of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021. Although the property is not subject to a maximum building height under the relevant Height of Buildings Map, the site is being treated as having a height standard of 15m.

This Clause 4.6 variation justifies a variation to the Height of Buildings (HOB) development standard under the Precincts SEPP for a proposed telecommunications facility.

2. The Development Standard to be Varied

Under Section 4.3(5) of the Precincts SEPP, the site is identified as having a maximum HOB of 15m.

3. Extent of the Variation

The monopole structure associated with the proposed telecommunication facility will reach a maximum height of 30m above ground. It is noted that the communications devices (antennas) will protrude a further 1.3m to a maximum 31.3m above ground, however these devices are expressly excluded from the calculation of the height of a structure.

At a proposed height of 30m above ground, the monopole structure represents an exceedance to the 15m HOB control of 100%.

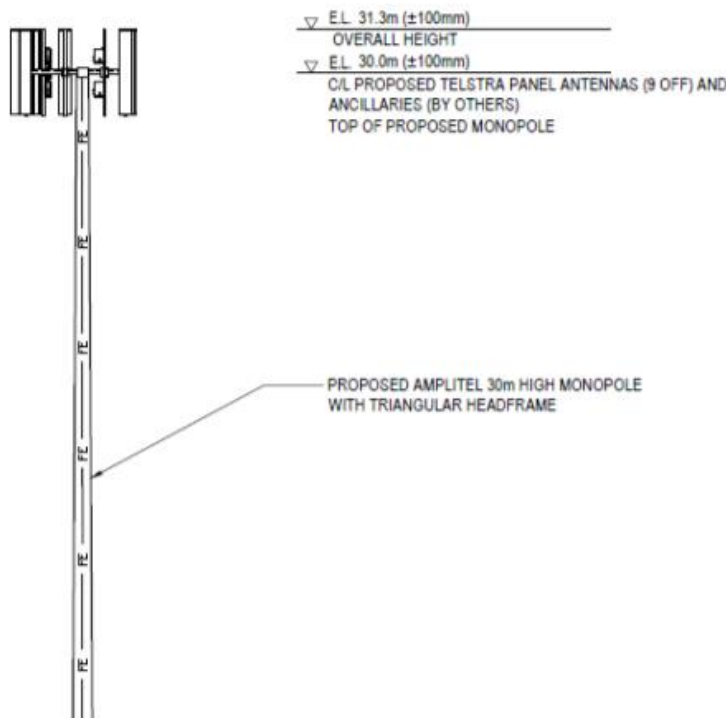


Figure 1: Proposed maximum monopole height

4. Cl. 4.6(3)(a) – Compliance is unreasonable or unnecessary

Clause 4.6(3)(a) of the SEPP stipulates that development consent must not be granted for a development which contravenes a standard unless the consent authority is satisfied the applicant for development consent has demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances of the case.

There are five common ways in which it can be demonstrated that compliance with a standard is unreasonable and/or unnecessary, which were established in *Wehbe v Pittwater Council (2007) 156 LGERA 446 [42] - [51]*. These are:

- **Test 1:** The objectives of the standard are achieved notwithstanding non-compliance with the standard;
- **Test 2:** The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;
- **Test 3:** The underlying objective or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;
- **Test 4:** The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; or
- **Test 5:** The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.

Tests 1 and 2 are considered to be most relevant in the circumstances of the case, relating to the objectives of the development standard.

Test 1 – The objectives of the standard are achieved notwithstanding the non-compliance

The objectives of Appendix 2, Part 4, Clause 4.3 of the SEPP are outlined below, with an assessment against the proposed outcomes provided. As demonstrated below, the objectives of the Height of Building standard are still achieved (as relevant to the proposal).

Objective	Response
<i>(a) to preserve the amenity of adjoining development in terms of solar access to dwellings, private open space and bulk and scale,</i>	Complies - The exceedance of the building height control by a telecommunications structure does not impact the site's level of amenity. The monopole is a slim structure that does not create a large visual profile or result in significant overshadowing. The proposal is not a habitable structure and will not impact privacy.
<i>(b) to provide for a range of residential building heights in appropriate locations that provide a high quality urban form,</i>	N/A This objective relates to residential buildings. This is not relevant to telecommunications facilities.



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(c) to facilitate higher density neighbourhood and town centres while minimising impacts on adjacent residential areas, **N/A**

The proposal does not directly impact on neighbourhood density. However, improved telecommunication services support general amenity.

(d) to provide appropriate height controls for commercial and industrial development. **N/A**

As standalone structure with very minimal bulk, the proposed monopole is required to protrude above its surrounding environment in order to deliver service.

As shown above, the objectives of the HOB standard generally relates to ensuring that new development is of a height which is appropriate in its context, allows for high quality urban form, and minimises impacts of development on surrounding areas. It is noted that the majority of the objectives are individually not applicable or relevant to the proposed development, and those that are can be considered to be satisfied.

Accordingly, Test #1 has been addressed sufficiently.

Test 2 - The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.

The intent of Clause 4.3, generally, is to limit unacceptable impacts arising from the bulk and scale of proposals. This is mainly applied to buildings with a bulk that is generated from useable floorspace.

It is considered unlikely that the intent of the development standard was to limit the height of critical urban infrastructure such as telecommunications facilities, power poles or the like. It must be acknowledged that the impact of a traditional 'building' breaching the Height of Buildings standard is significantly greater than a telecommunications facility, given a monopole is less than 1.5m in diameter whilst the width of a typical building would be many times greater.

The height of buildings standard has been developed primarily to assess these development outcomes and must be applied flexibly in the case of less traditional building and structure forms.

Accordingly, the standard is considered not relevant to the proposed development and compliance should not be necessary, satisfying the requirements of Test #2.

5. Cl. 4.6(3)(b) – Sufficient environmental planning grounds to justify the contravening of the standard

Clause 4.6(3)(a) of the SEPP stipulates that development consent must not be granted for a development which contravenes a standard unless the consent authority is satisfied there are sufficient environmental planning grounds to justify the contravention of the development standard.

There are sufficient environmental planning grounds to justify the contravening of the standard as a telecommunications facility would be highly inefficient if strict compliance were enforced.

To operate effectively, mobile phone towers must be high enough to protrude above their surrounding environment. The impact from buildings, trees, and topography all affect the coverage provided by mobile antennae and the devices being served.



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A facility of only 15m is insufficient to provide the necessary coverage. As such, compliance with the standard would significantly impact the effectiveness of the proposed facility.

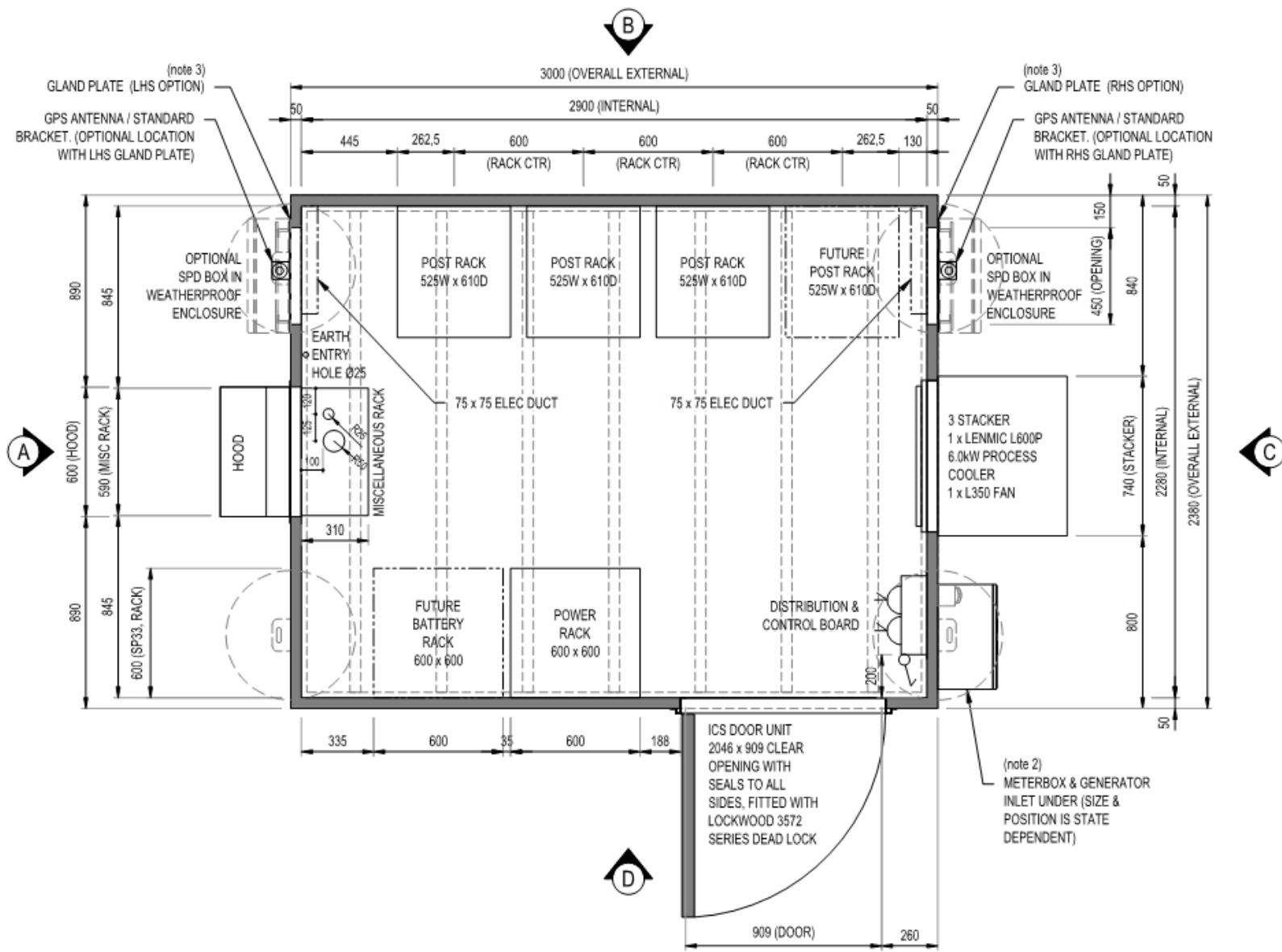
The proposal is required to improve coverage and capacity as a result of the significant development in the area. The proposal will ensure coverage deficiencies do not worsen in the area following the planned decommissioning of the nearby Telstra. The proposal will ensure consistent day-to-day communication for personal and business purposes and ensure reliable mobile coverage in times of emergency. Accordingly, the proposal is in the public interest, and it would be contrary to the public interest to maintain strict compliance with the HOB standard.

6. Conclusion

We conclude that the variation to the HOB development standard should be supported for the proposed development at Southwell Road, Oran Park for the following reasons as demonstrated in this report:

- Compliance with the development standard is unreasonable and unnecessary in the circumstances and therefore the variation is in the public interest. The height of buildings standard is appropriate to consider in assessment of usable buildings, but is considered not strictly relevant to infrastructure such as the subject proposal;
- Despite the above, the development achieves the objectives of the development standard in Clause 4.3 of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021; and
- There are sufficient environmental planning grounds to permit the variation to the standard under the circumstances.

Accordingly, the DA is able to be approved as proposed in accordance with the flexibility afforded under Clause 4.6 of the SEPP.



FLOOR PLAN

NOTES:

1. SEAM WELDED 'ENDEAVOUR' 2mm VINYL SHEET FLOOR COVERING.
2. METERBOX TO SPECIFIC STATE REQUIREMENTS.
3. GLAND PLATE 450 x 300 (CLEAR OPENING)
4. 150 x 350 (CLEAR OPENING) FLOOR PENETRATION (OPTIONAL) LOCATED AT REDUNDANT RACK SPACE.

THIRD ANGLE PROJECTION

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Revisions					
Rev	Date	Drawn by	Checked by	Description	
0	04.06.20	HE	PG	CONSTRUCTION ISSUE	

Scale: **N.T.S.** All dimensions are in millimetres U. O. N.

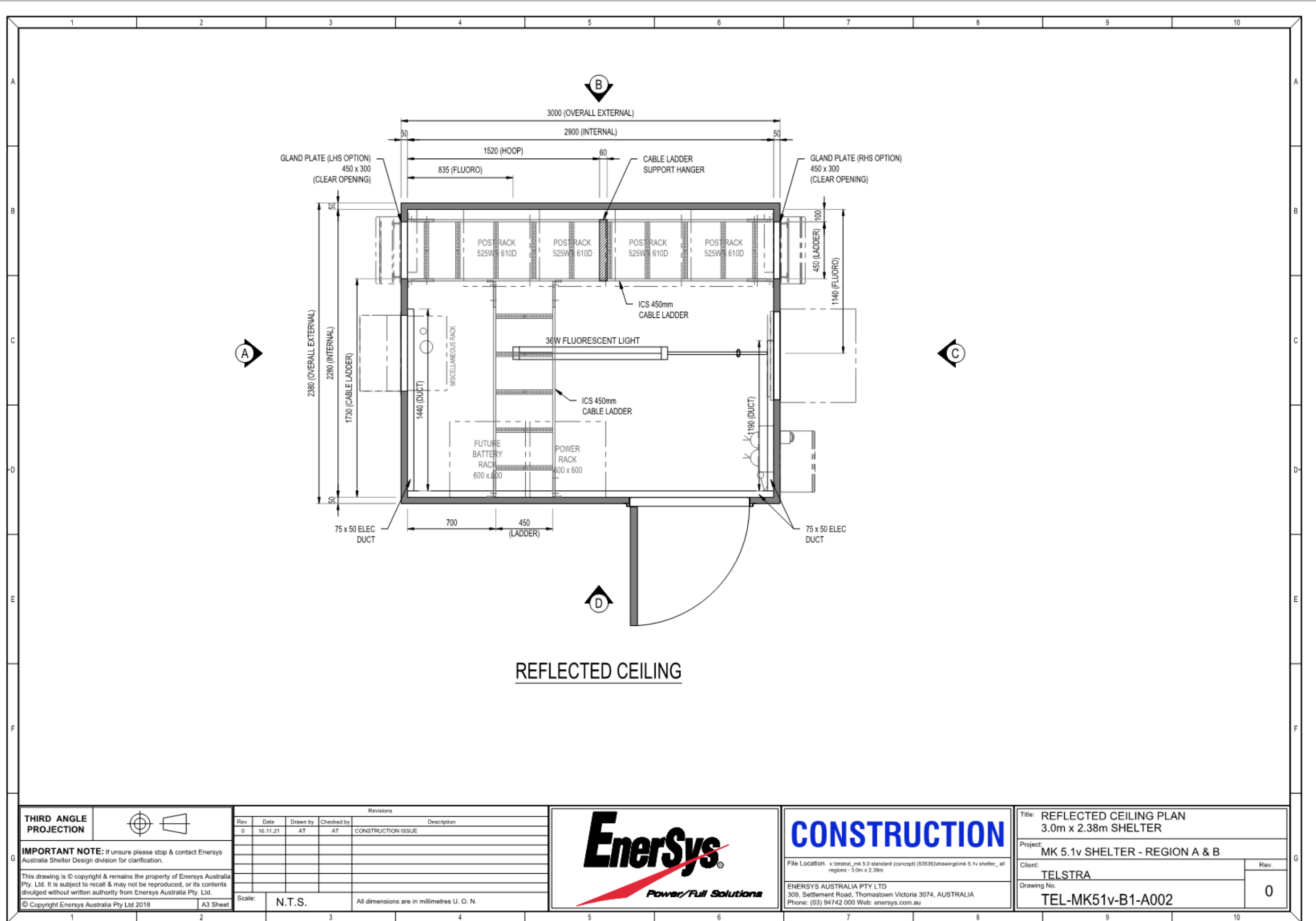


CONSTRUCTION

File Location: x:\telstra_mk 5.0 standard (concept) (53535)\drawing\mk 5.1 shelter_all regions - 3.0m x 2.38m

ENERSYS AUSTRALIA PTY LTD
309, Settlement Road, Thomastown Victoria 3074, AUSTRALIA
Phone: (03) 94742 000 Web: enersys.com.au

Title: FLOOR PLAN 3.0m x 2.38m SHELTER	
Project: MK 5.1 SHELTER - REGION A & B	
Client: TELSTRA	Rev.
Drawing No. TEL-MK51-B1-A001	0



REFLECTED CEILING

THIRD ANGLE PROJECTION

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Revisions					
Rev	Date	Drawn by	Checked by	Description	
0	16.11.21	AT	AT	CONSTRUCTION ISSUE	

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CONSTRUCTION

File Location: x:\telstra_mk 5.0 standard (concept) (53535)/drawing/mk 5.1v shelter_all regions - 3.0m x 2.38m

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Title: REFLECTED CEILING PLAN 3.0m x 2.38m SHELTER	
Project: MK 5.1v SHELTER - REGION A & B	
Client: TELSTRA	Rev.
Drawing No. TEL-MK51v-B1-A002	0

EXTERNAL ELEVATION 'A'

EXTERNAL ELEVATION 'B'

EXTERNAL ELEVATION 'C'

EXTERNAL ELEVATION 'D'

TABLE 1

METER BOX DIMENSION & MOUNTING HEIGHT FROM BOTTOM OF BOX TO BOTTOM OF TRIM		
STATE	DIMENSION	MOUNTING HEIGHT FROM BOTTOM OF TRIM
VIC	685 x 485 x 275	1080mm
NSW	610 x 610 x 265	1080mm
QLD	685 x 485 x 275	1080mm
SA	860 x 470 x 265	955mm
WA	520 x 485 x 278	1080mm
NT	610 x 610 x 265	1080mm
TAS	685 x 485 x 275	1080mm

NOTES:

- METER BOX SIZE AND POSITION IS STATE DEPENDENT AS LISTED IN TABLE 1.

THIRD ANGLE PROJECTION

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Revisions

Rev	Date	Drawn by	Checked by	Description
0	16.11.21	AT	AT	CONSTRUCTION ISSUE

EnerSys
Power/Full Solutions

CONSTRUCTION

File Location: x:\telstra_mk 5.0 standard (concept) (53535)\drawing\tmk 5.1v shelter_all regions - 3.0m x 2.38m

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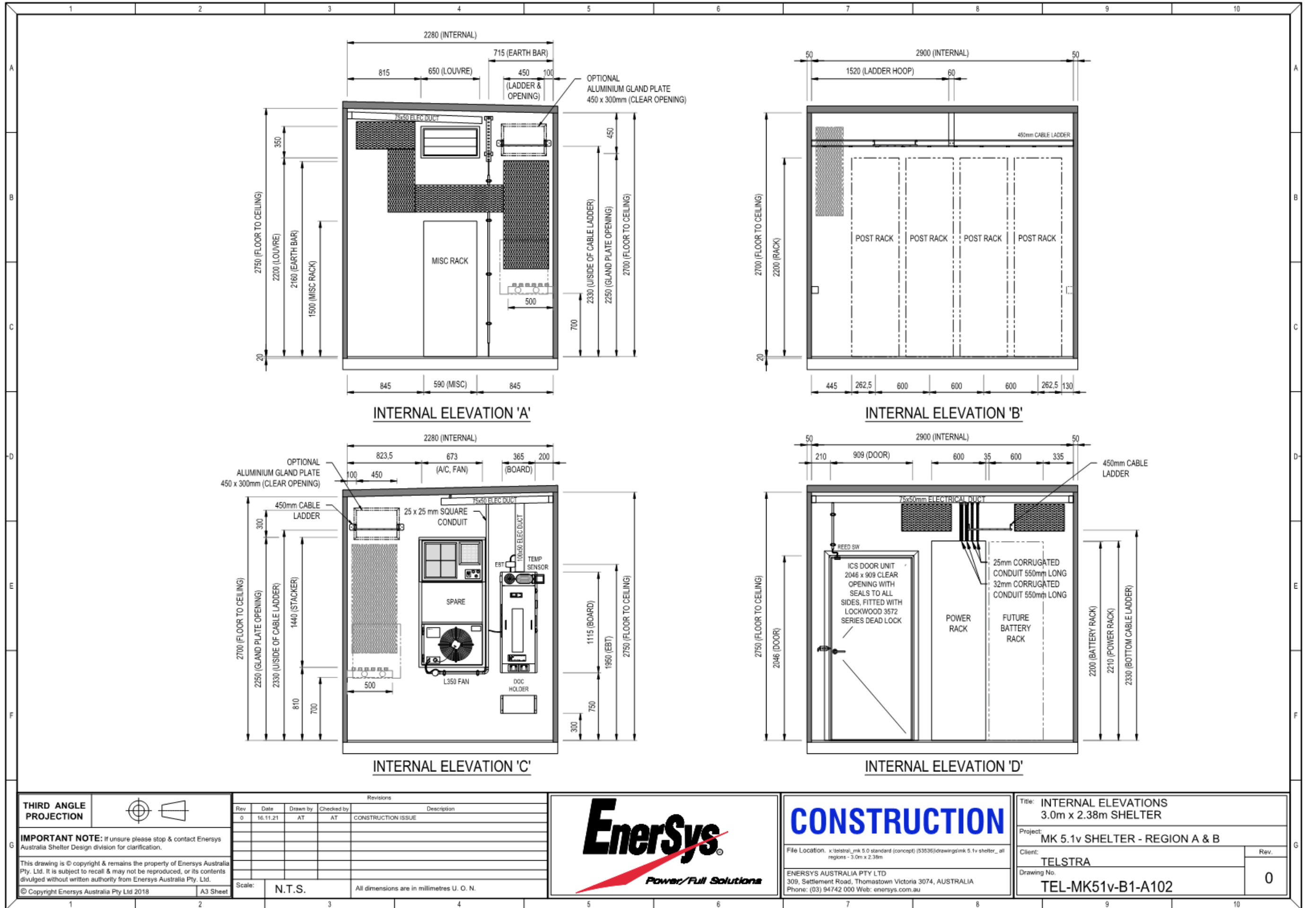
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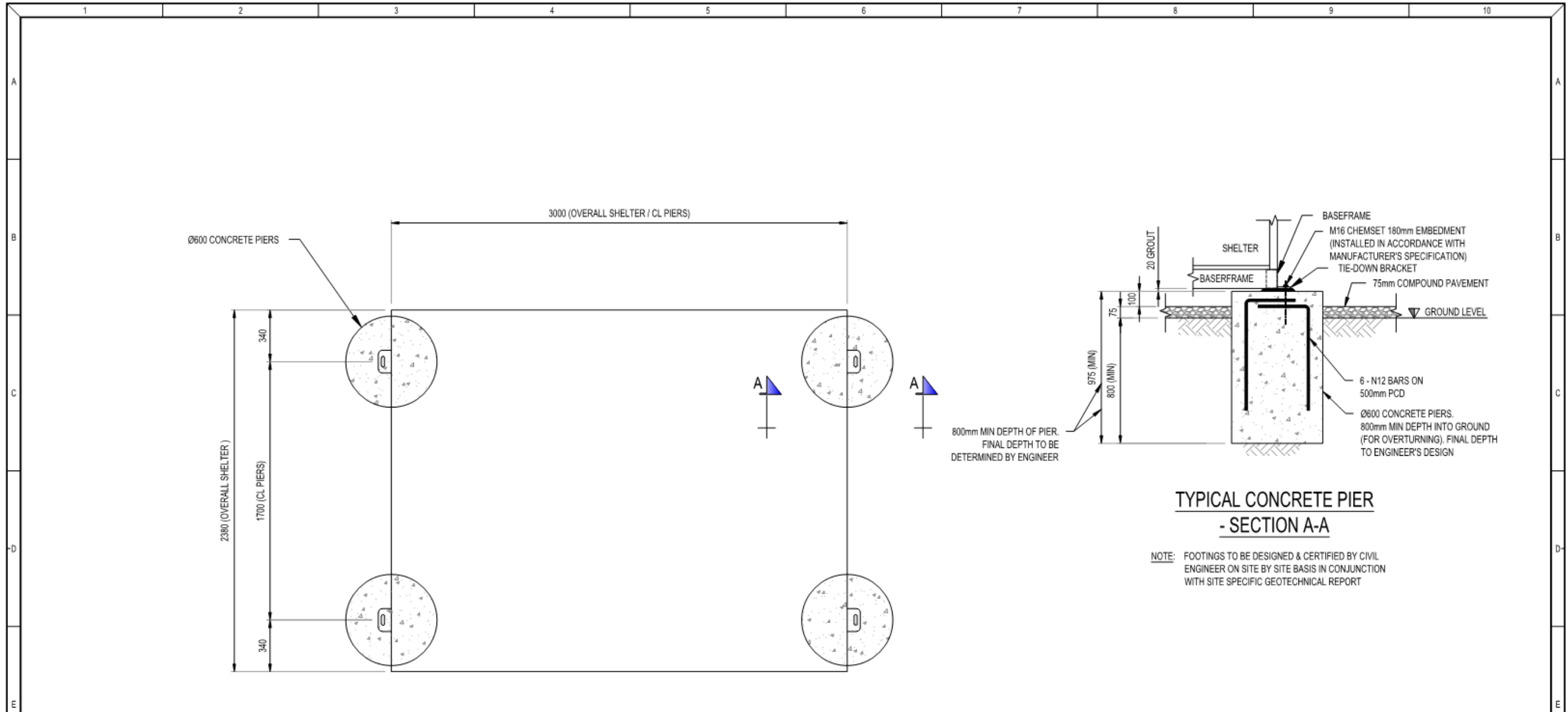
Project: **MK 5.1v SHELTER - REGION A & B**

Client: **TELSTRA**

Drawing No. **TEL-MK51v-B1-A101**

Rev. **0**





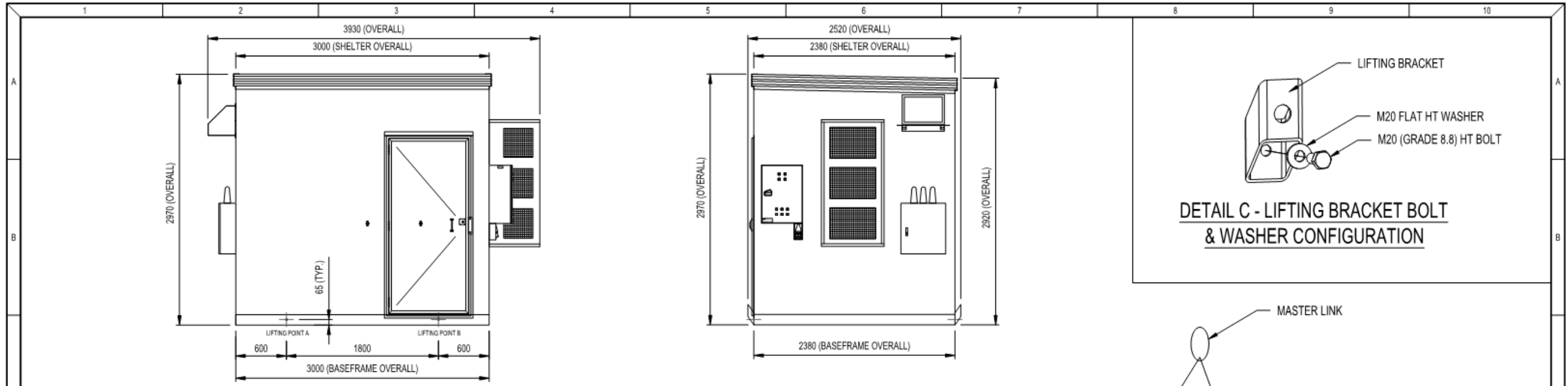
CONCRETE PIERS - PLAN VIEW

TYPICAL CONCRETE PIER - SECTION A-A

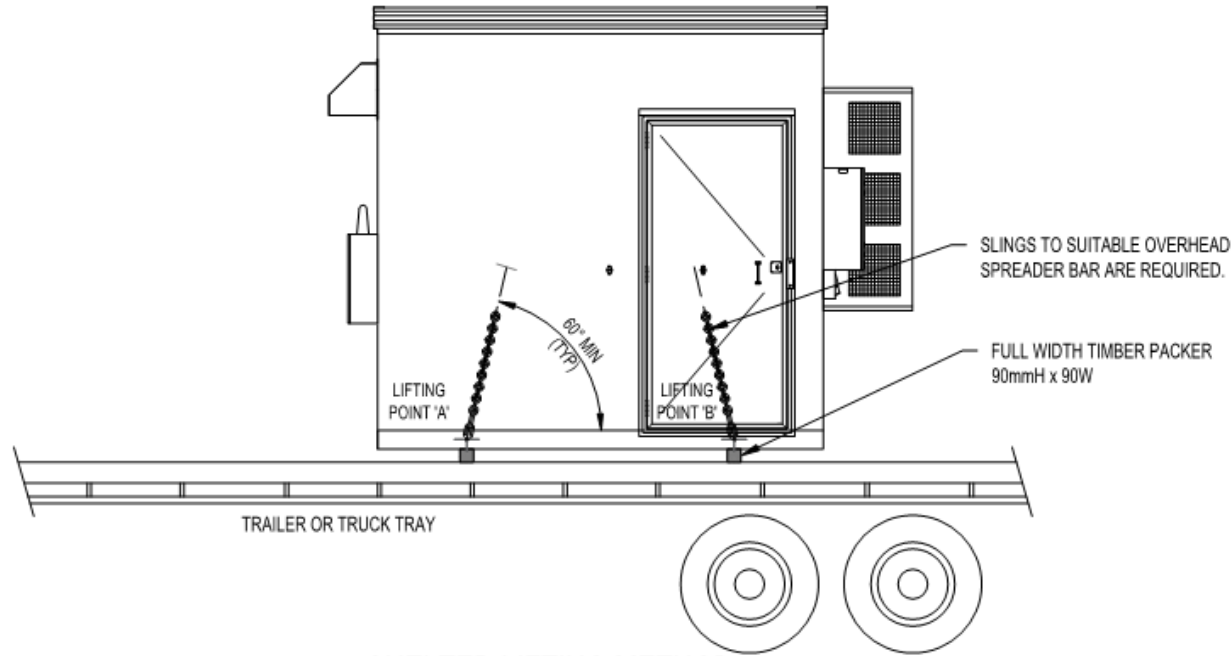
NOTE: FOOTINGS TO BE DESIGNED & CERTIFIED BY CIVIL ENGINEER ON SITE BY SITE BASIS IN CONJUNCTION WITH SITE SPECIFIC GEOTECHNICAL REPORT

NOTE:
1. SUGGESTED FOOTING CONFIGURATION ONLY, DESIGN MUST BE CERTIFIED BY A QUALIFIED STRUCTURAL ENGINEER IN CONJUNCTION WITH SITE SPECIFIC GEOTECHNICAL REPORT

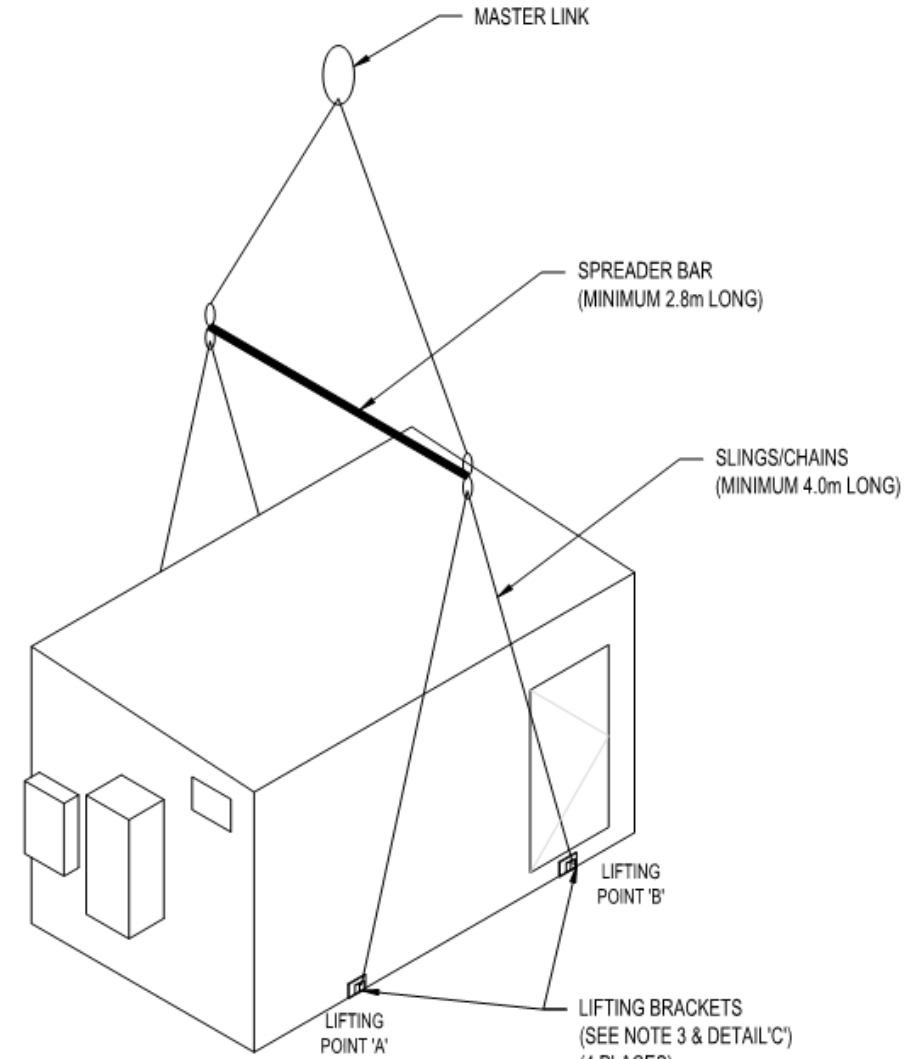
THIRD ANGLE PROJECTION 	Revisions <table border="1"> <thead> <tr> <th>Rev</th> <th>Date</th> <th>Drawn by</th> <th>Checked by</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>16.11.21</td> <td>AT</td> <td>AT</td> <td>CONSTRUCTION ISSUE</td> </tr> </tbody> </table>		Rev	Date	Drawn by	Checked by	Description	0	16.11.21	AT	AT	CONSTRUCTION ISSUE	 EnerSys Power/Full Solutions	CONSTRUCTION File Location: x:\telstra_mk 5.0 standard (concept) (53535)\drawing\mk 5.1v shelter_all regions - 3.0m x 2.38m ENERSYS AUSTRALIA PTY LTD 309, Settlement Road, Thomastown Victoria 3074, AUSTRALIA Phone: (03) 94742 000 Web: enersys.com.au	Title: FOOTING DETAIL 3.0m x 2.38m SHELTER	
	Rev	Date	Drawn by	Checked by	Description											
0	16.11.21	AT	AT	CONSTRUCTION ISSUE												
IMPORTANT NOTE: If unsure please stop & contact Enersys Australia Shelter Design division for clarification. This drawing is © copyright & remains the property of Enersys Australia Pty. Ltd. It is subject to recall & may not be reproduced, or its contents divulged without written authority from Enersys Australia Pty. Ltd. © Copyright Enersys Australia Pty Ltd 2018 A3 Sheet		Scale: N.T.S. All dimensions are in millimetres U. O. N.		Project: MK 5.1v SHELTER - ALL REGIONS	Client: TELSTRA											
					Drawing No. TEL-MK51v-B1-A206	Rev. 0										



SHELTER DIMENSIONS & LIFTING POINTS



SHELTER LIFTING METHOD

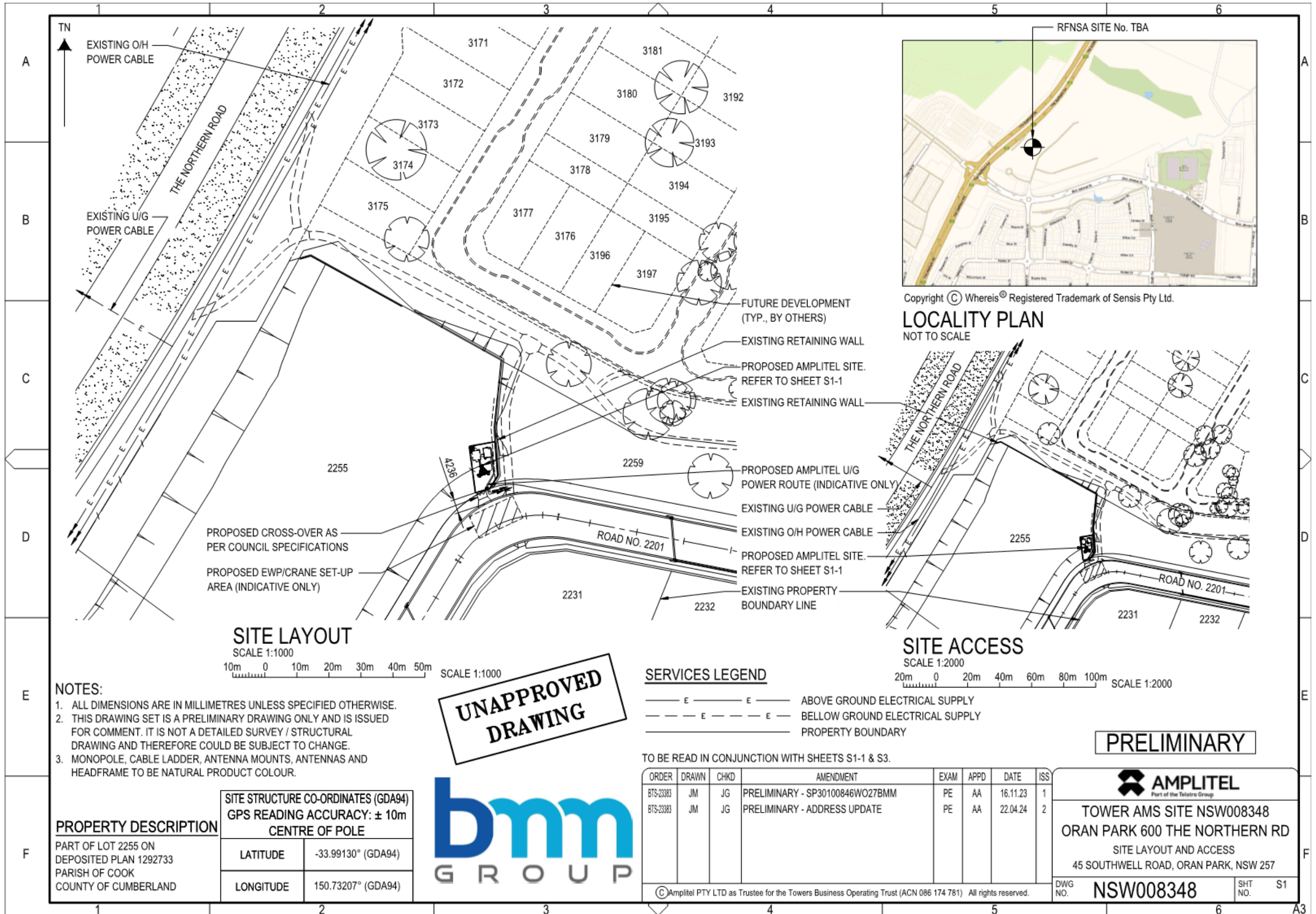


SUGGESTED LIFTING METHOD

NOTES:

1. ESTIMATED SHELTER WEIGHT = 2.6 TONNE.
2. ALL SLINGS/CHAINS TO BE FIXED AT BOTH ENDS.
3. LIFTING BRACKETS: WLL = 0.9 TONNE (65SHS6) WITH M20 (GRADE 8.8) HT BOLTS + M20 FLAT HT WASHER (SEE DETAIL 'C' FOR BOLT & WASHER CONFIGURATION). ENSURE BOLTS ARE TIGHTENED (NIPPED) AFTER SLINGS TAKE UP SLACK, TO ENSURE LIFTING BRACKETS ARE CLAMPED AGAINST BASEFRAME.
4. LIFTING BRACKETS TO BE REMOVED AND DISCARDED AFTER ON-SITE INSTALLATION OF SHELTER.

THIRD ANGLE PROJECTION 	Revisions <table border="1"> <thead> <tr> <th>Rev</th> <th>Date</th> <th>Drawn by</th> <th>Checked by</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>03.08.22</td> <td>LMJ</td> <td>AT</td> <td>TRANSPORT ISSUE</td> </tr> </tbody> </table>		Rev	Date	Drawn by	Checked by	Description	0	03.08.22	LMJ	AT	TRANSPORT ISSUE	 Power/Full Solutions	TRANSPORT File Location: x:\telstra_mk 5.1v shelter\drawings\mk 5.1v shelter_all regions - 3.0m x 2.38m ENERSYS AUSTRALIA PTY LTD 309, Settlement Road, Thomastown Victoria 3074, AUSTRALIA Phone: (03) 94742 000 Web: enersys.com.au	Title: LIFTING PLAN 3.0m x 2.38m SHELTER
	Rev	Date	Drawn by	Checked by	Description										
0	03.08.22	LMJ	AT	TRANSPORT ISSUE											
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- NOTES:**
1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS SPECIFIED OTHERWISE.
 2. THIS DRAWING SET IS A PRELIMINARY DRAWING ONLY AND IS ISSUED FOR COMMENT. IT IS NOT A DETAILED SURVEY / STRUCTURAL DRAWING AND THEREFORE COULD BE SUBJECT TO CHANGE.
 3. MONOPOLE, CABLE LADDER, ANTENNA MOUNTS, ANTENNAS AND HEADFRAME TO BE NATURAL PRODUCT COLOUR.

UNAPPROVED DRAWING

PROPERTY DESCRIPTION		SITE STRUCTURE CO-ORDINATES (GDA94) GPS READING ACCURACY: ± 10m CENTRE OF POLE	
PART OF LOT 2255 ON DEPOSITED PLAN 1292733 PARISH OF COOK COUNTY OF CUMBERLAND		LATITUDE	-33.99130° (GDA94)
		LONGITUDE	150.73207° (GDA94)



SERVICES LEGEND

— E —	— E —	ABOVE GROUND ELECTRICAL SUPPLY
- - - E - - -	- - - E - - -	BELLOW GROUND ELECTRICAL SUPPLY
---	---	PROPERTY BOUNDARY

TO BE READ IN CONJUNCTION WITH SHEETS S1-1 & S3.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
BTS-23383	JM	JG	PRELIMINARY - SP30100846WO27BMM	PE	AA	16.11.23	1
BTS-23383	JM	JG	PRELIMINARY - ADDRESS UPDATE	PE	AA	22.04.24	2

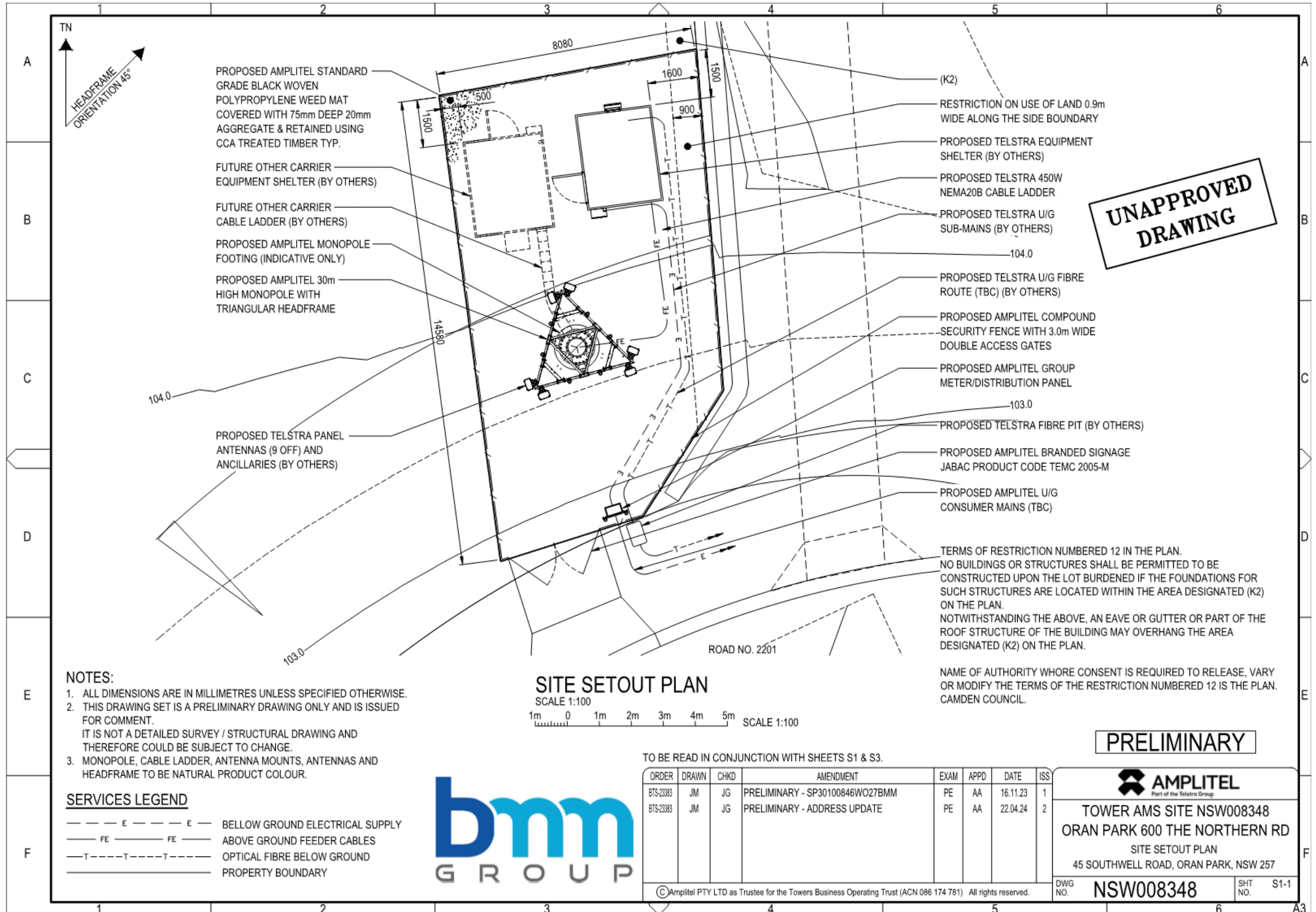
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PRELIMINARY

AMPLITEL
Part of the Telstra Group

TOWER AMS SITE NSW008348
ORAN PARK 600 THE NORTHERN RD
SITE LAYOUT AND ACCESS
45 SOUTHWELL ROAD, ORAN PARK, NSW 257

DWG NO. **NSW008348** SHT NO. **S1**



**UNAPPROVED
DRAWING**

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3. MONOPOLE, CABLE LADDER, ANTENNA MOUNTS, ANTENNAS AND HEADFRAME TO BE NATURAL PRODUCT COLOUR.

SERVICES LEGEND

- E --- E --- BELLOW GROUND ELECTRICAL SUPPLY
- FE --- FE --- ABOVE GROUND FEEDER CABLES
- T --- T --- OPTICAL FIBRE BELOW GROUND
- --- --- PROPERTY BOUNDARY

SITE SETOUT PLAN

SCALE 1:100
1m 0 1m 2m 3m 4m 5m SCALE 1:100

TERMS OF RESTRICTION NUMBERED 12 IN THE PLAN. NO BUILDINGS OR STRUCTURES SHALL BE PERMITTED TO BE CONSTRUCTED UPON THE LOT BURDENED IF THE FOUNDATIONS FOR SUCH STRUCTURES ARE LOCATED WITHIN THE AREA DESIGNATED (K2) ON THE PLAN. NOTWITHSTANDING THE ABOVE, AN EAVE OR GUTTER OR PART OF THE ROOF STRUCTURE OF THE BUILDING MAY OVERHANG THE AREA DESIGNATED (K2) ON THE PLAN.

NAME OF AUTHORITY WHOSE CONSENT IS REQUIRED TO RELEASE, VARY OR MODIFY THE TERMS OF THE RESTRICTION NUMBERED 12 IS THE PLAN. CAMDEN COUNCIL.

TO BE READ IN CONJUNCTION WITH SHEETS S1 & S3.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
BTS-23383	JM	JG	PRELIMINARY - SP30100846WO27BMM	PE	AA	16.11.23	1
BTS-23383	JM	JG	PRELIMINARY - ADDRESS UPDATE	PE	AA	22.04.24	2

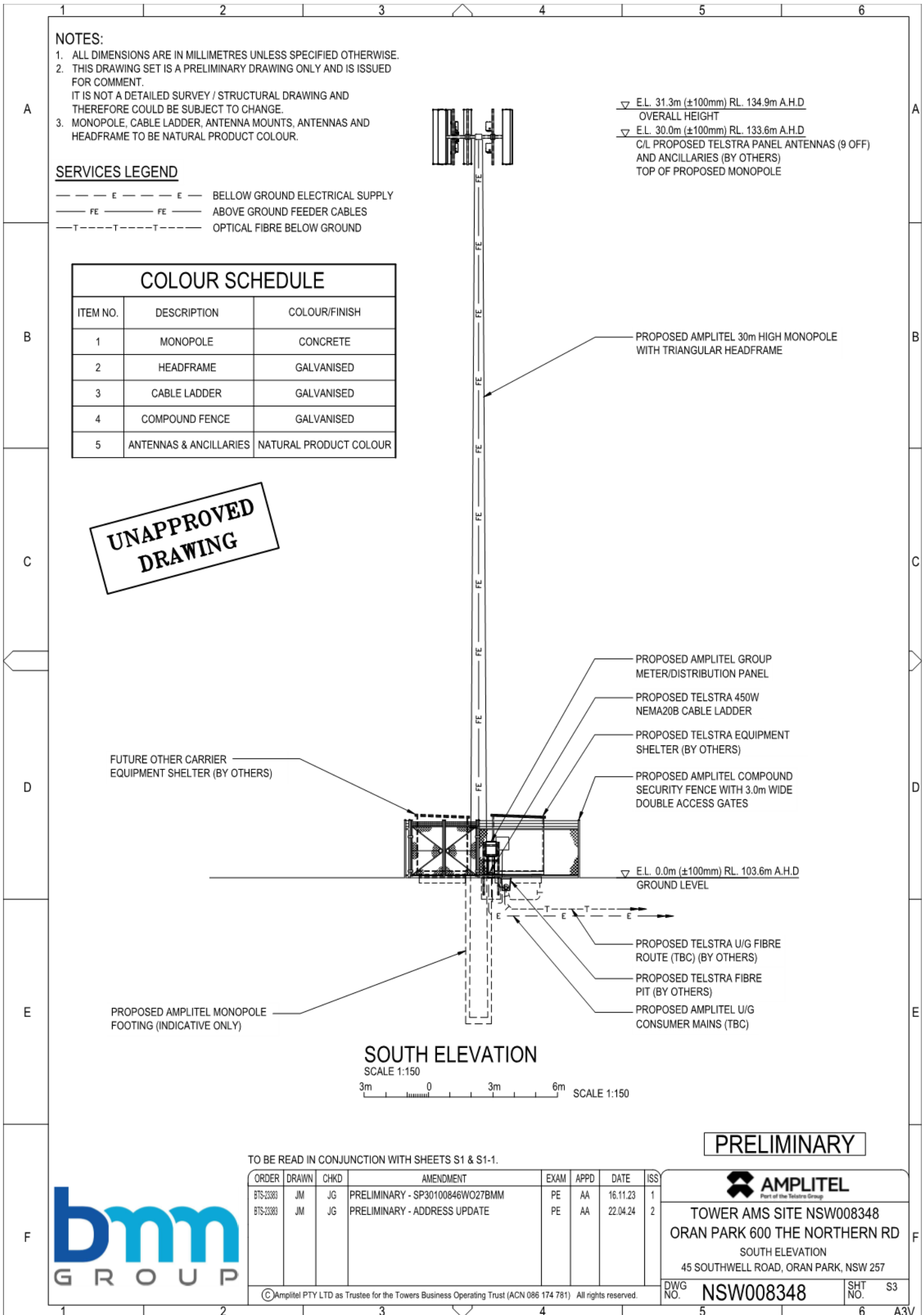
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ORAN PARK 600 THE NORTHERN RD
SITE SETOUT PLAN
45 SOUTHWELL ROAD, ORAN PARK, NSW 257


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DWG NO. **NSW008348** SHT NO. S1-1



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