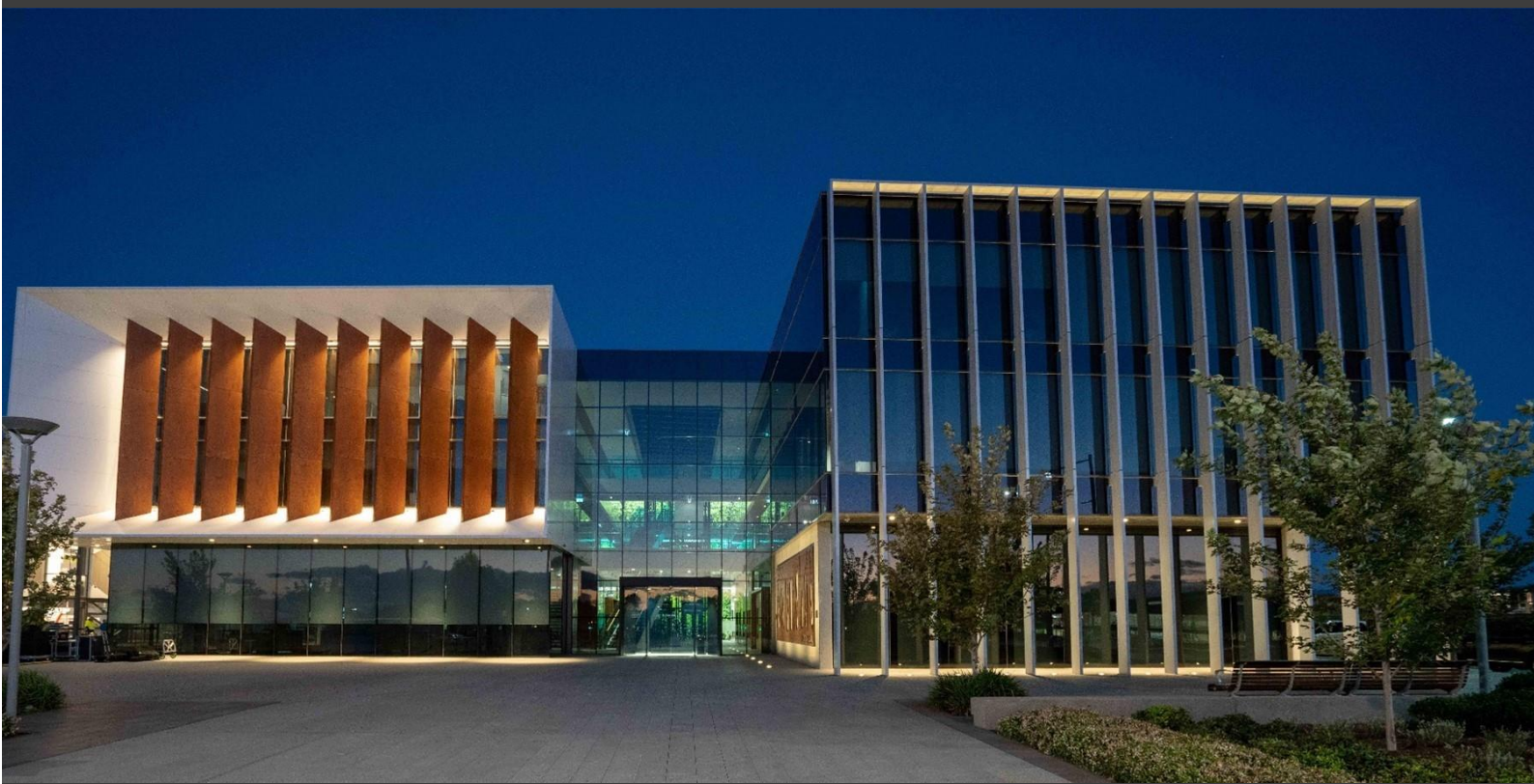


# Business Paper

Camden Local Planning Panel  
Electronic Determination

28 March 2025



camden  
council



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**SUBJECT: ACKNOWLEDGEMENT OF COUNTRY**

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



**SUBJECT:       DECLARATION OF INTEREST**

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

**SUBJECT: DA/2024/527/1 - CONSTRUCTION OF A DETACHED SECONDARY DWELLING ABOVE AN EXISTING GARAGE AT 222 MOUNT ANNAN DRIVE, MOUNT ANNAN**

**FROM:** Manager Statutory Planning

**EDMS #:** 25/134041

DA Number:	2024/527/1
Development:	Construction of a detached secondary dwelling above an existing detached garage
Estimated Cost of Development:	\$150,000
Site Address(es):	222 Mount Annan Drive, Mount Annan
Applicant:	Adrian Pititto
Owner(s):	Mr Adrian Pititto & Mrs Julie Jurd
Number of Submissions:	Two
Development Standard Contravention(s):	Clause 7.5 - Minimum lot size for particular secondary dwellings
Classification:	Local development
Recommendation:	Approve with conditions.
Panel Referral Criteria:	Departure from development standard by more than 10%
Report Prepared By:	Ante Perica (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 construction of a detached secondary dwelling at 222 Mount Annan Drive, Mount Annan.

The Panel is to exercise Council's consent authority functions for this DA as, pursuant to the Minister for Planning's Section 9.1 Direction, it is a development that contravenes the minimum lot size for secondary dwellings development standard that applies to the site by more than 10%.

### SUMMARY OF RECOMMENDATION

That the Panel determine DA/2024/527/1 for a detached secondary dwelling pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions attached to this report.

### EXECUTIVE SUMMARY

Council is in receipt of a DA for a detached secondary dwelling at 222 Mount Annan Drive, Mount Annan.

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

The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 1 November 2024 to 14 November 2024 and two submissions were received.

The secondary dwelling is proposed on a site with an area of 391.5m<sup>2</sup> and contravenes the minimum lot size for secondary dwellings development standard (450m<sup>2</sup>) that applies to the site pursuant to Clause 7.5 in the *Camden Local Environmental Plan 2010* (LEP).

It is noted that at its meeting on 18 April 2023, the Camden Local Planning Panel approved a similar development at 216 Mount Annan Drive, Mount Annan (DA/2022/925/1 - Construction of a single storey secondary dwelling above existing detached garage).

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

### KEY PLANNING CONTROL VARIATIONS

Control	Proposed	Variation
Clause 7.5 – Minimum Lot Size – 450m <sup>2</sup>	391.5m <sup>2</sup>	58.5m <sup>2</sup> or (13%)

### AERIAL PHOTO

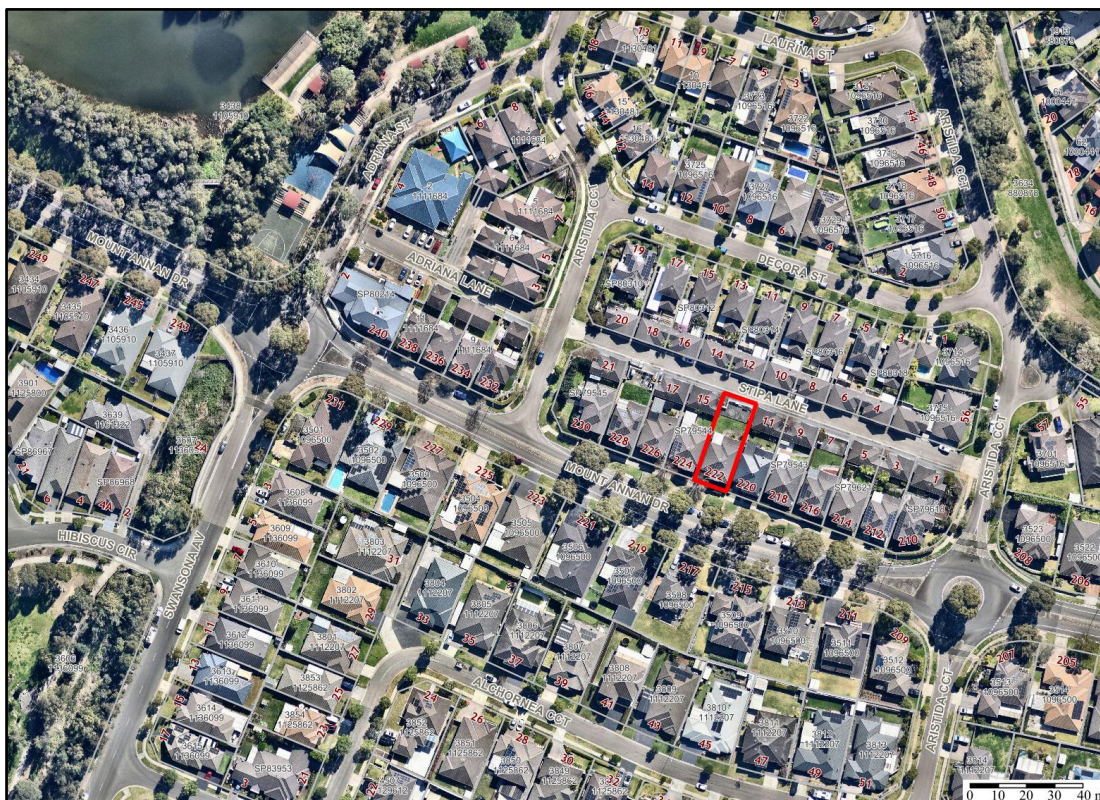


Figure 1: Aerial view of the site



## THE SITE

The site is rectangular in shape and has a frontage of 12m to both Mount Annan Drive and Stipa Lane, a maximum depth of 32.515m and an area of 391.5m<sup>2</sup>. The site has a maximum slope of approximately 3.2m from the south-west corner to the north-east corner of the site. The site currently contains a two storey dwelling which fronts Mount Annan Drive, and a detached rear garage which fronts Stipa Lane.

The surrounding area is characterised by developed residential land characterised by a mix of housing types. The immediate vicinity of the site includes single detached dwellings facing Mount Annan Drive, Aristida Circuit, and Decora Street, with studio dwellings located above detached garages (accessed from Stipa lane) on 18 of the 22 sites located within Mount Annan Drive, Aristida Circuit, and Decora Street.

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

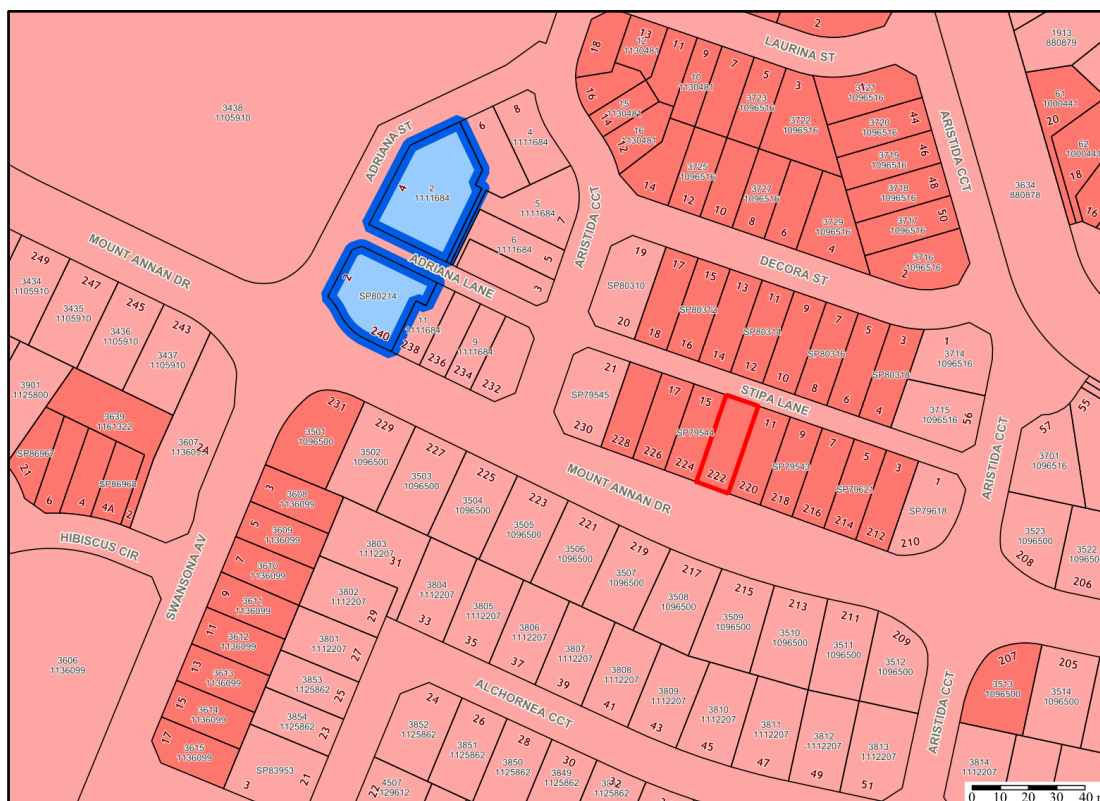


**Figure 2: Aerial view of the site also indicating secondary dwellings above the garages of the adjoining and nearby properties**



**Figure 3: View of property from Stipa Lane also showing secondary dwellings above garages on adjoining properties**

## ZONING PLAN



**Figure 4: Zoning map of the site**

## HISTORY

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

Date	Development
16 October 2006	Approval of DA/2006/601/1 for a two storey dwelling and detached garage.

### THE PROPOSAL

DA/2024/527/1 seeks approval for the construction of a detached secondary dwelling above the existing detached garage on the site.

The secondary dwelling consists of two bedrooms, a bathroom/laundry area and a living/kitchen area with a balcony facing the rear lane.

The estimated cost of works for the development is \$150,000.

### ASSESSMENT

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

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

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

The environmental planning instruments that apply to the development are:

- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Camden Local Environmental Plan 2010

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

Section 51 of the Housing SEPP prescribes that development consent must not be granted for the subdivision of a lot on which development has been carried out under Chapter 3, Part 1 of the Housing SEPP. It is noted that no subdivision is proposed as part of this DA.

Section 52(2) of the Housing SEPP prescribes that development consent must not be granted for a secondary dwelling development unless:

- no dwellings, other than the principal dwelling and the secondary dwelling, will be located on the land, and*
- the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area permitted for a dwelling house on the land under another environmental planning instrument, and*
- the total floor area of the secondary dwelling is:*
  - no more than 60m<sup>2</sup>, or*



- (ii) *if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument - the greater floor area*

No other dwellings other than the existing principal dwelling and proposed secondary dwelling are located on the site and there is no maximum floor space ratio prescribed for a dwelling house on the land under another environmental planning instrument. Furthermore, the proposed secondary dwelling has an internal floor area of 52.98m<sup>2</sup> that is less than the prescribed 60m<sup>2</sup>.

Section 53(1) of the Housing SEPP contains non-discretionary standards that if complied with, prevent the consent authority from requiring more onerous standards for the matters, which pursuant to Section 53(2) are:

- (a) *for a detached secondary dwelling - a minimum site area of 450m<sup>2</sup>,*
- (b) *the number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out.*

The subject site has an area of 391.5m<sup>2</sup> and is therefore less than the non-discretionary standard of 450m<sup>2</sup>. The variation to the minimum lot size development standard prescribed under the LEP has been addressed in this report and the site is considered to be of a sufficient size to support the proposed secondary dwelling.

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

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

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

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

The site is located within an established residential area and is considered suitable for residential development. No contamination or remediation concerns are raised as the proposed development is for the construction of a detached secondary dwelling above an existing garage at the rear of the site facing a rear lane. Remediation/contamination was assessed and dealt with under the parent subdivision application.

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



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

#### State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX certificate has been submitted with the DA. The requirements outlined in the certificate have been satisfied in the design of the proposal. A condition is imposed to ensure such commitments are fulfilled during the construction of the development.

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

The Camden LEP 2010 aims to make local environmental planning provisions for land in Camden in accordance with the relevant standard environmental planning instrument under Section 3.20 of the *Environmental Planning and Assessment Act 1979*.

#### *Site Zoning*

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

#### *Development Characterisation*

The development is characterised as a 'secondary dwelling'.

#### *Permissibility*

The development is permitted with consent in the R3 Medium Density Residential zone pursuant to Clause 2.3 of the LEP.

#### *Planning Controls*

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

#### *Proposed Contravention – Minimum lot size*

The applicant proposes a contravention to the minimum lot size for secondary dwellings development standard that applies to the site pursuant to Clause 7.5 of the LEP. The development standard limits the size of a lot on which a secondary dwelling is to be erected, with a minimum lot size of 450m<sup>2</sup> required. However, the development will have a secondary dwelling on a lot size of 391.5m<sup>2</sup>.

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

- The subject site is zoned R3 Medium Density residential, and the proposed development complies with the objectives of this zone in that it will achieve an appropriate bulk and scale in the context of the surrounding development and be consistent with the existing streetscape.
- The development will not result in the increase of the building footprint and will therefore have minimal impact on the existing site coverage and landscaped area

and open space areas of the site. The amenities of the principal dwelling and the adjoining properties in terms of privacy, solar access and ventilation will be appropriately managed based on the proposed design.

- The development will contribute to providing for the housing needs of the community within the medium-density residential area. By providing a secondary dwelling that has the appropriate facilities, services, and amenities to adequately meet the daily needs of the residents, it will present and respond to the demand of the currently on-going housing crisis within greater Sydney.
- The development is consistent with the desired character of the residential precinct. This is demonstrated by the ability of the proposed development to achieve compliance with the relevant zone objectives.
- The development will be consistent with the existing land use of the immediate locality. The secondary dwelling will be visible from the rear, southern side of Stipa Lane which consist mostly double storey buildings. These are structures above the existing garage, similar to the proposed development.



**Figure5: Site viewed from Stipa Lane**

- Strict compliance with the development standard is unreasonable in this case given the recent approval of DA/2022/925/1 at 216 Mount Annan Drive, Mount Annan for an almost identical proposal. As with the development approved under DA/2022/925/1, the proposed development seeks to enhance the efficiency of the site and overall precinct.

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

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

- the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6 of the LEP, and
- the development will be in the public interest as it is consistent with the objectives of the particular standard and the objectives for development within the land use zone in which the development is proposed to be carried out.

The development standard contravention is supported for the following reasons:

- the development is consistent with the objectives of the development standard:

(a) *To ensure that secondary dwellings are on appropriately sized lots.*

The development preserves the amenity of the existing development on the site and adjoining development with regard to bulk and scale, privacy, soft landscaping, parking, and private open space size requirements. The applicant has adequately demonstrated that the development is a suitable use of the site by providing architectural plans which illustrate that the development generally complies with the relevant development controls pertaining to the site within the Camden DCP 2019.

As a result of general compliance with the Camden DCP 2019, it has been demonstrated that the overall impact of the departure from the minimum lot size for secondary dwellings development standard is minimal, and the development is reasonable despite the departure from the development standard applicable under Clause 7.5 of the LEP.

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

*R3 Medium Density Residential*

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

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

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

The proposal is in conjunction with the existing principal dwelling and in accordance with the LEP, is a different housing type to the principal dwelling on the same lot of land. The development contributes to a variety of housing types within the area and is compatible with the existing developed residential area, which largely consists of different types of low to medium density residential accommodation.

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

This development does not propose any land use that provides facilities or services to residents. Further, the proposed contravention will have no impacts to existing and projected land uses immediately surrounding the subject site.

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

This objective is not relevant to the development as the redevelopment of the site, as a result of the construction of the secondary dwelling on the site with existing uses, is not a significant redevelopment of land close to a main activity centre.

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

The development will minimise conflict between land uses within the zone and adjoining zones as the surrounding area is characterised by developed residential land with the same or similar types of housing.

- The secondary dwelling will contribute to providing additional housing in the area whilst demonstrating general compliance with the relevant environmental planning instruments, development control plans and policies.
- The development is compatible with the surrounding area which is characterised by developed residential land and a mix of housing types.
- The development is consistent with the existing streetscape on Stipa lane, with surrounding sites consisting of similar built form. The development is also consistent with the existing streetscape in terms of bulk and scale.
- The absence of any adverse cumulative impacts resulting from the lot size non-compliance, as demonstrated by the analysis of the recent approval of a similar development at 216 Mount Annan Drive, Mount Annan.

- (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 2019 is provided as an attachment to this report.

*Proposed Variation – Solar access*

The Camden DCP 2019 requires that the existing principal dwelling and all adjoining dwellings principal private open space (PPOS) receive a minimum of 50% direct sunlight for equal to or more than 3 hours between 9:00am and 3:00pm on 21 June.

The PPOS of the existing principal dwelling does not meet this control.

It is recommended that the above variation be supported for the following reasons:

- Despite the PPOS area on the subject site not receiving direct sunlight to at least 50% of the PPOS area between 9:00am and 3:00pm on 21 June, direct sunlight to the living area of the proposed secondary dwelling and the existing principal dwelling is achieved.
- The living area of the secondary dwelling and the principal dwelling located achieves full solar access between 9:00am and 3:00pm on 21 June, due to the orientation and design of the dwellings and living areas being situated to face north.
- Adjoining sites consist of replicate-built form which demonstrates that the same non-compliance with the applicable solar access requirements would occur for those lots.
- The non-compliance with solar access requirements occurs during the winter solstice. The applicant has provided plans demonstrating full compliance with solar access requirements during the summer solstice and the equinoxes.

#### *Proposed Variation – Site Coverage*

The Camden DCP 2019 requires that the site coverage of the principal dwelling, secondary dwelling and all ancillary development on a lot must not be more than 50% of the area of the lot.

The combined site coverage of the existing principal dwelling (ground floor), secondary dwelling and existing garage is 57% and thereby varies from this control.

It is recommended that the above variation be supported for the following reasons:

- Despite being slightly over the required 50% site coverage control, the development still meets the objectives of the control in that it:
  - enables a diversity of dwelling types;
  - contributes to the availability of affordable housing; and
  - provides a housing solution for the current residents that is compatible and consistent with the surrounding residential environment.
- The bulk and scale of the proposed secondary dwelling is consistent with the existing secondary dwellings on the adjoining lots along Stipa Lane.
- Adjoining sites consist of replicate-built form and similar floor areas which demonstrates that the same non-compliance with the applicable site coverage control would occur for those lots.

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



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

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

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

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

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

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

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

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

Two submissions were received by Council during the public exhibition period which both objected to the proposed development.

The following discussion addresses the issues raised in the submissions.

- Submission No.1 raised concerns over privacy, overshadowing, congestion the development will cause and the height of the proposed development.

Council staff comment:

Regarding congestion, the site contains an existing triple garage which exceeds the car parking requirements applicable under the Camden DCP 2019. This also consistent with the adjoining properties that also contain secondary dwellings above their respective garages.

The secondary dwelling above the existing garage will result in a maximum height of 6.52m (as measured at Stipa Lane) which is compliant with the 9.5m height of building development standard pursuant to Clause 4.3 of the LEP.

The secondary dwelling does not propose any windows with a direct sight line into the PPOS areas of the adjoining lots and will not cause unreasonable adverse privacy impacts as the proposed balcony overlooks the rear lane. Furthermore, the shadow diagrams provided as part of this DA, illustrate that at least 50% of the PPOS area of the adjoining lots will receive sunlight for  $\geq 3$  hours between 9am and 3pm on 21 June which is compliant with Section 4.2.8 of the Camden DCP 2019. The applicant has provided further shadow diagrams demonstrating increased compliance with solar access requirements during the summer solstice and the equinoxes.

- Submission No.2 raised concerns over the development blocking out natural light to living areas and the blocking of views and vistas of adjoining properties.

#### Council staff comment:

As noted above, the shadow diagrams provided as part of this DA, illustrate that at least 50% of the PPOS area of the adjoining lots will receive sunlight for ≥3 hours between 9am and 3pm on 21 June (which is compliant with Section 4.2.8 of the Camden DCP 2019). Furthermore, there are no views or vistas of significant importance that will be impacted by the proposed development. It is further noted that the adjoining dwellings, which comprise secondary dwellings above their respective garages, currently restrict potential views that the subject site may have had.

#### **(e) the public interest**

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

#### EXTERNAL REFERRALS

None.

#### FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

#### CONCLUSION

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

#### RECOMMENDED

That the Panel:

- i. support the applicant's written request lodged pursuant to Clause 4.6 of *Camden Local Environment Plan 2010* for the contravention of the minimum lot size for secondary dwellings development standard applicable under Clause 7.5 of *Camden Local Environmental Plan 2010*.
- ii. approve DA/2024/527/1 for a secondary dwelling at 222 Mount Annan Drive, Mount Annan subject to the conditions attached to this report for the following reasons:
  1. The Panel has considered the written request to contravene Clause 7.5 of the *Camden Local Environmental Plan 2010* in relation to the minimum lot size for secondary dwellings development standard. The Panel considers that the written request from the applicant adequately demonstrates that compliance with the development standard in Clause 7.5 of the *Camden Local Environmental Plan 2010* is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the



development standard. The Panel is also satisfied that the development will be in the public interest because it is consistent with the objective of the development standard in Clause 7.5 of *Camden Local Environmental Plan 2010* and the objectives for development within the R3 Medium Density Residential zone.

2. The development is generally consistent with the objectives and controls of the applicable environmental planning instruments, being State Environmental Planning Policy (Housing) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Sustainable Buildings) 2022 and the Camden Local Environmental Plan 2010.
3. The development is consistent with the objectives of the Camden DCP 2019.
4. The development is considered to be of an appropriate scale and form for the site and the character of the locality.
5. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.
6. For the above reasons, the development is a suitable use of the site, and its approval is in the public interest.

### ATTACHMENTS

1. Recommended Conditions
2. Camden LEP 2010 Assessment Table
3. Camden DCP 2019 Assessment Table
4. Public Submissions - *CONFIDENTIAL*
5. Clause 4.6 Written Request
6. Architectural Plans

**RECOMMENDED CONDITIONS****General****1.1 - General Conditions**

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

Approved plans			
Number	Title	Drawn by	Date
Job No: 01-03-24 Sheet: 01 of 03	Site Plan	Benyana Building Design	03/02/2025
Job No: 01-03-24 Sheet: 02 of 03	Existing Garage & Secondary Dwelling Floor Plan	Benyana Building Design	03/02/2025
Job No: 01-03-24 Sheet: 03 of 03	Elevations & Section Plan	Benyana Building Design	03/02/2025
Job No: 01-03-24 Sheet: 01 of 01	Stormwater Concept Plan	Benyana Building Design	03/02/2025
Job No: 01-03-24 Sheet: 01 of 01	Landscape Plan	Benyana Building Design	03/02/2025

Approved documents		
Title	Prepared by	Date
Basix Certificate No. 1764141S	Mr Arkan Sutto	12 September 2024
Waste Management Plan	Applicant	12 September 2024

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

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

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

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

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

## Building Work

### 2.1 - Before Issue of a Construction Certificate

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

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

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

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

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

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

- (4) **Salinity management** - 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 salinity control measures in Council's engineering specifications.

**Condition reason:** To ensure the development is designed to withstand the effects of salinity.

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

Camden Section 7.12 Development Contribution Plan	
% of development cost	<b>0.5%</b>
Amount payable	<b>\$750</b>

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

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

## 2.2 - Before Building Work Commences

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

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

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

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

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

- (3) **Site management plan (preparation)** - Before any building work commences, a site management plan must be prepared by a suitably qualified person. The plan must demonstrate, to the satisfaction of the principal certifier, that the following site work matters will be managed to protect the amenity of the surrounding area:
1. Erosion and sediment control measures, including compliance with the NSW Department of Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and as amended from time to time).
  2. Prohibiting offensive noise, vibration, dust and odour as defined by the *Protection of the Environment Operations Act 1997*.
  3. Covering soil stockpiles and not locating them near drainage lines, watercourses, waterbodies, footpaths and roads without first providing adequate measures to protect those features.
  4. Prohibiting the pumping of water seeping into any excavations from being pumped to a stormwater system unless sampling results demonstrate compliance with NSW Environment Protection Authority requirements and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018) criteria for water quality discharge.
  5. Construction traffic management in accordance with Council's engineering specifications and AS 1742.3 - Manual of Uniform Traffic Control Devices - Traffic Control for Works on Roads.
  6. Maintaining a fill delivery register including the date, time, truck registration number and fill quantity, origin and type.

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

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

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

This condition does not apply:

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

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

- (5) **Erection of signs** - Before any building work commences, a sign must be erected in a prominent position on the site:

1. Showing the name, address and telephone number of the principal certifier for the work.
2. Showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours.
3. Stating that unauthorised entry to the work site is prohibited.

The sign must be:

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

This condition does not apply in relation to:

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

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

- (6) **Notification of Home Building Act 1989 requirements** - Before any residential building work commences, the principal certifier must give Council written notice of the following:

1. For work that requires a principal contractor to be appointed:
  - a. The name and licence number of the principal contractor.
  - b. The name of the insurer of the work under Part 6 of the *Home Building Act 1989*.
2. For work to be carried out by an owner-builder:
  - a. The name of the owner-builder.
  - b. If the owner-builder is required to hold an owner-builder permit under the *Home Building Act 1989*, the number of the owner-builder permit.

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

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

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

### 2.3 - During Building Work

- (1) **Work hours** - While building work is being carried out, all work (including the delivery of materials) must be:
1. Restricted to between the hours of 7am to 5pm Monday to Saturday.
  2. Not carried out on Sundays or public holidays.

Unless otherwise approved in writing by Council.

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

- (2) **Fill material (dwellings)** - Before the importation and placement of any fill material on the site, an assessment report and sampling location plan for the material must be prepared by a person with experience in both contamination and geotechnical assessments. The report and plan must demonstrate, to the satisfaction of the principal certifier, that:
1. For virgin excavated natural material, the report and plan have been prepared in accordance with:
    - a. The Department of Land and Water Conservation publication 'Site investigation for Urban Salinity', and
    - b. The Department of Environment and Conservation - Contaminated Sites Guidelines 'Guidelines for the NSW Site Auditor Scheme (Third Edition) - Soil Investigation Levels for Urban Development Sites in NSW'.
    - c. A minimum of 2 samples from different locations is required.
  2. For excavated natural material, the report and plan have been prepared in accordance with:
    - a. The Resource Recovery Exemption under Part 9, Clauses 91, 92 and 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.
    - b. The NSW Environment Protection Authority Resource Recovery Order under Part 9, Clause 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.
    - c. The Excavated Natural Material Order and Exemption 2014.
  3. The fill material has had its salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer to the Department of Land and Water Conservation publication 'Site investigation for Urban Salinity'), and that it is compatible with any salinity management plans approved for the site.

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

1. Existing vegetation (including street trees) not approved for removal must be protected in accordance with AS 4970 - Protection of Trees on Development Sites and Council's engineering specifications.
2. The boundaries of any bushland or waterfront land areas adjacent to the site must be fenced by minimum 1.8m high chain link or welded mesh fencing. The fencing

must include signage advising that the vegetation behind it is protected. The fencing must be maintained until the works have been completed.

3. No work (including for vehicular access or parking) that transects vegetation not approved for removal can be undertaken.
4. All vegetation related work must be carried out by a fully insured and qualified arborist. The arborist must be qualified to Australian Qualifications Framework (AQF) Level 3 in Arboriculture for the carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
5. All tree pruning must be carried out in accordance with AS 4373 - Pruning of Amenity Trees.
6. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.

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

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

This condition does not apply:

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

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

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

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

This condition does not apply if:

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

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

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

- (1) **House numbering** - Before the issue of an occupation certificate, the dwellings on the site (existing and approved, primary and secondary) must be readily identifiable from the adjoining road by displaying their Council allocated house numbers, to the satisfaction of the principal certifier. E-mail Council at [sis.mailbox@camden.nsw.gov.au](mailto:sis.mailbox@camden.nsw.gov.au) to obtain the allocated house numbers.

**Condition reason:** To ensure the dwellings on the site are officially and clearly numbered.

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

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

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

Clause	Assessment	Compliance?
<b>2.3 Zone objectives and land use table</b>  The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.  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.  <u>R3 Medium Density Residential zone</u> <ul style="list-style-type: none"> <li>To provide for the housing needs of the community within a medium density residential environment.</li> <li>To provide a variety of housing types within a medium density residential environment.</li> <li>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>To encourage redevelopment of land for medium density housing in locations close to main activity centres within the Camden local government area.</li> <li>To minimise conflict between land uses within the zone and land uses within adjoining zones.</li> </ul>	The site is located in an R3 Medium Density Residential zone. The proposed development is characterised as a 'secondary dwelling' which is permitted with consent in the R3 zone.  The proposal meets the objectives of the R3 zone as: <ul style="list-style-type: none"> <li>The proposal will contribute to providing for housing needs within the medium-density residential area.</li> <li>The development contributes to the variety of housing types and is compatible with the existing developed residential area.</li> <li>The development provides for additional housing in an area well serviced by facilities that meet the day to day needs of residents.</li> <li>The development does not result in any land use conflict.</li> </ul>	Yes.
<b>4.3 Height of buildings</b>  Maximum building heights must not exceed the maximum building height shown on the Height of Buildings Map.  The maximum building height for this site is 9.5m.	Roof ridge: 124.34 NGL (Lowest point): 117.82  The proposed development has a maximum building height of 6.52m.	Yes.
<b>4.4 Floor space ratio</b>  Maximum floor space ratios must not exceed the floor space ratio shown on the Floor Space Ratio Map.	The site does not have a maximum prescribed FSR.	N/A
<b>4.6 Exceptions to development standards</b>  Development consent may be granted for development that contravenes a development standard imposed by the LEP or any other environmental planning instrument.  The consent authority must consider a written request from the applicant that	The applicant has submitted a written request under Clause 4.6 of the LEP justifying the contravention to the minimum lot size for secondary dwellings development standard. The Clause 4.6 written request is assessed in the main body of the report.	Yes.

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

Clause	Assessment	Compliance?
<p>seeks to justify the contravention by demonstrating that:</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>Development consent musty not granted unless:</p> <p>(a) the consent authority is satisfied that:</p> <p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated, and</p> <p>(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and</p> <p>(b) the concurrence of the Secretary has been obtained.</p> <p>This clause prohibits the approval of development standard contraventions for certain subdivisions of land in some rural and environmental zones.</p>	<p>It is considered that the applicant's written request has adequately demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>It is assessed that the proposed development is in the public interest because it is consistent with the objective of the minimum lot size for secondary dwellings development standard and the objectives for development within the R3 Medium Density Residential zone.</p> <p>It is noted that the Panel may assume the concurrence of the Secretary.</p>	
<p><b>5.4 Controls relating to miscellaneous permissible uses</b></p> <p>(9) <b>Secondary dwellings on land other than land in a rural zone</b> If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—</p> <p>(a) 60 square metres,</p> <p>25% of the total floor area of the principal dwelling.</p>	<p>The secondary dwelling provides a total floor area of 52.98m<sup>2</sup>.</p>	Yes.
<p><b>7.5 Minimum lot size for particular secondary dwellings</b></p>	<p>The secondary dwelling is proposed on a site with an area of 391.5m<sup>2</sup> which contravenes the minimum lot size for</p>	No.

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance?
Development consent for a secondary dwelling must not be granted unless:	secondary dwellings development standard (450m <sup>2</sup> ).	
(a) the size of the lot on which the proposed secondary dwelling is to be erected is at least 450 square metres, or	The applicant has submitted a written request under Clause 4.6 of the LEP justifying the contravention to the minimum lot size for secondary dwellings development standard.	
(b) the land is in the urban release areas shown as Spring Farm or Elderslie on the Urban Release Area Map and:		
(i) the proposed secondary dwelling is to be located above a garage, and		
(ii) the garage is accessed from a rear lane adjacent to the land.		

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Section	Control	Assessment	Compliance?
4.2.1 Site Analysis	A site analysis plan must be provided	The site analysis plan provided is consistent with the requirements within the Camden DCP 2019.	Yes
4.2.2 Cut and Fill	≤1m cut and fill	N/A - The secondary dwelling is proposed above the existing detached garage on the site and will require no additional cut/fill.	N/A
	Fill >300mm within 1m of a boundary contained by a drop edge beam		
	Drop edge beam ≤1m above existing ground level		
	Retaining walls and associated infrastructure must be contained within property boundaries		
	Height of voids ≤3m (refer to Figure 4-1)	N/A - No voids proposed.	N/A
4.2.3 Streetscape and Architectural Design	Primary street facade must incorporate ≥2 design features	N/A – No changes to the primary street façade of the principal dwelling are proposed.	N/A
	Front facade to feature ≥1 ground floor habitable room with a window facing the street	The existing ground floor consists of a garage. The proposed secondary dwelling above incorporates a living/kitchen area with a door leading to the balcony facing the rear lane (Stipa Lane).	Yes
	Secondary street facade must incorporate ≥2 design features	N/A – Not a corner lot.	N/A
	≥450mm eaves overhang measured from the fascia board (except for walls built to the boundary)	≥450mm eaves in overhang measured from the fascia board provided.	Yes
	Pitch of hipped and gable roof forms on main dwelling between 18° and 30°	Pitch of hipped roof form proposed is 21°.	Yes
4.2.4 Setbacks (Regular Lots)	≥4.5m front setback	N/A – No changes proposed to the principal dwelling.	N/A
	2m secondary street setback	N/A - Not a corner lot.	N/A
	Garage and carports ≥1m behind the building line and ≥5.5m from the road boundary for both primary and secondary street frontages	N/A – No changes proposed to the principal dwelling or rear lane garage.	N/A
	Design features may encroach into the primary street setback ≤1.5m	N/A – No changes proposed to the principal dwelling.	N/A
	≥0.9m side setback	North-eastern side setback = 0.990m  South-western side setback = 0.2m (Refer to zero lot line development controls addressed below).	No
	Walls along side boundaries must be articulated	Walls alongside boundaries are suitably articulated with door and window placement	Yes



Camden Development Control Plan 2019 (Camden DCP) Assessment Table

		provided for the secondary dwelling.	
	≥4m rear setback for single storey dwellings and building elements	N/A – No changes proposed to the principal dwelling.	N/A
	≥6m rear setback for two storey dwellings		
	1m rear lane setback (but may be reduced to 0.5m if satisfactory waste collection can be demonstrated)	1.5m rear lane setback maintained to the rear building line.  500mm rear setback to the first-floor balcony provided. Satisfactory area for waste collection is existing on the site.	Yes
4.2.4 Setbacks (Battle-Axe Lots)	≥4.5m front setback	N/A – Not a battle-axe lot.	N/A
	≥3.5m front setback if the lot fronts an access denied street or open space (refer to Figure 4-3)		
	Side and rear setbacks are to be measured in accordance with Figure 4-3		
4.2.4 Zero Lot Line Development	An easement for 'support and maintenance' (servicing, construction and maintenance) of the zero lot line wall (and any services along the side of the dwelling) is to be provided on the adjoining property, except where a 450mm side boundary setback is provided. Refer to Figure 4-4.	It is noted that there is a side setback non-compliance on the south-western side of the subject site, with no easement for support and maintenance provided. However, this non-compliance is considered inconsequential and is supported by Council staff.  Furthermore, discussions were held with Council's Building Certification Officer who advised the development would be capable of complying with the fire separation/construction requirements in the BCA.	No
	Single storey wall length ≤50% of the zero lot line boundary	$3.25 / 32.515 * 100 = 9.99\%$	Yes
	Two storey wall length ≤50% of the zero lot line boundary	$3.25 / 32.515 * 100 = 9.99\%$	Yes
	≤10m length for all zero lot line wall sections	3.25m provided.	Yes
	Filling adjacent to an easement for support and maintenance contained by a drop edge beam	NA – No cut/fill is proposed.	N/A
	Rear access provided by ≥0.9m side setback on the non-zero lot line boundary or a rear garage door	0.990m side setback provided on the non-zero lot line boundary (north-eastern side setback).	Yes
4.2.5	Compliance with the Camden LEP height of buildings development standard	Roof ridge: 124.34 NGL (Lowest point): 117.82	Yes

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Height, Coverage Siting	Site and		The proposed development has a maximum height of building (HOB) of 6.52m.	
		≤2 storeys where height of buildings development standard ≤9.5m	Single storey secondary dwelling proposed resulting in a two-storey structure when including the existing garage below (as viewed from Stipa Lane).	Yes
		Attic rooms permitted in roof void where roof pitch ≤45° (not considered a storey)	N/A - No Attic proposed within the secondary dwelling.	N/A
		Ground floor level ≤1m above finished ground level unless no adverse impacts	Secondary dwelling RL level (120.61) will be 0.46mm above the existing finished ground level (120.15).	Yes
		For lots <450m <sup>2</sup> , ≤60% site coverage for single storey development	Ground floor 223.51 / 391.5 * 100 = 57%.  Ground floor calculation includes the principal dwelling ground floor, existing garage and proposed secondary dwelling.	Yes
		For lots <450m <sup>2</sup> , ≤50% ground floor and ≤35% upper floor site coverage for two storey development	N/A – No additional floor area is proposed on the upper floor of the principal dwelling.	N/A
		For lots ≥450m <sup>2</sup> , ≤50% site coverage for single storey development For lots ≥450m <sup>2</sup> , ≤50% ground floor and ≤30% upper floor site coverage for two storey development	N/A – Superseded by Section 4.3 and lot is <450m <sup>2</sup> in size.	N/A
4.2.6 Landscaped Area		≥30% landscaped area (refer to Figure 4-5)	118 / 391.5 * 100 = 30.14%	Yes
		≥40% of front setback must be landscaped area	N/A – No change to the front landscaped area of the principal dwelling.	N/A
		A landscaping plan must be provided	Landscaped plan provided.	Yes
4.2.7 Principal Open (PPOS)	Private Space	PPOS must be located behind the building line and directly accessible from a habitable room (other than a bedroom)	PPOS for the existing principal dwelling will not be reduced.	Yes
		PPOS ≥4m wide, ≥4m deep and ≤1:10 gradient	Noted, as stated above the existing PPOS for the principal dwelling will not be reduced.	Yes
		For lots ≤10m wide, ≥16m <sup>2</sup> PPOS	N/A – Lot is 12m wide.	N/A
		For lots >10m wide, ≥24m <sup>2</sup> PPOS	Noted, 24m <sup>2</sup> PPOS to remain.	Yes
4.2.8 Solar Access		≥1 living area must receive ≥3 hours direct sunlight between 9am and 3pm on 21 June	The living area within the principal dwelling will still receive a minimum of ≥3 hours direct sunlight between 9am and 3pm on 21 June.	Yes

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

	Direct sunlight must reach ≥50% of the PPOS of the subject dwelling and any adjoining dwelling for ≥3 hours between 9am and 3pm on 21 June	At least 50% of the PPOS area of the adjoining lots will receive sunlight for ≥3 hours between 9am and 3pm on 21 June. However, direct sunlight does not reach ≥50% of the PPOS of the principal dwelling located on the subject site for ≥3 hours between 9am and 3pm on 21 June.  Refer to variation assessment in the main body of the report.	No
	≥1 window to a living area of neighbouring dwellings must receive ≥3 hours sunlight between 9am and 3pm on 21 June	A minimum of 1 window to a living area of neighbouring dwellings reaches ≥3 hours sunlight between 9am and 3pm on 21 June as per the shadow diagrams provided.	Yes
4.2.9 Visual and Acoustic Privacy	Privacy screen or fixed obscure glass provided for any part of a first floor habitable room window that is less than 1.5m above the finished floor level of that room (if the room overlooks an adjacent dwelling window or the private open space of an adjacent dwelling)	First floor habitable room windows overlook the rear lane. No adverse privacy impacts.	Yes
	First floor balconies or decks facing side or rear boundaries only permitted where there are no adverse privacy impacts.	The proposed balcony faces the rear lane. No adverse privacy impacts.	Yes
	≤2m depth for first floor balconies or decks	The proposed balcony overlooking the rear lane provides a depth of 1m.	Yes
4.2.10 Parking, Garages and Site Access (General)	≥1 car parking space for 1-2 bedroom dwellings	N/A	N/A
	≥2 car parking spaces for 3+ bedroom dwellings	Achieved via double garage for existing principal dwelling.  Existing third garage space to be dedicated for secondary dwelling.	Yes
	≥1 car parking space must be behind the building line where the space is accessed from the street on the front property boundary	Achieved via the existing triple rear lane garage.	Yes
	For lots ≤7m wide, garages must be accessed from a rear lane	N/A – Lot is 12m wide.  Notwithstanding, the site is accessed via a rear lane.	N/A
	For lots >7m and <15m wide, garage doors must be ≤60% of the dwelling's front elevation width	N/A – Lot is 12m wide.	N/A
	For lots >15m wide, garage doors must be ≤50% of the dwelling's front elevation width	N/A – No change to existing rear lane triple garage.	N/A

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

4.2.10 Parking, Garages and Site Access (Double Garages)	<p>Double garages are only permitted on lots &gt;10m and &lt;12.5m wide where:</p> <ul style="list-style-type: none"> <li>it is in conjunction with a two storey dwelling and recessed from it,</li> <li>there is no loss of on-street parking,</li> <li>the dwelling includes a habitable room overlooking the street,</li> <li>the dwelling includes a balcony of ≥50% of the dwelling width on the front facade with a different finish from the dwelling, and</li> <li>the dwelling's front entrance is visible from the street</li> </ul>	N/A – No change to existing rear lane triple garage.	N/A
4.2.10 Parking, Garages and Site Access (Triple Garages)	Triple garages are not permitted on lots <12.5m wide, garage doors must be ≤50% of the dwelling's front elevation width and 1 garage must be set back ≥1m behind the other garages	N/A – No change to existing rear lane triple garage.	N/A
4.2.10 Parking, Garages and Site Access (Secondary Driveways)	1 driveway is permitted per residential property. Secondary driveways will be considered on merit in accordance with the Camden DCP	Existing rear lane access to remain, no additional driveway proposed.	Yes
4.2.11 Fencing	<p>Front fencing ≤1.2m above existing ground level and open style with minimum apertures of 25mm (refer to Figure 4-6)</p> <p>Fences on corner lots ≤1.8m to a point 2m behind the primary building line. Fencing forward of this point must be ≤1.2m above existing ground level and open style with minimum apertures of 25mm (refer to Figure 4-6)</p> <p>All other fencing must comply with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</p>	N/A – No new fencing proposed and no changes to existing fencing proposed.	N/A
4.2.12 Waste Storage Areas and Waste Collection Areas	Waste storage and collections are to be shown on DA plans. Waste storage areas are to be provided behind the building line	Existing arrangement to remain.	Yes
4.3 Secondary Dwellings	Secondary dwellings must comply with Sections 4.2.1 - 4.2.12 of the Camden DCP, except where superseded by the controls in this chapter	See assessment comments above. Generally compliant with one variation addressed in the main body of the report.	Yes
	≤50% site coverage for the combined principal dwelling, secondary dwelling and all ancillary development	<u>Ground floor</u> 223.51 / 391.5 * 100 = 57%.	No

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

	Ground floor calculation includes the area of the principal dwelling ground floor, existing garage and proposed secondary dwelling denoted on the site plan provided.	
	Refer to variation assessment in the main body of the report.	
Design must complement the design of the principal dwelling and be subservient in terms of visual bulk and scale	Proposed colours and materials are consistent with principal dwelling and surrounding development.	Yes
Windows and private open spaces must not overlook the private open space of any adjacent dwellings	Single storey element, no windows proposed on the side elevations of the secondary dwelling. Balcony overlooks the rear lane.  No concerns regarding adverse privacy impacts raised.	Yes
Clothes drying facilities in a location with adequate solar access must be provided	Sufficient space within the rear setback area is available to accommodate clothes drying facilities.	Yes
Secondary dwellings must be set back behind the front building line of the principal dwelling	Secondary dwelling is proposed at the rear of the site behind the existing two storey principal dwelling.	Yes
The front entrance may be located behind the primary street facade	The entrance to the secondary dwelling can be accessed via the stairs from the rear lane or down the side setback of the principal dwelling.	Yes
Internal fences separating the principal and secondary dwellings are not permitted	No new fencing is proposed.	Yes
Strata or Torrens title subdivision of secondary dwellings is not permitted	No strata/Torrens title subdivision is proposed.	Yes
Garages may only be converted to secondary dwellings where ≥2 car parking spaces will be provided and ≥1 behind the building line of the principal dwelling	N/A – Existing rear lane garage is to remain.	N/A

### Clause 4.6 Variation Request – Minimum Lot Size for Secondary Dwellings

Proposal: Construction of a secondary dwelling above the existing rear lane garage

Address: 222 Mount Annan Drive, Mount Annan, NSW, 2567

To: Camden Council

Date: 20 March 2025

Prepared by: Benyana Building Design



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4. Justification for variation	pg. 6
5. Conclusion	pg.11



## 1. Introduction

This variation request has been prepared to support the proposed departure from the minimum lot size requirement for a secondary dwelling, demonstrating its compliance with planning objectives. It provides a clear justification for approval by Camden Council and the Local Planning Panel under Clause 4.6 – Exceptions to Development Standards of the Camden Local Environmental Plan (CLEP) 2010.

The objectives of Clause 4.6 of the CLEP 2010 are:

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

The subject site is zoned R3 – Medium Density Residential. In accordance with Clause 7.5 of the Camden Local Environmental Plan (CLEP), the minimum lot size required for secondary dwelling on this site is 450 m<sup>2</sup>.

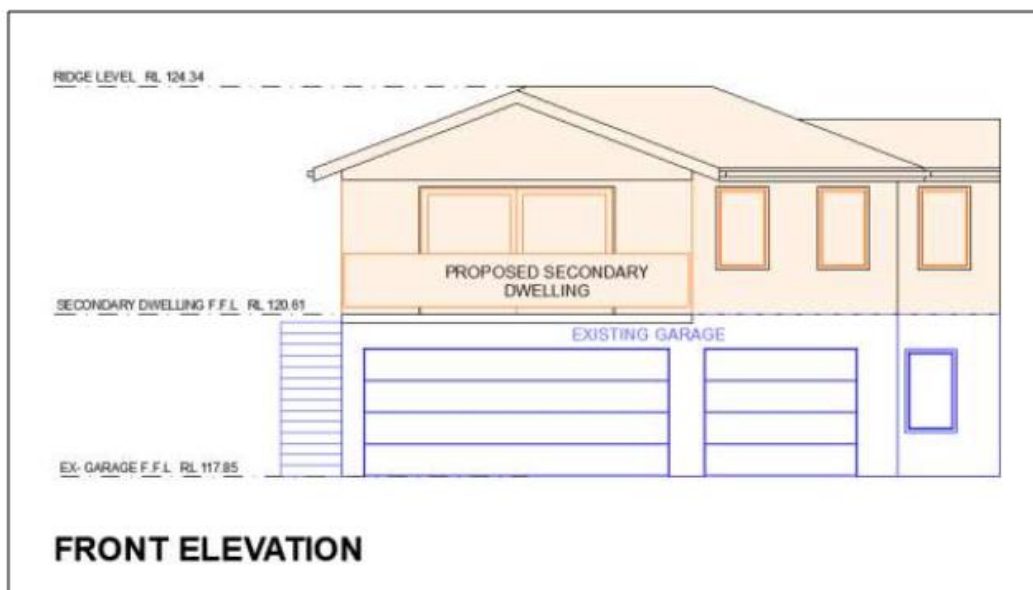


Figure 1 – Proposed Elevation fronting rear lane, Stipa Lane

## 2. Lot Size for Secondary Dwelling Variation Assessment

The minimum lot size for secondary dwelling according to CLEP of 450m<sup>2</sup> applies to the subject site.

Table 1: Lot Size Variation Assessment

Lot size of subject site	CLEP Clause 7.5 – Min. lot size for particular secondary dwellings	Percentage Variation
391.5m <sup>2</sup>	450m <sup>2</sup>	58.5m <sup>2</sup> or 13% of the requirement

Lot size for secondary dwelling assessment:

The subject site has a lot area of 391.5m<sup>2</sup>, which is 58.5m<sup>2</sup> below the required minimum lot area of 450m<sup>2</sup>, representing a 13% variation.

## 3. Clause 4.6 Considerations

Clause 4.6(2) provides that:

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

The minimum lot size requirement for secondary dwelling control is not explicitly exempt from the application of this clause. This Clause 4.6 request has been prepared in accordance with the specific requirements of Clause 4.6(3), therefore, includes consideration of:

- 4.6(3)(a) Whether compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
- 4.6(3)(b) Whether there are sufficient environmental planning grounds to justify the contravention of the development standard.*

Accordance to Department of Planning and Environment, clause 4.6 of the Standard Instrument Order commence on November 2023

- the consent authority no longer needs to be satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the standard and the zone*
- the Secretary's concurrence is no longer required*

This request for variation of the standard has been prepared in accordance with the Guide to Varying Development Standard November 2023, published by the Department of Planning

and Environment. This request take into account three relevant sections of the Wehbe 'five part test' (from the case of *Wehbe v Pittwater Council* (2007) NSWLEC 827):

The test can be summarised as follows:

Compliance with the development standard is unreasonable or unnecessary if the:

1. *Objectives of the development standard are achieved notwithstanding the non-compliance*
2. *Underlying objective or purpose is not relevant to the development*
3. *Underlying objective or purpose would be defeated or thwarted if compliance was required*
4. *Development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard.*
5. *Zoning of the land on which the development is proposed was unreasonable or inappropriate.*

This clause 4.6 request for variation of the minimum lot size for secondary dwellings demonstrates that there are sound planning justifications for not strictly adhering to the lot size requirement. These justifications are supported by the following:

- a) The proposed development aligns with the objectives of the zone and the minimum lot size requirement for secondary dwellings, demonstrating that it serves the public interest, as outlined in this report.
- b) The design of the proposed development is compatible with the existing streetscape, building scale, and character of the area, as illustrated in the Figures 2 and 3.
- c) The proposed secondary dwelling contributes to the desired future character of the residential area, supporting the broader zoning goals detailed in this report.
- d) The non-compliance with the lot size does not result in significant negative cumulative impacts, as evidenced by a similar local approval discussed in this report.
- e) Although the development does not meet the lot size requirement, it satisfies the updated Clause 4.6 test and delivers a superior planning outcome for the site and surrounding area.

Considering these factors, it is concluded that applying flexibility to the lot size requirement in this case will lead to improved planning, environmental, social, and economic outcomes.

#### 4. Justification for Variation

As established by the court in *Wehbe v Pittwater Council* (2007) NSWLEC 827, development standards are not goals in themselves but tools of achieving broader environmental and planning objectives. When these objectives are met, strict compliance with the standard becomes unnecessary – since the intended outcome is already achieved – and unreasonable, as it serves no additional purpose.

##### 4.1 Compliance with Minimum Lot Size for Secondary Dwelling Development Standard is Unnecessary.

The following subsection of this report demonstrates that strict compliance with the minimum lot size requirement for secondary dwellings is unnecessary in this case. The proposed development aligns with the objectives of both the standard and the zoning, ensuring that the intent of the minimum lot size requirement is fulfilled despite the non-compliance.

##### 4.2 Compliance with the Objectives of Clause 7.5 of the CLEP.

The proposed development complies with the relevant objectives of the Zone R3 – Medium Density Residential. This assessment focuses on the objectives most pertinent to the proposed development, specifically:

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

##### Compliance Assessment

The proposed development consists of a secondary dwelling above existing garage, which involves no increase in the building footprint. As such, there will be minimal impact on the existing site coverage, landscaped area and open spaces of the site. The proposed design also ensures the privacy, solar access, and ventilation of both the primary dwelling and neighbouring properties are appropriately managed. Therefore, the lot size is considered suitable and adequate for the proposed secondary dwelling, despite the non-compliance with the development standard outlined in Clause 7.5 of the CLEP.

##### 4.3 Compliance with the Objective of the Zone

Numerical standards often serve as a basic representation of intent and development may still fulfil the underlying purpose of a standard even when it does not fully adhere to the numerical requirement. It is widely acknowledged that such variations can be either minimal or significant. The subject site is zoned R3 – Medium Density Residential, and the proposed development complies with the objectives of the zone, which are addressed thematically as follows.

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

- *To encourage redevelopment of land for medium density housing in locations close to main activity centres within the Camden local government area.*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*

#### Compliance Assessment

The proposed development involves the construction of a secondary dwelling above the existing garage, located at the rear of the property along Stipa Lane.

The development will provide an additional housing option for the community. The secondary dwelling will be equipped with the necessary facilities, services and amenities to meet the everyday needs of a family, addressing the current housing shortage in Sydney. As a result, the proposal benefits the public interest by offering a practical housing solution.

The proposed secondary dwelling will be visible from the rear, southern side of Stipa Lane, where most buildings are double storey structure, as shown in Figure 2 and 3. Many of these buildings are similar to the proposed development, being situated above garages. Therefore, the proposal align with the character and existing land use of the surrounding area.

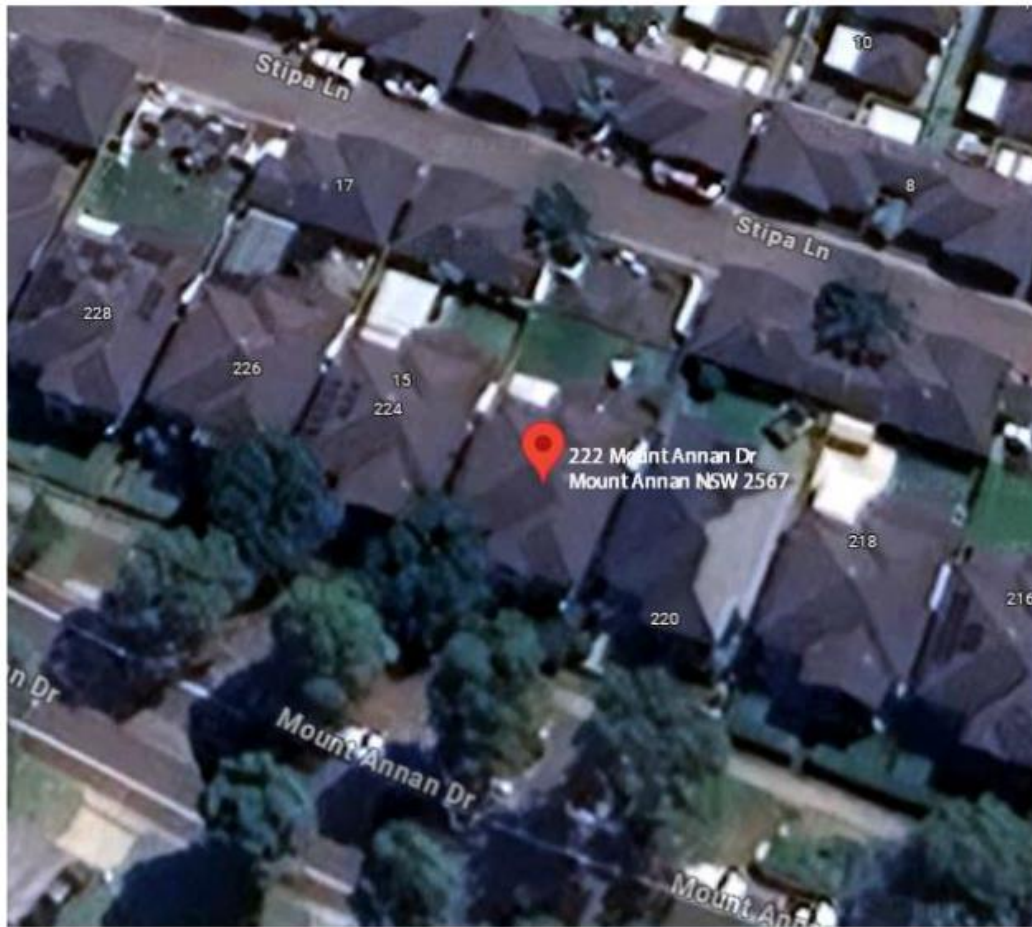


Figure 2 – Arial View of the Site (Source: Google Maps)





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

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

This section of the report demonstrates that strict compliance with the Minimum Lot Size for Secondary Dwellings standard is unreasonable in this case, as the cumulative impact of non-compliance is acceptable.

Recent approvals by Camden City Council in the Residential Zone show that compliance with the minimum lot size standard is unreasonable in this instance (i.e. no purpose would be served). In fact, the Council has established a precedent by granting consent for developments that do not meet the lot size requirement for secondary dwelling. A recent example of such approval is located at No 216 Mount Annan Drive, Mount Annan, as shown in Figure 4.

The proposed development, like the recent approval, enhances the efficiency of the site and the overall precinct. The proposed secondary dwelling will meet the residential needs of the property and surrounding area, without negatively impacting the existing bulk and scale, amenity, site coverage, landscape coverage and open space of the site.

Therefore, the proposed development will not result in any adverse cumulative impact. Instead, it will complement the established streetscape of locality while addressing the growing demand for housing in Sydney, and specifically in Camden, given the ongoing housing crisis.

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

**FROM:** Manager Statutory Planning

**EDMS #:** 23/200217

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

Figure 4: Similar Development Approval in the Camden LGA  
(Sources: Agenda of Camden Local Planning Panel – 18 April 2023)

The cumulative effect of the similar approvals granted in the locality has not, and will not, undermine the objectives of the development standard or the planning goals for the zone. The proposed secondary dwelling, located at the rear lane of Stipa Lane, will meet the existing residential needs of the locality. It will also contribute to outcomes that aligns with the desired future character of the Camden local government area. Therefore, strict compliance with the development standard in this case would be unreasonable.

## 5. Conclusion

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

This is supported by the following:

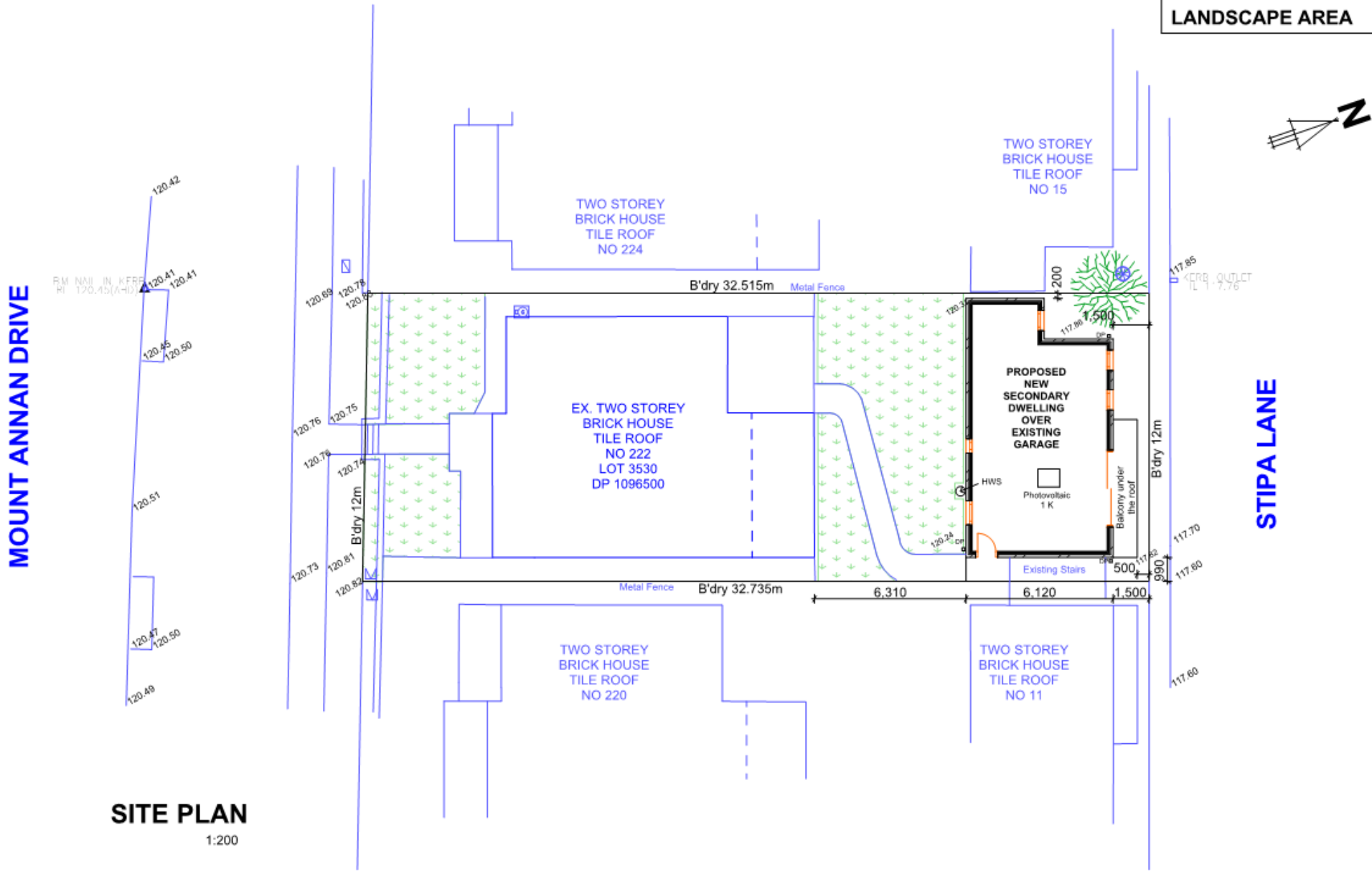
- The proposed development's compliance with the objective of the zone and minimum lot size standard for secondary dwellings, which shows that the proposed development serves the public interest, as outlined within this report;
- The design of the proposed secondary dwelling is consistent with the existing character of the locality, as illustrated in the photographic context shown in Figures 2 and 3;
- The absence of any adverse cumulative impacts resulting from the lot size non-compliance, as demonstrated by the analysis of recent similar local approval.

Based on these factors, it can be concluded that the proposed development will lead to improved planning, environmental, social, and economic outcomes if flexibility is granted regarding the minimum lot size standard for secondary dwellings in the specific circumstances of this case.



SITE DETAILS: PROPOSED CONSTRUCTION OF A SINGLE STOREY SECONDARY DWELLING ABOVE EXISTING GARAGE.

SITE AREA	391.50 sqm
EXISTING RESIDENCE	117.55 sqm
EXISTING GARAGE	52.98 sqm
PROPOSED SECONDARY DWELLING	52.98 sqm
SITE COVERAGE	193.56 sqm (49%)
PRIVATE OPEN SPACE	93.68 sqm
LANDSCAPE AREA	118.00 sqm (30%)



SITE PLAN  
1:200

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**PROPOSED A NEW SECONDARY DWELLING**

AT: 222 Mount Anna Drive,  
Mount Annan, NSW, 2567

FOR: Adrian Pitotto

Council: Camden City	Site Plan	
	Scale: 1 / 200	Sheet: 01 of 03
	Date: 03-02-2025	Job No: 01-03-24
Design: Arkan Sutto		
Drawn: Tran Nguyen		





BASIX

NOTE: BASIX CERTIFICATE MUST TAKE PRECEDENCE OVER THIS TEMPLATE

**BASIX'S REQUIREMENT**  
TO COMPLY WITH BASIX CERTIFICATE NUMBER: 17641415  
ADDRESS: LOT 3530, 222 MOUNT ANNAN DRIVE, MOUNT ANNAN, NSW, 2567

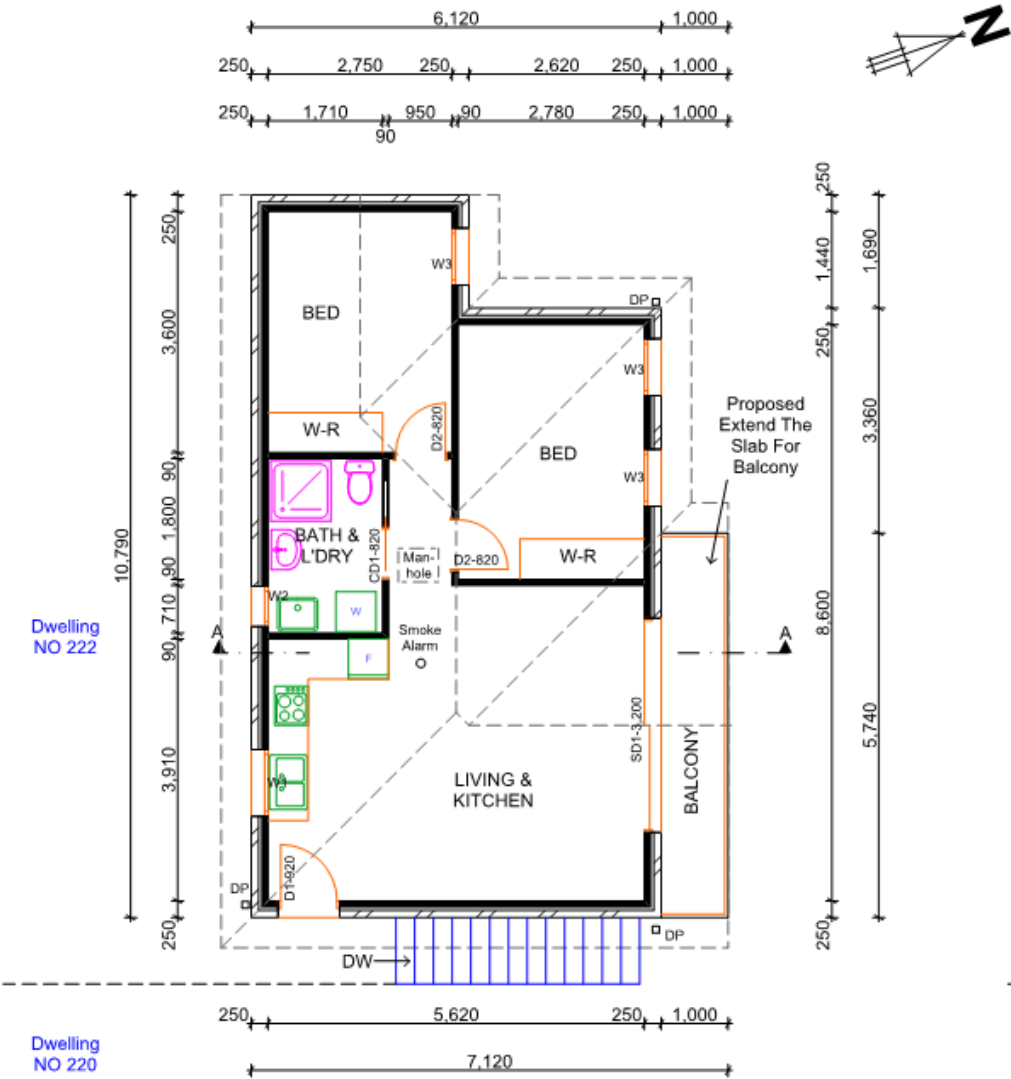
**WATER**  
SHOWERHEAD RATING - 4 STAR (> 4.5 but <= 6 L/min).  
TOILET FLUSHING SYSTEM RATING - 4 STAR  
KITCHEN TAP RATING - 4 STAR  
BATHROOM TAP RATING - 4 STAR

**ENERGY**  
ALL BEDROOMS & LIVING ROOMS, COOLING & HEATING SYSTEM; AIRCONDITIONING DUCTING ;  
ENERGY RATING : (N/A).  
TYPE OF HOT WATER SYSTEM MUST BE INSTALLED (ELECTRIC STORAGE )  
DOES THE KITCHEN HAVE NATURAL LIGHTING ? YES  
DO BATHROOMS HAVE NATURAL LIGHTING ? YES  
VENTILATION DETAILS? BATH: INDIVIDUAL FAN, DUCTED TO FACADE OR ROOF; OPERATION  
CONTROL: MANUAL SWITCH ON/OFF  
KITCHEN: INDIVIDUAL FAN, DUCTED TO FACADE OR ROOF, OPERATION  
CONTROL: MANUAL SWITCH ON/OFF  
LAUNDRY: NATURAL VENTILATION ONLY, OPERATION CONTROL: N/A

IS THERE A OUTDOOR CLOTHES DRYING AREA? NO

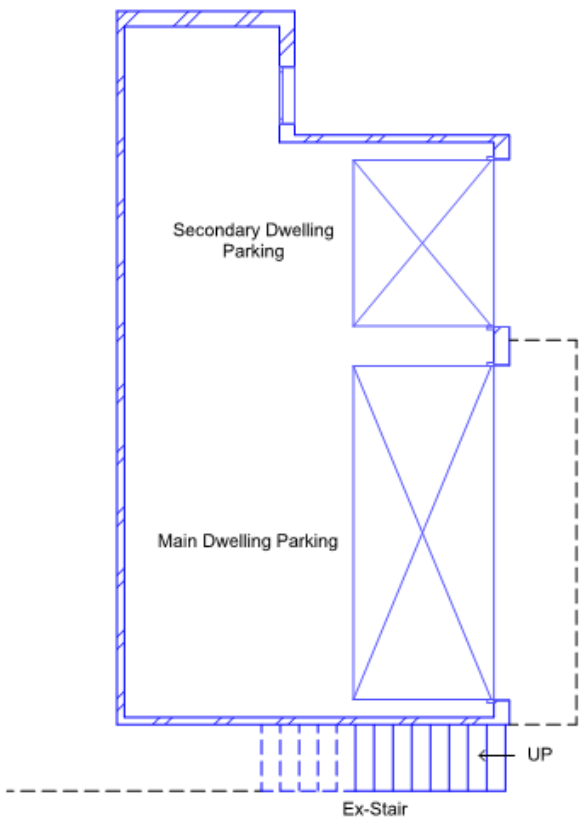
**ARTIFICIAL LIGHTING**  
AS PER BASIX DEFINITION INSTALLED TO THE ALL ROOMS.

**THERMAL AND GLAZING REQUIREMENT**  
EXTERNAL WALL: BRICK VENEER R2.44 BATTS (OR 3.00 INCLUDING CONSTRUCTION).  
ROOF: CEILING / R 3.5 BATTS (UP) , ROOF: FOIL ,SARKING.  
1 WIND-DRIVEN VENTILATOR(S) + EAVE VENTS; LIGHT (SOLAR ABSORPTANCE 0.38-0.47).  
ALL GLAZING REQUIREMENT MUST COMPLY WITH BASIX CERTIFICATE NUMBER (17641415).  
GLAZING TO BE : STANDARD ALUMINIUM, SINGLE CLEAR OR U- VALUE OF <=7.5, SHGC=0.74-  
0.90 .  
PLEASE REFER TO THE ARCHITECTURAL NUMBERING SYSTEM.



SECONDARY DWELLING  
FLOOR PLAN

1:100



EXISTING GARAGE  
FLOOR PLAN

1:100

WINDOWS SCHEDULE

NO	TYPE	WIDTH	HEIGHT	QTY	NOTES
W1	Aluminium	1000	500	1	Sliding
W2	Aluminium	600	850	1	Sliding/ Obscure Glass
W3	Aluminium	850	1370	3	Awning

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PROPOSED A NEW  
SECONDARY DWELLING

AT: 222 Mount Anna Drive,  
Mount Annan, NSW, 2567

FOR: Adrian Pitotto

Council:  
Camden City

Design: Arkan Sutto

Drawn: Tran Nguyen

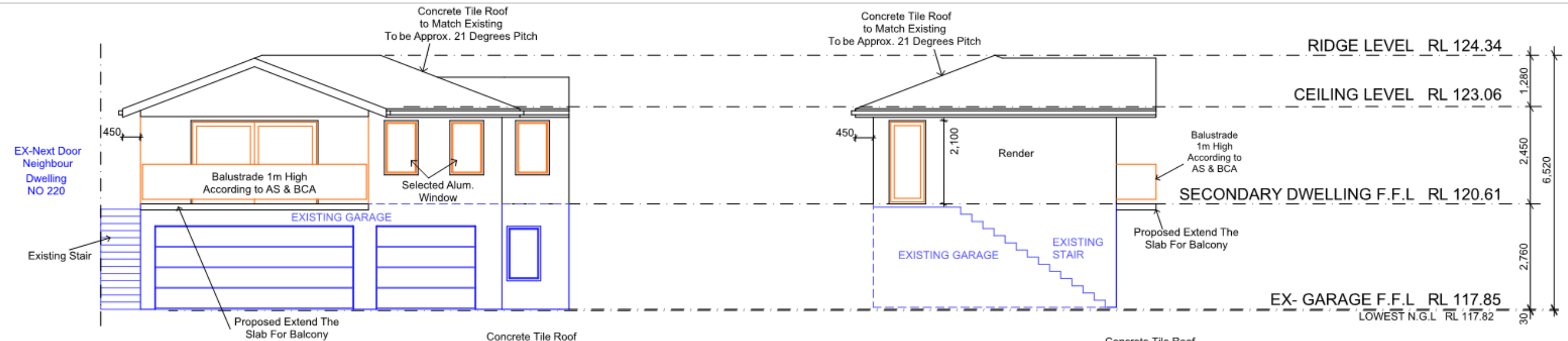
Existing Garage & Secondary Dwelling Floor Plan

Scale:  
1 / 100

Date:  
03-02-2025

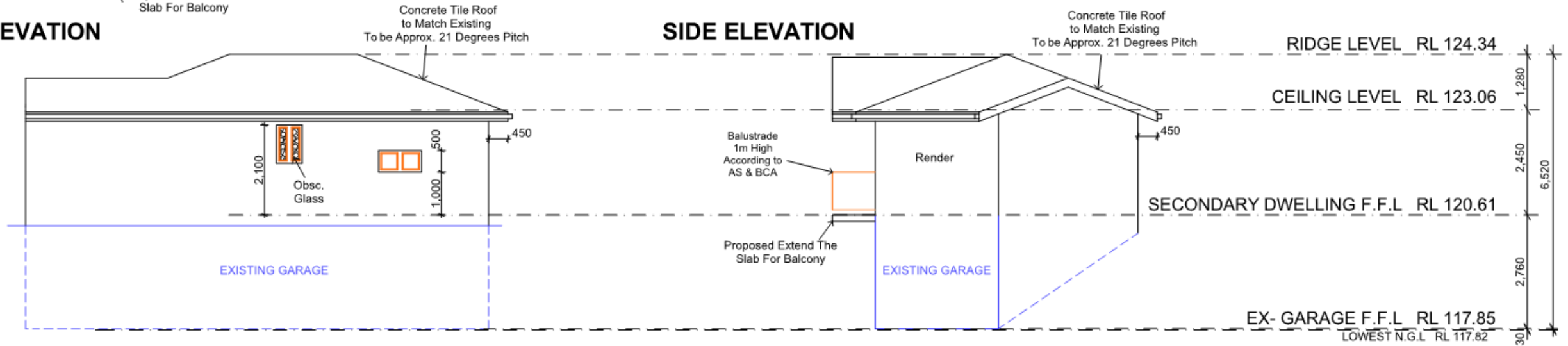
Sheet:  
02 of 03

Job No:  
01-03-24



FRONT ELEVATION

SIDE ELEVATION

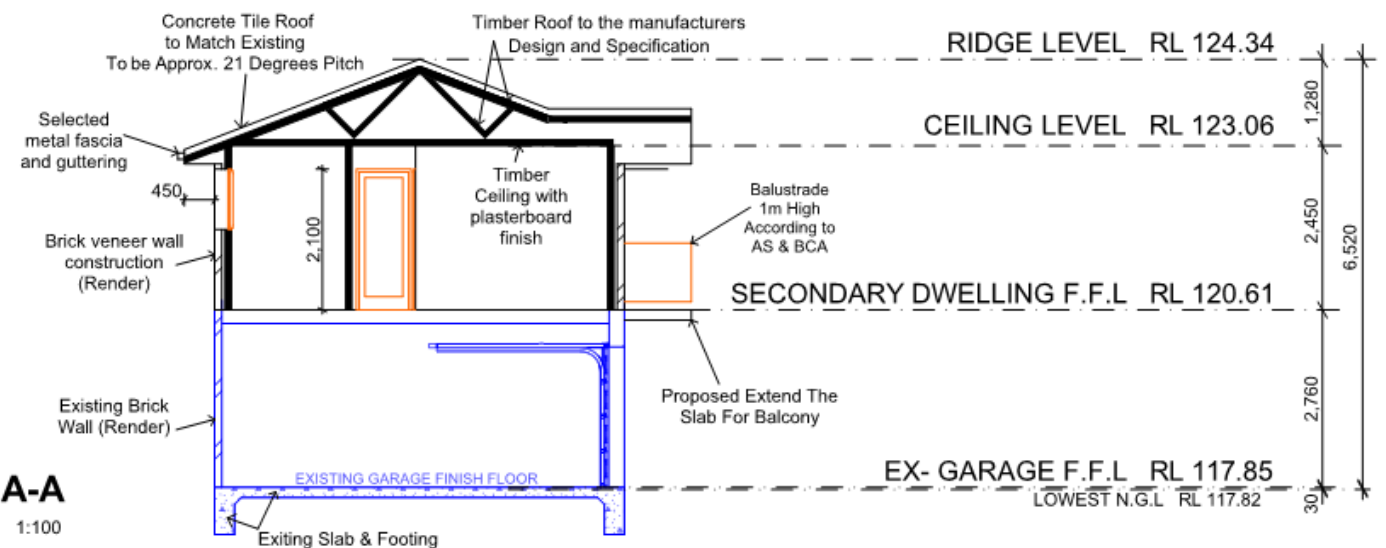


REAR ELEVATION

SIDE ELEVATION

FINISHES SCHEDULE

WALL (RENDER)	OFF WHITE	
GUTTER & FASCIA	BLACK	
ROOF TILES	BLACK	
DOWN PIPE	WHITE	
DRIVEWAY	CONCRETE STAINCEIL	
WINDOW	WHITE	

SECTION A-A  
1:100

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#### PROPOSED A NEW SECONDARY DWELLING

AT: 222 Mount Anna Drive,  
Mount Annan, NSW, 2567

FOR: Adrian Pitotto

Council:  
Camden City

Design: Arkan Sutto

Drawn: Tran Nguyen

#### Elevations & Section Plan

Scale:  
1 / 100

Date:  
03-02-2025

Sheet:  
03 of 03

Job No:  
01-03-24





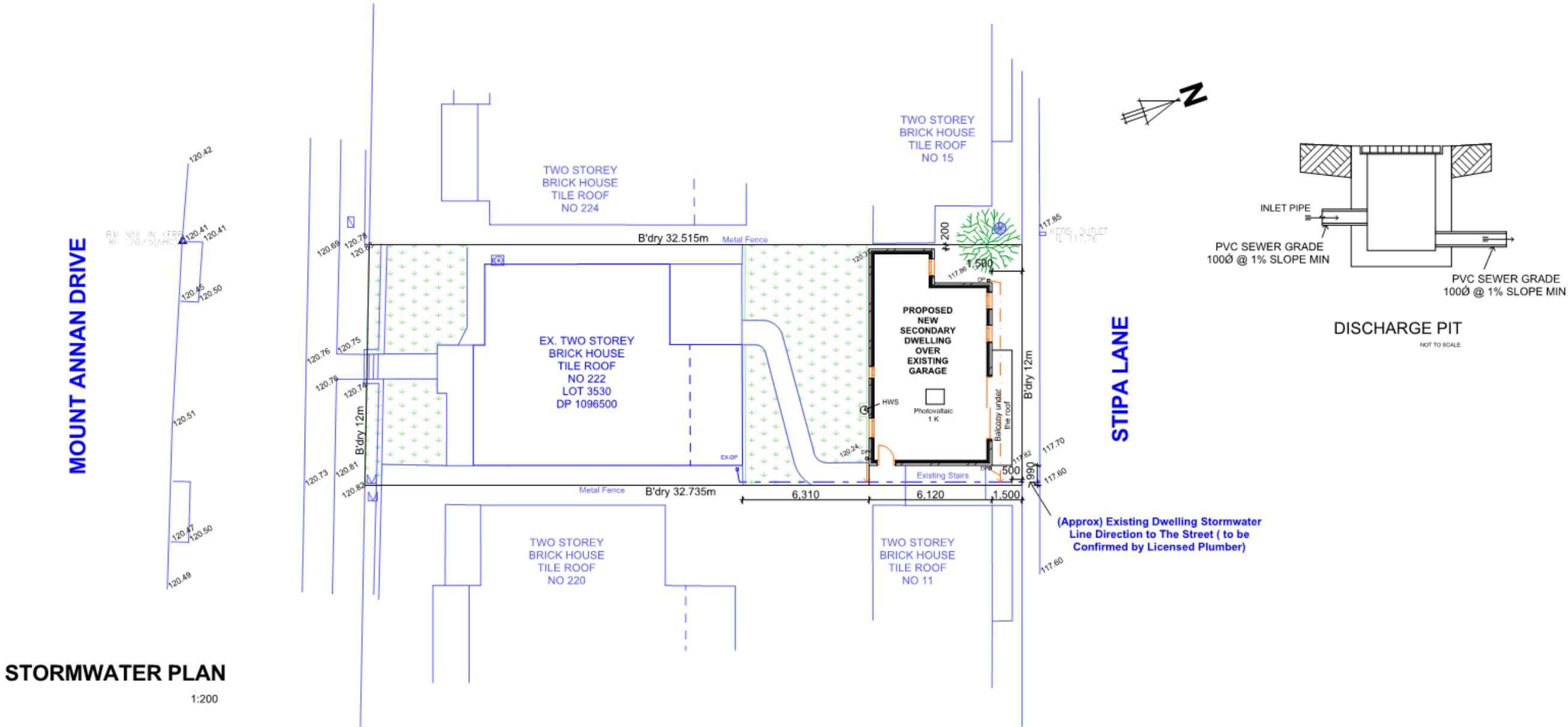
The Existing Dwelling Stormwater Line Direction is to be Checked and Confirmed by a Licensed Plumber and Relocate (If Required) to be Running Outside the Proposed Secondary Dwelling

- Notes:
- 1. downpipes shall be 100 X 75 mm min UOT.
  - 2. All pipes to be 100mm PVCU stormwater grade, UNO. All pipes fall at a min 1/100 grade unless indicated otherwise.
  - 3. If cover is less than 100 mm Ø, MS HDG RHS must be used as noted for vehicle access.
  - 4. All dimensions in mm.

**Stormwater concept plan summary**

1. New Secondary Dwelling Pipe to be Connected With the Existing Dwelling Stormwater Line that is Running to the Street.

All pipes & pits shall be installed as per AS/ANZ 3500.2:2003 and NSW Code of Practice for Plumbing & Drainage.



STORMWATER PLAN  
1:200

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**PROPOSED A NEW SECONDARY DWELLING**  
AT: 222 Mount Anna Drive,  
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FOR: Adrian Pitotto

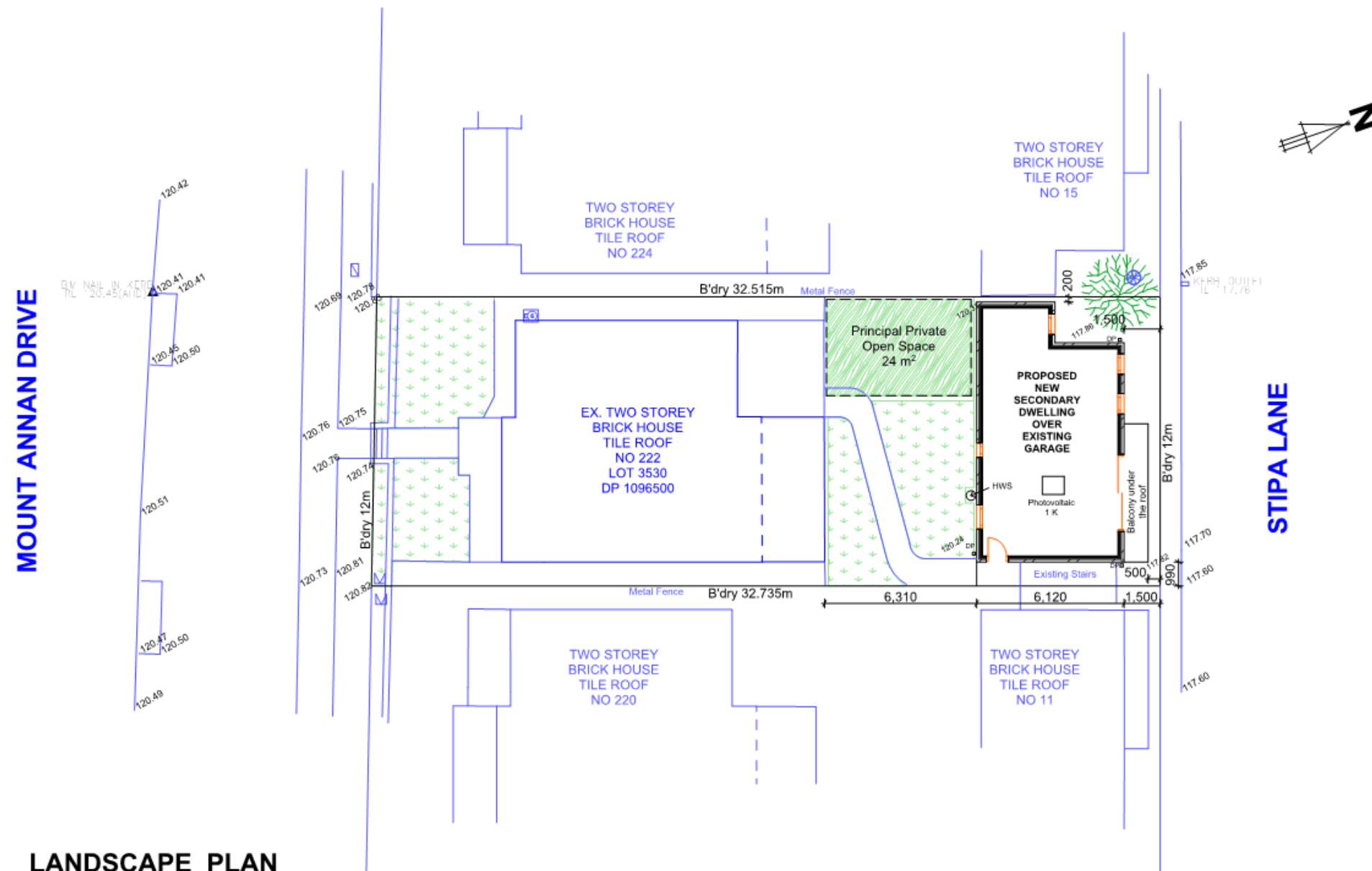
Council:  
Camden City  
Design & Drawn:  
Arkan Sutto

Stormwater Concept Plan	
Scale: 1 / 200	Sheet: 01 of 01
Date: 03-02-2025	Job No: 01-03-24



The Essential First Step.

PRIMARY PRIVATE OPEN SPACE  
PORTION (MINIMUM 4 m)



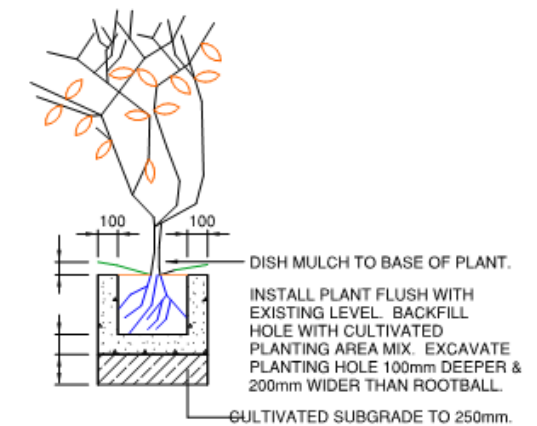
## LANDSCAPE PLAN

1:200

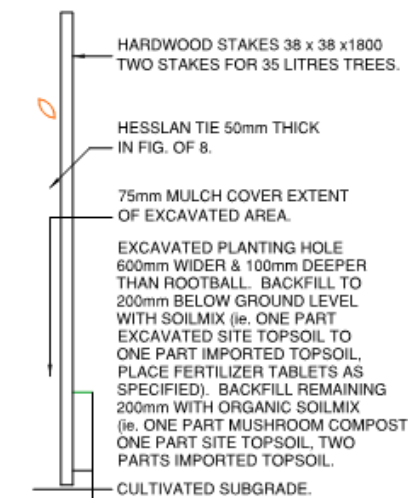
**BRICK GARDEN EDGING**  
LAY A SINGLE COURSE OF BRICK PAVERS ON A 100mm THICK CONCRETE BED WITH 10mm MORTAL JOINTS. BRICKS TO MATCH THOSE USED IN THE BUILDING OR AS SPECIFIED (AS SAMPLE). THE EDGES ARE TO BE LAID IN EVEN CURVES & STRAIGHT LINES AS SHOWN ON THE PLAN. WHERE TIGHT CURVES ARE SHOWN USE HALF BRICKS TO PROVIDE A MORE EVEN CURVE. THE TOP OF THE EDGE IS TO FINISH FLUSH WITH THE ADJACENT TURF AND MULCH LEVELS.

**TIMBER GARDEN EDGING**  
USE MINIMUM GRADE H4 TREATED PINE MATERIALS. LAY 70mm x 19mm TREATED PINE EDGING TO GARDEN BEDS AS SHOWN ON PLAN. PEG INTO POSITION USING 30mm x 30mm TREATED PINE STAKES @1m CENTRES. STAPLE AS REQUIRED. FINISH TOP EDGE 30mm ABOVE ADJACENT TURF LEVEL.

**TURF**  
EXCAVATE/GRADE ALL AREAS AS TO BE TURFED TO 120mm BELOW REQUIRED FINISHED LEVELS. DO NOT EXCAVATE WITHIN 1500mm OF THE TRUNK OF ANY EXISTING TREE TO BE RETAINED. ENSURE THAT ALL SURFACE WATER RUNOFF IS REQUIRED TOWARDS INLET PITS, KERB, ETC., AND AWAY FROM BUILDINGS ENSURE THAT NO POOLING OR PONDING WILL OCCUR. RIP THE SUBGRADE TO A DEPTH OF 150mm. INSTALL 100mm DEPTH OF IMPORTED TOPSOIL. JUST PRIOR TO LAYING THE TURF, SPREAD "SHIRLEY'S No.17 LAWN FERTILIZER" OVER THE TOPSOIL AT THE RECOMMENDED RATE. LAY "KIKUYU" TURF ROLLS CLOSELY BUTTED. FILL ANY SMALL GAPS WITH TOPSOIL. WATER THOROUGHLY.



## PLANTING IN GARDEN BEDS



## TREE PLANTING

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## PROPOSED A NEW SECONDARY DWELLING

AT: 222 Mount Anna Drive,  
Mount Annan, NSW, 2567

FOR: Adrian Pitotto

Council:  
Camden City

Design & Drawn:  
Arkan Sutto

## Landscape Plan

Scale:  
1 / 200

Date:  
03-02-2025

Sheet:  
01 of 01

Job No:  
01-03-24

CLPP02

CLPP02

**SUBJECT: DA/2024/393/1 - ALTERATIONS AND ADDITIONS TO EXISTING DWELLING, CONSTRUCTION OF A DETACHED OUTBUILDING & SECONDARY DWELLING AND ASSOCIATED SITE WORKS AT 224 OLD HUME HIGHWAY, CAMDEN SOUTH**

**FROM:** Manager Statutory Planning

**EDMS #:** 25/134473

DA Number:	2024/393/1
Development:	Alterations and additions to existing dwelling (former Camden Park gate lodge), construction of a detached outbuilding (garage) & detached secondary dwelling and associated site works
Estimated Cost of Development:	\$400,000
Site Address(es):	224 Old Hume Highway, Camden South
Applicant:	Mr Luke Andreadakis
Owner(s):	Mr Luke Andreadakis & Ms Kathryn Denton
Number of Submissions:	None.
Development Standard Contravention(s):	None.
Classification:	Local development.
Recommendation:	Approve with conditions.
Panel Referral Criteria:	Partial demolition of / alterations to a local heritage item.
Report Prepared By:	Ante Perica (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 alterations and additions to existing dwelling (former Camden Park gate lodge), construction of a detached outbuilding (garage), detached secondary dwelling and associated site works at 224 Old Hume Highway, Camden South.

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 involves alterations (partial demolition) to a local heritage item.

### SUMMARY OF RECOMMENDATION

That the Panel determine DA/2024/393/1 for the alterations and additions to existing dwelling (former Camden Park gate lodge), construction of a detached outbuilding (garage) & detached secondary dwelling and associated site works pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions attached to this report.

## EXECUTIVE SUMMARY

Council is in receipt of a DA for the alterations and additions to existing dwelling (former Camden Park gate lodge), construction of a detached outbuilding (garage), detached secondary dwelling and associated site works at 224 Old Hume Highway, Camden South.

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 29 August 2024 to 11 September 2024 and no submissions were received.

The site contains a local heritage item (Item 180) known as the 'former Camden Park gate lodge'. The development will result in the partial demolition to certain internal elements of the heritage item to facilitate the proposed alterations and additions to improve the residential amenity of the dwelling house.

It is noted that extensive work to the property has occurred since the original building was built, which is illustrated in the historical imagery provided in the table below. These images show that the metal roof extension (which comprises the existing metal storage area) was constructed sometime between 1978 and 2005. Between 2009 and at the time of writing this report there was a further extension made to the northern side at the rear of the dwelling; however, the proposed works under this DA do not impact that area of the dwelling.





CLPP02

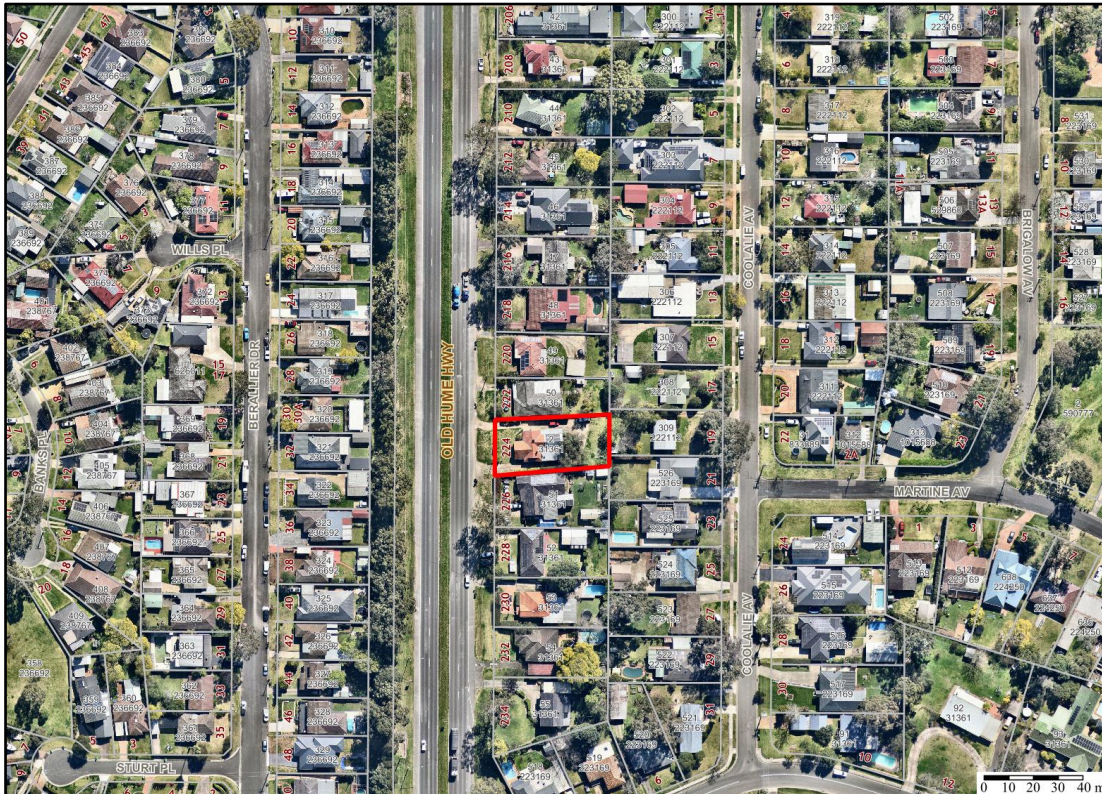


Council staff support the development and deem the proposed additions (detached garage and secondary dwelling) to be well sited, appropriate in scale and respectful to the adjoining properties & the existing low-density character of the Old Hume Highway. The proposed works do not dominate or significantly detract from the significance of the heritage item. The proposed alterations to the heritage item are predominantly to the existing metal framed storage area which is non-original fabric. The area of the dwelling which comprises original fabric that will be impacted by the alterations is the existing laundry. However, the partial demolition of the existing laundry wall and removal of the laundry doorway is required in order to provide access to the proposed master bedroom area to allow it function as a bedroom accessed from within the dwelling and improve the amenity of the dwelling. These works are considered to be minor and will not detract from the existing fabric of the heritage item.

Furthermore, the new work will also be softened by the existing landscaping on the site, which includes the retention of all existing mature hedges along the front and side boundaries of the site as well as the retention of the existing mature tree in the rear setback area.

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

## AERIAL PHOTO



## THE SITE

The site is known as 224 Old Hume Highway, Camden South and is legally described as Lot 2 in DP 31361.

The site is rectangular in shape with a 19.628m frontage to Old Hume Highway, a depth of 45.796m and an area of 987.72m<sup>2</sup>. There is a gentle fall of approximately 1.6m from the front boundary to the rear boundary.

The site contains a local heritage item (Item I80) being the 'former Camden Park gate lodge' with site access provided via the Old Hume Highway. One tree exists in the rear setback area, with eight shrubs planted across the site and three sets of garden hedges planted along the inside of the front boundary and both side boundaries of the site. Existing Colorbond fencing marks the side and rear boundaries, however there are still portions of the white picket fence and gate posts in a relocated position over time as referenced in the Statement of Heritage Impact prepared by Romic Planning, dated November 20224. The site is not mapped as being bushfire or flood prone land.

The surrounding area contains predominantly single storey dwellings and no other heritage items are located within the immediate vicinity of the subject site. The nearest heritage item is the 'Belgenny Farm' which is a state item, however this is approximately 638m from the site.

Recent development of other sites within the same residential block include:

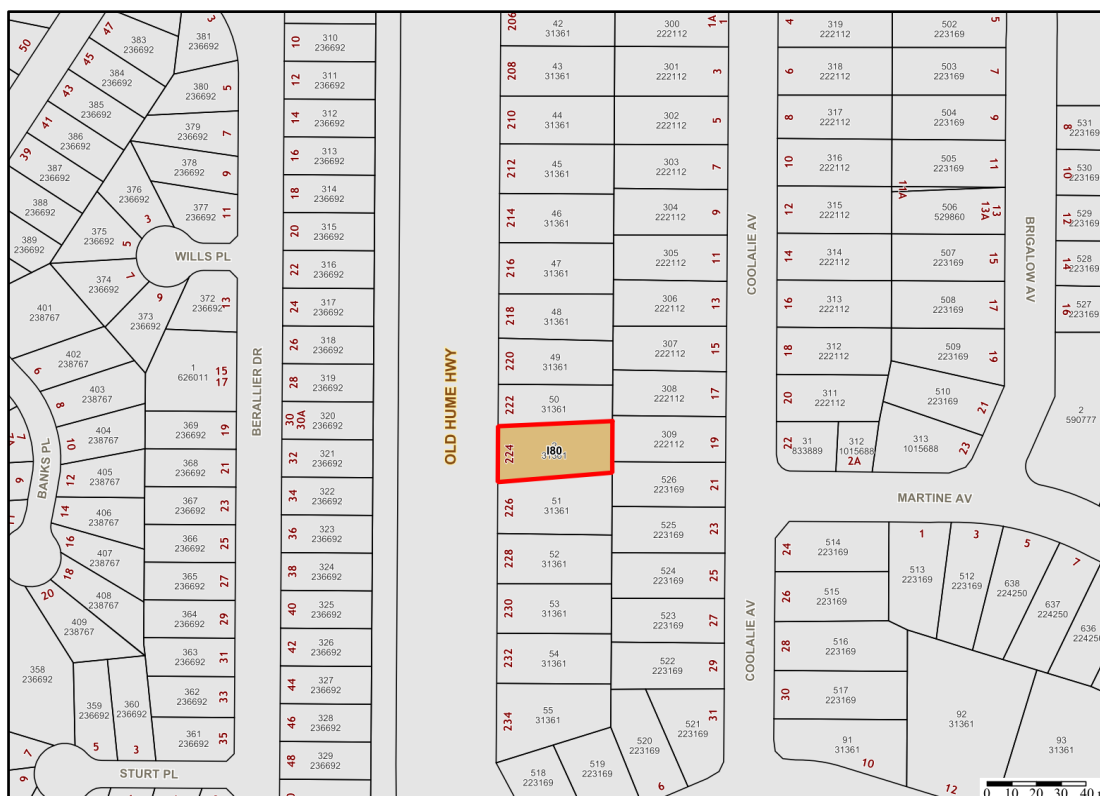
- 1 Coolalie Avenue, Camden South
  - CDA/2023/993/1 - The erection of a secondary dwelling



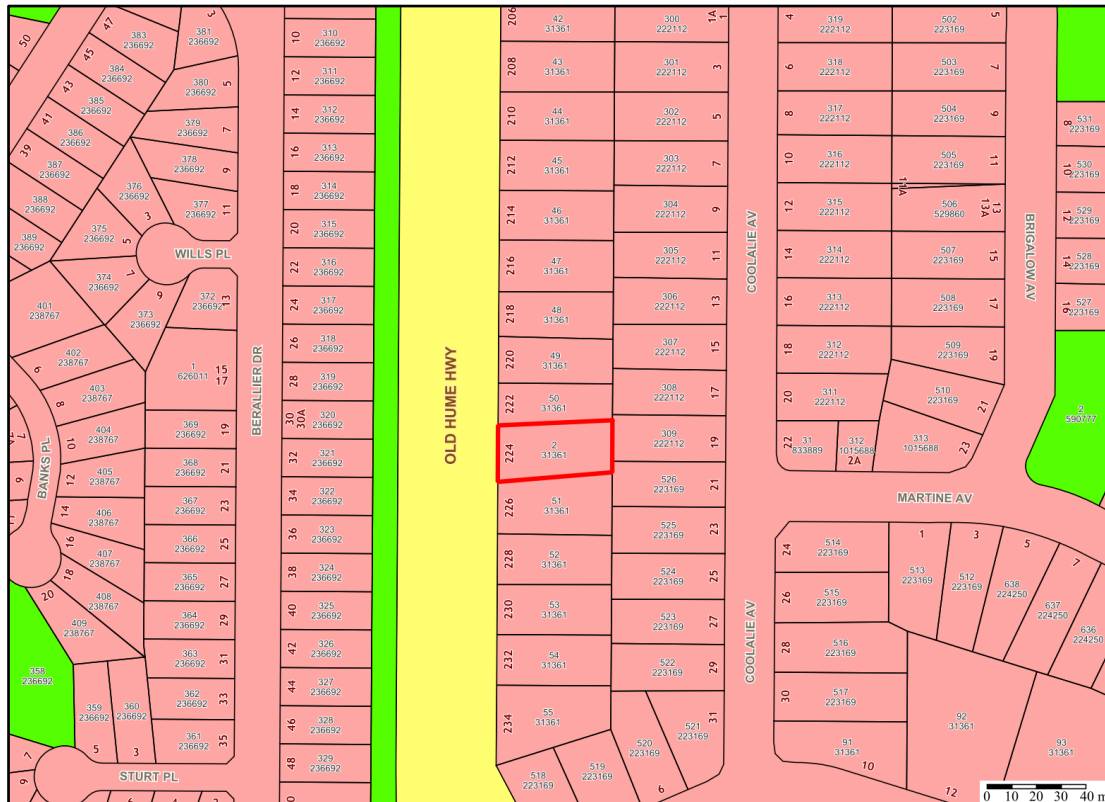
## CLPP02

- 206 Old Hume Highway, Camden South
  - CDA/2020/1033/1 - Construction of an outbuilding (shed).
- 7 Coolalie Avenue, Camden South
  - DA/2020/251/1 - Proposed split level dwelling with detached garage
- 214 Old Hume Highway, Camden South
  - CDA/2020/701/1 - Alteration/additions to existing dwelling
- 4 Elizabeth Macarthur Avenue, Camden South
  - DA/2018/346/1 - Alterations and additions to existing dwelling including garage.

### HERITAGE MAP



## ZONING PLAN



CLPP02

## HISTORY

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

Date	Development
6 November 2014	Pre-DA - PDM/2024/62/1 for the construction of alterations and additions to an existing dwelling, a secondary dwelling, a garage and associated site works.

## THE PROPOSAL

DA/2024/393/1 seeks approval for the alterations and additions to existing dwelling (former Camden Park gate lodge), construction of a detached outbuilding (garage) & detached secondary dwelling and associated site works.

Specifically, the development involves:

- Demolition of the existing metal framed storage area attached to the rear of the dwelling and internal doorway to the existing laundry.
- Removal of an existing retaining wall.
- Construction of a new master bedroom with an ensuite, walk in robe, linen storage. This component will be attached to the rear building line with a connection via the existing laundry window.

- The removal of the water closet and sink in the existing laundry, addition of a new sink and the addition of two new windows for the master bedroom (one obscure glazed window for the new ensuite and one timber framed window on the east façade).
- Construction of a detached outbuilding to be utilised as a double garage.
- Construction of a detached secondary dwelling comprising two bedrooms.

The existing dwelling (former Camden Park gate lodge) will remain used for residential purposes. There are no changes proposed to the existing gravel driveway (including verge crossover) or fencing. Furthermore, no additional landscaping is proposed with the existing tree and shrubs/hedges to be retained in accordance with the site/landscape plan provided.

The estimated cost of the development is \$400,000.

### ASSESSMENT

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

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

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

The environmental planning instruments that apply to the development are:

- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Camden Local Environmental Plan 2010

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

Section 51 of the Housing SEPP prescribes that development consent must not be granted for the subdivision of a lot on which development has been carried out under Chapter 3, Part 1 of the Housing SEPP. It is noted that no subdivision is proposed as part of this DA.

Section 52(2) of the Housing SEPP prescribes that development consent must not be granted for a secondary dwelling development unless:

- no dwellings, other than the principal dwelling and the secondary dwelling, will be located on the land, and*
- the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area permitted for a dwelling house on the land under another environmental planning instrument, and*
- the total floor area of the secondary dwelling is:*
  - no more than 60m<sup>2</sup>, or*
  - if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument - the greater floor area*

No other dwellings other than the existing principal dwelling and proposed secondary dwelling are located on the site and there is no maximum floor space ratio prescribed for a dwelling house on the land under another environmental planning instrument. Furthermore, the proposed secondary dwelling has an internal floor area of 56.74m<sup>2</sup> that is less than the prescribed 60m<sup>2</sup>.

Section 53(1) of the Housing SEPP contains non-discretionary standards that if complied with, prevent the consent authority from requiring more onerous standards for the matters, which pursuant to Section 53(2) are:

- (a) *for a detached secondary dwelling - a minimum site area of 450m<sup>2</sup>,*
- (b) *the number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out.*

The subject site has an area of 987.72m<sup>2</sup> and is therefore compliant with the non-discretionary standard of 450m<sup>2</sup>.

A detached double garage is proposed for the use of the principal dwelling and no car parking is proposed for the secondary dwelling. The level of car parking proposed complies with the relevant planning policies.

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

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

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

The site is located within an established residential area and is considered suitable for residential development. No contamination or remediation concerns are raised as the proposed development is for the alterations and additions to an existing dwelling. Furthermore, there are no existing structures in the rear setback area proposed for demolition where the proposed secondary dwelling is to be constructed.

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

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

### State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX certificate has been submitted with the DA. The requirements outlined in the certificate have been satisfied in the design of the proposal. A condition is imposed to ensure such commitments are fulfilled during the construction of the development.

### Camden Local Environmental Plan 2010 (LEP)

#### *Site Zoning*

The site is zoned R2 Low Density Residential pursuant to Clause 2.2 of the LEP.

#### *Development Characterisation*

The development is characterised as alterations and additions to an existing 'dwelling house' and a 'secondary dwelling'. The proposed outbuilding (detached garage) is ancillary to the primary dwelling house.

#### *Permissibility*

The development is permitted with consent in the R2 zone pursuant to Clause 2.3 of the LEP.

#### *Planning Controls*

An assessment table in which the development is considered against the 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 2019)

An assessment table in which the development is considered against the Camden DCP 2019 is provided as an attachment to this report.

#### *Variation 1 – Section 4.2.4 (setbacks) of the Camden DCP 2019.*

Section 4.2.4 of the Camden DCP 2019 requires a rear setback of 4m to single storey elements.

The proposal seeks to a variation to the rear setback from 4m to 3m for the single storey secondary dwelling.

The proposal has been assessed for compliance with the Camden DCP 2019 objectives relevant to the above control. The objectives of the control include:

- a. To minimise the impacts of development on neighbouring properties with regards to view, privacy and overshadowing;
- b. To ensure garages do not dominate the streetscape; and
- c. To ensure buildings on corner sites provide an appropriate secondary street setback and maintain sight lines for the safety of pedestrians and vehicles.

Council staff have reviewed the variation and recommend that it be supported for the following reasons:

- The 3m setback will not result in an unreasonable adverse impact on privacy or solar access to adjoining neighbors as the secondary dwelling is single storey and provides no windows along the rear façade.
- The proposed variation will not have an adverse impact to the principal private open space (PPOS) areas of the adjoining lots (Lot 309 and Lot 526) as an appropriate length of separation between these lots and the rear boundary of the subject site is still provided.
- The decreased depth of the rear setback will have no visual impact to the local amenity and streetscape.
- Given that the secondary dwelling is proposed within the rear setback area of the lot, it will have no impact to the traffic sightlines for vehicles traversing along Old Hume Highway.
- The application has not received any submissions during the notification/assessment period.

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

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

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

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

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

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

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



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

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

The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 29 August 2024 to 11 September 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 assessment, the development is consistent with the public interest.

**EXTERNAL REFERRALS**

No external referrals were required for this DA.

**FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

**CONCLUSION**

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

**RECOMMENDED**

**That the Panel approve DA/2024/393/1 for alterations and additions to existing dwelling (former Camden Park gate lodge), construction of a detached outbuilding (garage) & detached secondary dwelling and associated site works at 224 Old Hume Highway, Camden South, 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 (Housing) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Sustainable Buildings) 2022 and the Camden Local Environmental Plan 2010.**
- 2. The development is consistent with the objectives of the Camden DCP 2019.**
- 3. The development is considered to be of an appropriate scale and form for the site and the character of the locality.**

4. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.
5. 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 2010 Assessment Table
3. Camden DCP 2019 Assessment Table
4. Architectural Plans

**RECOMMENDED CONDITIONS**

## General

### 1.1 - General Conditions

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

Approved plans			
Number	Title	Drawn by	Date
Job No: E248 Sheet: 2 Rev: E	Site & Landscape Plan	ES Drafting	29/07/2024
Job No: E248 Sheet: 3 Rev: E	Existing Ground Floor	ES Drafting	29/07/2024
Job No: E248 Sheet: 4 Rev: E	Existing Elevations	ES Drafting	29/07/2024
Job No: E248 Sheet: 5 Rev: E	Existing Elevations	ES Drafting	29/07/2024
Job No: E248 Sheet: 6 Rev: E	Proposed Ground Floor	ES Drafting	29/07/2024
Job No: E248 Sheet: 7 Rev: E	Proposed Elevations	ES Drafting	29/07/2024
Job No: E248 Sheet: 8 Rev: E	Proposed Elevations	ES Drafting	29/07/2024
Job No: E248 Sheet: 8 Rev: E	Section & Basix	ES Drafting	29/07/2024
Job No: E248 Sheet: 9 Rev: E	Proposed Secondary Dwelling Floor Plan	ES Drafting	29/07/2024
Job No: E248 Sheet: 10 Rev: E	Proposed Secondary Dwelling (Elevation 1 & Elevation 2)	ES Drafting	29/07/2024
Job No: E248 Sheet: 11 Rev: E	Proposed Secondary Dwelling (Elevation 3 & Elevation 4)	ES Drafting	29/07/2024
Job No: E248 Sheet: 12 Rev: E	Proposed Secondary Dwelling (Section)	ES Drafting	29/07/2024

Job No: E248 Sheet: 13 Rev: E	Proposed Garage Plan	ES Drafting	29/07/2024
Job No: E248 Sheet: 14 Rev: E	Proposed Garage (Elevation 1 & Elevation 2)	ES Drafting	29/07/2024
Job No: E248 Sheet: 15 Rev: E	Proposed Garage (Elevation 3 & Elevation 4)	ES Drafting	29/07/2024
Job No: E248 Sheet: 16 Rev: E	Proposed Garage (Section)	ES Drafting	29/07/2024
Job No: E248 Sheet: 17 Rev: E	Erosion & Sediment Control Plan	ES Drafting	29/07/2024
Job No: E248 Sheet: 18 Rev: E	Site Analysis & Construction Management Plan	ES Drafting	29/07/2024
Job No: JB570 Sheet: S-1.1 Rev: C	Stormwater Plan	Exact Engineers	22/01/2025
Job No: JB570 Sheet: S-1.2 Rev: C	Stormwater Plan – Sheet 2	Exact Engineers	22/01/2025
Job No: JB570 Sheet: S-2.1 Rev: C	Stormwater Details – Sheet 1	Exact Engineers	22/01/2025
Job No: JB570 Sheet: S-2.2 Rev: C	Stormwater Details – Sheet 2	Exact Engineers	22/01/2025
Job No: JB570 Sheet: S-2.3 Rev: C	Stormwater Details – Sheet 3	Exact Engineers	22/01/2025

Approved documents		
Title	Prepared by	Date
BASIX Certificate No. A1757741	ES Drafting Pty Ltd	30 July 2024
BASIX Certificate No. 1757748S	ES Drafting Pty Ltd	30 July 2024
Waste Management Plan	Applicant	21 August 2024

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

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

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

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

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

## Building Work

### 2.1 - Before Issue of a Construction Certificate

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

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

- (2) **Smoke alarms** - 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 provide smoke alarms that comply with AS 3786 - Smoke Alarms Using Scattered Light, Transmitted Light or Ionization.

**Condition reason:** To ensure the provision of smoke alarms that comply with industry standards.

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

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

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

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

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

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

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

- (6) **Engineering specifications** - Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer and demonstrate, to the certifier's satisfaction, that the development has been designed to comply with Council's engineering specifications, the approved plans and documents and the conditions of this development consent.
- (7) **Civil engineering plans and information** - Before the issue of a construction certificate, civil engineering plans and information must be prepared by a suitably qualified civil engineer, to the satisfaction of the certifier. The plans and information must include the following elements:
  - 1. Erosion and sediment control measures, including compliance with the NSW Department of Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and as amended from time to time).
  - 2. Earthworks.
  - 3. Water quantity and quality facilities:
    - a. A detailed on-site detention and water quality report.
    - b. An electronic stormwater model.
    - c. A validated Camden Council MUSIC-link report with electronic model.
  - 4. Details of any required augmentation of existing drainage systems to accommodate drainage from the development.

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

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

- (8) **Rainwater tank on-site detention (dwellings)** - Before the issue of a construction certificate, stormwater plans and information must be prepared by a suitably qualified civil engineer, and demonstrate, to the certifier's satisfaction, the design of a rainwater tank with an on-site detention component. The plans and information must include the following elements:
  - 1. An on-site detention component to account for the increase in impervious area of the development so that post-development flows will not exceed pre-development flows.
  - 2. The overflow from the rainwater tank must be gravity fed to the street or a drainage easement at the rear of the site.



**Condition reason:** To ensure that increased stormwater run-off from dwellings is managed such that post-development flows will not exceed pre-development flows.

- (9) **Salinity management** - 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 salinity control measures in Council's engineering specifications.

**Condition reason:** To ensure the development is designed to withstand the effects of salinity.

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

Camden Section 7.12 Development Contribution Plan	
% of development cost (for secondary dwelling)	<b>0.5%</b>
Amount payable	<b>\$795.00</b>

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

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

## 2.2 - Before Building Work Commences

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

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

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

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

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

- (3) **Site management plan (preparation)** - Before any building work commences, a site management plan must be prepared by a suitably qualified person. The plan must

demonstrate, to the satisfaction of the principal certifier, that the following site work matters will be managed to protect the amenity of the surrounding area:

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

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

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

This condition does not apply:

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

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

- (5) **Erection of signs** - Before any building work commences, a sign must be erected in a prominent position on the site:

1. Showing the name, address and telephone number of the principal certifier for the work.
2. Showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours.
3. Stating that unauthorised entry to the work site is prohibited.

The sign must be:

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

This condition does not apply in relation to:

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

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

- (6) **Notification of Home Building Act 1989 requirements** - Before any residential building work commences, the principal certifier must give Council written notice of the following:

1. For work that requires a principal contractor to be appointed:
  - a. The name and licence number of the principal contractor.
  - b. The name of the insurer of the work under Part 6 of the *Home Building Act 1989*.
2. For work to be carried out by an owner-builder:

- a. The name of the owner-builder.
- b. If the owner-builder is required to hold an owner-builder permit under the *Home Building Act 1989*, the number of the owner-builder permit.

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

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

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

- (10) **Utility services protection** - Before any building work commences, the developer must demonstrate, to the satisfaction of the principal certifier, that the following requirements have been met:

1. Undertake a 'Before You Dig Australia' services search and liaise with the relevant utility owners.
2. Offer all utility owners a duty of care, take action to prevent damage to utility networks and comply with utility owners' directions.
3. Obtain approval to proceed with the site works from utility owners.

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

### 2.3 - During Building Work

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

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

Unless otherwise approved in writing by Council.

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

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

1. For virgin excavated natural material, the report and plan have been prepared in accordance with:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



6. Where practical, all green waste generated from vegetation work must be recycled into mulch or composted at a designated facility.

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

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

This condition does not apply:

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

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

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

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

This condition does not apply if:

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

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

## 2.4 - Before Issue of an Occupation Certificate

- (1) **Smoke alarms installation** - Before the issue of an occupation certificate, information must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, that smoke alarms that comply with AS 3786 - Smoke Alarms Using Scattered Light, Transmitted Light or Ionization have been provided in the development.

**Condition reason:** To ensure the provision of smoke alarms that comply with industry standards.

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

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

- (3) **House numbering** - Before the issue of an occupation certificate, the dwellings on the site (existing and approved, primary and secondary) must be readily identifiable from the adjoining road by displaying their Council allocated house numbers, to the satisfaction of the principal certifier. E-mail Council at [sis.mailbox@camden.nsw.gov.au](mailto:sis.mailbox@camden.nsw.gov.au) to obtain the allocated house numbers.

**Condition reason:** To ensure the dwellings on the site are officially and clearly numbered.

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

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

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

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

- (6) **Water management facilities positive covenant** - 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 *Conveyancing Act 1919* 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.

The terms of the positive covenant must include the following:

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.

- (7) **On-Site Detention Certification** - Before the issue of an occupation certificate, certification for the on-site detention component of the combined rainwater tank and on-site detention system must be prepared by a suitably qualified engineer. This certification must confirm that all components are installed as per the approved plans and that the system will operate as intended.

**Condition reason:** To ensure that all on-site detention components are installed in accordance with the approved plans and operate as intended.

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

1. Verify that the combined rainwater + on-site detention system has been completed in accordance with the approved plans and provide the following details:
  - a. Levels and dimensions to verify the storage volume.
  - b. Levels and other relevant dimensions of:
    - i. Internal pipes
    - ii. Orifice plates
  - c. Verification that the orifice plate has been fitted and the diameter of the fitted plate.

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

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance?
<b>2.3 Zone objectives and land use table</b>  The land use table for each zone sets out what development is permitted without consent, permitted with consent, and prohibited.  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.  The zone objectives for this site are:  <u>R2 Low Density Residential Zone</u> <ul style="list-style-type: none"> <li>To provide for the housing needs of the community within a low density residential environment.</li> <li>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>To allow for educational, recreational, community and religious activities that support the wellbeing of the community.</li> <li>To minimise conflict between land uses within the zone and land uses within adjoining zones.</li> </ul>	The site is zoned R2 Low Density Residential.  The development is defined as alterations and additions to an existing dwelling house, a detached outbuilding (double garage) and detached secondary dwelling which are permitted with consent.  The development is consistent with the relevant objectives of the zone in that it will enable the continued use of the site for residential purposes and will not conflict with any surrounding land uses in the R2 or surrounding zones.	Yes
<b>2.6 Subdivision – consent requirements</b>  Development consent is required to subdivide land (unless the subdivision is exempt or complying development under another environmental planning instrument).	The proposed development does not involve the subdivision of land.	N/A
<b>2.7 Demolition requires development consent</b>  Development consent is required to demolish a building or work (unless the demolition is exempt or complying development under another environmental planning instrument).	Development consent is sought for the partial demolition of the existing dwelling, specifically by removing the existing metal framed storage area attached to the rear of the dwelling, removal of the internal doorway to the existing laundry and the removal of the water closet and sink in the existing laundry.  The proposed works have been reviewed by Council's Heritage Officer who has advised the development can be supported.	Yes
<b>4.1 Minimum subdivision lot size</b>  This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.	A minimum lot size of 600m <sup>2</sup> applies to the site as shown on the lot size map (LSZ_011).  The site comprises a lot size of 987.72m <sup>2</sup> , with no further subdivision proposed.	NA
<b>4.3 Height of buildings</b>  Maximum building heights must not exceed the maximum building height shown on the Height of Buildings Map.	The maximum height of the building(s) complies with the maximum building height for the site which is 9.5m, as shown on the maximum building height map (HOB_011).  <u>Existing dwelling house</u> 5.728m (measured to scale on elevations provided).  <u>Secondary dwelling</u> 4.009m (denoted on elevations provided).  <u>Outbuilding (detached garage)</u> 3.771m (denoted on elevations provided).	Yes
<b>4.4 Floor space ratio</b>  Maximum floor space ratios must not exceed the floor space ratio shown on the Floor Space Ratio Map.	The site does not have FSR imposed by clause 4.4.	NA

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

Clause	Assessment	Compliance?
<b>5.4 Controls relating to miscellaneous permissible uses</b>  (9) <b>Secondary dwellings on land other than land in a rural zone</b> If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—  (a) 60 square metres,  (b) 25% of the total floor area of the principal dwelling.	56.738m <sup>2</sup> proposed (measured to scale on floor plan provided).	Yes
<b>5.10 Heritage conservation</b>  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.  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.  Development consent may be granted for any purpose of a building that is a heritage item or the land on which such a building is erected, or for any purpose on an Aboriginal Place of Significance is the consent authority is satisfied as to a number of matters listed by this clause; including if the conservation of the item or place is facilitated by the granting of consent.	The applicant has prepared a Heritage Impact Statement (HIS) that has assessed the proposal against Clause 5.10 of the LEP.  The DA and HIS has been considered by Council's Heritage Officer who has advised the development can be supported on the site.  The site is listed as a local heritage item (Item 180) known as the 'former Camden Park gate lodge' pursuant to Schedule 5, Part 1 of the LEP. No other heritage items are located within the immediate vicinity of the subject site. The nearest heritage item is the "Belgenny Farm" which is a state item, however this is approximately 638m from the site.  The site is not anticipated to contain any archaeological remanent/artefact/object nor is it considered to be a known Aboriginal site. Notwithstanding, a standard unexpected finds and relics discovery condition has been included in the recommended conditions.  The development has been further considered against the objectives and controls in section 2.16 of the Camden DCP 2019 relating to general heritage and heritage conservation area.	Yes
<b>6.2 Public utility infrastructure</b>  Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.	The site is located within an established residential area and is not within an urban release area.  Given, this Council staff are satisfied the site contains essential public utility infrastructure, as demonstrated by existing development access on site.	N/A

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

Clause	Assessment	Compliance?
<b>7.2 Airspace operations</b>  Before granting development consent to development on land that will penetrate an identified obstacle limitation surface or PANS-OPS surface, the consent authority must consult the relevant Commonwealth body about the application and give the body not less than 28 days within which to consider the application.  The consent authority may only grant development consent for development referred to above if:  (a) the relevant Commonwealth body is satisfied the development will not penetrate the obstacle limitation surface, or does not object to the consent authority granting development consent and any conditions provided will be imposed as far as practicable,  (b) the relevant Commonwealth body is satisfied the development will penetrate the PANS-OPS surface and does not object to development consent being granted.	The site is located on the outskirts of the conical surface, with a 150 (AHD) restriction. The alterations to the existing single storey dwelling and the addition of the detached outbuilding and secondary dwelling will be well under the 150(AHD) restriction and will not penetrate the OLS.	N/A
<b>7.3 Development in areas subject to airport noise</b>  2) The consent authority must not grant development consent for the purposes of caravan parks, centre-based child care facilities, education establishments, hospitals or residential accommodation if the development will be in ANEF contour 25 or higher.  3) Before granting consent to development for the following purposes on land in the vicinity of Camden Airport, the consent authority must consider whether the development will meet AS 2021—2000,Acoustics—Aircraft noise intrusion—Building siting and construction with respect to interior noise levels—  (a) if the development will be in ANEF contour 20 to 25—caravan parks, centre-based child care facilities, educational establishments, hospitals and residential accommodation,  (b) if the development will be in ANEF contour 25 or higher—business premises, community facilities, light industry, places of public worship or retail premises.  4) In this clause—  <b>ANEF contour</b> means a noise exposure contour shown as an ANEF contour on the Noise Exposure Forecast Contour Map for the Camden Airport prepared by the Department of the Commonwealth responsible for airports.	The development involves residential accommodation; however, is not located within the ANEF zone.	N/A
<b>7.4 Earthworks</b>  Before granting development consent for earthworks the consent authority must consider a number of matters listed by this clause; including the impact on the existing and likely amenity of adjoining properties.	The proposed development will result in minor cut/fill in order to facilitate the construction of the proposed detached secondary dwelling and detached outbuilding.  The proposal has been further considered against the objectives and controls in Part 2 and Part 4 of the Camden DCP 2019.	Yes



Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Compliance?
<b>7.5 Minimum lot size for particular secondary dwellings</b>  (1) The objective of this clause is to ensure that secondary dwellings are on appropriately sized lots.  (2) This clause applies for the purposes of deciding whether to grant development consent for a development application to erect a secondary dwelling on land.  (3) Development consent must not be granted unless— (a) the size of the lot on which the proposed secondary dwelling is to be erected is at least 450 square metres, or (b) the land is in the urban release areas shown as Spring Farm or Elderslie on the <i>Urban Release Area Map</i> and— (i) the proposed secondary dwelling is to be located above a garage, and (ii) the garage is accessed from a rear lane adjacent to the land.	The lot is greater than 450sqm in area.	Yes

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

Section / Control	Assessment	Compliance?
<b>1.2</b>		
<b>Notification of Development Applications.</b>		
Notification is where Council writes to those people identified as requiring notification (e.g. adjoining and surrounding landowners, community groups etc), advising of the lodgment of an application. Notification is for a minimum period of 14 days.	<p>The application was notified for a period of 14 days in accordance with Camden Council's adopted Community Participation Plan 2021.</p> <p>The application received <u>no</u> written submissions objecting to the proposal over the notification and assessment period.</p>	Yes.
<b>2.1</b>		
<b>Earthworks.</b>		
(1) Building work should be designed to respond to the natural topography of the site wherever possible, minimising the extent of cut and fill.	Minimal cut/fill is required to facilitate the development, in particular the addition of the secondary dwelling and detached double garage. As denoted on the site plan and elevations provided, cut and fill will be ≤1m.	Yes.
(1) All retaining walls are to be of masonry construction (or the like).	No new retaining walls are proposed.	N/A
(2) All retaining walls proposed are to be identified in the development application.		
(3) All retaining walls to be max height 1m.		
(5) Retaining walls may be built on the boundary provided that a section 88B instrument is created on the affected lots to support the walls. Retaining walls are to be designed and constructed to allow for installation of boundary fencing without impact on the structural soundness of the retaining wall and its footings.		
(6) Where retaining walls are not on the boundary the retaining wall and associated infrastructure are to be wholly contained within the allotment.	Standard condition of consent recommended requiring use and certification of VENM as a safeguard.	Yes.
(1) 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.		
<b>2.2</b>		
<b>Salinity Management.</b>		
(3) All development must incorporate Salinity Management measures.	A condition is recommended that requires compliance with the salinity requirements contained within Council's Engineering Design Specifications. This will satisfy the requirements of the DCP.	Yes.
(4) All sediment and erosion controls are to be installed prior to the commencement of any works.	<p>Minimal excavations are required to facilitate the development.</p> <p>Standard conditions are recommended to ensure appropriate erosion and sediment controls and dust suppression measures are implemented throughout the development.</p>	Yes.
<b>2.3</b>		
<b>Water Management.</b>		
(1) Development must demonstrate compliance with Council's Engineering Specifications including requirements for detention, drainage and water sensitive urban design.	The development has been reviewed by Council's Land Development Engineer has advised the development can be supported with recommended conditions which have been included in the consent accordingly.	Yes.
<b>2.4</b>		
<b>Trees and Vegetation.</b>		

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

Section / Control	Assessment	Compliance?
(1) 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.	All trees within the site will be retained and protected during construction. No removal of existing tree(s) and vegetation is proposed.  The development has been reviewed by Council's Landscape Officer who has advised the development can be supported with recommended conditions to ensure the protection of existing tree(s)/vegetation during construction, which have been included in the consent accordingly.	Yes.
(2) If the Council receives an application to remove a tree, it must notify adjoining land owners in accordance with Part 1 of this DCP if, in Council's opinion, it may significantly impact on local amenity.	As above, all tree(s) and vegetation within the site will be retained and protected during construction.  Notwithstanding the above, the development application has been publicly notified to adjoining landowners in accordance with the Camden Community Participation Plan 2021. No submissions were received during the notification and assessment period.	N/A
(4) Council must not grant an approval unless it has taken into consideration subpoints from this section.	As above, all trees within the site will be retained and protected during construction.  Furthermore, the proposed development will not adversely impact the immediate surrounding development with respect to acoustic impacts.	Yes.
(5) If an approval is granted for the removal of a tree or vegetation, up to four (4) replacement trees are required to be planted for every tree removed.	No trees are proposed for removal. All trees within the site will be retained and protected.	N/A
(6) Approval cannot be issued under this DCP for the removal of a tree or other vegetation that is, or forms part of a heritage item or that is within a heritage conservation area unless Council is satisfied the proposed activity;  <i>(d) Would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.</i>	As above, all trees within the site will be retained and protected. Furthermore, the development has been reviewed by Council's Landscape Officer who has advised the development can be supported with recommended conditions to ensure the protection of existing tree(s)/vegetation during construction, which have been included in the consent accordingly.	N/A
<b>2.9</b> <b>Contamination and Potentially Contaminated Land Management.</b>		
(1) SEPP 55 Assessment must be considered.	The site is located within an established residential area and is considered suitable for residential development. No contamination or remediation concerns are raised as the proposed development is for the alterations and additions to an existing dwelling. Furthermore, there are no existing structures in the rear setback area proposed for demolition where the proposed secondary dwelling is to be constructed.	Yes.
<b>2.10</b> <b>Development Near Camden Airport.</b>		
(3) Buildings within OLS must use materials that have low reflectivity.	The single storey development will not exceed the obstacle height limit shown for the site on Camden Airport's OLS map.	Yes.
<b>2.12</b> <b>Acoustic Amenity.</b>		
(1) Acoustic reports (where required), must be prepared by a suitably qualified consultant.	A standard condition of consent relating to demolition/construction noise during works is recommended.  The proposed development will not adversely impact the immediate surrounding development with respect to acoustic impacts.	Yes.
<b>2.14</b> <b>Waste Management.</b>		
(1) Waste Management Plan to be provided.	A satisfactory waste management plan (WMP) has been submitted with the DA.	Yes.
<b>2.16.1</b> <b>Aboriginal Culture and Heritage</b>		

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Section / Control	Assessment	Compliance?
Development applications must identify any areas of Aboriginal heritage value that are within or adjoining the area of the proposed development, including any areas within the development site that are to be retained and protected (and identify the management protocols for these).	The site is not anticipated to contain any archaeological remanent/artefact/object nor is it considered to be a known Aboriginal site. Notwithstanding, a standard unexpected finds and relics discovery condition has been included in the recommended conditions to manage any unexpected relic discoveries during works.	
<b>2.16.2 (Heritage Concepts) and 2.16.3 (General Heritage Provisions)</b>		
Council requires a Heritage Impact Statement to be provided with a development application.  This subsection sets out general objectives and controls for various types of work and is applicable to all Heritage Items, Heritage Conservations Areas, Culturally Significant Places and for development in the vicinity of Heritage Places.	A Heritage Impact Assessment has been provided by the applicant to Council to assess. The proposal has been considered against the general heritage provisions and Council's Heritage Officer has advised that the development can be supported.	Yes.
<b>2.19 Landscape Design.</b>		
A landscape plan is to be submitted for all development that, in Council's opinion, will significantly alter the existing and intended landscape character of the land.	Existing landscaping has been denoted on the site plan with no new landscaping proposed.  The DA has been reviewed by Council's Landscaping Officer who recommended the development be supported with relevant conditions to address work near vegetation.	Yes.

Camden Development Control Plan 2019 - Dwelling Houses			
Section	Control	Assessment	Compliance?
4.2.1 Site Analysis	A site analysis plan must be provided	A satisfactory site plan/site analysis plan has been provided which demonstrates compliance with Part 4.2.1 of the Camden DCP 2019.	Yes
4.2.2 Cut and Fill	≤1m cut and fill	As denoted on the site plan and elevations provided, cut and fill will be ≤1m.	Yes
	Fill >300mm within 1m of a boundary contained by a drop edge beam	Fill is greater than 300mm but is not within 1m of the lot boundaries. Notwithstanding, a DEB has been proposed by the applicant to retain the fill as denoted on the site plan provided.	Yes
	Drop edge beam ≤1m above existing ground level	DEB proposed and will be ≤1m above existing ground level as denoted on the site plan provided.	Yes
	Retaining walls and associated infrastructure must be contained within property boundaries	No new RWs proposed.	N/A
	Height of voids ≤3m (refer to Figure 4-1)	No void(s) proposed.	N/A
4.2.3 Streetscape and Architectural Design	Primary street facade must incorporate ≥2 design features	No changes are proposed to the existing street façade of the heritage item.	N/A
	Front facade to feature ≥1 ground floor habitable room with a window facing the street	Ground floor comprises a bedroom with a window facing the front street.	Yes
	Secondary street facade must incorporate ≥2 design features	No secondary street.	N/A
	≥450mm eaves overhang measured from the fascia board (except for walls built to the boundary)	≥450mm eaves provided.	Yes
	Pitch of hipped and gable roof forms on main dwelling between 18° and 30°	No change to the existing pitch/roof form of the principal dwelling (heritage item).  Secondary dwelling provides a roof pitch of 18 degrees.  Detached garage provides a roof pitch of 16 degrees; however, this is considered to be sufficient as it will not have an adverse impact on surrounding	Yes

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

		developments or the heritage item itself.	
4.2.4 Setbacks (Regular Lots)	≥4.5m front setback	Existing setback which is >4.5m is maintained.	Yes
	2m secondary street setback	No secondary street.	N/A
	Garage and carports ≥1m behind the building line and ≥5.5m from the road boundary for both primary and secondary street frontages	Detached garage is proposed at the rear of the site which is >1m behind the building line and setback >5.5m from the front boundary.	Yes
	Design features may encroach into the primary street setback ≤1.5m	Noted, no design features proposed to the existing façade of the heritage item.	N/A
	≥0.9m side setback	>0.9m side setbacks provided.	Yes
	Walls along side boundaries must be articulated	Proposed alterations at rear enhance the articulation of the wall along the southern boundary.	Yes
	≥4m rear setback for single storey dwellings and building elements	<u>Dwelling</u> 19.823m (measured to scale on plans provided).  <u>Secondary dwelling</u> 3m proposed.  Note – Variation addressed in main body of report  <u>Detached garage</u> Refer to Section 4.10, assessed below.	No
	≥6m rear setback for two storey dwellings	N/A	N/A
4.2.4 Setbacks (Battle-Axe Lots)	1m rear lane setback (but may be reduced to 0.5m if satisfactory waste collection can be demonstrated)	N/A	N/A
	≥4.5m front setback	Site is not a battle-axe lot.	N/A
	≥3.5m front setback if the lot fronts an access denied street or open space (refer to Figure 4-3) Side and rear setbacks are to be measured in accordance with Figure 4-3		
4.2.4 Zero Lot Line Development	Easement for support and maintenance required unless a 450mm side boundary setback is provided (refer to Figure 4-4)	Zero-lot development is not proposed.	N/A
	Single storey wall length ≤50% of the zero lot line boundary		
	Two storey wall length ≤50% of the zero lot line boundary		
	≤10m length for all zero lot line wall sections		
	Filling adjacent to an easement for support and maintenance contained by a drop edge beam		
	Rear access provided by ≥0.9m side setback on the non-zero lot line boundary or a rear garage door		
4.2.5 Height, Coverage Siting	Site and Compliance with the Camden LEP height of buildings development standard	The proposed development complies with the 9.5m height restriction imposed under Clause 4.3 of the LEP.	Yes
		<u>Existing dwelling house</u> 5.74m (measured to scale on elevations provided).	
		<u>Secondary dwelling</u> 4.32m (denoted on elevations provided).	
		<u>Outbuilding (detached garage)</u> 4.276m (denoted on elevations provided).	
	≤2 storeys where height of buildings	No second storey elements proposed.	Yes

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

	development standard ≤9.5m		
	Attic rooms permitted in roof void where roof pitch ≤45° (not considered a storey)	N/A	N/A
	Ground floor level ≤1m above finished ground level unless no adverse impacts	Ground floor level will be ≤1m above finished ground level as denoted on the site plan and elevations provided.	Yes
	For lots <450m², ≤60% site coverage for single storey development	N/A	N/A
	For lots <450m², ≤50% ground floor and ≤35% upper floor site coverage for two storey development	N/A	N/A
	For lots ≥450m², ≤50% site coverage for single storey development	Lot size is 987.72m². 239.173 / 987.72 * 100 = 24.21% 39.903 (garage) + 59.912 (secondary dwelling) + 139.358 (dwelling).	Yes
	For lots ≥450m², ≤50% ground floor and ≤30% upper floor site coverage for two storey development	N/A	N/A
4.2.6 Landscaped Area	≥30% landscaped area (refer to Figure 4-5)	Site area = 987.72m². 299.55 / 987.72 * 100 = 30.3%	Yes
	≥40% of front setback must be landscaped area	Front setback area = 160.141m². 91.904 / 160.141 * 100 = 57.38%	Yes
	A landscaping plan must be provided	Landscaped area has been illustrated on the site plan provided. No additional planting is proposed.	Yes
4.2.7 Principal Open (PPOS)  Private Space	PPOS must be located behind the building line and directly accessible from a habitable room (other than a bedroom)	PPOS is located in the rear setback area which is accessible from the kitchen/dining area via the pergola.	Yes
	PPOS ≥4m wide, ≥4m deep and ≤1:10 gradient	≥4m wide, ≥4m deep and ≤1:10 gradient can be achieved.	Yes
	For lots ≤10m wide, ≥16m² PPOS	N/A	N/A
	For lots >10m wide, ≥24m² PPOS	>24m² provided.	Yes
4.2.8 Solar Access	≥1 living area must receive ≥3 hours direct sunlight between 9am and 3pm on 21 June	The development comprises single storey elements only which will have minimal overshadowing impacts. No concerns regarding unreasonable adverse impacts to solar access raised.	Yes
	Direct sunlight must reach ≥50% of the PPOS of the subject dwelling and any adjoining dwelling for ≥3 hours between 9am and 3pm on 21 June		
	≥1 window to a living area of neighbouring dwellings must receive ≥3 hours sunlight between 9am and 3pm on 21 June		
4.2.9 Visual and Acoustic Privacy	Privacy screen or fixed obscure glass provided for any part of a first floor habitable room window that is less than 1.5m above the finished floor level of that room (if the room overlooks an adjacent dwelling window or the private open space of an adjacent dwelling)	No first floor elements are existing on the site or proposed.	N/A
	First floor balconies or decks facing side or rear boundaries only permitted where there are no adverse privacy impacts.	N/A	N/A
	≤2m depth for first floor balconies or decks	N/A	N/A
4.2.10 Parking, Garages and Site Access (General)	≥1 car parking space for 1-2 bedroom dwellings	N/A	N/A
	≥2 car parking spaces for 3+ bedroom dwellings	The room labeled "walk in robe" on the floor plan provided can easily be utilised as a bedroom, therefore the principal dwelling is considered to comprise 3 bedrooms in total.  ≥2 car parking spaces provided via the proposed detached outbuilding to be utilised as a double garage which are located behind the building line in the	Yes



Camden Development Control Plan 2019 (Camden DCP) Assessment Table

		rear setback area.	
	≥1 car parking space must be behind the building line where the space is accessed from the street on the front property boundary	≥1 car parking space is provided behind the building line via the detached double garage.	Yes
	For lots ≤7m wide, garages must be accessed from a rear lane	N/A	N/A
	For lots >7m and <15m wide, garage doors must be ≤60% of the dwelling's front elevation width	N/A	N/A
	For lots >15m wide, garage doors must be ≤50% of the dwelling's front elevation width	Lot width is approximately 22.2m (measured to scale on the site plan provided).  Double garage is detached and proposed at the rear of the site, hidden from street view.	Yes
4.2.10 Parking, Garages and Site Access (Double Garages)	Double garages are only permitted on lots >10m and <12.5m wide where: <ul style="list-style-type: none"> <li>it is in conjunction with a two storey dwelling and recessed from it,</li> <li>there is no loss of on-street parking,</li> <li>the dwelling includes a habitable room overlooking the street,</li> <li>the dwelling includes a balcony of ≥50% of the dwelling width on the front facade with a different finish from the dwelling, and</li> <li>the dwelling's front entrance is visible from the street</li> </ul>	N/A - Lot width is 22.2m.	N/A
4.2.10 Parking, Garages and Site Access (Triple Garages)	Triple garages are not permitted on lots <12.5m wide, garage doors must be ≤50% of the dwelling's front elevation width and 1 garage must be set back ≥1m behind the other garages	N/A - Triple garage not proposed.	N/A
4.2.10 Parking, Garages and Site Access (Secondary Driveways)	1 driveway is permitted per residential property. Secondary driveways will be considered on merit in accordance with the Camden DCP	The two existing gravel driveways are existing. No new driveway works are proposed.	Yes
4.2.11 Fencing	Front fencing ≤1.2m above existing ground level and open style with minimum apertures of 25mm (refer to Figure 4-6)  Fences on corner lots ≤1.8m to a point 2m behind the primary building line. Fencing forward of this point must be ≤1.2m above existing ground level and open style with minimum apertures of 25mm (refer to Figure 4-6)  All other fencing must comply with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	No new fencing is proposed, and no changes are proposed to the existing boundary fencing.	N/A
4.2.12 Waste Storage Areas and Waste Collection Areas	Waste storage and collections are to be shown on DA plans. Waste storage areas are to be provided behind the building line	Sufficient area is available for waste storage bins behind the building line as illustrated on the plans provided.	Yes

Camden Development Control Plan 2019 - Secondary Dwellings			
Chapter	Control	Assessment	Compliance?
4.3 Secondary Dwellings	Secondary dwellings must comply with Sections 4.2.1 - 4.2.12 of the Camden DCP, except where superseded by the controls in this chapter	General compliance achieved with one variation proposed (rear setback for secondary dwelling).	Yes
	≤50% site coverage for the combined principal dwelling, secondary dwelling and all ancillary development	239.173 / 987.72*100 = 24.21%  39.903 (garage) + 59.912 (secondary dwelling) + 139.358 (dwelling).	Yes
	Design must complement the design of the principal dwelling and be subservient in terms of	The development has been reviewed by Council's Heritage Officer who has	Yes

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

	visual bulk and scale	advised that the design and materials and colours of the development can be supported.	
	Windows and private open spaces must not overlook the private open space of any adjacent dwellings	Single storey element, no concerns regarding adverse privacy impacts raised.	Yes
	Clothes drying facilities in a location with adequate solar access must be provided	Sufficient space within the rear setback area is available to accommodate clothes drying facilities.	Yes
	Secondary dwellings must be set back behind the front building line of the principal dwelling	The secondary dwelling is proposed behind the principal dwelling in the rear setback area.	Yes
	The front entrance may be located behind the primary street facade	Porch entrance provided at front.	Yes
	Internal fences separating the principal and secondary dwellings are not permitted	None proposed.	Yes
	Strata or Torrens title subdivision of secondary dwellings is not permitted	None proposed.	Yes
	Garages may only be converted to secondary dwellings where $\geq 2$ car parking spaces will be provided and $\geq 1$ behind the building line of the principal dwelling	New detached secondary dwelling proposed.	N/A

Camden Development Control Plan 2019 - Outbuildings			
*To be read in conjunction with area specific controls (refer to Schedules 1-13)			
Section	Control	Assessment	Compliance?
4.7 Colours and Materials (R5 Large Lot Residential Zones)	Materials and colours for buildings (including ancillary structures) must adopt neutral/earthen colours and tones such as greys, grey-greens, blue-greys, browns or fawns. Bright colours, stark whites and blacks must be avoided	Materials and colours utilised to complement the existing heritage item – Reviewed by Council's Heritage Officer who advised the development can be supported.	N/A
	Non-reflective materials for external use must be utilised	Non-reflective materials utilised.	N/A
4.10 Outbuildings	Outbuildings should be sited to retain existing vegetation on site and in a location where the future growth of vegetation can be retained and protected	The outbuilding is sited in the rear setback area to be accessed via the existing gravel driveway.  Reviewed by Council's Landscape Officer who has recommended the development be supported with conditions provided to ensure the protection of existing tree(s)/vegetation during construction.	Yes
	Unless otherwise approved by Council, the use of the outbuilding must be of domestic storage and hobby use only, which is ancillary to the use of the dwelling on the site	Outbuilding is to be used as a detached double garage to park vehicles.	Yes
	Outbuildings should be sited so as they are not to encroach or impact on any existing service infrastructure, onsite sewerage management systems and associated effluent areas	The development has been reviewed by Council's Land Development Engineer who recommended the development be supported with conditions.	Yes
	For lots <300m <sup>2</sup> , 36m <sup>2</sup> floor area	N/A	N/A
	For lots $\geq 300$ m <sup>2</sup> and <600m <sup>2</sup> , 45m <sup>2</sup> floor area	N/A	N/A
	For lots $\geq 600$ m <sup>2</sup> and <900m <sup>2</sup> , 60m <sup>2</sup> floor area	N/A	N/A
	For lots $\geq 900$ m <sup>2</sup> , 100m <sup>2</sup> floor area	37.542m <sup>2</sup> proposed.	Yes
	$\leq 4.8$ m high	Double garage - 4.276m (denoted on elevations provided).	Yes
	Single storey structure with an attic permitted provided $\leq 5.4$ m high, amenity to adjacent sites is maintained and $\leq 45^\circ$ roof pitch	N/A	N/A
	$\leq 4.5$ m high for 121 Raby Road (refer to Schedule 12)	N/A	N/A
	Stormwater discharge must be disposed of solely within the property boundary without causing any nuisance to the adjacent properties	The development has been reviewed by Council's Land Development Engineer who recommended the	Yes

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

		development be supported with conditions.	
	For outbuildings >20m <sup>2</sup> floor area, stormwater must be collected and discharged to existing stormwater lines, a collection tank with an overflow connected to the existing on-site stormwater lines or absorption trenches/an existing watercourse as deemed suitable by Council	The development has been reviewed by Council's Land Development Engineer who recommended the development be supported with conditions.	Yes
	All outbuildings must be planned and organised in a group and must be located behind the building line, so they are predominantly hidden from view from the public domain	Outbuilding is located at the rear of the site and is grouped next to the proposed secondary dwelling which are both hidden from the street view.	Yes
	All outbuildings must comply with the relevant outbuilding setback provisions within State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Noted and achieved.  1.5m setbacks are required for all sides which has been provided.	Yes
	≤36° roof pitch	16-degree roof pitch proposed.	Yes
	The external wall cladding of outbuildings should be of masonry, metal sheet or other approved material which is compatible with surrounding development in terms of profile, colour and finish	Reviewed by Council's Heritage Officer who has advised the development can be supported.	Yes
	The roof cladding of outbuildings should be of tiles, metal sheet or other approved material which is compatible with surrounding development in terms of profile, colour and finish	Reviewed by Council's Heritage Officer who has advised the development can be supported.	Yes
	The colours of roof and wall cladding should generally be of low reflective natural earth and vegetation tones	Reviewed by Council's Heritage Officer who has advised the development can be supported.	Yes

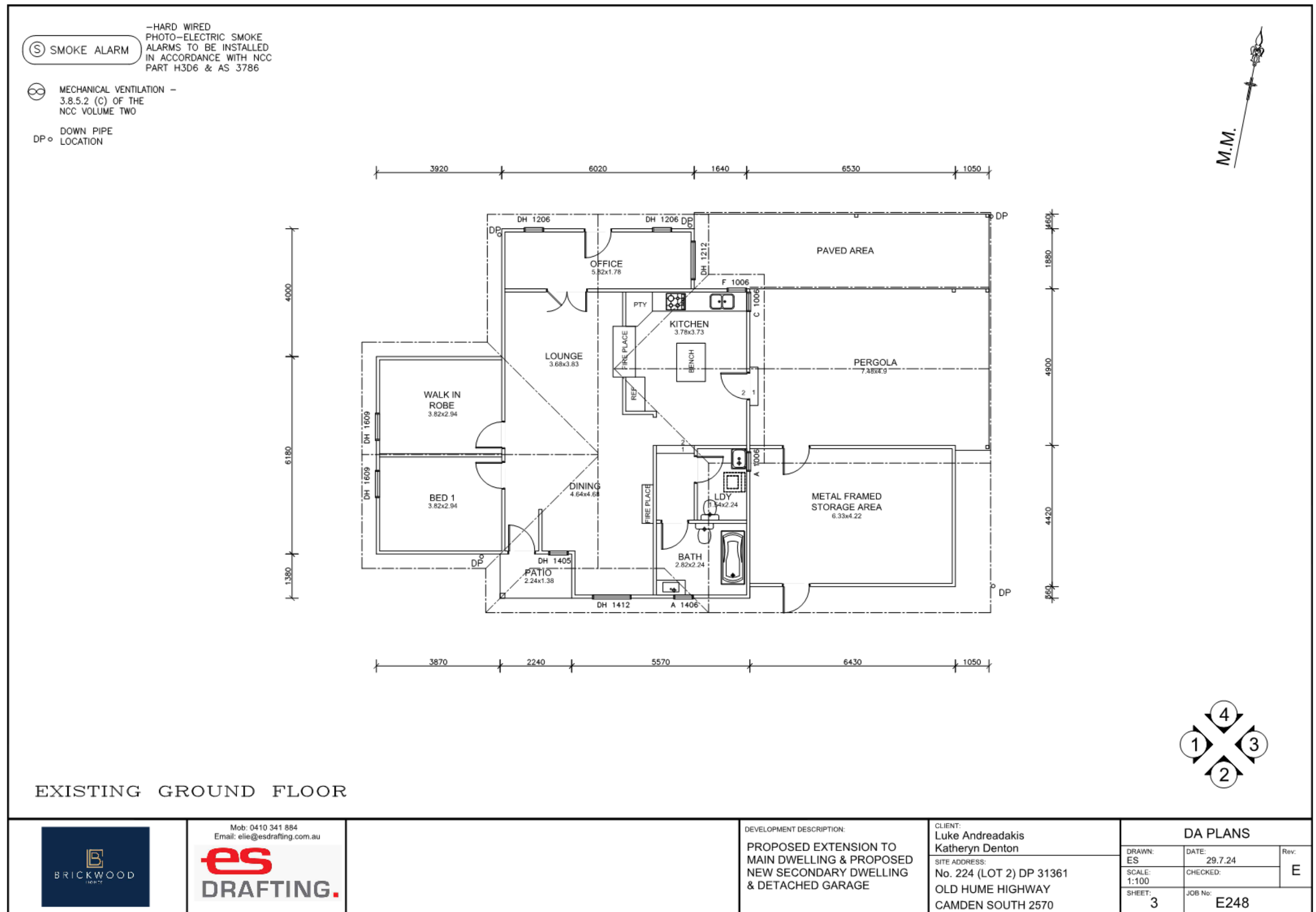
Standard Residential Driveway Design			
Metric	Requirement	Assessment	Compliance?
Width	≥3m to ≤4m for single garages	N/A	N/A
	≥4m to ≤5.5m for double garages	The two existing gravel driveways are existing. No new driveway works are proposed.	Yes
	≥4m to ≤6.5m for triple+ garages	N/A	N/A
Clearance	≥6m from the tangent point of any street corner	No changes to the existing driveway widths are proposed.	N/A
	1m from infrastructure		
	300mm from stormwater connections		

RET. WALL - KOPPERS LOG

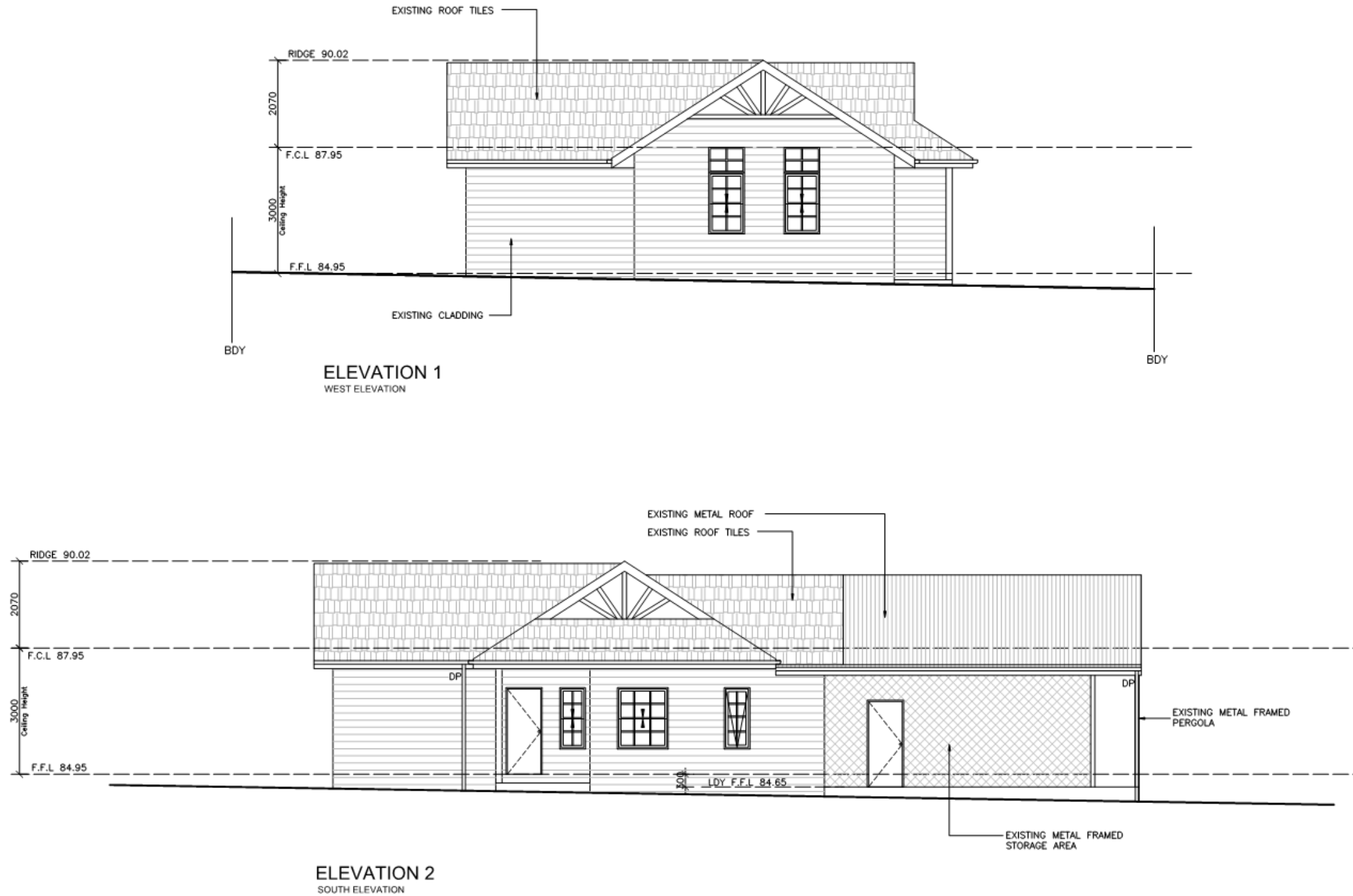


EAVE WITHIN 900mm FROM BOUNDARY AND 1800mm FROM MAIN DWELLING TO BE NON-COMBUSTIBLE

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## EXISTING ELEVATIONS



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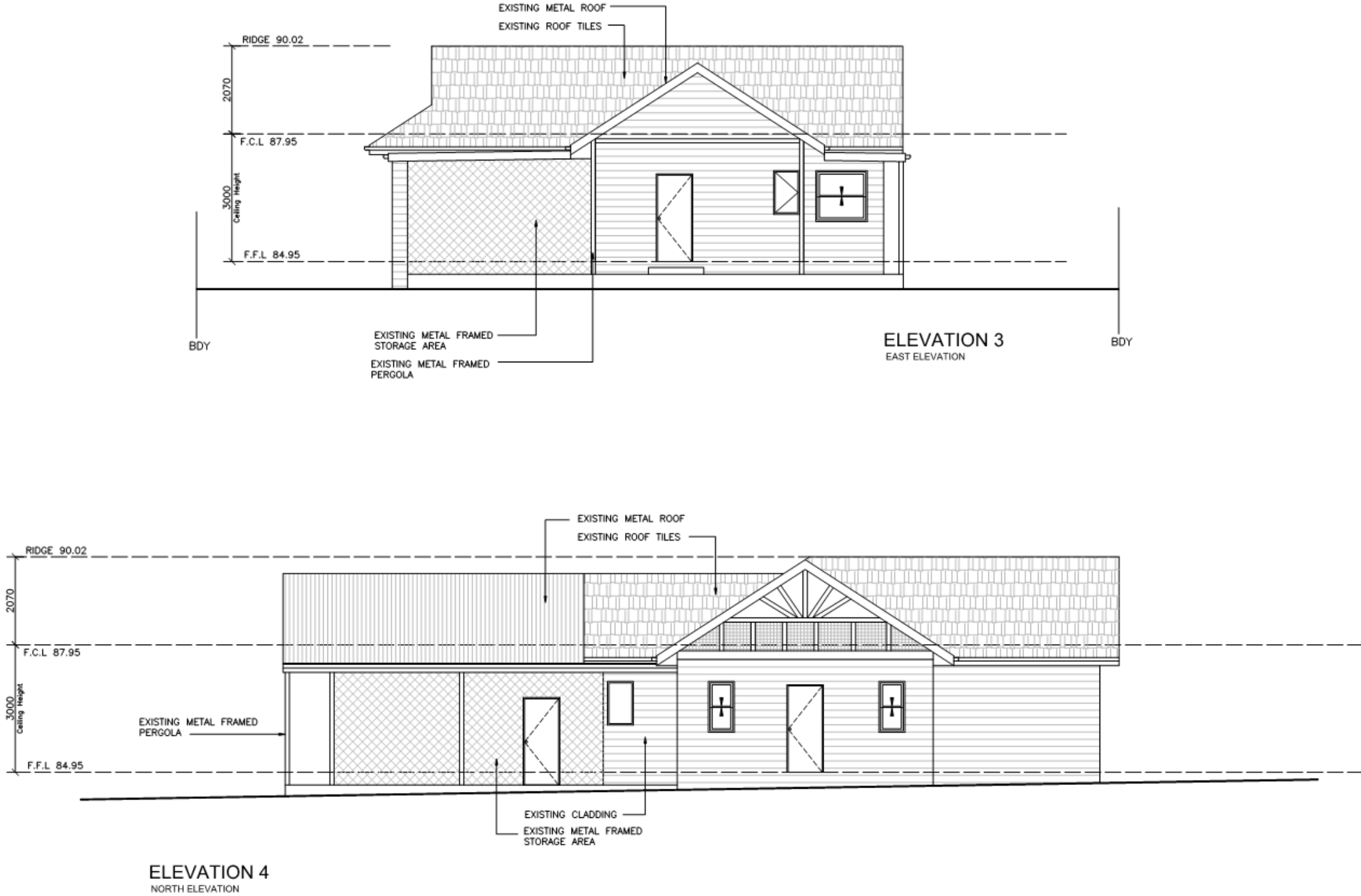
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PROPOSED EXTENSION TO  
MAIN DWELLING & PROPOSED  
NEW SECONDARY DWELLING  
& DETACHED GARAGE

CLIENT:  
Luke Andreadakis  
Katheryn Denton  
SITE ADDRESS:  
No. 224 (LOT 2) DP 31361  
OLD HUME HIGHWAY  
CAMDEN SOUTH 2570

## DA PLANS

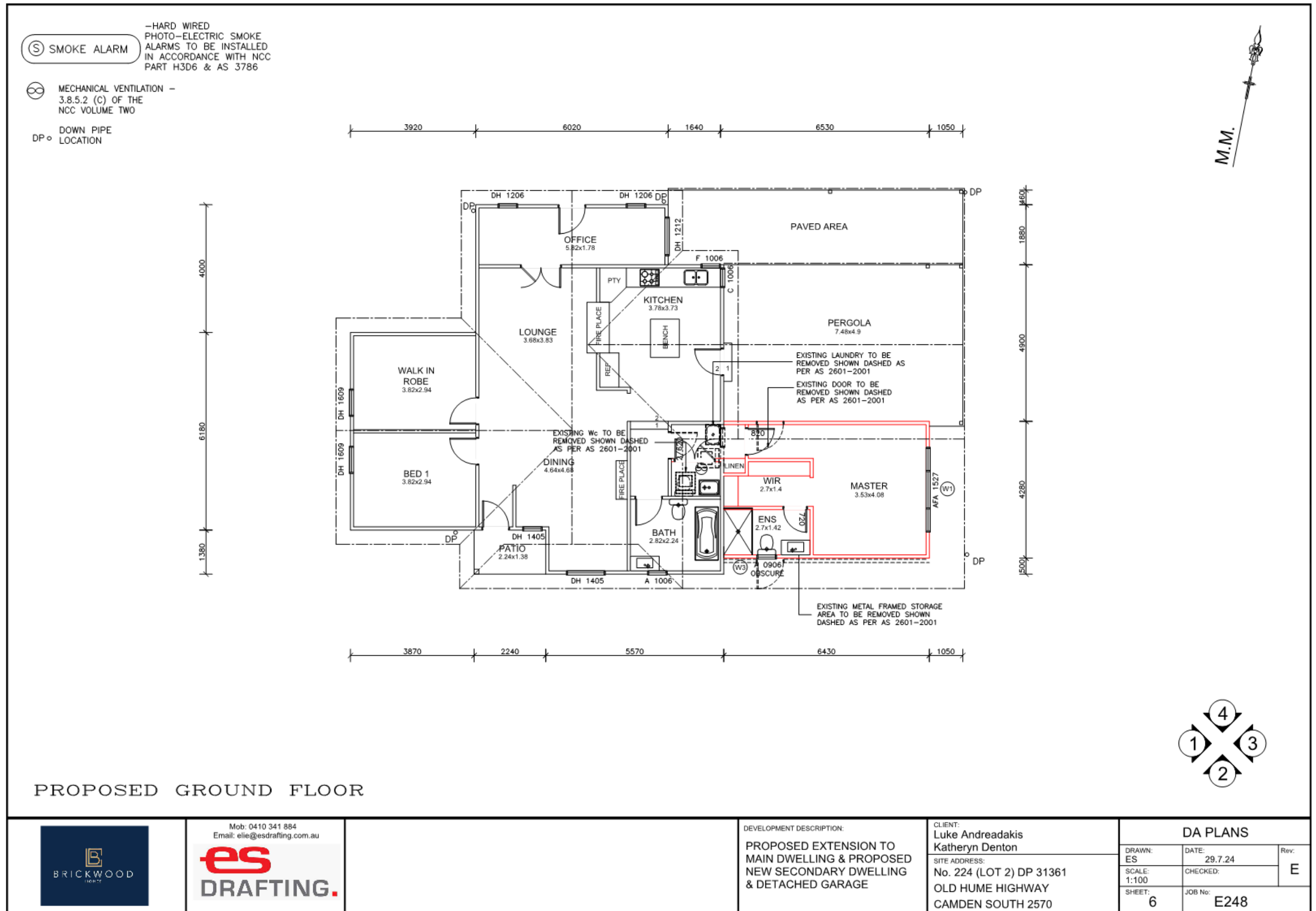
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SHEET: 4	JOB No: E248	



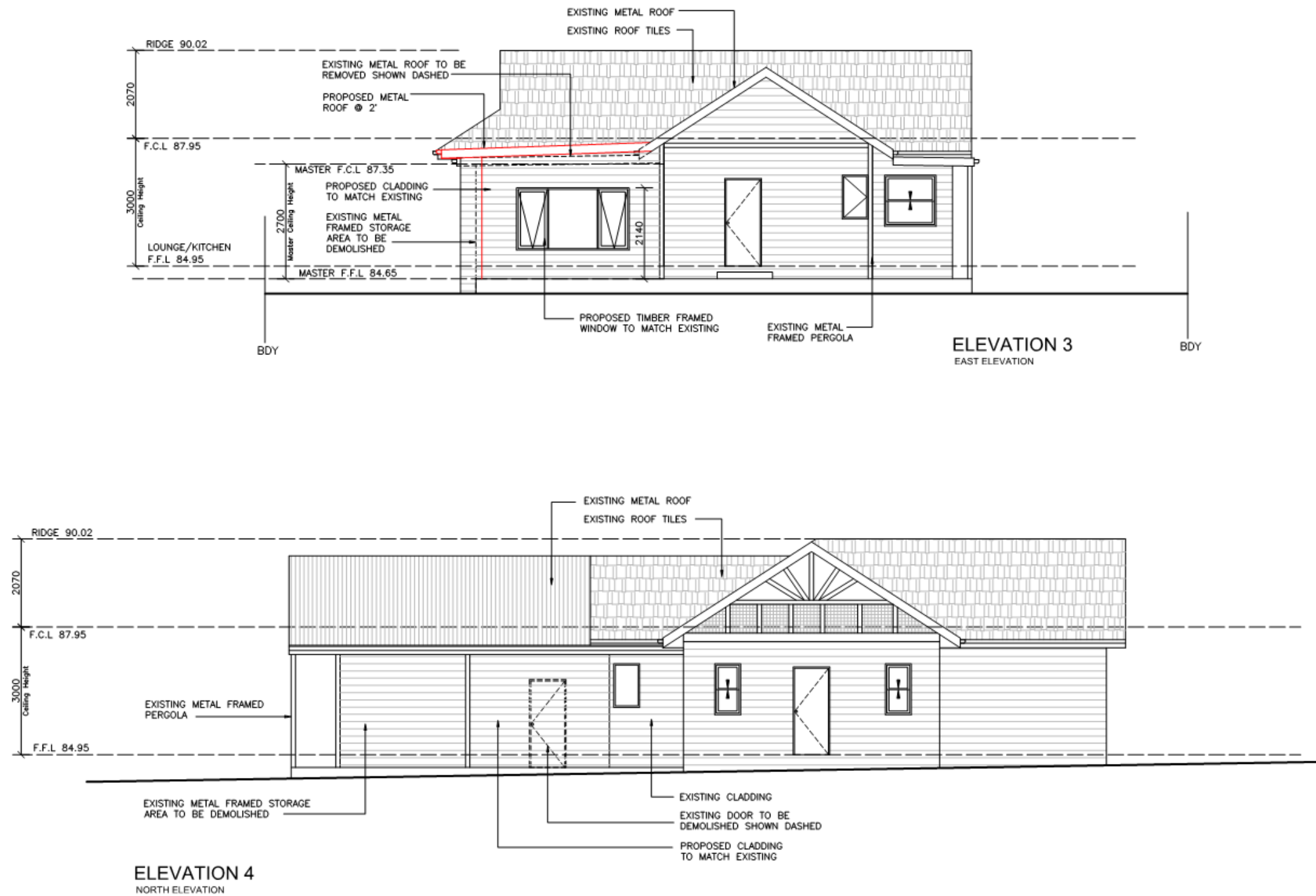


EXISTING ELEVATIONS

	 <div>Mob: 0410 341 884 Email: elie@esdrafting.com.au</div>		DEVELOPMENT DESCRIPTION: PROPOSED EXTENSION TO MAIN DWELLING & PROPOSED NEW SECONDARY DWELLING & DETACHED GARAGE	CLIENT: Luke Andreadakis Katheryn Denton SITE ADDRESS: No. 224 (LOT 2) DP 31361 OLD HUME HIGHWAY CAMDEN SOUTH 2570	DA PLANS		
					DRAWN: ES	DATE: 29.7.24	Rev: E
					SCALE: 1:100	CHECKED:	
					SHEET: 5	JOB No: E248	







## PROPOSED ELEVATIONS



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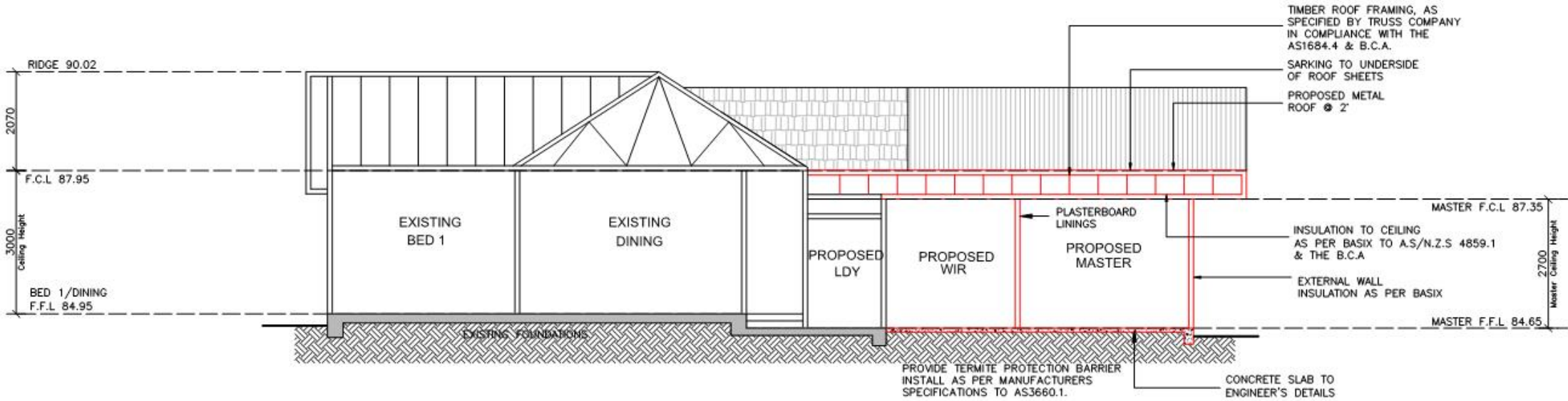
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## DA PLANS

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

**Alterations and Additions**

Certificate number: A1762741

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, in at least an accordance with the minimum standards below. Terms used in this document, or in the amendments, have the meaning given by the document entitled 'BASIX Definitions' dated 19/02/2019 (published by the Department of Planning and Infrastructure) [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au).

Secretary  
Date of issue: Tuesday, 20 July 2024  
To be valid, this certificate must be lodged within 3 months of the date of issue.



Project address	
Project name	224 Old Hume Highway Camden South
Street address	224 OLD HUME CAMDEN SOUTH 2570
Local Government Area	Camden Council
Plan type and number	Deposited Plan 2173181
Lot number	3
Section number	-
Project type	
Building type	Dwelling house (detached)
Type of alteration and addition	The proposed development is for a primary residential use, is a single storey or more, and does not include a pool (or pools).
N/A	Yes
Certificate Prepared by	
Name of company Name: ESD DRAFTING PTY LTD	
ABN (if applicable): 226 1285152	

Features and systems	Show on DA Plans	Show on CCDDC Plans & specs	Certifier Check
<b>Lighting</b> The applicant must ensure that all new or altered lighting fixtures are fluorescent, compact fluorescent, or light emitting diode (LED) lamps.		✓	✓
<b>Fixtures</b> The applicant must ensure new or altered overheads have a flow rate no greater than 9 litres per minute or a 2 litre water saving.		✓	✓
The applicant must ensure new or altered toilets have a flow rate no greater than 6 litres per flush or a 2 litre water saving.		✓	✓
The applicant must ensure new or altered shower or bath tubs have a flow rate no greater than 9 litres per minute or a 2 litre water saving.		✓	✓

Construction	Show on DA Plans	Show on CCDDC Plans & specs	Certifier Check												
<b>Insulation requirements</b>															
The applicant must construct the new or altered construction (floor(s), walls, and ceiling(s)) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m <sup>2</sup> , or b) insulation specified is not required for parts of altered construction where insulation already exists.															
	✓	✓	✓												
<table><tr><th>Construction</th><th>Additional insulation required (R-value)</th><th>Other specifications</th></tr><tr><td>concrete slab on ground floor</td><td>nil</td><td>N/A</td></tr><tr><td>external wall: framed (weatherboard, fibre, metal clad)</td><td>R1.50 (or R1.70 including construction)</td><td></td></tr><tr><td>flat ceiling, flat roof: framed</td><td>ceiling: R3.00 (up), roof: for batts/insulation</td><td>medium solar absorptance 0.475+ 0.70)</td></tr></table>				Construction	Additional insulation required (R-value)	Other specifications	concrete slab on ground floor	nil	N/A	external wall: framed (weatherboard, fibre, metal clad)	R1.50 (or R1.70 including construction)		flat ceiling, flat roof: framed	ceiling: R3.00 (up), roof: for batts/insulation	medium solar absorptance 0.475+ 0.70)
Construction	Additional insulation required (R-value)	Other specifications													
concrete slab on ground floor	nil	N/A													
external wall: framed (weatherboard, fibre, metal clad)	R1.50 (or R1.70 including construction)														
flat ceiling, flat roof: framed	ceiling: R3.00 (up), roof: for batts/insulation	medium solar absorptance 0.475+ 0.70)													

Glazing requirements		Show on DA Plans	Show on CCDDC Plans & specs	Certifier Check		
<b>Windows and glazed doors</b>						
The applicant must install the windows, glazed doors and a building overhang in accordance with the specifications below in a suitable finish. The applicant must ensure the building overhang is installed in a suitable finish and is installed in a suitable finish.		✓	✓	✓		
The following requirements must also be satisfied in relation to new windows and glazed doors:						
Each window or glazed door with improved frames, or polypropylene glass, or clear or tinted glass, or tinted or patterned glass, must have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Performance Rating Council (NPRC) conditions. The description is provided for information only. Alternative systems with complying U-values and SHGC may be substituted.		✓	✓	✓		
For glazing specified in m <sup>2</sup> instead, the leading edge of each pane, pergola, verandah, balcony or awning must be no more than 500 mm above the head of the window or glazed door, and no more than 2400 mm above the sill.		✓	✓	✓		
Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.			✓	✓		
Pergolas with fixed louvers must have louvers parallel to the window or glazed door about which they are installed, unless the pergola also shades a perpendicular window. The spacing between louvers must not be more than 90 mm.			✓	✓		
<b>Glazing requirements</b>						
<b>Windows and glazed doors glazing requirements</b>						
Window/door number	Orientation	Area of glass (including frame area)	Overhead shading height (m)	Overhead shading distance (m)	Shading device	Frame and glass type
W1	E	4.00	0	0	awnings, verandahs, pergolas, balconies, etc.	minimum aluminium, single glazing, U-value < 0.44, SHGC < 0.70
W2	S	2.7	0	0	awnings, verandahs, pergolas, balconies, etc.	minimum aluminium, single glazing, U-value < 0.44, SHGC < 0.70
W3	S	0.64	0	0	awnings, verandahs, pergolas, balconies, etc.	minimum aluminium, single glazing, U-value < 0.44, SHGC < 0.70
<b>Legend</b>						
In these comments, "applicant" means the person carrying out the development.						
Comments identified with a ✓ in the "Show on DA Plans" column must be shown on the plans accompanying the development application for the proposed development, or a development application to be lodged on the proposed development.						
Comments identified with a ✓ in the "Show on CCDDC Plans & Specs" column must be shown in the plans and specifications accompanying the application for a development certificate, or a development certificate for the proposed development.						
Comments identified with a ✓ in the "Certifier Check" column must be certified by a certifying authority as having been fulfilled, before a final occupation certificate for the development may be issued.						

SECTION & BASIX



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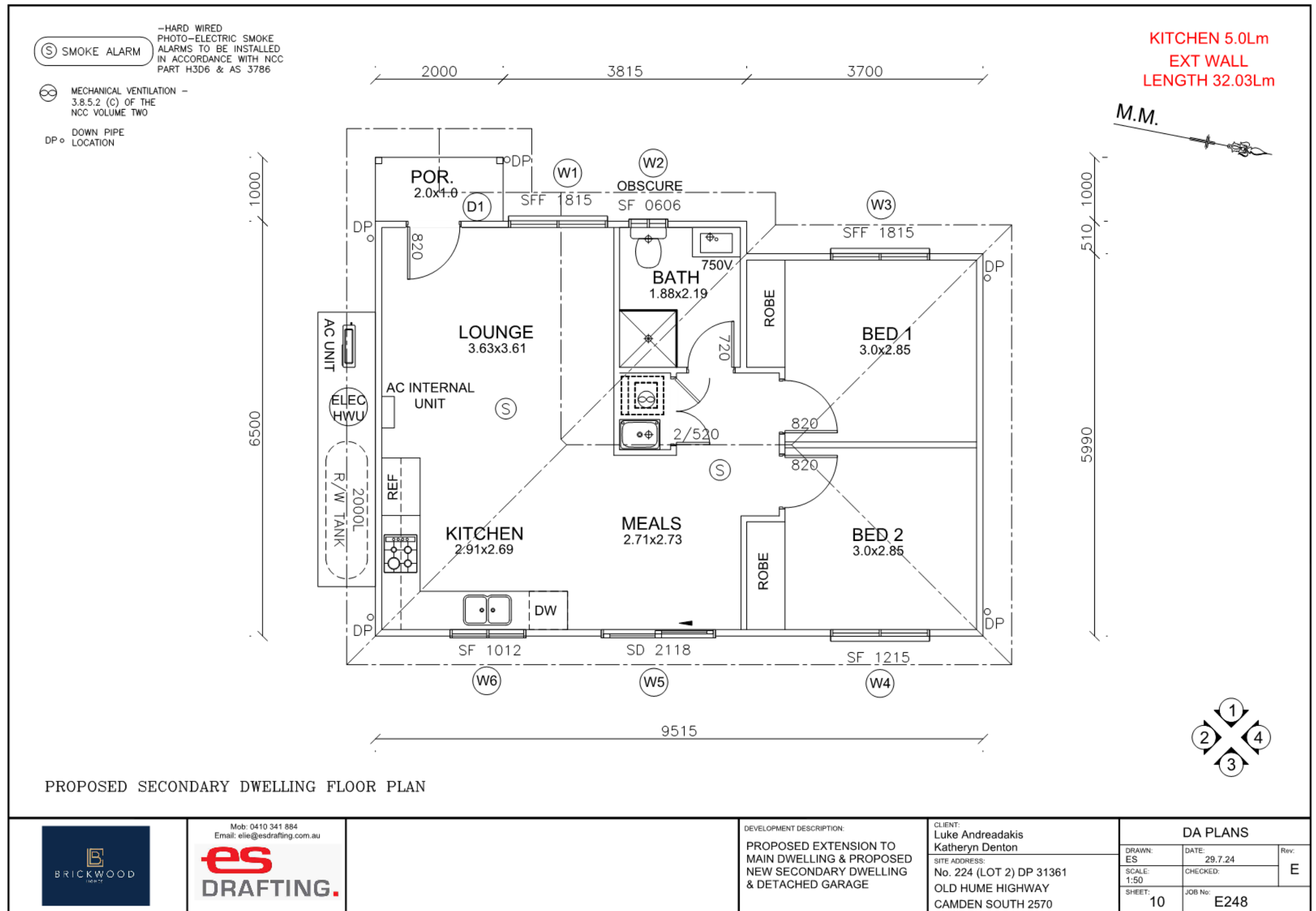


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**PROPOSED EXTENSION TO MAIN DWELLING & PROPOSED NEW SECONDARY DWELLING & DETACHED GARAGE**

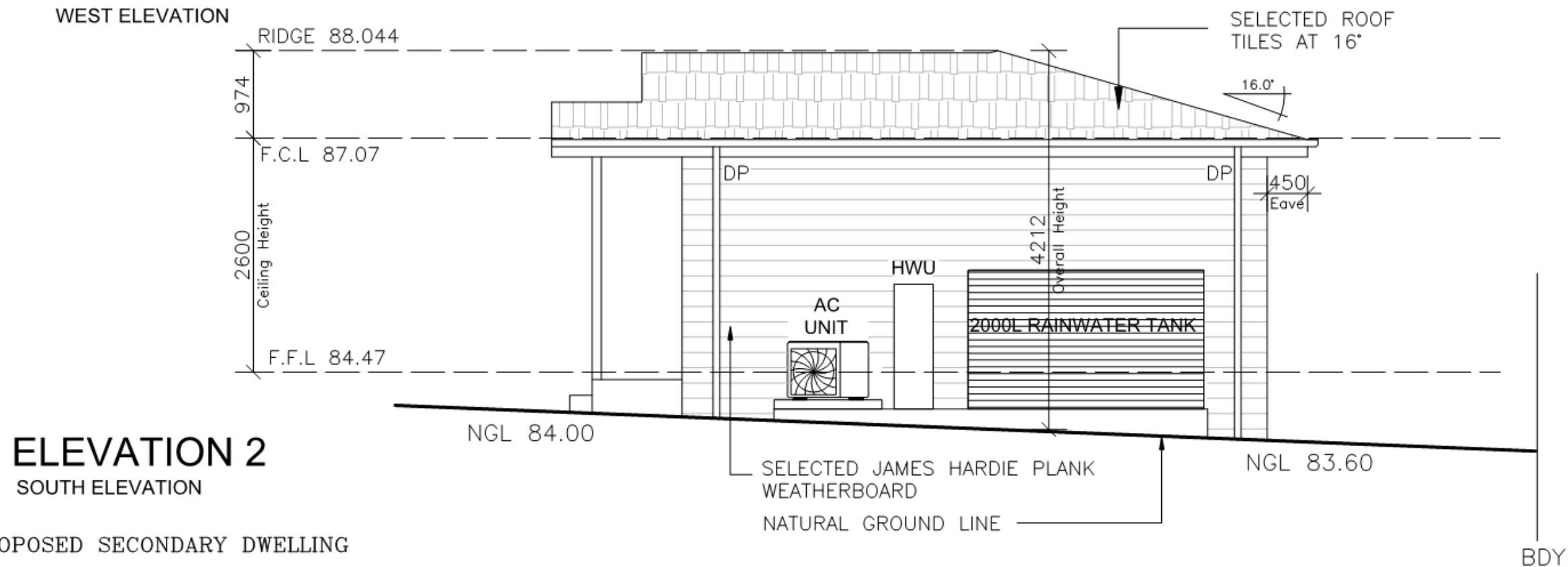
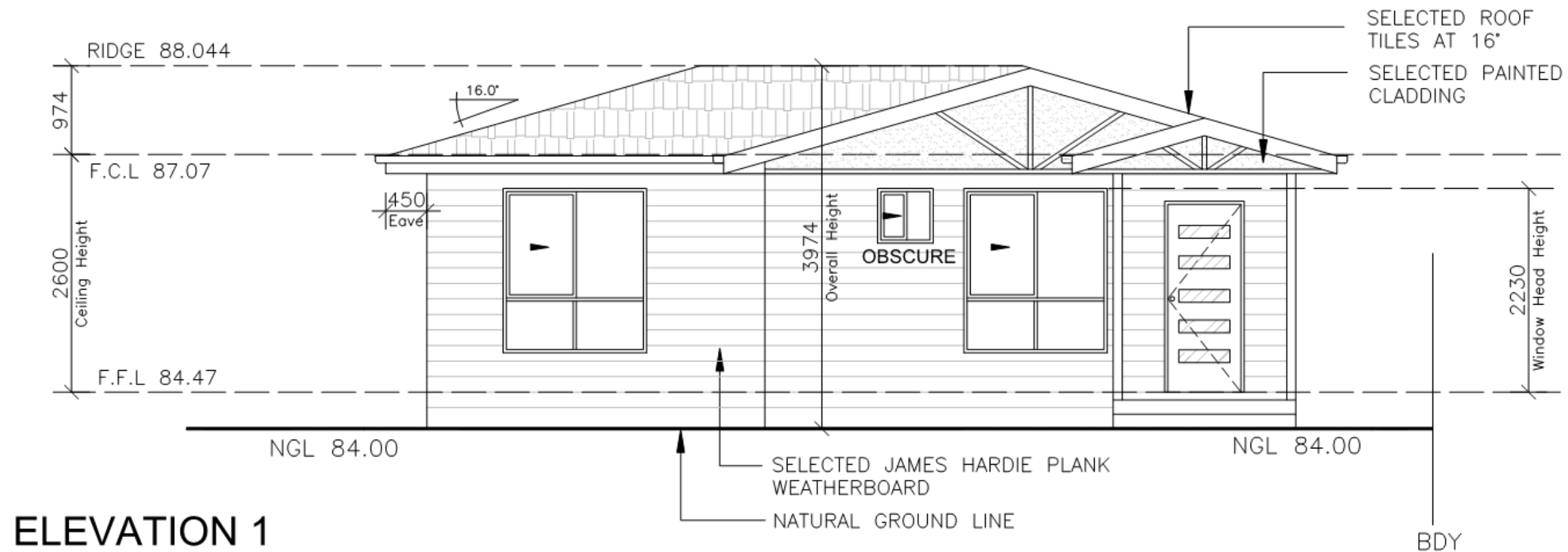
CLIENT:  
**Luke Andreadakis  
Katheryn Denton**  
SITE ADDRESS:  
**No. 224 (LOT 2) DP 31361  
OLD HUME HIGHWAY  
CAMDEN SOUTH 2570**

DA PLANS

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SHEET: <b>9</b>	JOB No: <b>E248</b>	







PROPOSED SECONDARY DWELLING



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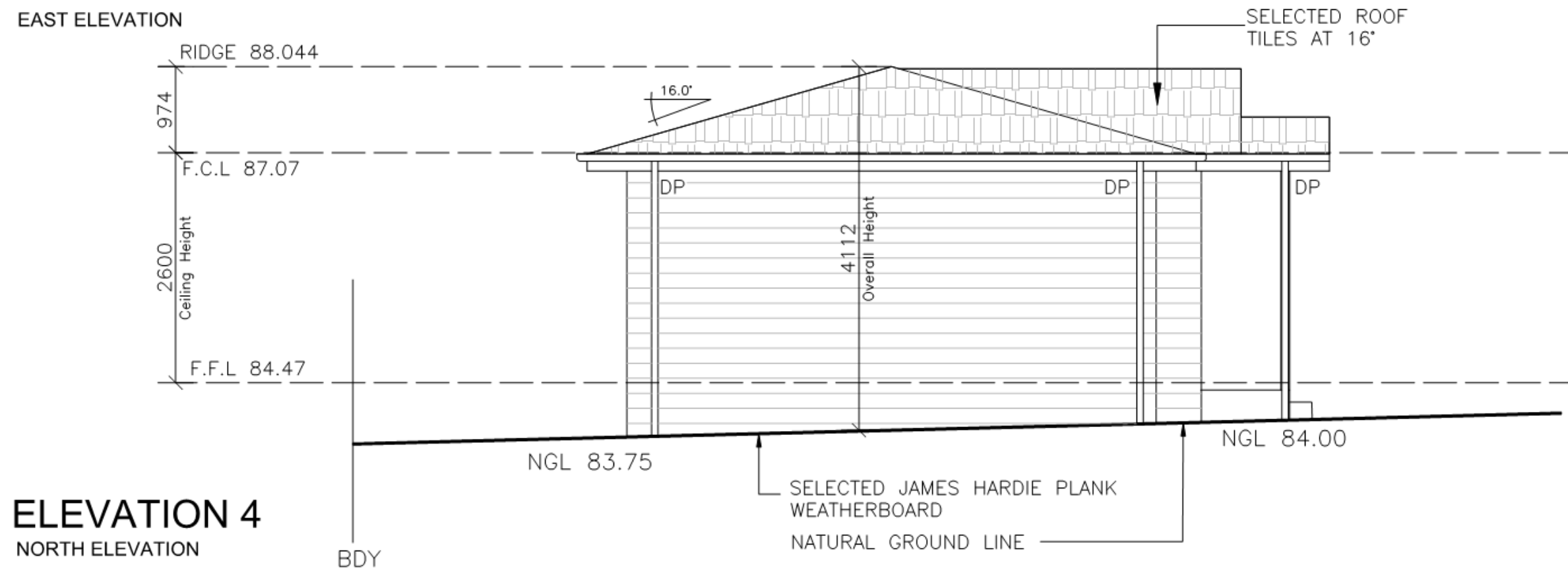
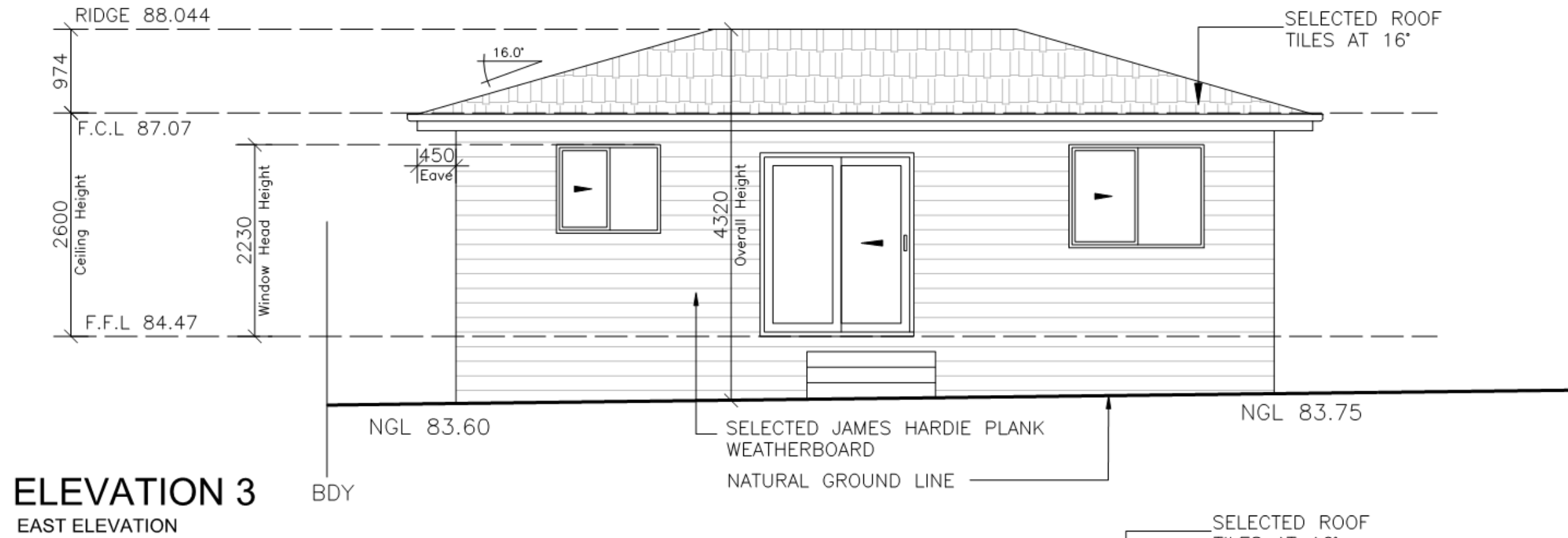
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DA PLANS

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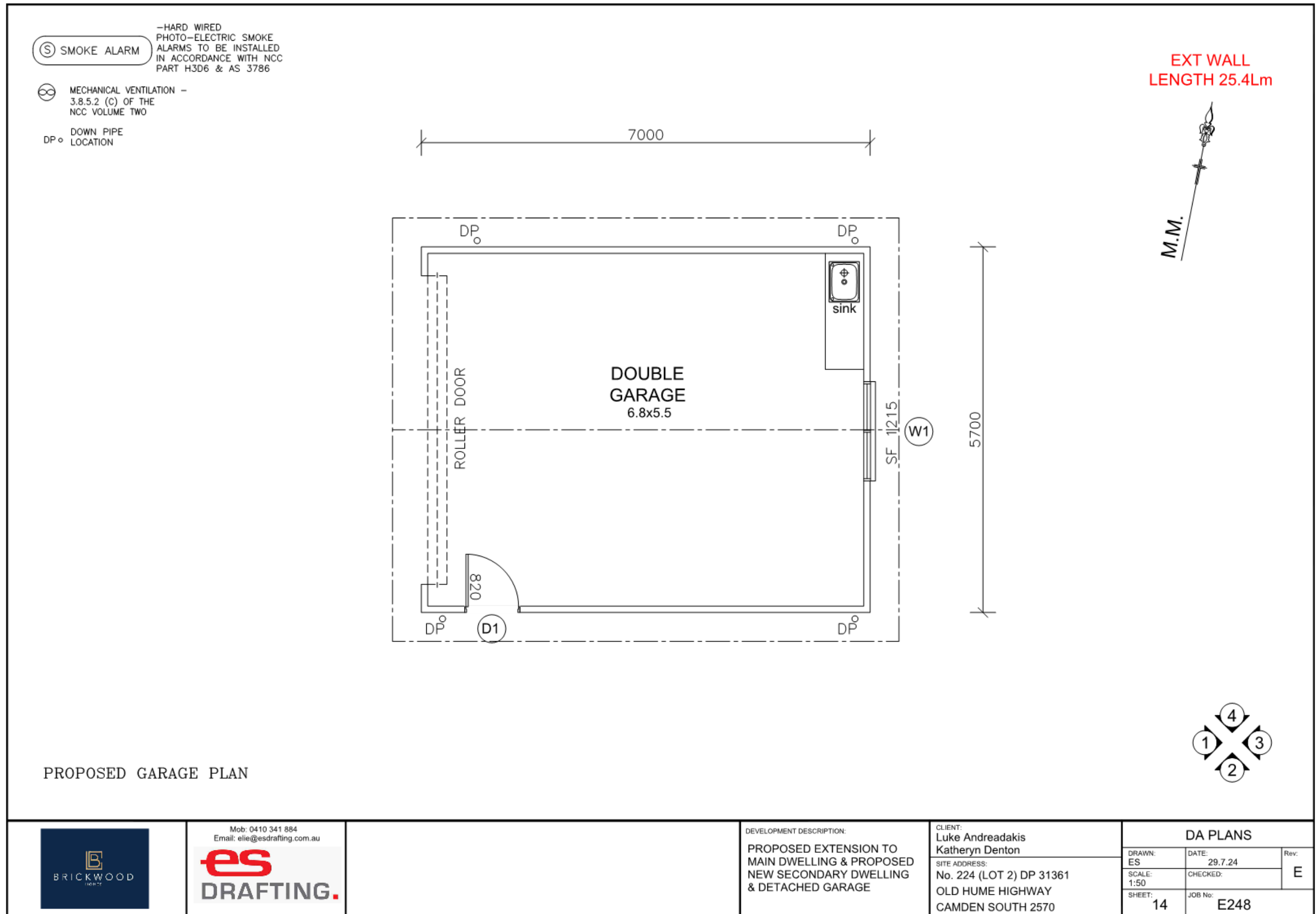
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DA PLANS

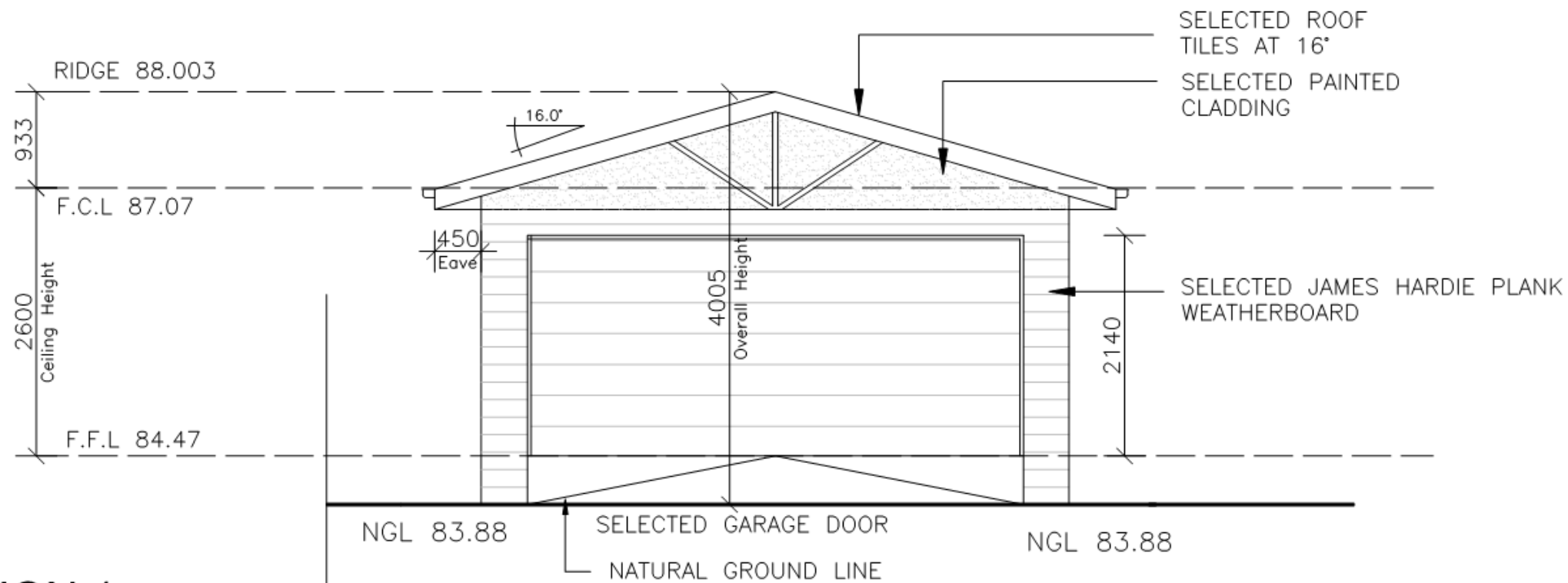
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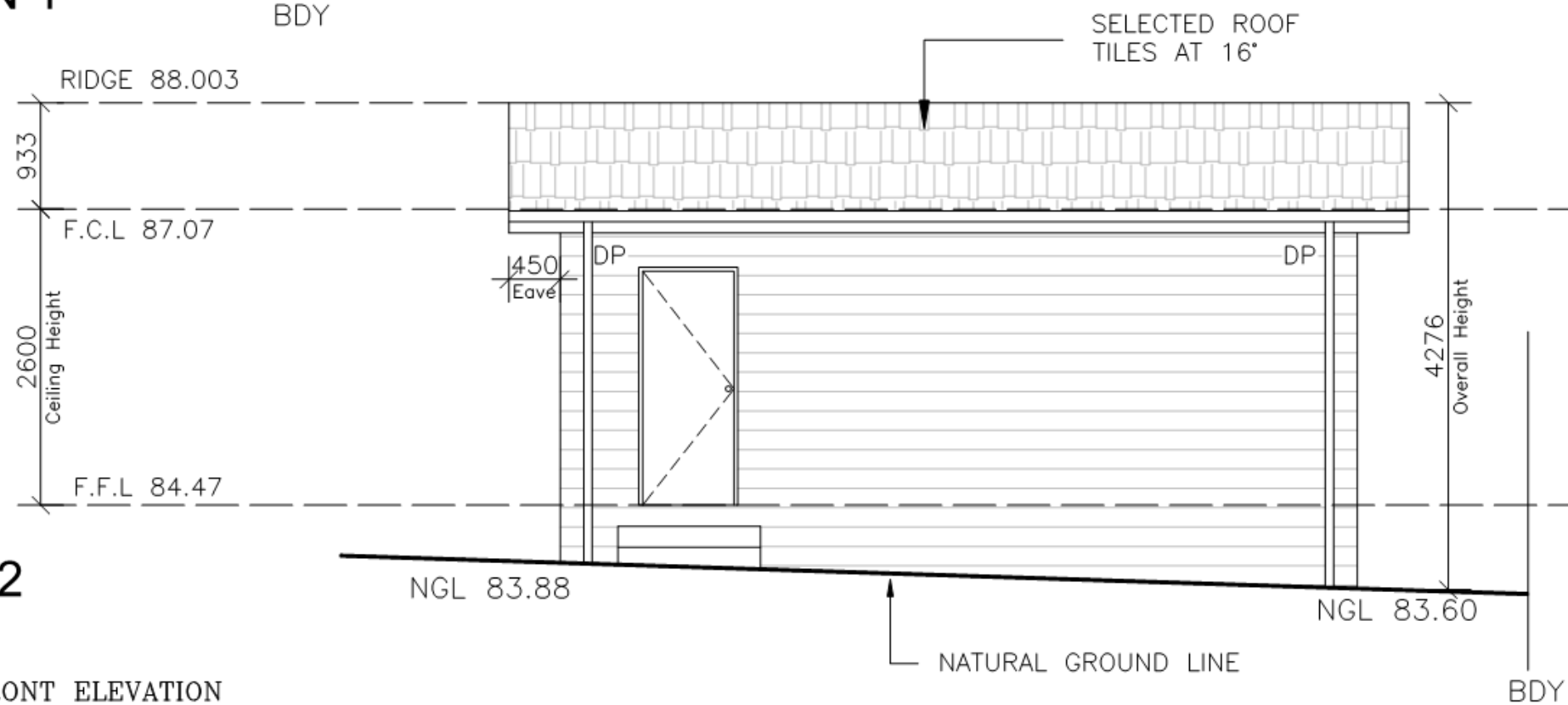


**ELEVATION 1**  
WEST ELEVATION



**ELEVATION 2**  
SOUTH ELEVATION

PROPOSED GARAGE FRONT ELEVATION



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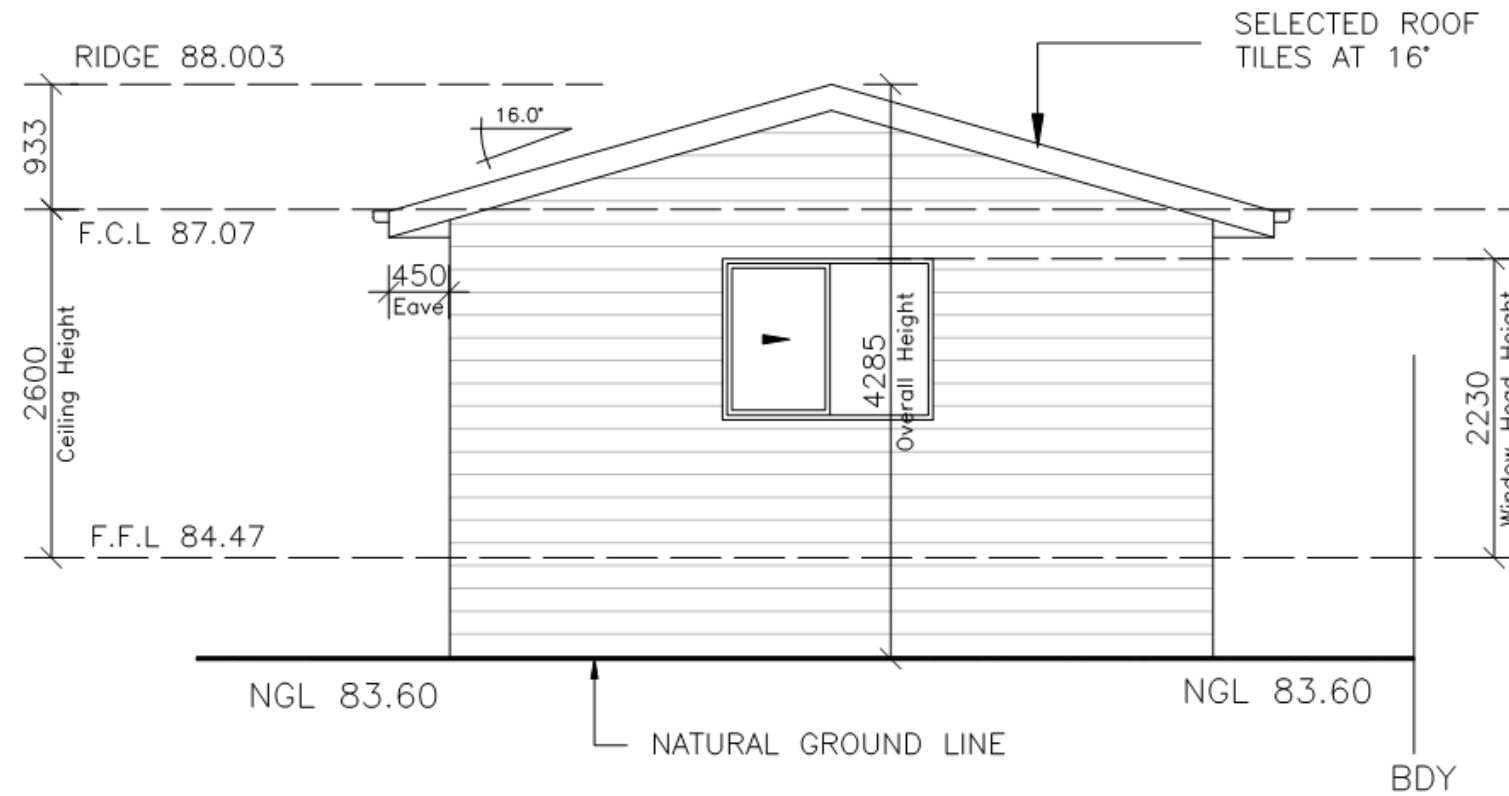
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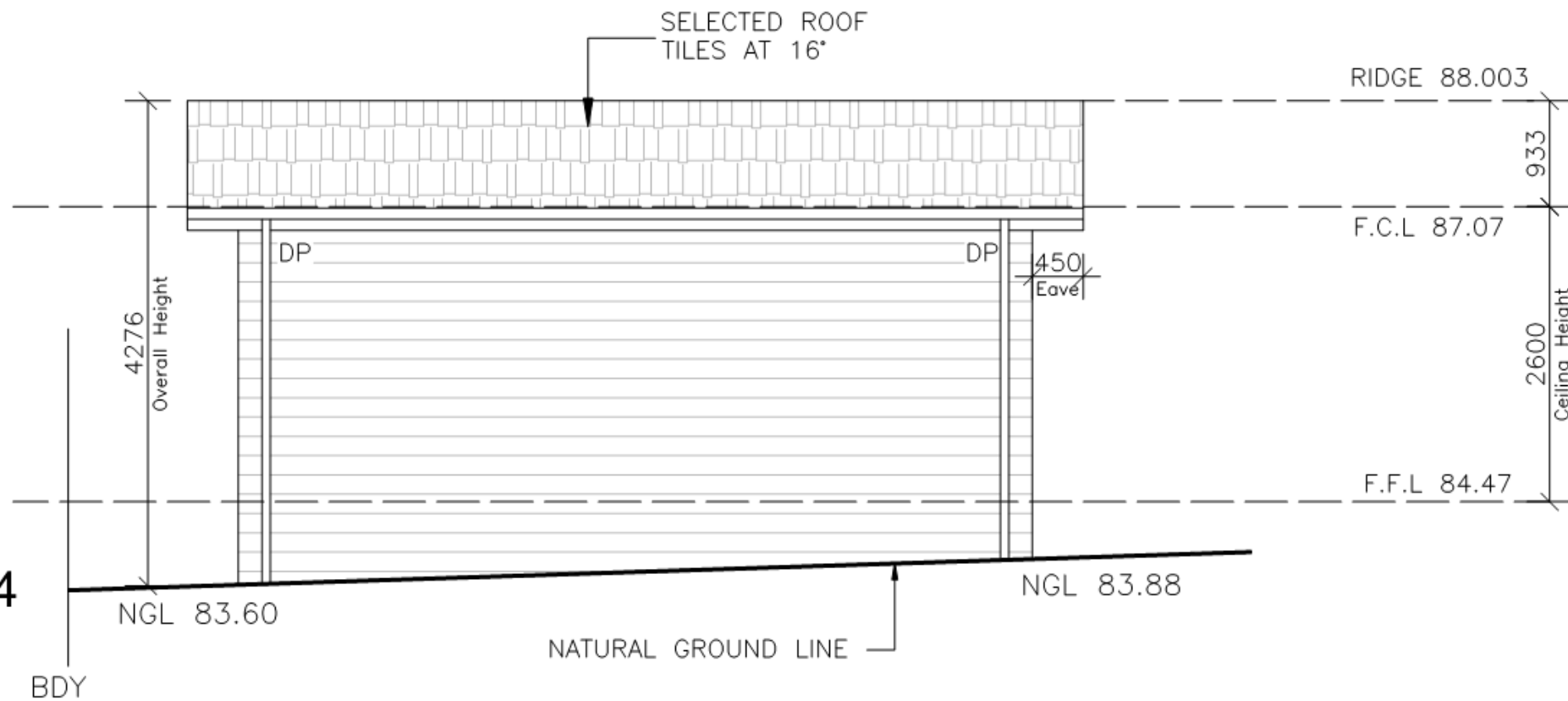
DA PLANS

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**ELEVATION 3**  
EAST ELEVATION



**ELEVATION 4**  
NORTH ELEVATION



Mob: 0410 341 884  
Email: [elie@esdrafting.com.au](mailto:elie@esdrafting.com.au)

**es**  
**DRAFTING.**

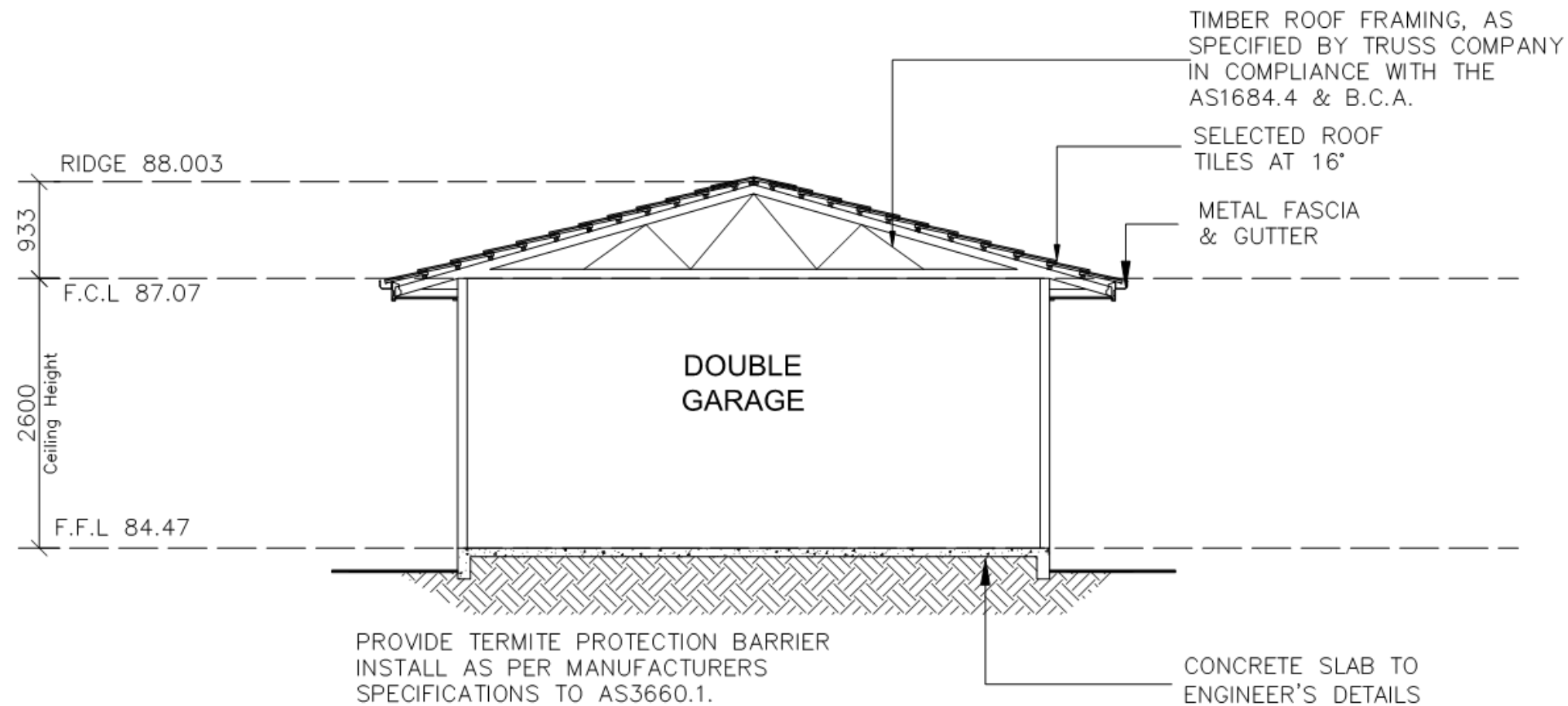
DEVELOPMENT DESCRIPTION:  
PROPOSED EXTENSION TO  
MAIN DWELLING & PROPOSED  
NEW SECONDARY DWELLING  
& DETACHED GARAGE

CLIENT:  
Luke Andreadakis  
Katheryn Denton  
SITE ADDRESS:  
No. 224 (LOT 2) DP 31361  
OLD HUME HIGHWAY  
CAMDEN SOUTH 2570

DA PLANS

DRAWN: ES	DATE: 29.7.24	Rev: E
SCALE: 1:50	CHECKED:	
SHEET: 16	JOB No: E248	





## COLOUR SCHEDULE FOR SECONDARY DWELLING & GARAGE

EXTERNAL CLADDING, FRONT DOOR, SIDE GARAGE DOOR - DULUX HOG BRISTLE

WINDOWS & DOOR FRAMES - DULUX BEIGE

TRIMMINGS & GABLE ENDS - DULUX NATURAL WHITE

FASCIA, GUTTERS, DP'S, MAIN GARAGE DOOR & WATER TANK - COLORBOND SURFMIST

ROOFING - ZINCALUME STEEL

## COLOUR SCHEDULE FOR MAIN DWELLING

EXTERNAL CLADDING & WEATHERBOARD - JAMES HARDIE CEMENT BASED CLADDING - MATCH COLOUR TO EXISTING

WINDOWS - ALUMINUM TO MATCH EXISTING COLOUR

FASCIA - TIMBER TO MATCH EXISTING COLOUR

GUTTER & DP'S - STEEL (COLORBOND) OR PVC TO MATCH EXISTING COLOUR

ROOFING - ZINCALUME STEEL



Mob: 0410 341 884  
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**es**  
DRAFTING.

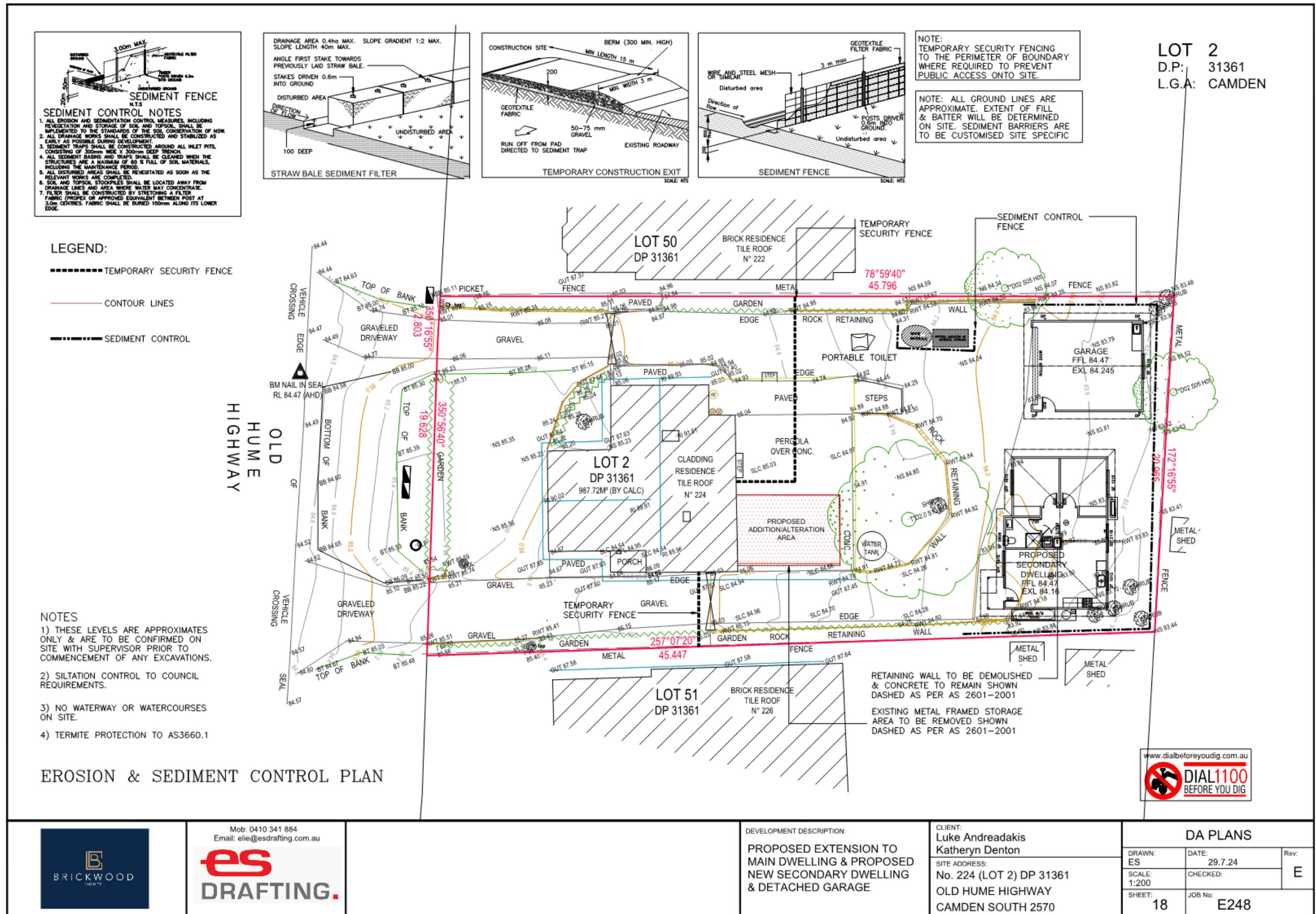
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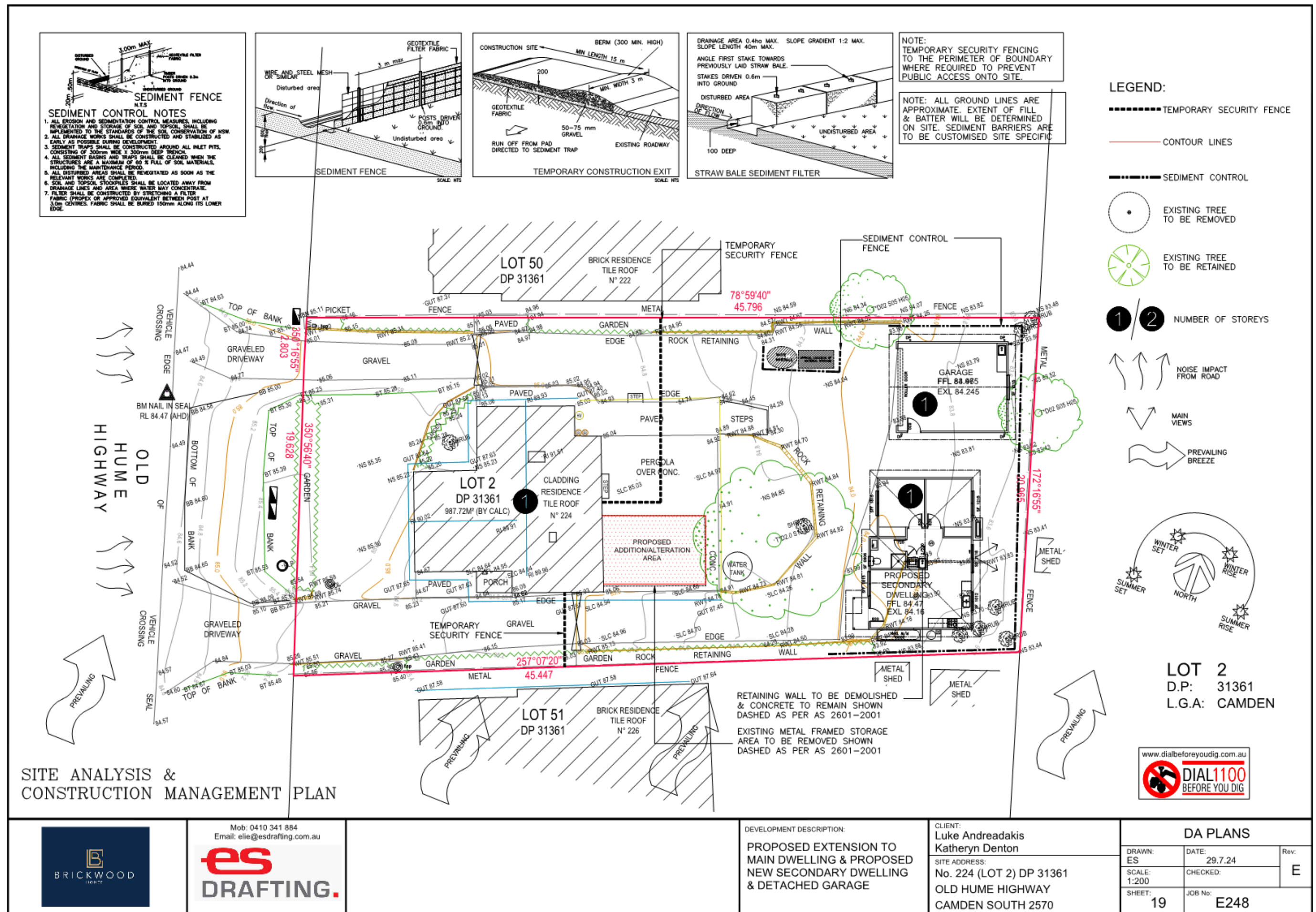
SITE ADDRESS:  
No. 224 (LOT 2) DP 31361  
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CAMDEN SOUTH 2570

### DA PLANS

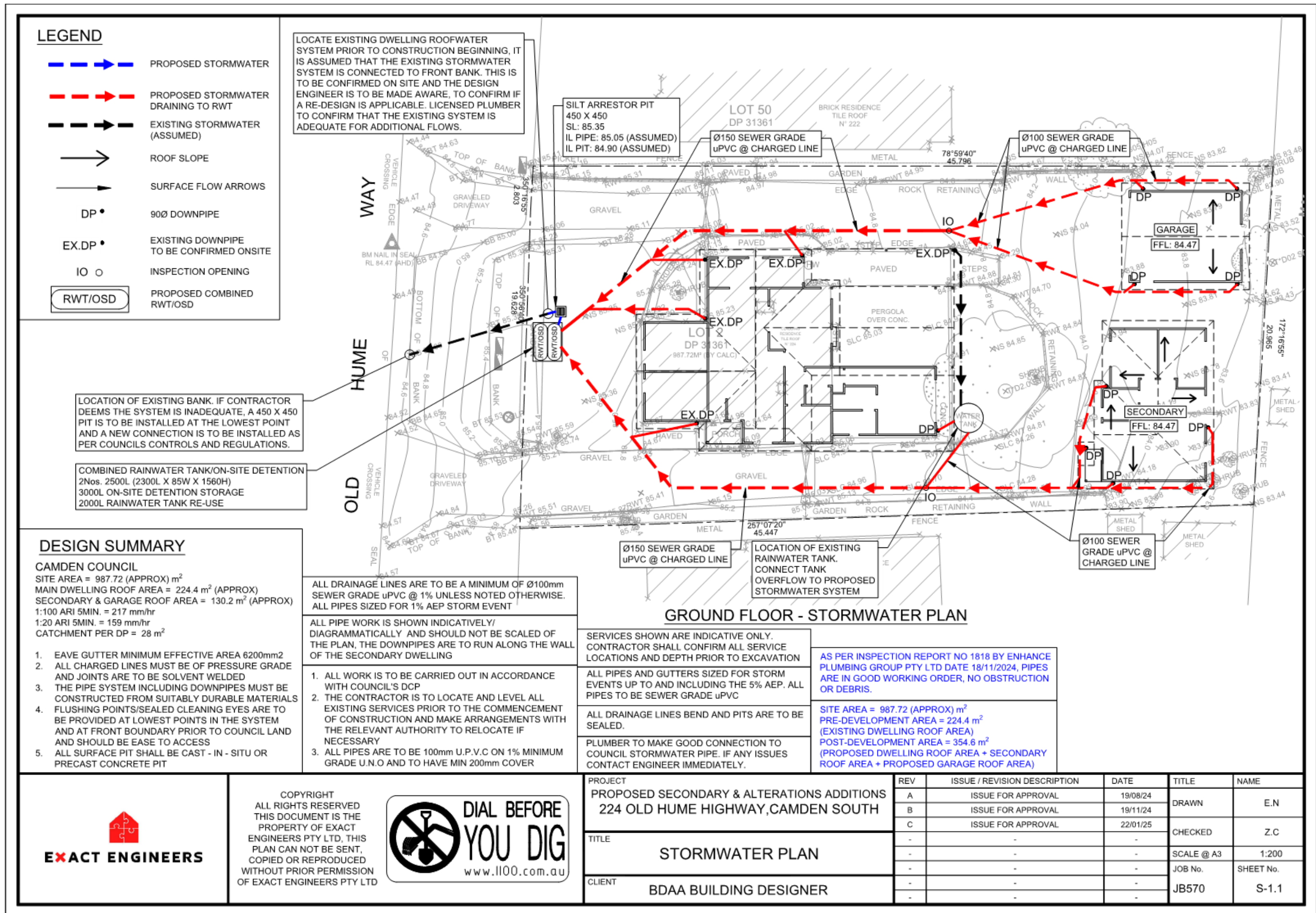
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SCALE: 1:50	CHECKED:	
SHEET: 17	JOB No: E248	



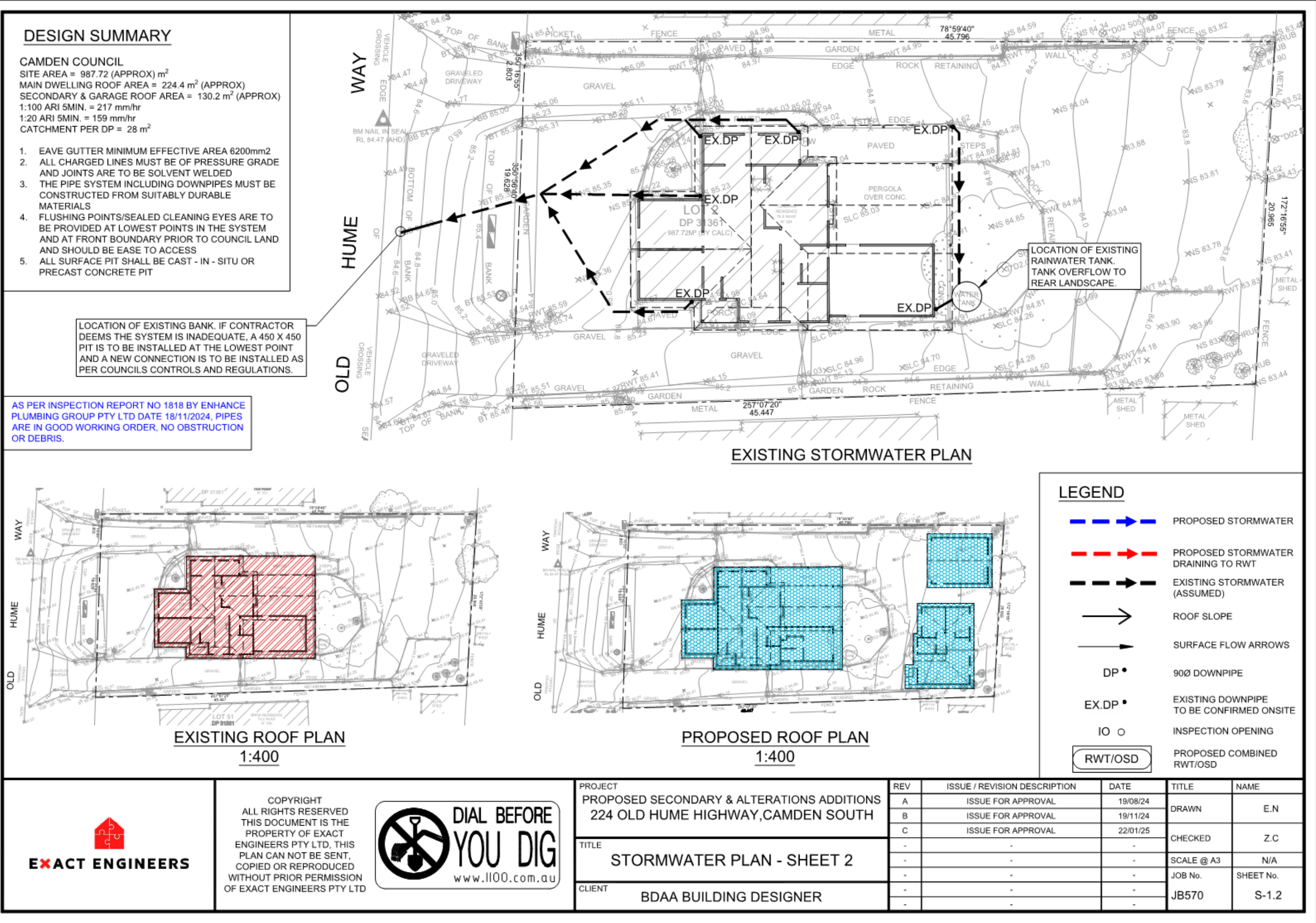


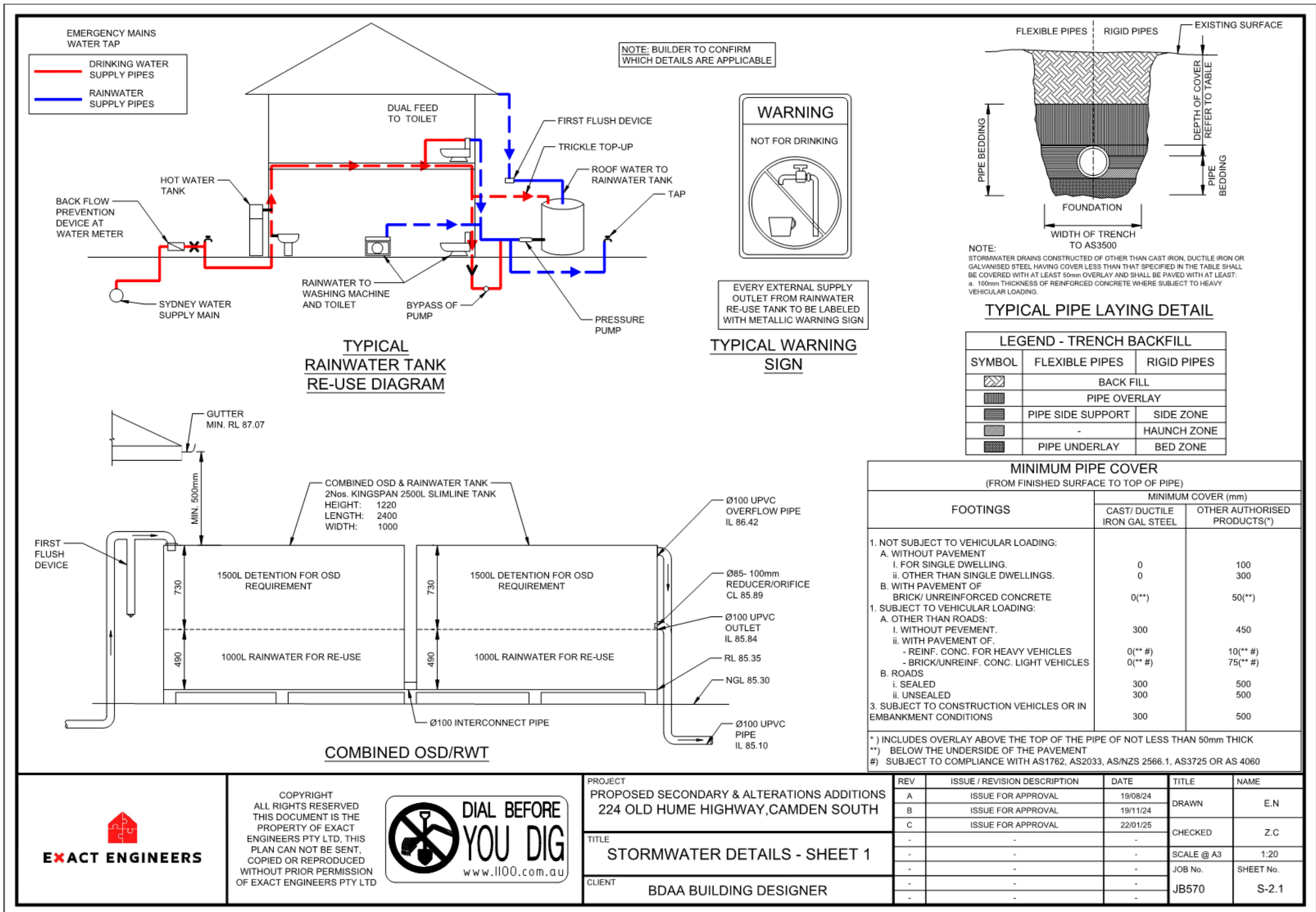




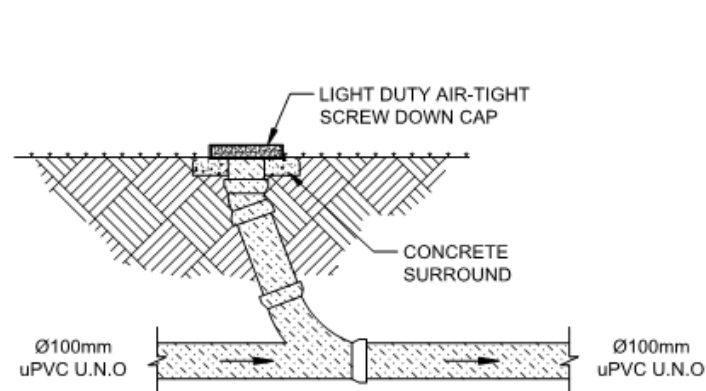




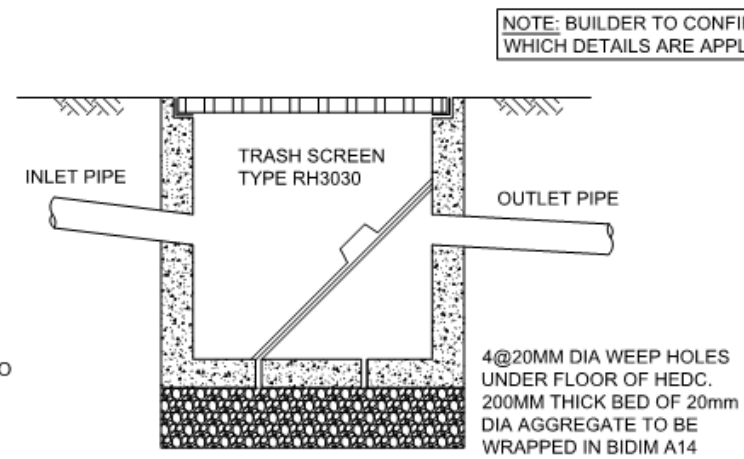
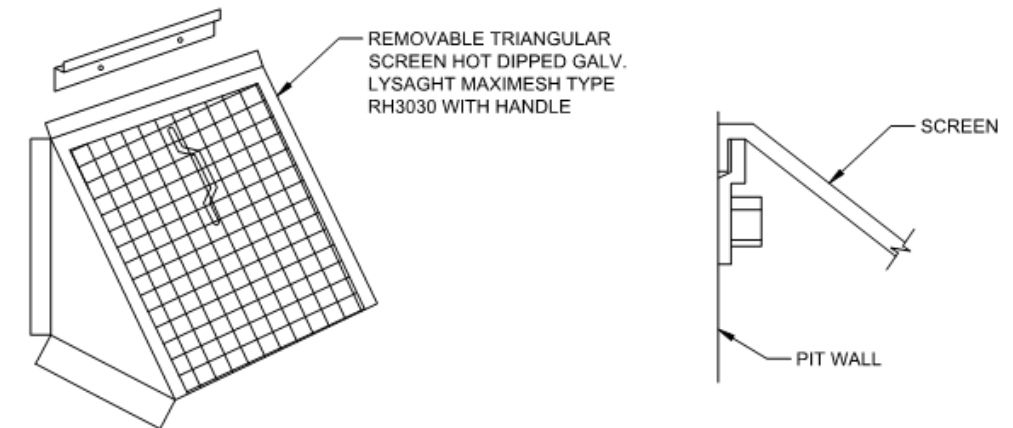
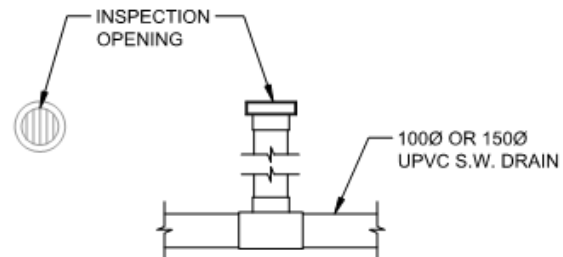
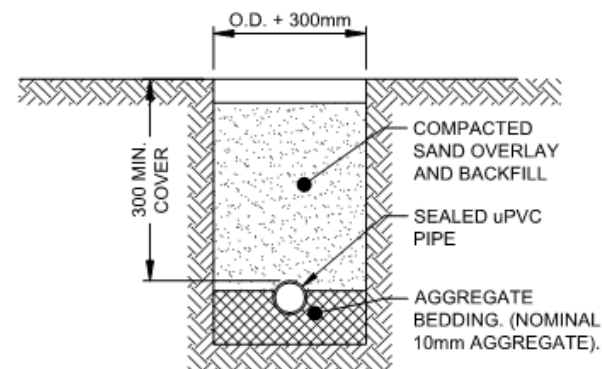




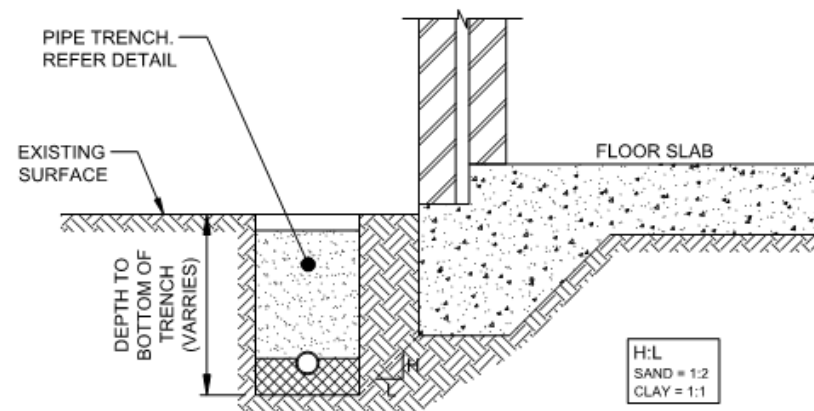




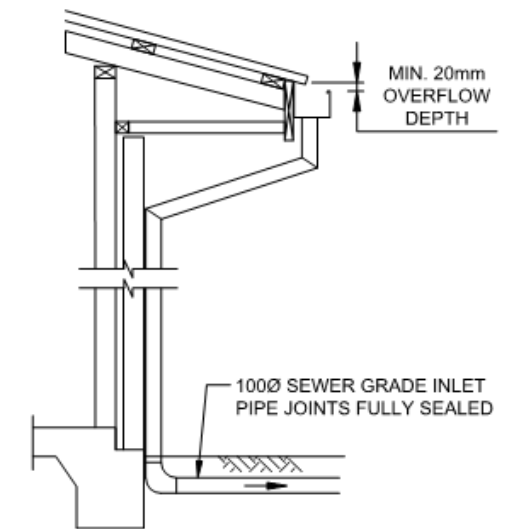
TYPICAL INSPECTION RISER DETAIL

TYPICAL SILT ARRESTOR  
PIT DETAILTYPICAL MULTI-PURPOSE  
FILTER SCREENTYPICAL INSPECTION OPENING DETAIL  
SCALE N.T.S.

PIPE TRENCH DETAIL



TRENCH EXCAVATION NEAR FOOTINGS

TYPICAL CHARGED  
DOWNPIPE  
OVERFLOW

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PROJECT  
PROPOSED SECONDARY & ALTERATIONS ADDITIONS  
224 OLD HUME HIGHWAY, CAMDEN SOUTH

TITLE  
STORMWATER DETAILS - SHEET 2

CLIENT  
BDAA BUILDING DESIGNER

REV	ISSUE / REVISION DESCRIPTION	DATE	TITLE	NAME
A	ISSUE FOR APPROVAL	19/08/24	DRAWN	E.N
B	ISSUE FOR APPROVAL	19/11/24	CHECKED	Z.C
C	ISSUE FOR APPROVAL	22/01/25	SCALE @ A3	1:20
-	-	-	JOB No.	SHEET No.
-	-	-	JB570	S-2.2

Major Storm 1% AEP								
DRAINS results prepared from Version 2024.11.9103.14755								
PIT / NODE DETAILS				Version 8				
Name	Max HGL	Max Pond HGL	Max Surface Flow Arriving (cu.m/s)	Max Pond Volume (cu.m)	Min Freeboard (m)	Overflow (cu.m/s)	Constraint	
N4	85.1		0.007					
SUB-CATCHMENT DETAILS								
Name	Max Flow Q (cu.m/s)	EIA Max Q (cu.m/s)	Remaining Max Q (cu.m/s)	EIA Tc (cu.m/s)	RIA Tc (min)	PA Tc (min)	Due to Storm (min)	
Pre-dev.House	0.014	0.014	0	5	2	10	1% AEP, 5 min burst, Storm 1	
Post-Dev	0.021	0.021	0	5	2	10	1% AEP, 5 min burst, Storm 1	
PIPE DETAILS								
Name	Max Q (cu.m/s)	Max V (m/s)	Max U/S HGL (m)	Max D/S HGL (m)	Due to Storm			
Pipe1	0.012	2.91	86.325	85.102	1% AEP, 10 min burst, Storm 7			
CHANNEL DETAILS								
Name	Max Q (cu.m/s)	Max V (m/s)	Due to Storm					
OVERFLOW ROUTE DETAILS								
Name	Max Q U/S	Max Q D/S	Safe Q	Max D	Max DxV	Max Width	Max V	Due to Storm
OF3	0	0	1.479	0	0	0	0	
DETENTION BASIN DETAILS								
Name	Max WL	MaxVol	Max Q Total	Max Q Low Level	Max Q High Level			
Basin2	86.54	3	0.012	0.012	0			
Run Log for DRAINS Lite v2024.11.9103.14755 - 2025.01.22 OLD HUME HWY Drains_Backup								
Run Log for DRAINS Lite v2024.11.9103.14755 - 2025.01.22 OLD HUME HWY Drains_Backup.drn run at 12:18:14 on 22/1/2025.								
Flows were safe in all overflow routes.								



OSD MAJOR STORM COMPUTATION

Minor Storm 20% AEP								
DRAINS results prepared from Version 2024.11.9103.14755								
PIT / NODE DETAILS				Version 8				
Name	Max HGL	Max Pond HGL	Max Surface Flow Arriving (cu.m/s)	Max Pond Volume (cu.m)	Min Freeboard (m)	Overflow (cu.m/s)	Constraint	
N4	85.09		0					
SUB-CATCHMENT DETAILS								
Name	Max Flow Q (cu.m/s)	EIA Max Q (cu.m/s)	Remaining Max Q (cu.m/s)	EIA Tc (cu.m/s)	RIA Tc (min)	PA Tc (min)	Due to Storm (min)	
Pre-dev.House	0.007	0.007	0	5	2	10	20% AEP, 5 min burst, Storm 1	
Post-Dev	0.011	0.011	0	5	2	10	20% AEP, 5 min burst, Storm 1	
PIPE DETAILS								
Name	Max Q (cu.m/s)	Max V (m/s)	Max U/S HGL (m)	Max D/S HGL (m)	Due to Storm			
Pipe1	0.007	2.51	85.965	85.09	20% AEP, 10 min burst, Storm 8			
CHANNEL DETAILS								
Name	Max Q (cu.m/s)	Max V (m/s)	Due to Storm					
OVERFLOW ROUTE DETAILS								
Name	Max Q U/S	Max Q D/S	Safe Q	Max D	Max DxV	Max Width	Max V	Due to Storm
OF3	0	0	0.908	0	0	0	0	
DETENTION BASIN DETAILS								
Name	Max WL	MaxVol	Max Q Total	Max Q Low Level	Max Q High Level			
Basin2	86.12	1.2	0.007	0.007	0			
Run Log for DRAINS Lite v2024.11.9103.14755 - 2025.01.22 OLD HUME HWY Drains_Backup								
Run Log for DRAINS Lite v2024.11.9103.14755 - 2025.01.22 OLD HUME HWY Drains_Backup.drn run at 12:17:59 on 22/1/2025.								
Flows were safe in all overflow routes.								


OSD MINOR STORM COMPUTATION


	Main house	All Dwellings
	PRE-DEV	POST-DEV
Minor Storm	7 L/s	7 L/s
Major Storm	14 L/s	12 L/s

RESULT TABLE

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			PROPOSED SECONDARY & ALTERATIONS ADDITIONS 224 OLD HUME HIGHWAY,CAMDEN SOUTH	A	ISSUE FOR APPROVAL	19/08/24	DRAWN	E.N
				B	ISSUE FOR APPROVAL	19/11/24		
				C	ISSUE FOR APPROVAL	22/01/25		
			TITLE	-	-	-	CHECKED	Z.C
			STORMWATER DETAILS - SHEET 3	-	-	-	SCALE @ A3	1:20
				-	-	-	JOB No.	SHEET No.
				-	-	-	JB570	S-2.3
CLIENT	BDAА BUILDING DESIGNER			-	-	-		

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