



# Camden Local Planning Panel

**Electronic Determination**  
**August 2021**

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# CAMDEN LOCAL PLANNING PANEL

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## CAMDEN LOCAL PLANNING PANEL

### CLPP01

**SUBJECT: DA/2021/227/1 - PARTIAL DEMOLITION AND ALTERATIONS AND ADDITIONS TO THE EXISTING FIRE DAMAGED BUILDING**

**TRIM #: 21/386438**

DA Number:	DA/2021/227/1
Development:	Partial demolition and alterations and additions to the existing fire damaged building
Estimated Cost of Development:	\$517,000
Site Address(es):	63 Argyle Street, Camden
Applicant:	[REDACTED]
Owner(s):	[REDACTED]
Number of Submissions:	One (1) submission
Development Standard Contravention(s):	Clause 4.3 - Height of buildings
Classification:	Local
Recommendation:	Approve with conditions
Panel Referral Criteria:	Departure from development standard by more than 10%
Report Prepared By:	Clare Aslanis – Executive Planner

### PURPOSE OF REPORT

The purpose of this report is to seek the Camden Local Planning Panel's (the Panel's) determination of a development application (DA) for the partial demolition and alterations and additions to the existing fire damaged building at 63 Argyle Street, Camden.

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

### SUMMARY OF RECOMMENDATION

That the Panel determine DA/2021/227/1 for the partial demolition and alterations and additions to the existing fire damaged building 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 partial demolition and alterations and additions to the existing fire damaged building at 63 Argyle Street, Camden.

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

The DA was publicly exhibited for a period of 14 days in accordance with Camden Development Control Plan 2019. The exhibition period was from 18 March to 31 March 2021 and one submission was received. The submission was generally supportive of the development, however requested that a tree be planted on the site and the gravel car park be retained.

The proposal exceeds the maximum height of buildings development standard (7 metres) applicable to the site. The contravention is assessed in detail in this report and is supported by Council staff.

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

## KEY PLANNING CONTROL VARIATIONS

Control	Proposed	Variation
Clause 4.3 Height of Buildings – Camden Local Environmental Plan 2010 – 7m.	7.781m	781mm (11%)
9 off-street car parking spaces	8 off-street car parking spaces	1 space

## AERIAL PHOTO



Figure 1: Aerial image of the subject site (bordered in red)

## THE SITE

The subject site is known as 63 Argyle Street, Camden and is legally described as Lot 1 in DP 713261.

The subject site is located in the commercial centre of Camden on land zoned B2 Local Centre and has a visible frontage to Larkin Place.

The site contains the remnants of a two-storey commercial building and is within the Camden Heritage Conservation Area. A significant portion of the commercial building has been destroyed by fire and is currently unroofed, with only front and side walls remaining.

The previously existing building was two storeys in height with original double hipped corrugated iron roofing, projecting brick chimneys, and front awnings with federation style balcony above. The building contributes positively to the Camden Heritage Conservation Area and the streetscape of Argyle Street.



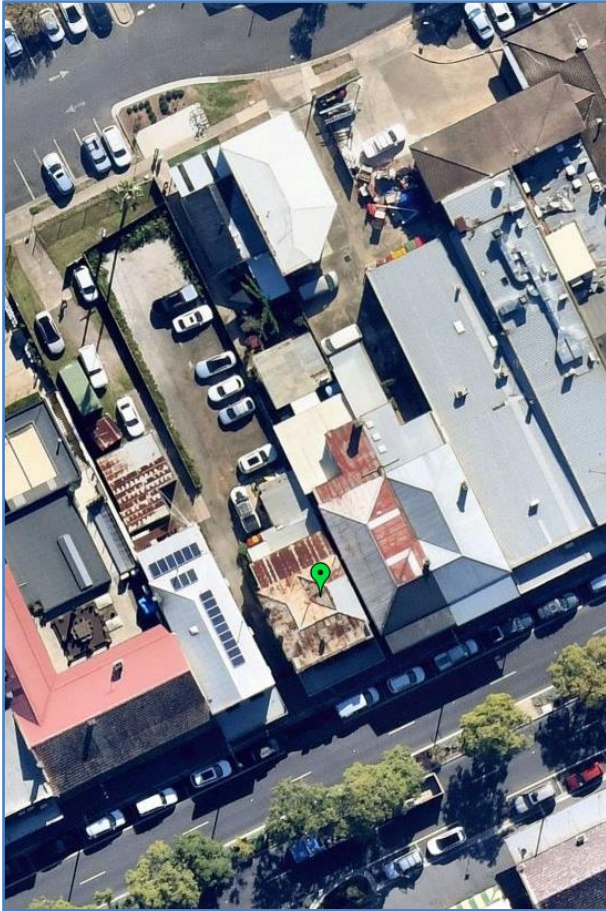


Figure 2: Aerial image of previously existing building (source: Nearmap)

**ZONING PLAN**



Figure 3: Zoning map of the subject site (bordered in red)

## HERITAGE MAPPING



Figure 4: Heritage map of the subject site (bordered in red)

## HISTORY

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

Date	Development
Early 1900s	The subject building was constructed with a ground floor commercial tenancy and residence on the first floor.
January 2003	DA/2002/237/1 – Consent was granted for the change of use to a real estate agency with signage.
November 2005	DA/2004/1289/1 – Consent was granted for the change of use for the first floor from residential to a commercial office.
July 2020	PDM/2020/46/1 – Pre-lodgement advice was provided for the partial demolition of existing structure and construction of two storey additions at the rear of site with internal alterations.
August 2020	The building was substantially damaged by fire
September 2020	NO/2020/209/1 – An Emergency Order was issued by Council to engage a structural engineer and asbestos assessor, and to make the site safe. All unsalvageable material was removed from the site. The front façade was able to be retained with propping by steel beams.
September 2020	NO/2020/219/1 – An Emergency Order was issued by Council following the outcome of specialist reports. This Order required compliance with structural engineer's advice to install hoardings.

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## **THE PROPOSAL**

DA/2021/227/1 seeks approval for the partial demolition and alterations and additions to the existing fire damaged building.

Specifically, the development involves:

- Removal of ground floor doors and windows with replacement doors and windows to be installed;
- Reconstruction of a two-storey building with rear addition, comprising a total gross floor area (GFA) of 357.8m<sup>2</sup> (ground floor – 191.15m<sup>2</sup>, and first floor 166.61m<sup>2</sup>) to create two office tenancies (note: the proposed building is larger than the previously existing building that was destroyed by fire);
- Retention of front façade including all brick work, front balcony and awning;
- Reconstruction of metal sheet roofing to match the original form at the front and a flat roof to the rear addition;
- Construction of an at-grade car parking area to accommodate eight car parking spaces, including one accessible space;
- Associated drainage; and
- Associated landscaping.

The estimated cost of the development is \$517,000.

## **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 No.55 – Remediation of Land**

SEPP 55 provides a State-wide planning approach to the remediation of contaminated land.

Clause 7 of SEPP 55 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 subject site has historically been used as a mixed-use development, containing commercial and residential uses. Based on the previous uses of the site, the land is not considered to be contaminated.





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Prior to the lodgement of the DA, an Emergency Order under Section 124 of the *Local Government Act 1993* was issued to the owner of the site requiring an immediate inspection by a Structural Engineer, implementation of a formal exclusion zone, asbestos assessment, installation of safety fencing and to make the site safe. An additional Emergency Order under Section 124 of the *Local Government Act 1993* was issued to the owner to undertake works, in accordance with the recommendations of those reports.

All make safe works and asbestos removal have occurred between September and November 2020. Certificates have been issued by an Asbestos Assessor and the site / structure is suitable for people to occupy.

Notwithstanding the above, a standard contingency condition is recommended that requires any contamination found during construction be managed in accordance with Council's Management of Contaminated Lands Policy.

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

##### *Site Zoning*

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

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

The proposed development will facilitate the future use of the site as a "office premises" as defined by the Camden LEP.

##### *Permissibility*

The use as a "office premises" is permitted with consent pursuant to clause 2.6 of the Camden LEP.

##### *Planning Controls*

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

##### *Clause 4.3 – Height of Buildings*

Pursuant to clause 4.3 of Camden Local Environmental Plan 2010 a maximum height of buildings development standard of 7 metres is prescribed for the site. The proposed development has a maximum building height of 7.781 metres, contravening the development standard by 0.781 metres or 11%.

Pursuant to Clause 4.6(3) of the LEP, the applicant has submitted a written request that seeks to justify the contravention of the development standard. Pursuant to Clause 4.6(4) 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(3) of the LEP; and

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

In accordance with Clause 4.6(3), the applicant requests that the height of buildings development standard be varied in this instance. The applicant's written request, which is attached to this report, submits that compliance with the development standard is unreasonable and unnecessary as the proposed development is consistent with, and does not erode the underlying intent of the zoning and building height control objectives. More specifically the applicant submits that:

*"The roof form of the front portion of the building will be reinstated, in terms of both pitch and height, and therefore reinforces the desired planning and conservation principle of preserving the existing streetscape characteristics"*

and,

*"The rear portion of the site is oriented to the north and there is no adverse impact on solar access, windows are oriented to the streets and driveway areas for natural light, internal amenity and the provision of passive surveillance."*

It is assessed that the proposal results in a preferable outcome on the site when compared to a strictly compliant scheme. The proposal achieves a superior design which ties in with the established streetscape and more closely aligns with the original heritage significant building. It is also noted that the proposed building height compares favourably to those of adjoining and surrounding buildings.

It is considered that the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3) of the Camden LEP, and the development will be in the public interest because it is consistent with the objectives of the height of buildings standard and the B2 Local Centre zone, as outlined below:

#### Clause 4.3 Height of Buildings Objectives

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

The proposed height contravention is due to the height of the existing façade / original building. The building, which is a contributory item within the Camden Town Centre Heritage Conservation Area, was constructed in the early 1900s and its reinstatement is desirable from a heritage perspective.

The rear portion of the building also contravenes the height of buildings development standard, however this height is influenced by the reinstatement of the front portion of the building. The flat roof with parapet ensures that the visual focus remains towards the historic part of the building.

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

As above, the existing facade / original building plays an important role in informing the character of Argyle Street and the Camden Town Centre Heritage Conservation Area. Support of the contravention will ensure that views and visual character are upheld. No additional solar access nor privacy impacts will result from the height contravention.



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

As the proposal involves partial restoration of a contributory building, the development will contribute positively to the heritage conservation area.

### B2 Local Centre Objectives

1. *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*

The reconstruction of the building and extension will facilitate the ongoing office use of the building.

2. *To encourage employment opportunities in accessible locations.*

As discussed above, the proposal will enable the existing office uses to recommence and thus facilitate employment opportunities within the Town Centre.

3. *To maximise public transport patronage and encourage walking and cycling.*

The proposed restoration works and building extensions do not impede on public transport patronage nor walkability of the Town Centre.

4. *To ensure that mixed use developments present an active frontage to the street by locating business, retail and community uses at ground level.*

The existing building provides an active street frontage with a ground floor office shopfront with a covered awning.

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

The proposal does not result in any land use conflicts for the locality.

6. *To enable other land uses that are complementary to and do not detract from the viability of retail, business, entertainment and community uses within the zone.*

The subject development contributes positively to the vitality of the Camden Town Centre.

The assumed concurrence of the Secretary has been issued for variations of this nature under Planning Circular PS 20-002 issued 5 May 2020.

Consequently, it is recommended that the Panel support this proposed contravention to the Camden LEP.

- (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)***



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Draft Environment State Environmental Planning Policy (Draft Environment SEPP)

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

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

Camden Development Control Plan 2019 (Camden DCP)

An assessment table in which the development is considered against the Camden DCP is provided as an **attachment** to this report. The proposal is generally compliant with the objectives and controls contained in the DCP and any variations are further addressed below.

*Part 2.18 Car Parking*

The applicant proposes a variation to Part 2.18 of the Camden DCP regarding off-street car parking provision.

The Camden DCP requires office premises to provide 1 car parking space per 40m<sup>2</sup> of gross floor area (GFA). The development will have a GFA of 357.76m<sup>2</sup> which equates to a parking space requirement of 8.944 (9).

The applicant proposes to provide eight (8) parking spaces resulting in a one space variation to the DCP's requirement.

Council staff have assessed the variation to the Camden DCP and recommend that it be supported for the following reasons:

- The variation is relatively minor;
- The subject site is located in the heart of the Camden Town Centre with access to on-street car parking and multiple Council car parks which will adequately provide for any overflow parking demands from the development; and
- Clause 2.18.2(1) *Monetary Contributions In Lieu Of Off-Street Parking* allows for Council, at its discretion, to accept a monetary contribution pursuant to Section 7.11 of the *EP&A Act*, in lieu of off-street parking being provided as part of the development.

Consequently, it is recommended that the Panel support this proposed variation to the Camden DCP subject to a recommended condition that requires the applicant to pay the relevant Section 7.11 contribution prior to the issue of any construction certificate.

A condition of consent is also proposed that restricts the ability to use the subject premises as a retail shop under the exempt provisions contained in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. If the ground floor tenancy was used for retail purposes it would generate a higher parking demand (11 spaces in lieu of the 9 spaces described above) under Camden DCP. This restriction confirms the applicant's proposal for the tenancies to be used for office purposes only.

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



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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 2000* prescribes several matters that are addressed in the conditions attached to this report.

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

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

The proposal will serve to allow for two commercial tenancies to return to trading and contribute to the vibrancy of the Town Centre. All works are sympathetic to the heritage values of the site and locality and will contribute positively to Camden Town Centre Heritage Conservation Area.

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

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

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

The DA was publicly exhibited for a period of 14 days in accordance with Camden Development Control Plan 2019. The exhibition period was from 18 March to 31 March 2021. One submission was received supporting the development, subject to the retention of the existing gravel car parking area and the planting of a tree at the rear of the site.

The gravel car parking area is proposed to be retained and the landscaping plan proposes a tree in the rear courtyard. An additional condition of consent recommends a specific tree species that will be appropriate within the heritage conservation area and for the location within the site that it is to be planted.

**(e) the public interest**

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, environmental planning instruments, development control plans and policies. Based on the above assessment, the development is consistent with the public interest.

## **EXTERNAL REFERRALS**

No external referrals were required for this DA.

## **FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

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## **CONCLUSION**

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

## **RECOMMENDED**

That the Panel:

- i. **support the applicant's written request lodged pursuant to Clause 4.6(3) of the Camden Local Environmental Plan 2010 to the contravention of the maximum height of building development standard in Clause 4.3 of the Camden Local Environmental Plan 2010; and**
- ii. **approve DA/2021/227/1 for the partial demolition and alterations and additions to the existing fire damaged building at 63 Argyle Street, Camden, subject to the conditions attached to this report.**

## **REASONS FOR DETERMINATION**

1. The Panel has considered the written request to contravene Camden Local Environmental Plan 2010 in relation to the maximum height of buildings development standard. The Panel considers that compliance with the standard is unreasonable and unnecessary in the circumstances and that, despite the contravention of the development standard, the development satisfies the objectives of the zone and standard, will be in the public interest and is acceptable in the particular circumstances of the case.
2. The development is consistent with the objectives of the applicable environmental planning instrument, being the Camden Local Environmental Plan 2010.
3. The development is unlikely to have any unreasonable adverse impacts on the natural or built environment.
4. In consideration of the aforementioned reasons, the development is a suitable and planned use of the site and its approval is in the public interest.

## **ATTACHMENTS**

1. LEP Assessment Table - 63 Argyle Street, Camden
2. DCP Assessment Table - 63 Argyle Street, Camden
3. Recommended Conditions - 63 Argyle Street, Camden
4. Architectural Plans - 63 Argyle Street, Camden
5. Clause 4.6 Written Request - 63 Argyle Street, Camden

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

CLPP01

Attachment 1

Clause	Assessment	Compliance
<p><b>2.3 Zone objectives and land use table</b> The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.</p> <p>The zone objectives for this site are:</p> <ul style="list-style-type: none"> <li>• To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.</li> <li>• To encourage employment opportunities in accessible locations.</li> <li>• To maximise public transport patronage and encourage walking and cycling.</li> <li>• To ensure that mixed use developments present an active frontage to the street by locating business, retail and community uses at ground level.</li> <li>• To minimise conflict between land uses within the zone and land uses within adjoining zones.</li> <li>• To enable other land uses that are complementary to and do not detract from the viability of retail, business, entertainment and community uses within the zone.</li> </ul>	<p>The development is permitted with consent in the B2 Local Centre zone.</p> <p>The development is consistent with the relevant objectives of the zone in that the proposed reinstatement and building addition works will provide two (2) office tenancies to add to the vitality of the Camden town centre. The proposed development provides an active façade to Argyle Street and no land use conflicts arise.</p>	Yes
<p><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).</p>	The proposal includes some demolition works however the majority of the fire damaged building was demolished under the emergency works order issued by Council in order to make the site safe.	Yes
<p><b>4.3 Height of buildings</b> The maximum building height for this site is 7m.</p>	The proposed building has a maximum height of 7.781m. A Clause 4.6 written request accompanied the development application and is further discussed in the body of the report.	No – see discussion in the body of the report
<p><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.</p>	No FSR is identified for the subject site.	N/A
<p><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.</p>	The application was accompanied by a written request under Clause 4.6 of the Camden Local Environmental Plan 2010 for the contravention to the maximum height of buildings development standard applicable to the site.	Yes – see discussion in the body of the report

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

CLPP01

Attachment 1

<p>The consent authority must consider a written request from the applicant that seeks to justify the contravention by demonstrating that:</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>Development consent must not be granted unless:</p> <p>(a) the consent authority is satisfied that:</p> <p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated, and</p> <p>(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and</p> <p>(b) the concurrence of the Secretary has been obtained.</p> <p>This clause prohibits the approval of development standard contraventions for certain subdivisions of land in some rural and environmental zones.</p>	<p>The written request adequately addresses the matters required to be demonstrated by Clause 4.6(3) of the LEP and it is assessed that sufficient justification has been provided for the building height contravention.</p> <p>The proposed development is in the public interest as, despite the contravention, the development is consistent with the objectives of the height of buildings development standard and the B2 Local Centre zone.</p> <p>It is noted that the Panel may assume the concurrence of the Secretary.</p>	
<p><b>5.10 Heritage conservation</b></p> <p>Before granting development consent in respect of a heritage item or a heritage conservation area, the consent authority must consider the effect of the proposed development on the heritage significance of the item or area concerned.</p> <p>The consent authority may require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the item or heritage conservation area concerned. The submission of a heritage conservation management plan may also be required.</p> <p>Development consent may be granted for any purpose of a building that is a heritage item or</p>	<p>The subject site is located within the within the Camden Town Centre Heritage Conservation Area (HCA). Whilst the building is not a heritage item, the building and in particular the front façade, contributes to the character and historical significance of the HCA.</p> <p>The heritage significance of the remaining structure has been considered for the purposes of the proposed development. The proposal will contribute to the restoration of the building and future conservation. All works are considered appropriate and necessary to reinstate the building following significant fire damage.</p>	Yes

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

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.	and new additions are appropriate within its context.  The proposal will ensure that the building is able to be preserved and continue to be used for commercial purposes as it has been historically.	
<p><b>7.1 Flood planning</b></p> <p>Development consent must not be granted to development on land at or below the flood planning level unless the consent authority is satisfied to a number of matters listed by this clause; including compatibility with the flood hazard of the land.</p>	The subject site is not affected by flooding in the 1% or 5% AEP, but is affected by flooding in the PMF. The matters listed in this clause have been considered and the development is acceptable having regard to flood planning. The proposed building is above the flood planning level and Council's Flood Planning Engineers raise no objection to the proposal subject to the imposition of recommended conditions.	Yes

CLPP01

Attachment 1

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance
<p><u>1.2 Notification and advertising requirements</u> DAs are to be publicly exhibited in accordance with the Camden DCP</p>	The DA was publicly exhibited in accordance with the Camden DCP and one submission was received. The submission was generally supportive of proposal.	Yes
<p><u>2.3 Water Management</u> All development must demonstrate compliance with the relevant provisions of Council's Engineering Specifications</p>	The development has been designed in accordance with Council's engineering specifications and incorporates on-site detention. The application has been reviewed by Council's Land Development Engineer who has raised no objection to the proposal.	Yes
<p><u>2.9 Contaminated and Potentially Contaminated Land Management</u> An assessment is to be made under <i>SEPP No. 55 – Remediation of Land</i>.</p>	Prior to the lodgment of the development application an Emergency Order under Section 124 of the Local Government Act 1993 was issued to the owner of the site requiring the implementation of a formal exclusion zone, asbestos assessment, installation of safety fencing and to make the site safe. The Order required a licensed asbestos assessor to oversee all asbestos stabilisation works. All make safe works and asbestos removal have occurred between September and November 2020. An asbestos clearance certificate has been issued for the site and the site is suitable for people to enter without the need for respiratory protection. No further contamination risk is evident.	Yes
<p><u>2.14 Waste Management</u> A Waste Management Plan (WMP) must be submitted for all new development, including demolitions, construction and the ongoing (or change of) use.</p>	A WMP accompanied the development application addressing all waste likely to be generated by demolition and construction works.	Yes
<p><u>2.16 Environmental Heritage</u> New buildings must be of a simple, contemporary design that avoids "heritage style" replication of architectural or decorative detail.</p> <p>New work must be easily identified as such and is required to be sympathetic to the heritage place.</p> <p>Where significance permits modification, alterations to the original room layout of a heritage</p>	<p>The proposed addition to the building is simple and does not dominate the original architectural styles of the building.</p> <p>The rear additions will be constructed of precast concrete with a rendered finish to appropriately differentiate with original brickwork whilst remaining subtle.</p> <p>The original roof form is a strong characteristic of the heritage conservation area. The dual pitched</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

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

CLPP01

Attachment 2

<p>item is permissible provided the original details such as joinery, plasterwork and wall nibs and can still be interpreted.</p>	<p>roof is to be reinstated with the rear portion of the building to be generally flat and hidden by a parapet.</p>	
<p>New development must be designed to interpret and complement the general form, bulk, scale, height, architectural detail and other significant elements of the surrounding heritage place.</p>	<p>The new roof follows the dual hipped structure that is reflected throughout the commercial buildings within the heritage conservation area. The additions will not dominate the building visually.</p>	Yes
<p>The significant internal and external fabric and building elements of the principal building are to be retained and conserved.</p>	<p>The original fabric is retained where possible. Replacement of original fabric is only proposed beyond the front facade as required.</p>	Yes
<p>The existing pattern, pitch, materials and details of original roof forms within the Heritage Conservation Area must be retained.</p>	<p>The existing pattern of roof forms is reflected in the proposal. The original material was destroyed in the fire however, the new material is galvanized steel and consistent with what was available and used at the time of construction of similar buildings.</p>	Yes
<p>Secondary roof forms should be subservient in form, scale and location to the main roof.</p>	<p>The roof form is simple and reflects the historic architectural style of the building. The roof of the rear addition is subservient in form.</p>	Yes
<p>Missing roof elements must be reinstated when unsympathetic roofs are replaced.</p>	<p>The proposal will replace the missing roof.</p>	Yes
<p>Original verandas and balconies are not to be removed, altered or enclosed.</p>	<p>Verandas are proposed for retention with the front façade of the original building.</p>	Yes
<p>Verandas and balconies may be reinstated on street front elevations where historical evidence supports their previous existence. In such circumstances, the detail and design should be representative of the original.</p>	<p>No alterations are proposed to the retained/reinstated verandahs.</p>	Yes
<p>Additional floor space may be permitted within attic roof space where no significant external changes are made to the existing wall heights and roof forms.</p>	<p>None proposed.</p>	NA



Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Surviving original materials, finishes, textures and details must be retained and conserved where appropriate.	Original materials have been retained where possible, noting that the entire fire damaged building has been demolished with the exception of the front façade.	Yes
Materials, finishes, and textures must be sympathetic to the historic context of the original significant buildings within the streetscape.	The new roof materials include galvanised corrugated iron, which was commonly used during the era of construction. The precast concrete walls are to be rendered and generally recessive and not visible from Argyle Street.	Yes
Contemporary materials are permitted where their proportions, detailing and quantities are compatible with the character of the area. Large expanses of glass and reflective wall and roof cladding are not appropriate.	Not proposed.	Yes
The significant original internal elements of a building, such as distinctive joinery, fireplaces, decorative plasterwork are generally to be retained and conserved in heritage places.	No works are proposed to the internal elements other than the removal of unsalvageable material. The majority of the building has been removed in accordance with the Order issued following significant fire damage.	Yes
Reconstruction or restoration of missing significant elements is encouraged and should be based on documentary evidence when available.	The development proposes the reconstruction and restoration of the roof and external windows. These original elements were present until September 2020 so documentary evidence is readily available and provided with the development application.	Yes
Colour schemes on heritage items must be appropriate and sympathetic to the building type period and architectural style.	New colours will complement or be subservient to existing colour palette of buildings along Argyle Street	Yes
Original significant masonry that is unpainted or unfinished must not be rendered, bagged, painted or otherwise refinished in a manner inappropriate to the architectural style of the building.	Not proposed.	NA
Appropriate external lighting may be		

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used to highlight the architectural features of significant buildings.	Not proposed.	NA
Skylights, air conditioning units, antennas, solar panels, satellite dishes etc. must not be visible from the street.	A condition of consent is recommended.	Yes
The demolition of a heritage place is contrary to the intent of heritage listing. It will only be considered as a last resort, where a Heritage Impact Statement is submitted covering the following:	The majority of the building was damaged beyond repair and have been removed to make the building safe or to support restoration works. A Heritage Impact Statement was submitted with the application to support the proposal and provides recommendations for completing the works in an appropriate and sympathetic manner.	Yes
<ul style="list-style-type: none"> <li>a. Documentation that all alternatives for retention have been investigated and ruled out.</li> <li>b. It can be satisfactorily demonstrated that the building does not satisfy the criteria for listing established by the NSW Heritage Branch.</li> <li>c. It has been sufficiently documented and justified that the structure is considered incapable of repair.</li> </ul>		
Where consent is issued for demolition, or part demolition, of a heritage place a comprehensive diagrammatic and photographic archival record is to be made of the structure to be demolished. This must be submitted to Council's satisfaction prior to commencement of any demolition works. A heritage consultant experienced in the preparation of an archival recording is required to undertake the recording.	Photographs have been provided with the application. As the majority of demolition works have already been completed under an emergency works order further photographs are not considered necessary.	Yes
<u>2.16.4 Camden Heritage Conservation Area</u>		
Views associated with the St John's Church spire must not be compromised.	Views to the St John's Church Spire will be maintained as they have been historically.	Yes
Original uses of significant buildings should be encouraged and facilitated. Where this is no longer possible, appropriate adaptive re-	The replacement of the roof will facilitate the historic commercial use of the building.	Yes

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<p>use opportunities can be used to facilitate the conservation of these buildings.</p> <p>A two storey height limit must prevail except for significant architectural features incorporated into the design of buildings in significant locations.</p> <p>Large built forms in cottage dominated precincts must be avoided through the use of various roof forms and pitches, wall openings and recesses, materials, recessive colours and landscaping</p> <p>Development of the flood affected fringes of the town must not compromise the prevailing character.</p>	<p>The proposal is two (2) storeys in height.</p> <p>Not relevant.</p> <p>The site falls narrowly inside the PMF effected area. The building design will not detract from the prevailing character.</p>	<p>Yes</p> <p>NA</p> <p>Yes</p>
<p><u>2.17.4 Signage on Heritage Items or in Heritage Conservation Areas</u></p> <p>Signage shall complement the historic character of the building or conservation area in terms of colour, material, proportion, positioning and font.</p> <p>The number of signs permitted must not exceed two per elevation that is visible from a public place.</p> <p>New signage should have minimal impact on the character of the heritage item or heritage conservation area.</p> <p>Signage should be appropriately designed and located, to allow the character of the building or conservation area to remain prominent.</p> <p>The design and location of new signage should not dominate or obscure the architectural details of a heritage item.</p> <p>Signage should be located in areas of the building which have been</p>	<p>Specific signage details have not been provided as the tenancies are not proposed, however signage locations and sizes are appropriate.</p> <p>Four signs are proposed, however a condition of consent will ensure a maximum of two per elevation.</p> <p>The location and size of signage will ensure minimal heritage impact</p> <p>The location and size of signage will ensure minimal heritage impact</p> <p>The location and size of signage will ensure minimal heritage impact. The pole sign at the rear of the site shall be limited in size. A condition of consent is recommended</p>	<p>Yes</p> <p>Yes, subject to condition</p> <p>Yes</p> <p>Yes</p> <p>Yes, subject to condition</p>

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<p>traditionally used for signage. If such areas do not exist, signage may be considered inappropriate.</p> <p>Opportunities for new signage located on the side of a building are limited and may only be considered where it is surface painted and of a complementary design.</p> <p>Painted signs on windows should be discreet, and not clutter or dominate the shop window.</p> <p>Fixings for new signage should be designed to allow for easy installation and removal, causing minimal damage to building fabric.</p> <p>External surface illumination should be discreet or concealed and is the preferred method for signage illumination.</p> <p>External surface illumination fittings should have minimal impact on the external fabric and be consistent with the character of the building.</p> <p>Internally illuminated signage is restricted to under awning signs only.</p> <p>Original and early signs should be conserved and not be covered or painted over by new signs.</p>	<p>The location and size of signage will ensure minimal heritage impact.</p> <p>Specific signage detail has not been provided, however the location and size achieves compliance.</p> <p>Not permitted as two signs already proposed. None proposed.</p> <p>A condition is recommended to achieve compliance</p> <p>None proposed.</p> <p>None proposed.</p> <p>A condition of consent is recommended</p> <p>None evident.</p>	<p>Yes</p> <p>Yes</p> <p>NA</p> <p>Yes, subject to condition</p> <p>NA</p> <p>NA</p> <p>Yes, subject to condition</p> <p>NA</p>
<p><u>2.18 Traffic Management and Off-Street Parking</u></p> <p>Office Premises 1 car parking space per 40m<sup>2</sup> of GFA.</p>	<p>Total GFA = 357.76sqm</p> <p>Spaces required = 8.944 Spaces provided = 8</p> <p>This Section of the DCP allows for monetary contributions (at Council's discretion) in lieu of off-street parking.</p>	<p>No, however variation supported and Section 7.11 contribution to be conditioned.</p>
<p><u>5.3 Camden Town Centre Development Controls</u></p> <p><u>5.3.1 Camden – B2 Local Centre</u></p> <p>New development should</p>	<p>The new roof structure and retention of</p>	<p>Yes</p>

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<p>complement or reinforce the retail functions of the centre, particularly along Argyle Street frontages and associated pedestrian accessways.</p>	<p>the front façade with awnings will enable the damaged building to contribute to the retail function of the town centre.</p>	
<p>Buildings should maintain and enhance the historic character of Argyle, Hill and John Streets in the town centre.</p>	<p>The proposed roof form incorporates the historic dual pitched roof that is characteristic of buildings along Argyle Street. The retention of the front façade will positively contribute to the historic character of Argyle Street.</p>	<p>Yes</p>
<p>Buildings fronting Argyle Street should incorporate awning structures into their front facades in a manner consistent with the prevailing character of existing buildings. These awnings will convenient and sheltered access for pedestrians at the frontage of the premises.</p>	<p>The existing awning is proposed to be retained and restored where necessary.</p>	<p>Yes</p>
<p>Development within the B2 Local Centre zone at Camden must be consistent with the Camden Town Centre Urban Design Framework.</p>	<p>The proposal does not result in any departure from the Camden Town Centre Urban Design Framework.</p>	<p>Yes</p>

## Recommended Conditions

### 1.0 - General Conditions of Consent

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

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documents, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Drawing 5918 Sheet 2/13 Issue P	Ground Floor Plan	MacArthur Architectural Drafting Services	11 August 2021
Drawing 5918 Sheet 3/13 Issue P	First Floor Plan	MacArthur Architectural Drafting Services	11 August 2021
Drawing 5918 Sheet 4/13 Issue P	Front and Rear Elevations Plan	MacArthur Architectural Drafting Services	11 August 2021
Drawing 5918 Sheet 5/13 Issue P	Side Elevations Plan	MacArthur Architectural Drafting Services	11 August 2021
Drawing 5918 Sheet 6/13 Issue P	Section Plan	MacArthur Architectural Drafting Services	11 August 2021
Drawing 5918 Sheet 7/13 Issue P	Section Plan	MacArthur Architectural Drafting Services	11 August 2021
Drawing 5918 Sheet 8/13 Issue P	Section Plan	MacArthur Architectural Drafting Services	11 August 2021
Drawing 5918 Sheet 9/13 Issue P	Site Plan	MacArthur Architectural Drafting Services	11 August 2021
Drawing 5918 Sheet 10/13 Issue P	Car Parking Plan	MacArthur Architectural Drafting Services	11 August 2021
Drawing 5918 Sheet 11/13 Issue P	Landscape Plan	MacArthur Architectural Drafting Services	11 August 2021

Drawing 5918 Sheet 12/13 Issue O	Perspective Plan	MacArthur Architectural Drafting Services	28 July 2021
DWG No 200600 Sheet C1	Location Plan	D & M Consulting Pty Ltd	11 February 2021
DWG No 200600 Sheet C2	Car Park Civil Plan	D & M Consulting Pty Ltd	11 February 2021
DWG No 200600 Sheet C3	Drainage Plan	D & M Consulting Pty Ltd	11 February 2021
DWG No 200600 Sheet C4	OSD Plan	D & M Consulting Pty Ltd	11 February 2021
DWG No 200600 Sheet C5	Inlet Section Plan	D & M Consulting Pty Ltd	11 February 2021

Document Title	Prepared by	Date
Waste Management Plan	Joanne Tapp Town Planning and Development	-

- (2) **Modified Documents and Plans** - The development shall be modified as follows:
- a) The elevation plans must be amended to remove the two (2) top hamper signs, with the single under awning sign and awning fascia sign the only signage approved as part of this determination. A future development application may consider alternate signage in accordance with the Camden Development Control Plan 2019.
  - b) The landscape plan must be updated to include a Chinese Elm Parvifolia Todd within the landscaped buffer adjacent to Larkin Place.
  - c) The detached pylon sign fronting Larkin Place is to be reduced in size to be a maximum 2m in height and 1m in width.

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

- (3) **National Construction Code – Building Code of Australia (BCA)** - All building work shall be carried out in accordance with the BCA. In this condition, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (4) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
- a) protect and support the adjoining building, structure or work from possible damage from the excavation; and

- b) where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying

A copy of the written consent must be provided to the principal certifier prior to the excavation commencing.

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

Pursuant to the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material to prevent the spread of all weeds to or from the property.

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

- (10) **Infrastructure in Road and Footpath Areas** – Infrastructure must not be removed and/or reconstructed without prior written approval from Council. Any costs incurred due to the relocation, restoration or reconstruction of pram ramps, footpath, light poles, kerb inlet pits, service provider pits, street trees or other infrastructure in the street footpath area for the proposed development shall be borne by the applicant, and not Council.

**Note.** The issue of this development consent does not imply concurrence or approval of any required public infrastructure work associated with the development.

- (11) **Signage (Fixings)** - Fixings for new signage should be designed to allow for easy installation and removal, causing minimal damage to building fabric.
- (12) **Signage (Illumination)** – Internally illuminated signage is restricted to under awning sign only.



- (13) **Separate Approval for Use** - A separate development application for the fit out and use of the building/each tenancy shall be submitted to, and approved by Council prior to that use commencing (unless the fit out and use is exempt or complying development pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008).

Due to more intensive car parking requirements, any future use as 'retail premises' or 'shops' is not permitted to operate from the site without development consent. The provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 shall not apply in the case of 'retail premises' or 'shops'.

- (14) **Retention of front façade** – This consent permits the removal and replacement of ground floor glazed entry doors and windows. The rest of the front façade (with existing side walls) shall be retained in its entirety. All brickwork and existing first floor doors and windows shall be retained.

## 2.0 - Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the accredited certifier.
- (2) **External Walls and Cladding Flammability** – The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate the accredited certifier must:
- a) be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
  - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as proposed.
- (3) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with 'Managing Urban Stormwater – Soils and Construction' ('the blue book'). Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.
- (4) **Works in Road Reserves** - Where any works are proposed in a public road reservation, a Road Opening Permit shall be obtained from Council in accordance with Section 138 of the *Roads Act 1993*.
- (5) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Appendix B of Camden Development Control Plan 2019. Details demonstrating compliance must be provided to the certifier.

The detailed landscape plan must also include:

- One Chinese Elm *Parvifolia Todd* within the landscaped buffer adjacent to Larkin Place.

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

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

- (7) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building work that cost \$25,000 or more.

- (8) **Structural Engineer's Certificate** - A certificate must be prepared by a practising structural engineer certifying that the building design is capable of withstanding the effects of water and water pressure due to flooding. Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

- (9) **Hoarding Application** - A hoarding application for the erection of a class A (fence type) or class B (overhead type) hoarding along the street frontage complying with WorkCover requirements shall be provided to Council for approval with a footpath occupancy fee based on the area of footpath to be occupied.

A Public Risk Insurance Policy with a minimum cover of \$20 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, shall be obtained with a copy also provided to the Roads Authority. The Policy is to note Council as an interested party and nominate the location of works. Hoardings shall not be erected until written approval has been received from Council. The copy of the Public Risk Insurance Policy is to be provided to the Roads Authority.

- (10) **Section 7.11 Contributions – Monetary** - A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services and amounts detailed below.

Plan Name	Contribution Type	Indexed Rate	Amount Payable
<i>Camden Contributions Plan 2011</i>	<i>Car Parking</i>	\$42,968	\$42,968.00
		per space	
		per m <sup>2</sup>	
<b>TOTAL CASH CONTRIBUTIONS</b>			<b>\$42,968.00</b>

A copy of the Camden Contributions Plan 2011 may be inspected at Council's Camden office at 70 Central Avenue Oran Park or can be accessed on Council's website at [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au).

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the applicable Index.

- (11) **Civil and Stormwater works** – All civil work and stormwater detention plans submitted as part of any construction certificate must be strictly in accordance with the detail contained in the approved plans referenced in condition 1.0(1).

### 3.0 - Prior to Commencement of Works

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

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the certifier.
- (2) **Notice of Principal Certifier** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the principal certifier, and of the person by whom the principal certifier was appointed;
  - e) the certifier's registration number, and a statement signed by the certifier consenting to being appointed as principal certifier; and
- a telephone number on which the principal certifier may be contacted for business purposes.
- (3) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the principal certifier (only where no principal certifier is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.

- (4) **Construction Certificate Required** - In accordance with the requirements of the *EP&A Act 1979*, building or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a certifier;
  - b) a principal certifier has been appointed by the person having benefit of the development consent;
  - c) if Council is not the principal certifier, Council is notified of the appointed principal certifier at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
  - e) the principal certifier is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (5) **Sign of Principal Certifier and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
  - c) the name, address and telephone number of the principal certifier.
- The sign shall be maintained while the work is being carried out and removed upon the completion of works.
- (6) **Site is to be Secured** - The site shall be secured and fenced.
- (7) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction (the blue book)' and any Sediment and Erosion plans approved with this development consent.
- (8) **Traffic Management Plan** - A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. The plan must be submitted to the principal certifier.
- (9) **Construction Management Plan** - A construction management plan that includes dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the principal certifier.
- (10) **Environmental Management Plan** - An environmental management plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the principal certifier.

The EMP shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment are not

unacceptably impacted upon by the proposal. The EMP shall include but not be necessarily limited to the following measures:

- a) measures to control noise emissions from the site;
  - b) measures to suppress odours and dust emissions;
  - c) soil and sediment control measures;
  - d) measures to control air emissions that includes odour;
  - e) measures and procedures for the removal of hazardous materials that includes waste and their disposal;
  - f) any other recognised environmental impact;
  - g) work, health and safety; and
  - h) community consultation.
- (11) **Construction Noise Management Plan** – A construction noise management plan shall be provided to the principal certifier and include the following:
- a) noise mitigation measures;
  - b) noise and/or vibration monitoring;
  - c) use of respite periods;
  - d) complaints handling; and
  - e) community liaison and consultation.
- (12) **Dilapidation Report – Adjoining Property** – A dilapidation report prepared by a suitably qualified person, including a photographic survey of the following adjoining property shall be prepared.
- a) 59 Argyle Street, Camden

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

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

#### 4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Work Hours** - All work (including delivery of materials) shall be:

- restricted to between the hours of 7am to 5pm Monday to Saturday (inclusive), and
- not carried out on Sundays or public holidays,

unless approved in writing by Council.

- (2) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:

- a) preserve and protect the building from damage;
- b) if necessary, underpin and support the building in an approved manner; and
- c) give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

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

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

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

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

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

- (4) **Site Management** - The following practices are to be implemented during construction:
- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
  - b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;

- c) waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;
  - d) a waste storage area shall be located on the site;
  - e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);
  - f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
    - i) be a standard flushing toilet connected to a public sewer; or
    - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
    - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (5) **Finished Floor Level** - A survey report prepared by a registered land surveyor confirming that the finished floor level complies with the approved plans or floor levels specified by the development consent, shall be provided to principal certifier prior to the development proceeding beyond floor level stage.
- (6) **Building Height** - A survey report prepared by a registered land surveyor confirming that the building height complies with the approved plans or as specified by the development consent, shall be provided to the principal certifier prior to the development proceeding beyond frame stage.
- (7) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the principal certifier prior to the pouring of concrete.
- (8) **Traffic Management Plan Implementation** - All traffic management procedures and systems identified in the approved traffic management plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (9) **Site Signage** - A sign shall be erected at all entrances to the site and be maintained until the development has been completed. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:
- “WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution.”*
- The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.
- (10) **Vehicles Leaving the Site** - The construction supervisor must ensure that:

- all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
- the wheels of vehicles leaving the site:
  - do not track soil and other waste material onto any public road adjoining the site; and
  - fully traverse the site's stabilised access point.

- (11) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines 2014 (refer to: [www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm](http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm))

Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.

- (12) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.

- (13) **Noise During Work** - Noise levels emitted during works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW Environment Protection Authority's Environmental Noise Control Manual.

Noise levels emitted during works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW Environment Protection Authority's Environmental Noise Control Manual.

Noise levels emitted during works must comply with:

- Construction period of 4 weeks and under:
 

The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).
- Construction period greater than 4 weeks and not exceeding 26 weeks:
 

The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).
- Construction period greater than 26 weeks:
 

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

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



(14) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.

(15) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).

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

(16) **Protection for Existing Trees** – The protection of existing trees (on-site and street trees) must be carried out as specified by AS 4970 Protection of Trees on Development Sites.

(17) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a certified contaminated land consultant has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

(18) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.

### 5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

(1) **Occupation Certificate Required** - An Occupation Certificate shall be obtained prior to any use or occupation of the development.

(2) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the principal certifier in accordance with the requirements of the EP&A Regulation 2000.

(3) **Driveway Crossing Construction** – A footpath crossing (where required) and a driveway crossing shall be constructed in accordance with this development consent and the driveway crossing approval prior to use or occupation of the development.

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

- a) be satisfied that suitable evidence is provided to demonstrate that the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
  - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as built.
- (5) **Waste Management Plan** - The principal certifier shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (6) **Waste Collection Contract** - The building owner shall ensure that there is a contract with a licensed contractor for the removal of all waste. A copy of the contract is to be held on the premises at all times.
- (7) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this development consent.
- (8) **Positive Covenant - OSD/On Site Retention/Water Quality Facility** - A positive covenant shall be created under Section 88E of the *Conveyancing Act 1919* burdening the owner(s) with a requirement to maintain the on-site detention, water quality facility and on-site retention/re-use facilities on the property, prior to the issue of an Occupation Certificate.

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

- a) the Proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures.
- b) The Council may recover from the registered proprietor(s) in a Court of competent jurisdiction:
  - (i) Any expense reasonably incurred by it in exercising its powers under subparagraph (a) hereof. Such expense shall include reasonable wages for the Council's own employees engaged in effecting the said work, supervising the said work and administering the said work together with costs, reasonably estimated by the Council, for the use of machinery, tools and equipment in conjunction with the said work;
  - (ii) Legal costs on an indemnity basis for issue of the said notice and recovery of the said costs and expenses together with the costs and expenses of registration of a covenant charge pursuant to section 88F of the Act, or providing any certificate required pursuant to section 88G of the Act, or obtaining any injunction pursuant to section 88H of the Act.

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

- (9) **Flooding – Evacuation Management Plan** – The Flood Evacuation Plan, prepared by D & M Consulting Pty Ltd, dated February 2021, must be updated to address the following items:
- Sheltering in place is not supported, as all occupants must be able to safely evacuate the site. This item is to be removed from the plan.
  - Reliance on Cowpasture Bridge is not a valid evacuation trigger because it is not visible from the site location. The roundabout at the intersection of Edward Street and Argyle Street should replace this trigger.
  - Reliance on the SES or other emergency services to trigger evacuation is not supported. This item should be removed from the plan.

The updated Flood Evacuation Plan, prepared in accordance with Council's Flood Risk Management Policy (as amended), must be submitted to and approved by Council before the issue of any Occupation Certificate.

### 6.0 - Ongoing Use

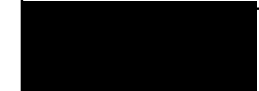
The following conditions of consent are operational conditions applying to the development.

- (1) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.
- (2) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.
- (3) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.
- (4) **Driveways to be Maintained** - All access crossings and driveways shall be maintained in good order for the life of the development.
- (5) **Parking Areas to be Kept Clear** - At all times, the loading docks, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.
- (6) **Amenity** - The approved development shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations or residential/business premises.
- (7) **Offensive Noise and Noise Compliance** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*. Noise must also comply with the NSW Noise Policy for Industry 2017.
- (8) **No Waste to Be Stored Outside of the Site** – No waste is to be placed on any public land (eg. footpaths, roadways, plazas, reserves, etc.) or any other properties at any time.
- (9) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.
- (10) **Hours of Operation** – The property is only to be open for business and used for the purpose approved (i.e. office premises) from 7.00am to 7.00pm, seven days per week.



NOTES:  
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JOB:  
**PROPOSED RENOVATION**

LOT -, DP -  
 63 ARGYLE STREET - CAMDEN - -

DRAWING  
**COVER PAGE**

SCALE: <b>A3</b>	DATE: <b>20.03.2020</b>
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DRAWING No: <b>5918</b>	SHEET: <b>1/13</b>	ISSUE: <b>P</b>
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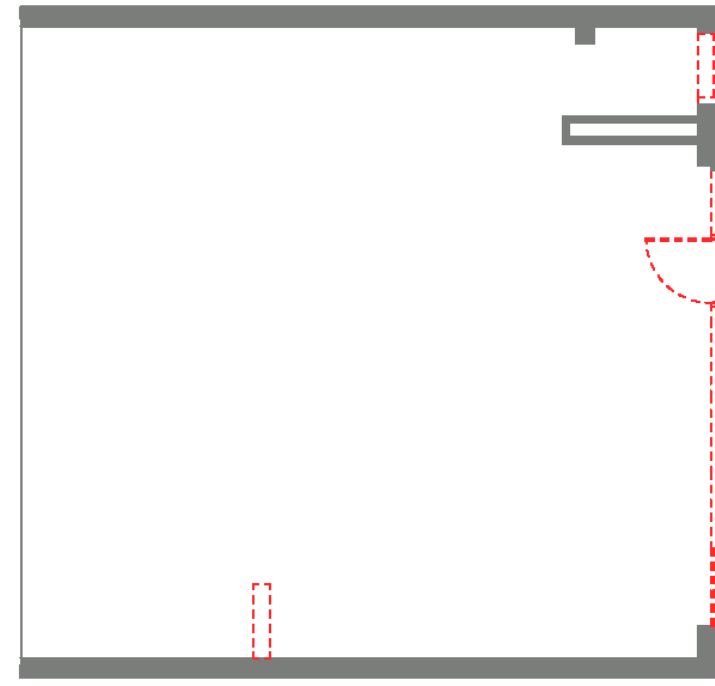
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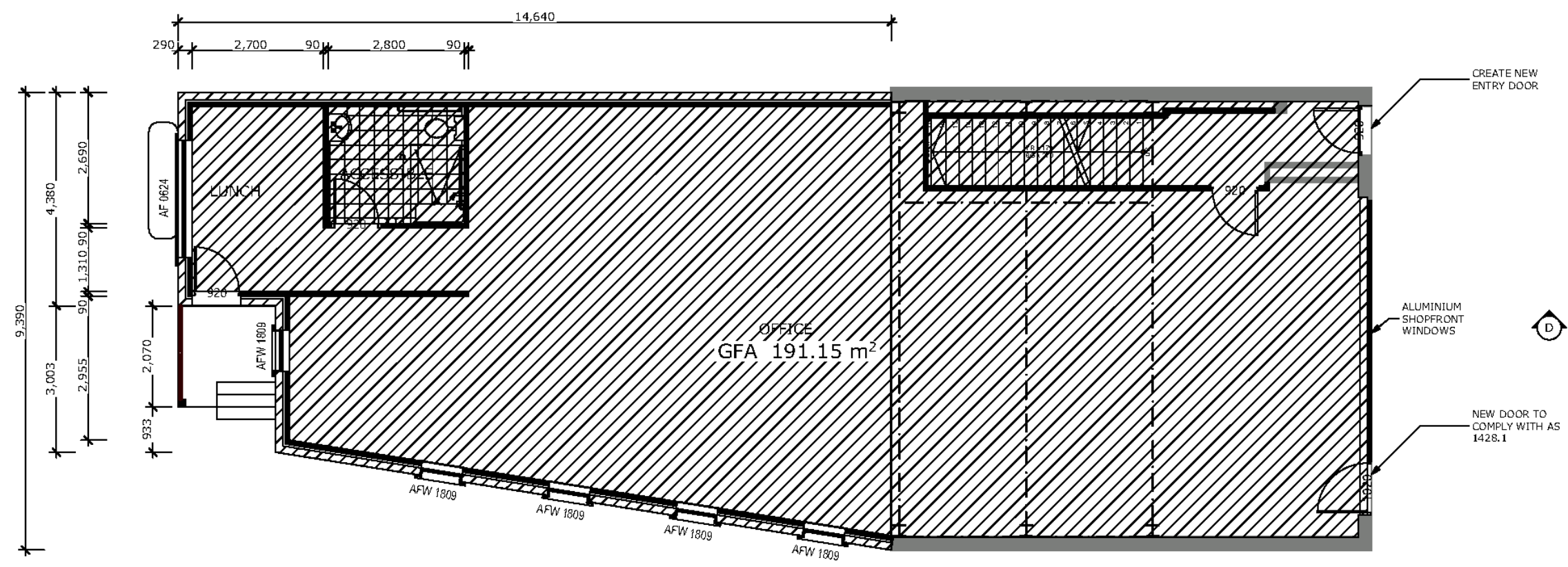
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A	EXISTING PLAN	20.03.2020	R.M.
B	SKETCH PROPOSAL	19.06.2020	R.M.
C	SKETCH PROPOSAL	7.07.2020	R.M.
D	FOR CONSULTANT REVIEW	28.08.2020	R.M.
E	FOR CONSULTANT REVIEW	16.11.2020	R.M.
F	FOR CONSULTANT REVIEW	27.11.2020	R.M.
G	FOR CONSULTANT REVIEW	16.12.2020	R.M.
H	CARPARK AMENDMENT	23.02.2021	R.M.
I	CARPARK AMENDMENT	23.02.2021	R.M.
J	7m HEIGHT ENCROACHMENT SHOWN	31.03.2021	R.M.
K	COUNCIL CHANGES	28.04.2021	R.M.
L	COUNCIL CHANGES	3.05.2021	R.M.
M	COUNCIL CHANGES	27.05.2021	R.M.
N	COUNCIL CHANGES	3.06.2021	R.M.
O	COUNCIL CHANGES	28.07.2021	R.M.
P	COUNCIL CHANGES	11.08.2021	R.M.

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EXISTING GROUND PLAN  
1:100



GROUND FLOOR PLAN  
1:100

CLIENT  
[Redacted]

JOB:  
**PROPOSED RENOVATION**  
 LOT -, DP -  
 63 ARGYLE STREET - CAMDEN - -

DRAWING  
**GROUND FLOOR PLAN**

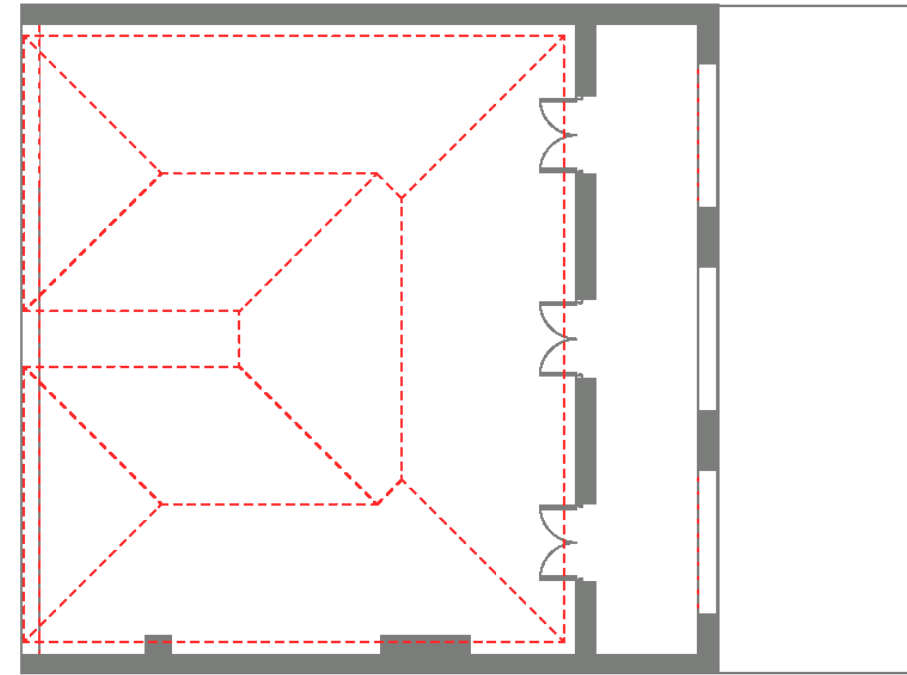
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DRAWING No: <b>5918</b>	SHEET: <b>2/13</b>	ISSUE: <b>P</b>

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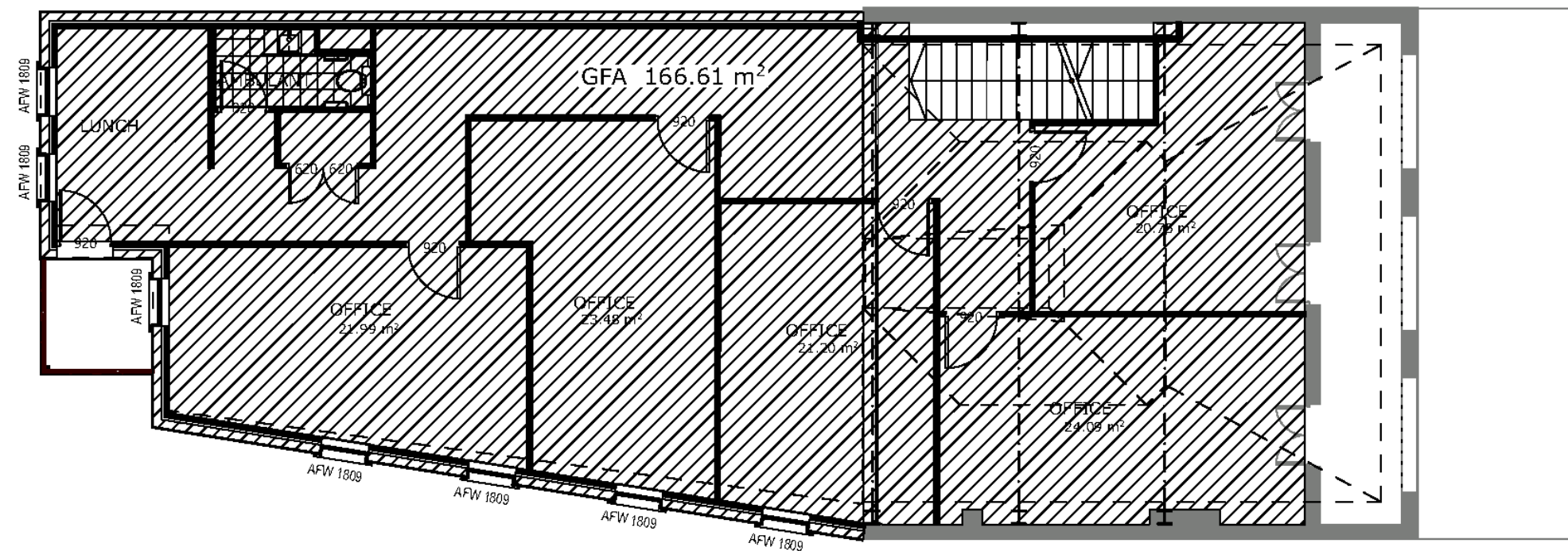
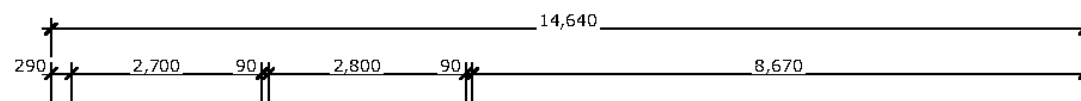
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EXISTING FIRST PLAN  
 1:100



FIRST FLOOR PLAN  
 1:100

CLIENT: [REDACTED]

JOB:  
**PROPOSED RENOVATION**  
 LOT -, DP -  
 63 ARGYLE STREET - CAMDEN - -

DRAWING  
**FIRST FLOOR PLAN**

SCALE: <b>A3</b>	DATE: <b>20.03.2020</b>	
DRAWING No: <b>5918</b>	SHEET: <b>3/13</b>	ISSUE: <b>P</b>

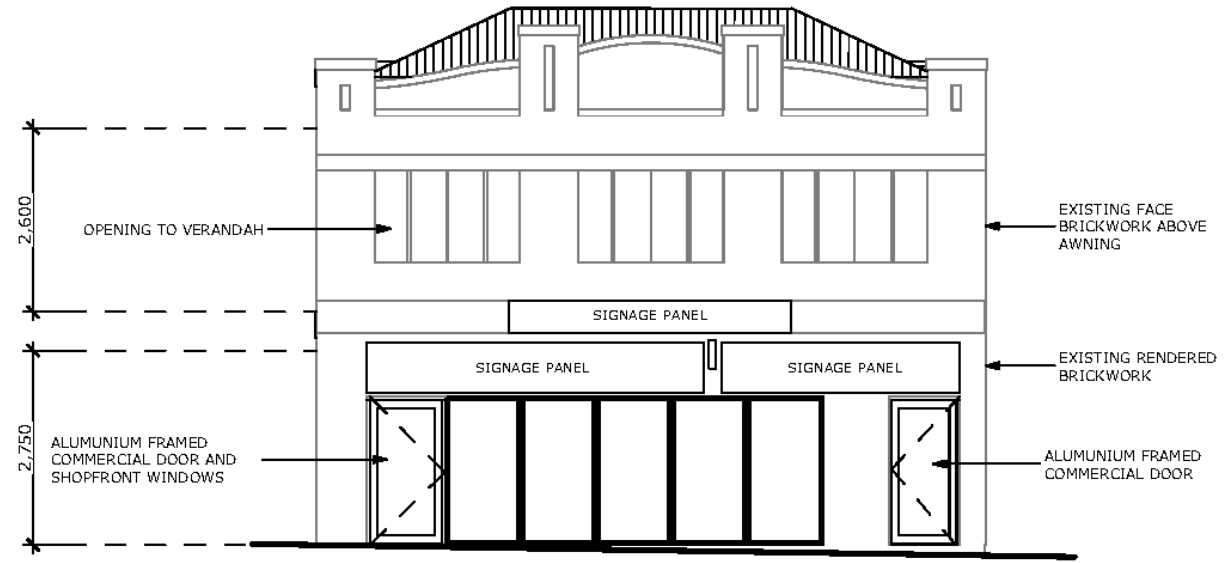
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FRONT ELEVATION  
1:100



REAR ELEVATION  
1:100

CLIENT  
 [Redacted]

JOB:  
**PROPOSED RENOVATION**  
 LOT -, DP -  
 63 ARGYLE STREET - CAMDEN - -

DRAWING  
**FRONT & REAR ELEVATIONS**

SCALE: <b>A3</b>	DATE: <b>20.03.2020</b>
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DRAWING No: <b>5918</b>	SHEET: <b>4/13</b>	ISSUE: <b>P</b>
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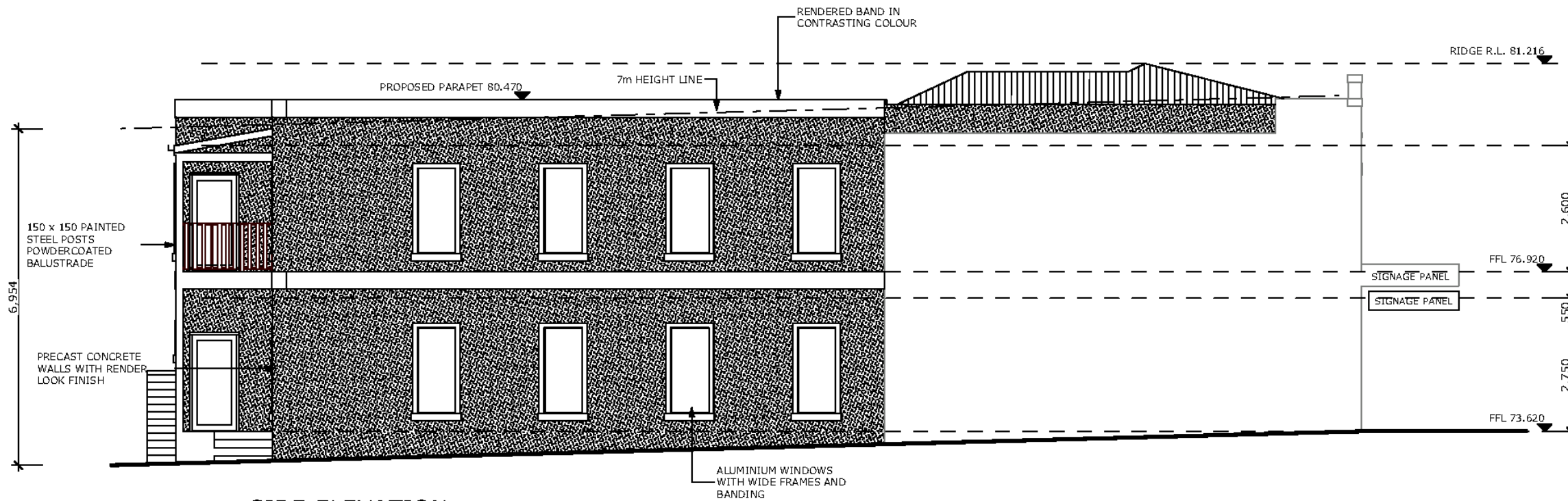
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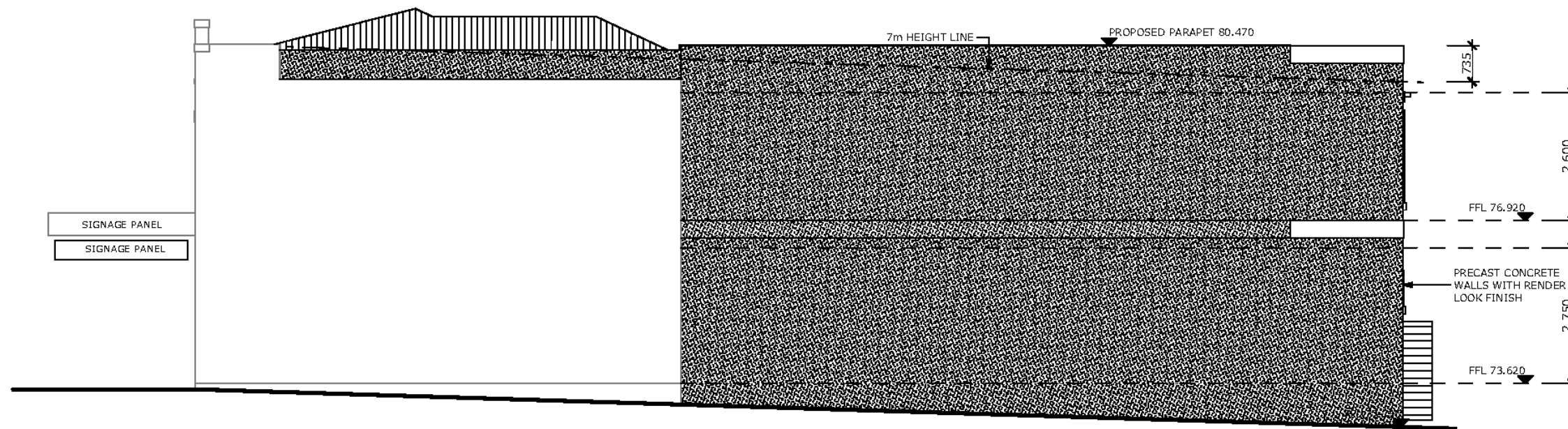
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SIDE ELEVATION  
1:100



SIDE ELEVATION  
1:100

CLIENT  
 [Redacted]

JOB:  
**PROPOSED RENOVATION**

LOT -, DP -  
 63 ARGYLE STREET - CAMDEN - -

DRAWING  
**SIDE ELEVATIONS**

SCALE: <b>A3</b>	DATE: <b>20.03.2020</b>
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DRAWING No: <b>5918</b>	SHEET: <b>5/13</b>	ISSUE: <b>P</b>
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CLIENT  
 [REDACTED]

JOB:  
**PROPOSED RENOVATION**  
 LOT -, DP -  
 63 ARGYLE STREET - CAMDEN - -

DRAWING  
**SECTION A-A**

SCALE: <b>A3</b>	DATE: <b>20.03.2020</b>
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DRAWING No: <b>5918</b>	SHEET: <b>6/13</b>	ISSUE: <b>P</b>
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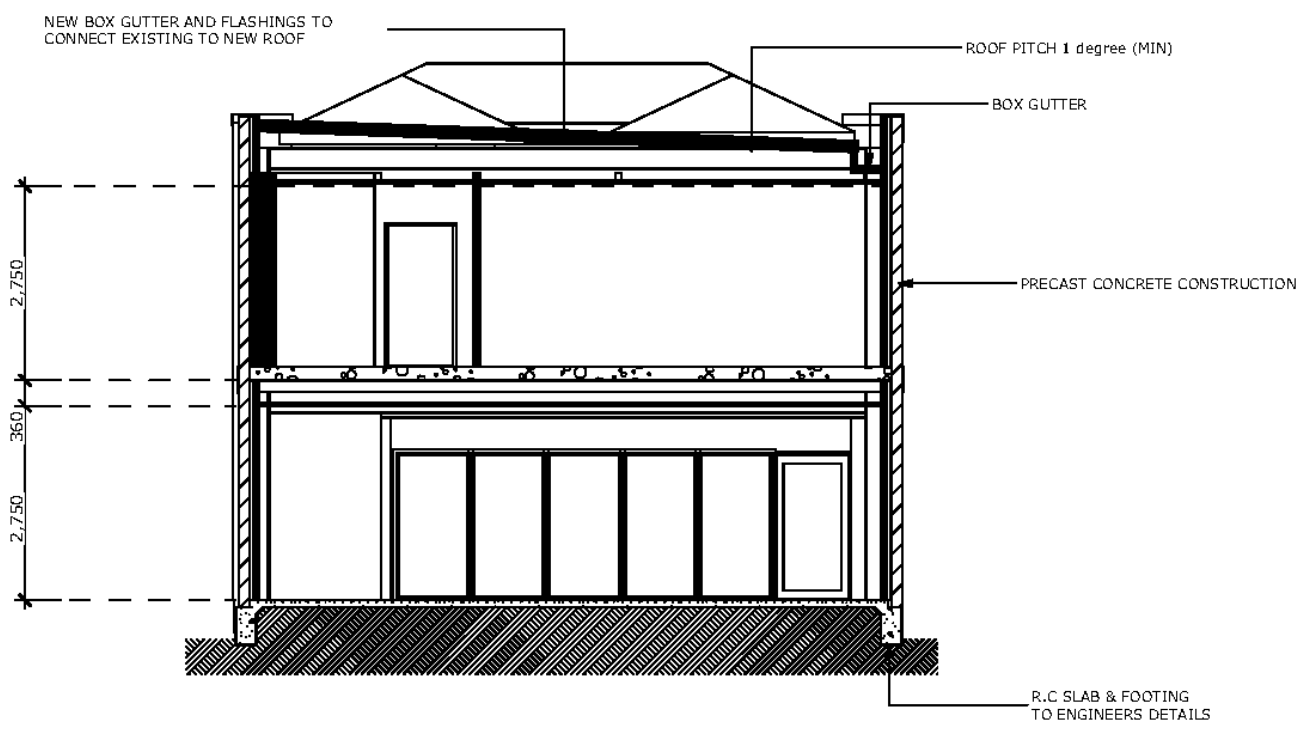
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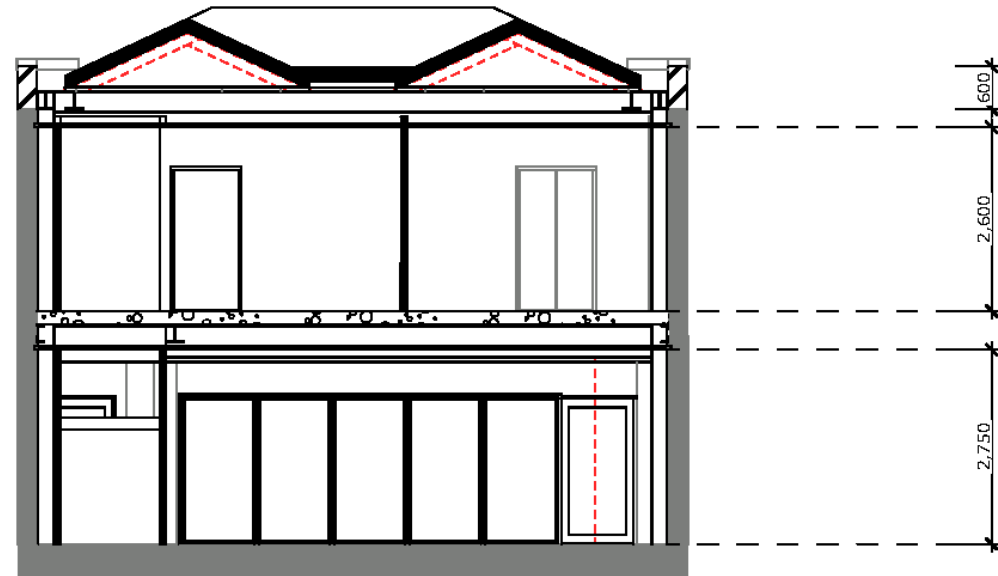
PLOT DATE: Wednesday, 11 August 2021

CONSTRUCTION IS TO BE IN ACCORDANCE WITH BCA AND OTHER RELEVANT AUSTRALIAN STANDARDS

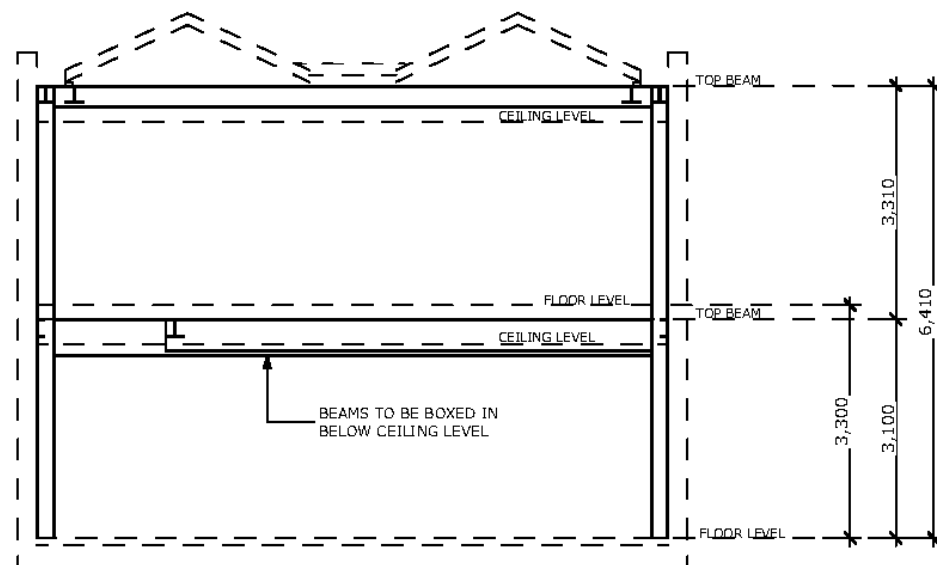
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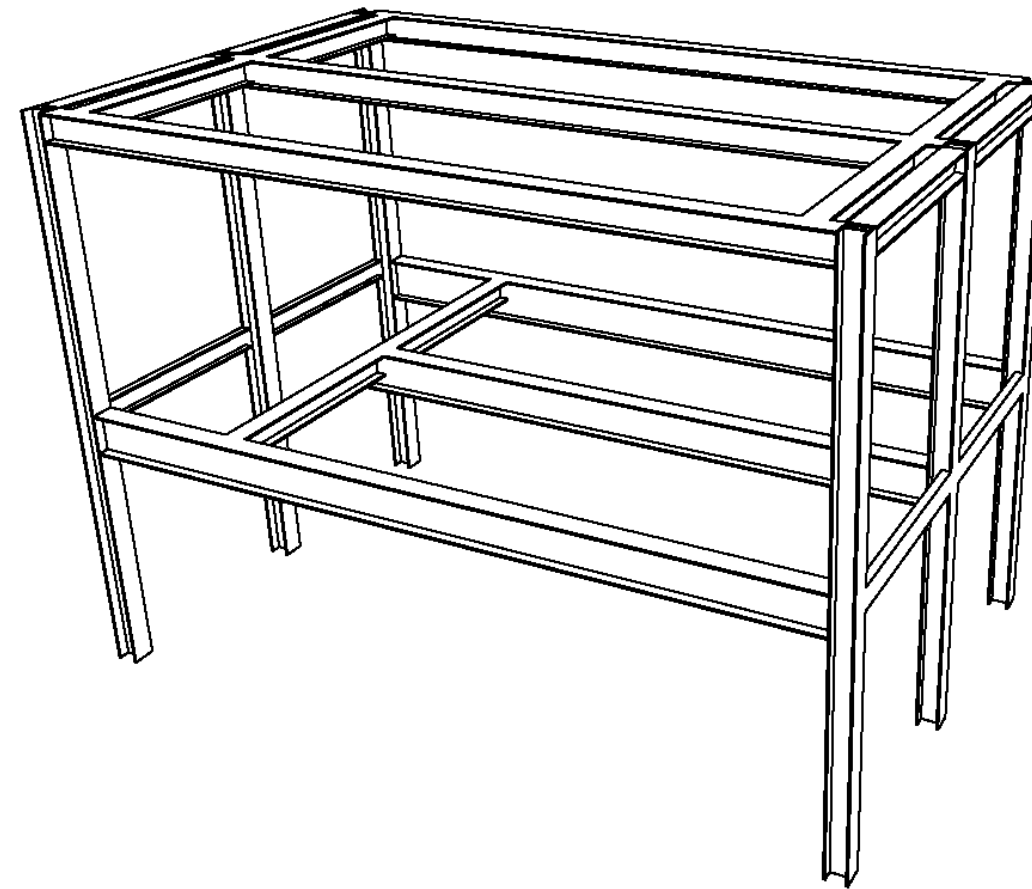
SECTION A.A  
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SECTION B-B  
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SECTION C-C  
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3D BEAM VIEW  
1:95.07

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CLIENT

JOB:

PROPOSED RENOVATION

LOT -, DP -  
63 ARGYLE STREET - CAMDEN - -

DRAWING

SECTION B-B & C-C

SCALE:

A3

DATE:

20.03.2020

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5918

SHEET:

7/13

ISSUE:

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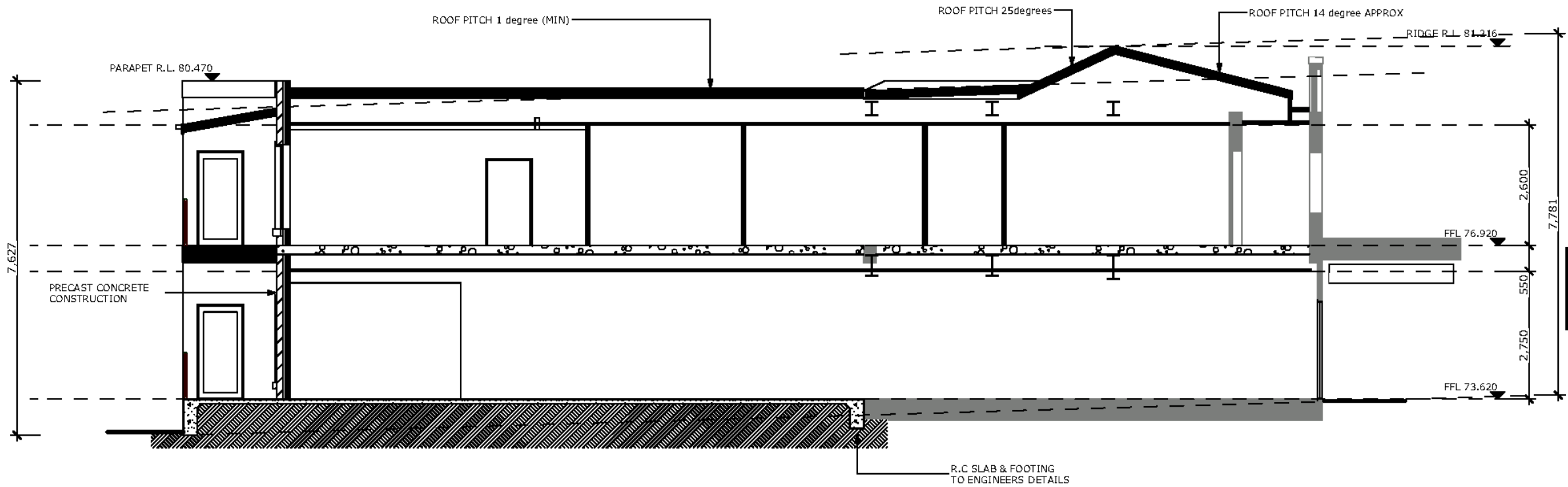
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SECTION d-d  
 1:100

JOB:  
**PROPOSED RENOVATION**  
 LOT -, DP -  
 63 ARGYLE STREET - CAMDEN - -

DRAWING  
**SECTION D-D**

SCALE: <b>A3</b>	DATE: <b>20.03.2020</b>
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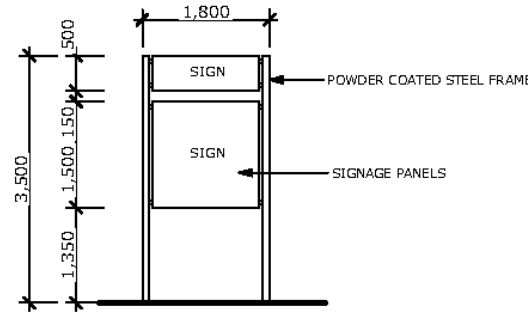
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**GENERAL NOTES**

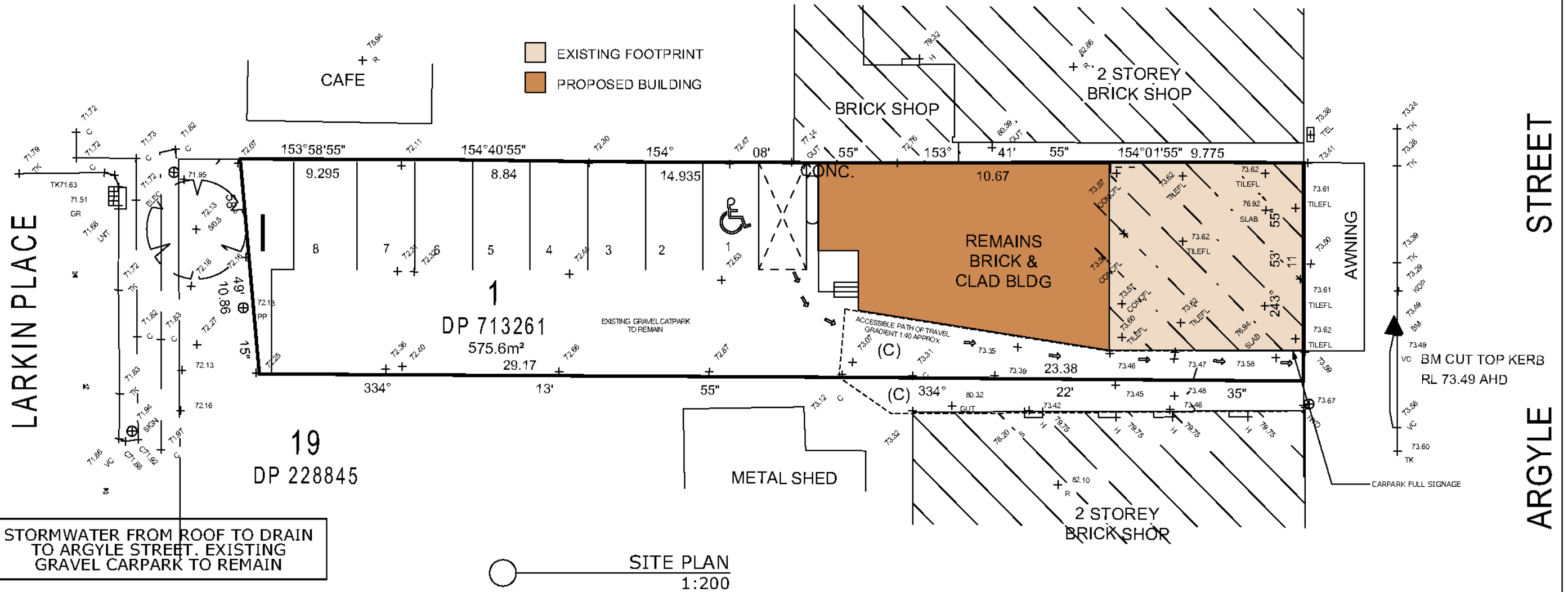
1. BUILDER MUST CHECK ALL BOUNDARIES AND BUILDING DIMENSIONS PRIOR TO COMMENCING ANY BUILDING WORKS IN ORDER TO SATISFY HIMSELF THAT THE WORKS CAN BE CARRIED OUT IN ACCORDANCE WITH LOCAL COUNCIL AND RELATIVE AUTHORITY REQUIREMENTS.
2. DO NOT SCALE DIMENSIONS OFF THE PLANS, FIGURED DIMENSIONS ARE TO BE USED. ALL DIMENSIONS ARE TO BE VARIFIED BY THE BUILDER ON SITE. ANY DISCREPANCIES SHALL BE REFERRED TO THE DESIGNERS BEFORE ANY CONSTRUCTION OR FABRICATION IS COMMENCED.
3. THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH THE SPECIFICATION, STRUCTURAL ENGINEERING DETAILS AND ANY OTHER DOCUMENT THAT MAY BE ISSUED.
4. ALL BUILDING WORKS MUST COMPLY WITH B.C.A. AND LOCAL COUNCIL REQUIREMENTS.
5. BUILDINGS ARE TO BE PROTECTED AGAINST TERMITES IN ACCORDANCE WITH AUSTRALIAN STANDARDS (AS 3660.1) - REQUIREMENTS.
6. SMOKE DETECTORS ARE TO BE PROVIDED IN ACCORDANCE WITH B.C.A. REQUIREMENTS CLAUSE 1.7
7. ALL STORMWATER AND SEWER WORKS MUST COMPLY WITH LOCAL COUNCIL AND BOARD REQUIREMENTS.
8. NO RESPONSIBILITY WILL BE ACCEPTED BY M.A.D.S IF ANY PART OR WHOLE OF THE DRAWINGS HAS BEEN MODIFIED, DELETED OR ADDED TO IN ANY WAY.
9. BUILDER MUST CHECK FOR LOCATION OF SERVICES INCLUDING BUT NOT LIMITED TO SEWER, WATER, POWER, GAS, PHONE, FIBRE AND STORMWATER PRIOR TO THE COMMENCEMENT OF WORK. ONCE THE SEWER IS LOCATED IT IS THE BUILDERS RESPONSIBILITY TO DETERMINE WHETHER THE BUILDING LIES WITHIN THE ZONE OF INFLUENCE
10. ALL FLOOR PLAN DESIGNS INCLUDING ELEVATIONS ARE COPYRIGHTED AND ARE THE PROPERTY OF MACARTHUR ARCHITECTURAL DRAFTING AND MAY NOT BE REPRODUCED BY ANY MEANS WITHOUT WRITTEN PERMISSION.




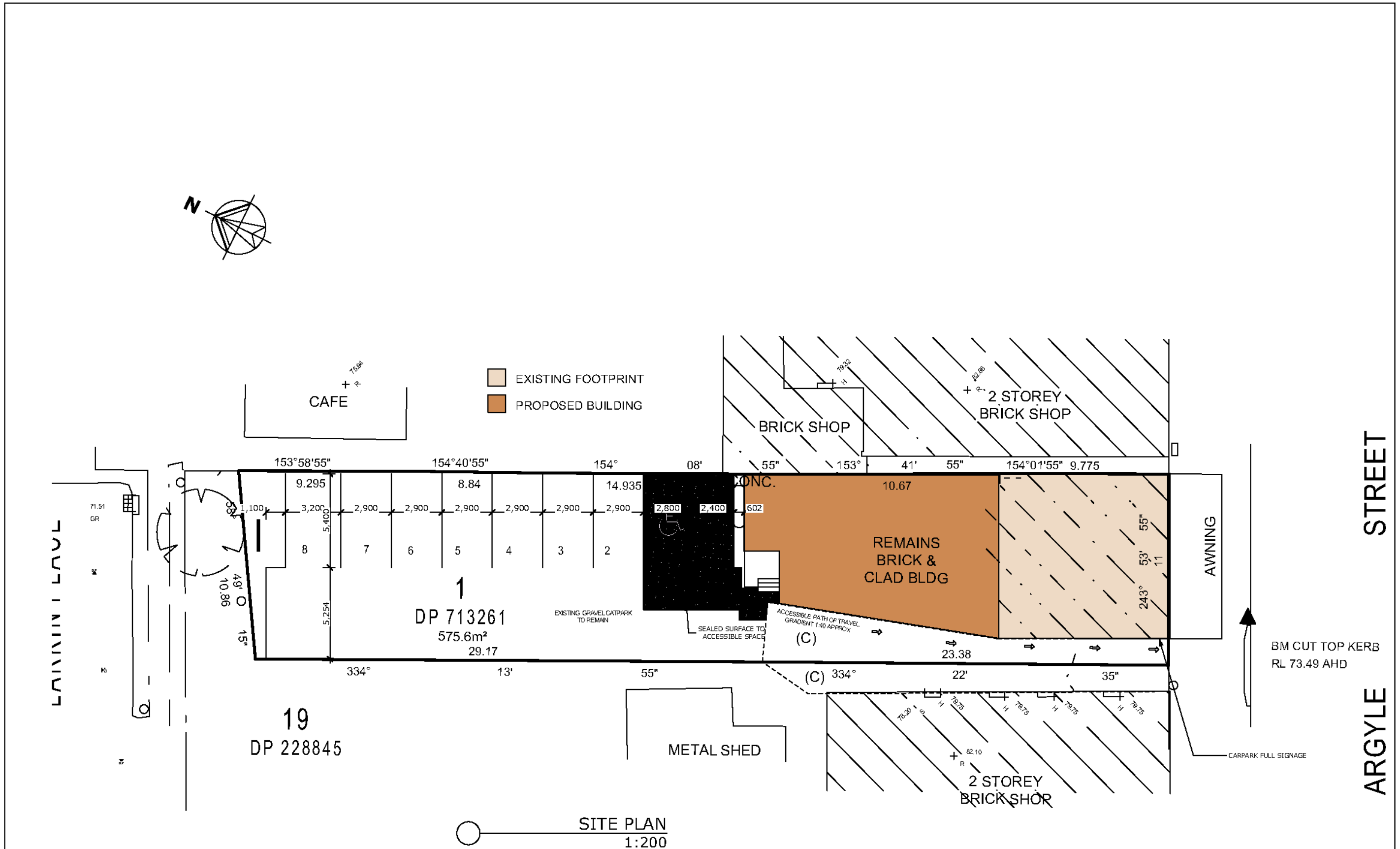
SIGN ELEV  
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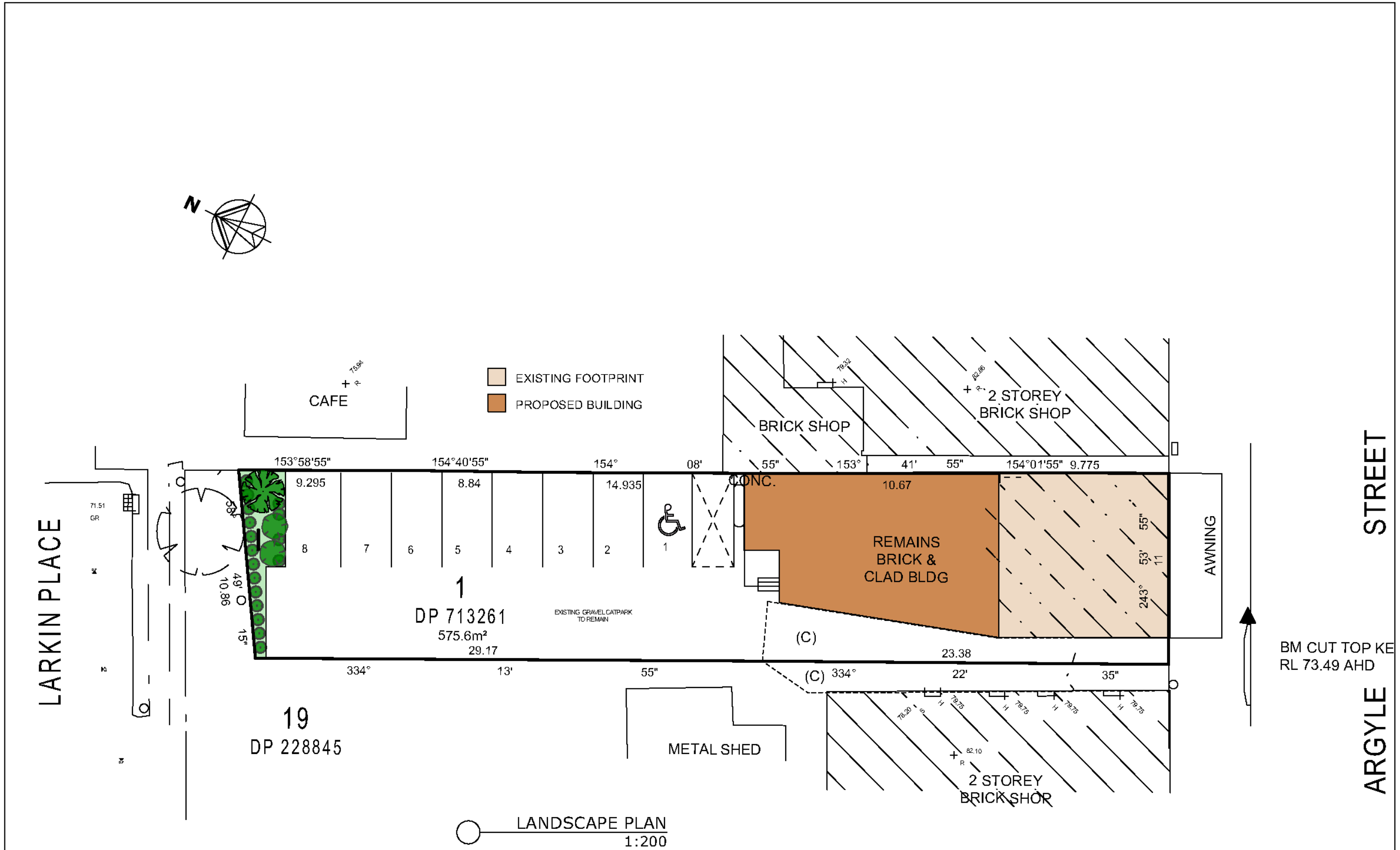


EXISTING FOOTPRINT  
PROPOSED BUILDING




CLIENT [REDACTED]	JOB: PROPOSED RENOVATION	SCALE AT A3: A3	DATE: 20.03.2020	NOTES: 1. LEVELS SHOWN ARE APPROX. ONLY AND SHOULD BE VERIFIED ON SITE 2. FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALING 3. ALL MEASUREMENTS ARE IN MILLIMETRES UNLESS OTHERWISE STATED 4. WINDOW SIZES ARE NOMINAL ONLY. FINAL WINDOW SCHEDULE BY BUILDER	 www.maodraft.com.au (02) 4655 1390 info@macdraft.com.au © MACARTHUR ARCHITECTURAL DRAFTING SERVICES
	DRAWING SITE PLAN	DRAWING No: 5918	SHEET: 9/13		
LOT -, DP - 63 ARGYLE STREET - CAMDEN - -		Z:\Archicad Drawings\5900 - 5999 \5918 - 65 ARGYLE STREET - CAMDEN \5918-4 - 65 ARGYLE STREET - CAMDEN.pln PLOT DATE: Wednesday, 11 August 2021			






LANDSCAPE PLAN 1:200

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	DRAWING LANDSCAPE PLAN	DRAWING No: 5918	SHEET: 11/13		
LOT -, DP - 63 ARGYLE STREET - CAMDEN - -	Z:\Archicad Drawings\5900 - 5999 \5918 - 65 ARGYLE STREET - CAMDEN \5918-4 - 65 ARGYLE STREET - CAMDEN.pln		PLOT DATE: Wednesday, 11 August 2021		





CLIENT [REDACTED]	JOB: <b>PROPOSED RENOVATION</b>	SCALE AT A3: <b>A3</b>	DATE: <b>20.03.2020</b>		Z:\Archicad Drawings\5900 - 5999 \5918 - 65 ARGYLE STREET - CAMDEN \5918-4 - 65 ARGYLE STREET - CAMDEN.pln PLOT DATE: Wednesday, 28 July 2021	NOTES: 1. LEVELS SHOWN ARE APPROX. ONLY AND SHOULD BE VERIFIED ON SITE 2. FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALING 3. ALL MEASUREMENTS ARE IN MILLIMETRES UNLESS OTHERWISE STATED 4. WINDOW SIZES ARE NOMINAL ONLY. FINAL WINDOW SCHEDULE BY BUILDER	 www.macdraft.com.au (02) 4655 1390 info@macdraft.com.au © MACARTHUR ARCHITECTURAL DRAFTING SERVICES
	DRAWING <b>COLOURED PERSPECTIVE</b>	DRAWING No: <b>5918</b>	SHEET: <b>12/13</b>	ISSUE: <b>0</b>			
LOT -, DP - 63 ARGYLE STREET - CAMDEN - -							

<p><b>1. FALLS, SLIPS, TRIPS</b></p> <p><b>a) WORKING AT HEIGHTS</b></p> <p><b>DURING CONSTRUCTION</b> Wherever possible, components for this building should be prefabricated off-site or at ground level to minimise the risk of workers falling more than two metres. However, construction of this building will require workers to be working at heights where a fall in excess of two metres is possible and injury is likely to result from such a fall. The builder should provide a suitable barrier wherever a person is required to work in a situation where falling more than two metres is a possibility.</p> <p><b>DURING OPERATION OR MAINTENANCE</b> For houses or other low-rise buildings where scaffolding is appropriate: Cleaning and maintenance of windows, walls, roof or other components of this building will require persons to be situated where a fall from a height in excess of two metres is possible. Where this type of activity is required, scaffolding, ladders or trestles should be used in accordance with relevant codes of practice, regulations or legislation. For buildings where scaffold, ladders, trestles are not appropriate: Cleaning and maintenance of windows, walls, roof or other components of this building will require persons to be situated where a fall from a height in excess of two metres is possible. Where this type of activity is required, scaffolding, fall barriers or Personal Protective Equipment (PPE) should be used in accordance with relevant codes of practice, regulations or legislation.</p> <p><b>ANCHORAGE POINTS (NON RESIDENTIAL ONLY)</b> Anchorage points for portable scaffold or fall arrest devices have been included in the design for use by maintenance workers. Any persons engaged to work on the building after completion of construction work should be informed about the anchorage points.</p> <p><b>b) SLIPPERY OR UNEVEN SURFACES</b></p> <p><b>FLOOR FINISHES Specified</b> If finishes have been specified by designer, these have been selected to minimise the risk of floors and paved areas becoming slippery when wet or when walked on with wet shoes/feet. Any changes to the specified finish should be made in consultation with the designer or, if this is not practical, surfaces with an equivalent or better slip resistance should be chosen.</p> <p><b>FLOOR FINISHES By Owner</b> If designer has not been involved in the selection of surface finishes, the owner is responsible for the selection of surface finishes in the pedestrian trafficable areas of this building. Surfaces should be selected in accordance with AS HB 197:1999 and AS/NZ 4586:2004.</p> <p><b>STEPS, LOOSE OBJECTS AND UNEVEN SURFACES</b> Due to design restrictions for this building, steps and/or ramps are included in the building which may be a hazard to workers carrying objects or otherwise occupied. Steps should be clearly marked with both visual and tactile warning during construction, maintenance, demolition and at all times when the building operates as a workplace.</p> <p>Building owners and occupiers should monitor the pedestrian access ways and in particular access to areas where maintenance is routinely carried out to ensure that surfaces have not moved or cracked so that they become uneven and present a trip hazard. Spills, loose material, stray objects or any other matter that may cause a slip or trip hazard should be cleaned or removed from access ways. Contractors should be required to maintain a tidy work site during construction, maintenance or demolition to reduce the risk of trips and falls in the workplace. Materials for construction or maintenance should be stored in designated areas away from access ways and work areas.</p>	<p><b>2. FALLING OBJECTS</b></p> <p><b>LOOSE MATERIALS OR SMALL OBJECTS</b></p> <p>Construction, maintenance or demolition work on a ground this building is likely to involve persons working above ground level or above floor levels. Where this occurs one or more of the following measures should be taken to avoid objects falling from the area where the work is being carried out onto persons below</p> <ol style="list-style-type: none"> <li>1. Prevent or restrict access to areas below where the work is being carried out</li> <li>2. Provide toeboards to scaffolding or work platforms</li> <li>3. Provide protective structure below the work area</li> <li>4. Ensure that all persons below the work area have Personal Protective Equipment (PPE).</li> </ol> <p><b>BUILDING COMPONENTS</b></p> <p>During construction, renovation or demolition of this building, parts of the structure including fabricated steelwork, heavy panels and many other components will remain standing prior to or after supporting parts are in place. Contractors should ensure that temporary bracing or other required support is in place at all times when collapse which may injure persons in the area is a possibility.</p> <p><b>Mechanical lifting of materials and components during construction, maintenance or demolition presents a risk of falling objects.</b></p> <p>Contractors should ensure that appropriate lifting devices are used, that loads are properly secured and that access to areas below the load is prevented or restricted.</p> <p><b>3. TRAFFIC MANAGEMENT</b></p> <p>For building on a major road, narrow road or steeply sloping road: Parking of vehicles or loading/unloading of vehicles on this roadway may cause a traffic hazard. During construction, maintenance or demolition of this building designated parking for workers and loading areas should be provided. Trained traffic management personnel should be responsible for the supervision of these areas. For building where on-site loading/unloading is restricted: Construction of this building will require loading and unloading of materials on the roadway. Deliveries should be well planned to avoid congestion of loading areas and trained traffic management personnel should be used to supervise loading/unloading areas. For all buildings: Busy construction and demolition sites present a risk of collision where deliveries and other traffic are moving within the site. A traffic management plan supervised by trained traffic management personnel should be adopted for the work site.</p> <p><b>4. SERVICES</b></p> <p><b>GENERAL</b> Rupture of services during excavation or other activity creates a variety of risks including release of hazardous material. Existing services are located on or around this site. Where known, these are identified on the plans but the exact location and extent of services may vary from that indicated. Services should be located using an appropriate service (such as Dial Before You Dig), appropriate excavation practice should be used and, where necessary, specialist contractors should be used.</p> <p><b>Locations with underground power:</b> Underground power lines MAY be located in or around this site. All underground power lines must be disconnected or carefully located and adequate warning signs used prior to any construction, maintenance or demolition commencing.</p> <p><b>Locations with overhead power lines:</b> Overhead power lines MAY be near or on this site. These pose a risk of electrocution if struck or approached by lifting devices or other plant and persons working above ground level. Where there is a danger of this occurring, power lines should be, where practical, disconnected or relocated. Where this is not practical adequate warning in the form of bright coloured tape or signage should be used or a protective barrier provided.</p>	<p><b>5. MANUAL TASKS</b></p> <p>Components within this design with a mass in excess of 25kg should be lifted by two or more workers or by mechanical lifting device. Where this is not practical, suppliers or fabricators should be required to limit the component mass. All material packaging, building and maintenance components should clearly show the total mass of packages and where practical all items should be stored on site in a way which minimises bending before lifting. Advice should be provided on safe lifting methods in all areas where lifting may occur. Construction, maintenance and demolition of this building will require the use of portable tools and equipment. These should be fully maintained in accordance with manufacturer's specifications and not used where faulty or (in the case of electrical equipment) not carrying a current electrical safety tag. All safety guards or devices should be regularly checked and Personal Protective Equipment should be used in accordance with manufacturer's specification.</p> <p><b>6. HAZARDOUS SUBSTANCES</b></p> <p><b>ASBESTOS</b> For alterations to a building constructed prior to 1990: If this existing building was constructed prior to: 1990 - it therefore may contain asbestos 1986 - it therefore is likely to contain asbestos either in cladding material or in fire retardant insulation material. In either case, the builder should check and, if necessary, take appropriate action before demolishing, cutting, sanding, drilling or otherwise disturbing the existing structure.</p> <p><b>POWDERED MATERIALS</b> Many materials used in the construction of this building can cause harm if inhaled in powdered form. Persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation and wear Personal Protective Equipment including protection against inhalation while using powdered material or when sanding, drilling, cutting or otherwise disturbing or creating powdered material..</p> <p><b>TREATED TIMBER</b> The design of this building may include provision for the inclusion of treated timber within the structure. Dust or fumes from this material can be harmful. Persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation and wear Personal Protective Equipment including protection against inhalation of harmful material when sanding, drilling, cutting or using treated timber in any way that may cause harmful material to be released. Do not burn treated timber.</p> <p><b>VOLATILE ORGANIC COMPOUNDS</b> Many types of glue, solvents, spray packs, paints, varnishes and some cleaning materials and disinfectants have dangerous emissions. Areas where these are used should be kept well ventilated while the material is being used and for a period after installation. Personal Protective Equipment may also be required. The manufacturer's recommendations for use must be carefully considered at all times.</p> <p><b>SYNTHETIC MINERAL FIBRE</b> Fibreglass, Rockwool, ceramic and other material used for thermal or sound insulation may contain synthetic mineral fibre which may be harmful if inhaled or if it comes in contact with the skin, eyes or other sensitive parts or the body. Personal Protective Equipment including protection against inhalation of harmful material should be used when installing, removing or working near bulk insulation material.</p> <p><b>TIMBER FLOORS</b> This building may contain timber floors which have an applied finish. Areas where finishes are applied should be kept well ventilated during sanding and application and for a period after installation. Personal Protective Equipment may also be required. The manufacturer's recommendations for use must be carefully considered at all times.</p>	<p><b>7. CONFINED SPACES</b></p> <p><b>EXCAVATION</b> Construction of this building and some maintenance on the building will require excavation and installation of items within excavations. Where practical, installation should be carried out using methods which do not require workers to enter the excavation. Where this is not practical, adequate support for the excavated area should be provided to prevent collapse. Warning signs and barriers to prevent accidental or unauthorised access to all excavations should be provided.</p> <p><b>ENCLOSED SPACES</b> For buildings with enclosed spaces where maintenance or other access may be required: Enclosed spaces within this building may present a risk to persons entering for construction, maintenance or any other purpose. The design documentation calls for warning signs and barriers to unauthorised access. These should be maintained throughout the life of the building. Where workers are required to enter enclosed spaces, air testing equipment and Personal Protective Equipment should be provided.</p> <p><b>SMALL SPACES</b> For buildings with small spaces where maintenance or other access may be required: Some small spaces within this building will require access by construction or maintenance workers. The design documentation calls for warning signs and barriers to unauthorised access. These should be maintained throughout the life of the building. Where workers are required to enter small spaces they should be scheduled so that access is for short periods. Manual lifting and other manual activity should be restricted in small spaces.</p> <p><b>8. PUBLIC ACCESS</b></p> <p>Public access to construction and demolition sites and to areas under maintenance causes risk to workers and public. Warning signs and secure barriers to unauthorised access should be provided. Where electrical installations, excavations, plant or loose materials are present they should be secured when not fully supervised.</p> <p><b>9. OPERATIONAL USE OF BUILDING</b></p> <p><b>RESIDENTIAL BUILDINGS</b> This building has been designed as a residential building. If it, at a later date, it is used or intended to be used as a workplace, the provisions of the Work Health and Safety Act 2011 or subsequent replacement Act should be applied to the new use.</p> <p><b>NON-RESIDENTIAL BUILDINGS</b> For non-residential buildings where the end-use has not been identified: This building has been designed to requirements of the classification identified on the drawings. The specific use of the building is not known at the time of the design and a further assessment of the workplace health and safety issues should be undertaken at the time of fit-out for the end-user. For non-residential buildings where the end-use is known: This building has been designed for the specific use as identified on the drawings. Where a change of use occurs at a later date a further assessment of the workplace health and safety issues should be undertaken.</p> <p><b>10. OTHER HIGH RISK ACTIVITY</b></p> <p>All electrical work should be carried out in accordance with Code of Practice: Managing Electrical Risks at the Workplace, AS/NZ 3012 and all licensing requirements. All work using Plant should be carried out in accordance with Code of Practice: Managing Risks of Plant at the Workplace. All work should be carried out in accordance with Code of Practice: Managing Noise and Preventing Hearing Loss at Work. Due to the history of serious incidents it is recommended that particular care be exercised when undertaking work involving steel construction and concrete placement. All the above applies.</p>	<p><b>NOTES:</b></p> <ol style="list-style-type: none"> <li>1. LEVELS SHOWN ARE APPROX. ONLY AND SHOULD BE VERIFIED ON SITE</li> <li>2. FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALING</li> <li>3. ALL MEASUREMENTS ARE IN MILLIMETRES UNLESS OTHERWISE STATED</li> <li>4. WINDOW SIZES ARE NOMINAL ONLY. FINAL WINDOW SCHEDULE BY BUILDER</li> </ol> <p>Z:\Archicad Drawings\5900 - 5999 \5918 - 65 ARGYLE STREET - CAMDEN \5918-4 - 65 ARGYLE STREET - CAMDEN.pln</p> <p><b>JOB:</b> <b>PROPOSED RENOVATION</b> LOT -, DP - 63 ARGYLE STREET - CAMDEN - -</p> <p><b>DRAWING</b> <b>SAFETY NOTES</b></p> <table border="1"> <tr> <td><b>SCALE:</b> A3</td> <td><b>DATE:</b> 20.03.2020</td> </tr> <tr> <td><b>DRAWING No:</b> 5918</td> <td><b>SHEET:</b> 13/13</td> <td><b>ISSUE:</b> 0</td> </tr> </table> <p><b>M.A.D.S</b> www.maodraft.com.au</p> <p>(02) 4655 1390 info@maodraft.com.au</p> <p>© MACARTHUR ARCHITECTURAL DRAFTING SERVICES</p> <p>PLOT DATE: Wednesday, 28 July 2021</p>	<b>SCALE:</b> A3	<b>DATE:</b> 20.03.2020	<b>DRAWING No:</b> 5918	<b>SHEET:</b> 13/13	<b>ISSUE:</b> 0
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**THESE NOTES MUST BE READ AND UNDERSTOOD BY ALL INVOLVED IN THE PROJECT.**

**THIS INCLUDES (but is not excluded to): OWNER, BUILDER, SUB-CONTRACTORS, CONSULTANTS, RENOVATORS, OPERATORS, MAINTENORS, DEMOLISHERS.**





# CIVIL PLAN FOR PROPOSED ADDITION & ALTERATIONS AT (LOT 1, DP :713261) 63 ARGYLE STREET, CAMDEN

**DRAINAGE NOTES:**

1. ALL WORK IS TO BE PERFORMED IN ACCORDANCE WITH AS3500.3 AND COUNCIL CODES WHERE APPLICABLE.
2. THE PLUMBER/ DRAINER SHALL INSPECT THE SITE AND CONFIRM THE EXISTING SITE STRUCTURES, SERVICES AND CONDITIONS PRIOR TO PROCEEDING. IF ANY DISCREPANCIES FOUND, CONTACT THE ENGINEER FOR FURTHER INSTRUCTIONS.
3. ALL PIPES SHALL BE SEWER GRADE P.V.C. LAID AT MIN. 1% GRADE, UNLESS NOTED OTHERWISE.
4. ALL CONNECTIONS TO P.V.C. PIPES ARE TO BE SOLVENT WELDED TO MANUFACTURERS SPECIFICATION
5. ALL PREFABRICATED PITS, DRAINS ETC. ARE TO BE OF HEAVY DUTY CONCRETE CONSTRUCTION UNLESS NOTED OTHER.
6. PRECISE LOCATION OF DOWN PIPES SHALL BE NOMINATED BY OTHERS. LOCATIONS SHOWN ARE FOR HYDRAULIC DESIGN PURPOSES ONLY.
7. PRECISE LOCATION OF PITS SHALL BE NOMINATED BY OTHERS. LOCATIONS SHOWN ARE FOR HYDRAULIC DESIGN PURPOSES ONLY.
8. ALL EAVES GUTTERS SHALL BE OF MINIMUM CROSS SECTIONAL AREA OF 850MM<sup>2</sup>/ UNLESS NOTED OTHERWISE.
9. THIS DESIGN COVERS THE COLLECTION AND DISPOSAL OF RAINWATER FROM ROOF AREAS ONLY. ANY PAVED AREAS NOT NOTED ON THE SUPPLIED ARCHITECTURAL DRAWINGS ARE NOT INCLUDED, UNLESS SHOWN.
10. THIS DESIGN DOES NOT COVER SUB SURFACE HYDRAULIC FLOWS.
11. THE INSTALLER IS ENCOURAGED TO USE THE 'DIAL BEFORE YOU DIG' SERVICE PRIOR TO EXCAVATION. NO UNDERGROUND SERVICES HAVE BEEN NOTED OR SURVEYED IN THIS DESIGN. DIG AT YOUR OWN RISK.
12. IF IN DOUBT ASK. CONSULT THE DESIGN ENGINEER FOR ANY CHANGES, OMISSIONS AND DISCREPANCIES.
13. SYSTEM DESIGN HAS BEEN PRODUCED TO REFLECT REDUCED LEVELS SHOWN ON ARCHITECT SUPPLIED DRAWINGS.
14. PIPE COVER FOR UPVC PIPES:
  - A. SINGLE DWELLINGS, NO VEHICULAR LOADING - 100MM
  - B. SINGLE DWELLINGS, VEHICULAR LOADING WITHOUT PAVEMENT - 450MM
  - C. SINGLE DWELLINGS, HEAVY VEHICULAR LOADING ON CONCRETE - 100MM BELOW UNDERSIDE OF CONCRETE
  - D. SINGLE DWELLINGS, NO VEHICULAR LOADING ON UN-REINFORCED CONCRETE/PAVERS - 50MM BELOW UNDERSIDE OF CONCRETE/PAVERS
  - E. SINGLE DWELLINGS, LIGHT VEHICULAR LOADING ON UN-REINFORCED CONCRETE/PAVERS - 75MM BELOW UNDERSIDE OF CONCRETE/PAVERS
15. SILT ARRESTOR PIT AND RAIN GUARDS MUST BE REGULARLY INSPECTED AND CLEANED.
16. LOCATION OF STORMWATER SYSTEMS, INCLUDING DOWNPIPES, PIPES,PITS AND RAINWATER TANK ARE INDICATIVE ONLY. EXACT LOCATIONS SHALL BE DETERMINED ON SITE TO SUIT SITE CONDITIONS.
17. SUB-SOIL DRAINS FOR RETAINING WALL SHALL BE INSTALLED BY THE BUILDER AND CONNECTED TO STORMWATER LINES. ALL AGG LINES SHALL BE 100MM DIA, UNLESS NOTED OTHERWISE.
18. LEVELS ARE APPROXIMATE ONLY. THE PLUMBER/DRAINER SHALL CONFIRM THE LEVELS PRIOR TO PROCEEDING. IF ANY DISCREPANCIES FOUND, CONTACT THE ENGINEER FOR FURTHER INSTRUCTIONS.
19. INSPECTION AND CERTIFICATION, IF REQUIRED, SHALL BE DONE PRIOR TO BACKFILLING, ALLOW 24 HOUR NOTICE FOR THE ENGINEER TO CARRY OUT THE INSPECTION.

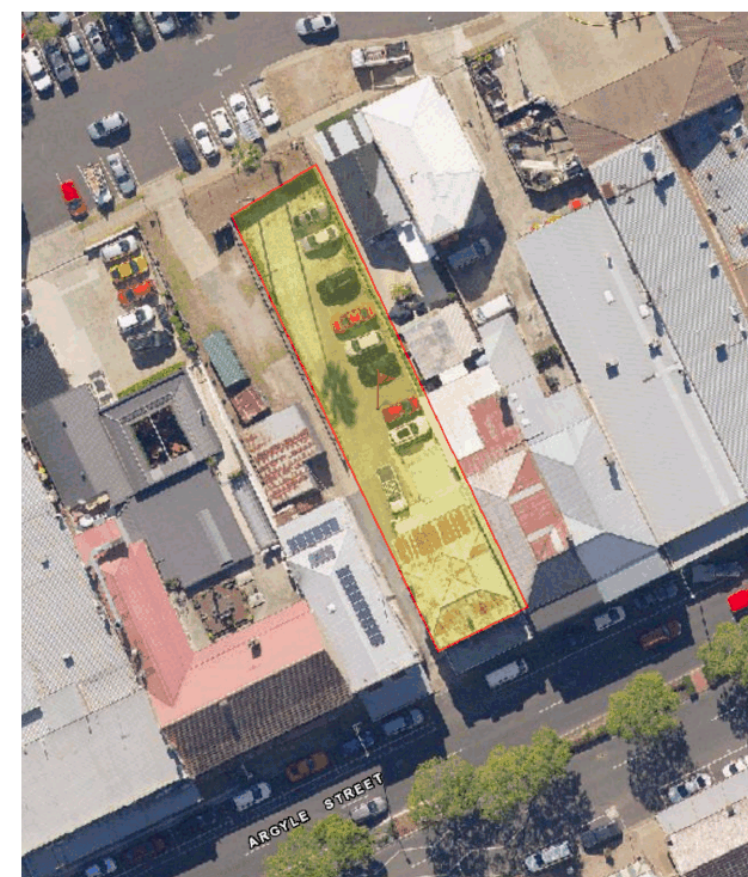
20. ANY DAMAGE TO SERVICES DURING CONSTRUCTION SHALL BE REPAIRED IMMEDIATELY AT THE PLUMBER/DRAINERS OWN EXPENSE.
21. AREAS & GEOMETRY CALCULATED ARE APPROXIMATE AND DEPENDENT ON SURVEYORS & ARCHITECTS DRAWINGS.
22. IT IS ESSENTIAL THAT AREAS CALCULATED ARE WITHIN PLUS/MINUS 5% RANGE.
23. PROVIDE ADEQUATE ACCESS AND OVERLAND FLOW ROUTES OUT OF PROPERTY AND NOT INTO ADJOINING PROPERTIES
24. PROVIDE MINIMUM 75MM CLEARANCE UNDER ALL GATES AND OPERABLE EXTERNAL DOORS AS TO NOT IMPEDE OVERLAND FLOW
25. WATER ENTRY AND BACKFLOW INTO BUILDINGS SHOULD BE PREVENTED AT ALL TIMES
26. ALL FINISHED GROUND SURFACES SHOULD FALL AWAY FROM STRUCTURES
27. CHARGED LINES ARE TO BE FLUSHED REGULARLY AND FLUSH/ARRESTOR PITS ARE TO BE REGULARLY INSPECTED AND CLEANED
28. ALL PIPES ENTERING A WATER TANK SHALL HAVE A FIRST FLUSH DEVICE INSTALLED
29. ALL WATER TANKS WILL BE INSECT PROOFED BY OTHER
30. IF TANKED WATER IS BEING REUSED FOR DRINKING OR SANITARY PURPOSES, APPROPRIATE DISINFECTING BY OTHERS SHOULD BE CONSIDERED.
31. PLUMBER TO PROVIDE 'LEAF GUARD' OR SIMILAR OVER ALL GUTTER, RAINHEADS & SUMPS

**SITE PREPARATIONS FOR SLABS ON GROUND**

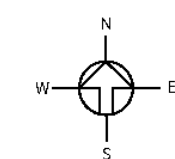
1. EXCAVATE AND REMOVE ALL EXCESS MATERIAL TO THE REQUIRED LEVEL AT THE UNDERSIDE OF THE SLAB ON GROUND. TOP SOIL CONTAINING GRASS ROOTS OR OTHER ORGANIC MATERIAL SHALL BE REMOVED FROM UNDER THE PROPOSED SLAB TO A DEPTH OF NOT LESS THAN 100MM AND REPLACED WITH LEVELING FILL. ANY SOFT SPOTS ENCOUNTERED SHALL BE REMOVED AND REPLACED WITH FILL COMPACTED IN ACCORDANCE WITH REQUIREMENTS BELOW.
2. WHERE THE SUBGRADE LEVEL IS TO BE RAISED FROM NATURAL GROUND LEVEL FILL SHALL BE USED TO SUPPORT SLAB PANELS AND NON-LOAD BEARING INTERNAL BEAMS. THE FILL SHALL BE CONTROLLED FILL OR ROLLED FILL AS FOLLOWS:  
 CONTROLLED FILL: SAND FILL UP TO 800MM DEEP THAT IS WELL COMPACTED BY A VIBRATING PLATE OR VIBRATING ROLLER IN LAYERS NOT MORE THAN 300MM THICK. SAND FILL SHALL NOT CONTAIN GRAVEL SIZED MATERIAL. NON-SAND FILL UP TO 400MM DEEP THAT IS WELL COMPACTED BY: A MECHANICAL ROLLER IN LAYERS NOT MORE THAN 150MM THICK. CLAY FILL SHALL BE MOIST DURING COMPACTION.  
 ROLLED FILL: SAND FILL UP TO 600MM DEEP COMPACTED IN LAYERS NOT MORE THAN 300MM THICK OR CLAY FILL UP TO 300MM DEEP COMPACTED IN LAYERS NOT MORE THAN 150MM THICK BY REPEATED ROLLING WITH AN EXCAVATOR OR SIMILAR EQUIPMENT. THIS FILL SHALL BE COMPACTED TO AT LEAST 95% OF STANDARD MAXIMUM DRY DENSITY (SMDD), IN ACCORDANCE WITH AS 1289.
3. FOR SLABS ON GROUND, 50 MM APPROXIMATE THICKNESS IS TO BE SPREAD AS A LEVELLING LAYER AND WELL WATERED DOWN. DAMP-PROOFING MEMBRANE UNPUNCTURED AND TAPED AT LAPS, IS TO BE PLACED OVER THE SAND, SUFFICIENT MEMBRANE BEING PROVIDED AT EDGES TO RETURN UNDER BRICKWORK. WHERE NO BRICKWORK, TAPE MEMBRANE TO SIDE OF FOOTING BELOW GROUND.

**SLABS ON GROUND**

1. THE GRADE OF CONCRETE SHALL BE N32 WITH A SLUMP OF 80MM IN ACCORDANCE WITH AS1379-2007, WITH 20MM MAXIMUM NORMAL AGGREGATE SIZE.
2. REINFORCEMENT IN RAFTS AND SLABS SHALL BE PLACED IN ACCORDANCE WITH THE FOLLOWING:
  - MINIMUM CONCRETE COVER TO THE UNDERSIDE OF THE SLAB BEAMS SHALL BE 50MM UNO
  - SLAB MESH SHALL BE PLACED WITH 30MM COVER TO THE TOP OF THE SLAB UNO.
  - SLAB MESH SHALL BE LAPPED SUCH THAT AT LEAST TWO CROSS-WIRES ARE LAPPED.
  - SLAB MESH SHALL BE SUPPORTED ON BAR CHAIRS AT A MAXIMUM SPACING OF 750MM BOTH WAYS.
  - TRENCH MESH SHALL HAVE ALL CROSS-WIRES CUT FLUSH WITH THE OUTER MAIN WIRES. TRENCH MESH IN BEAMS SHALL BE OVERLAPPED BY THE WIDTH OF THE MESH AT T- AND L- INTERSECTIONS. TRENCH MESH SHALL BE SPLICED, WHERE NECESSARY, BY A LAP OF 500MM.
  - REINFORCING BARS SHALL HAVE A LAP LENGTH AT SPLICES NOT LESS THAN 500MM UP TO A BAR DIAMETER OF 16MM, AND NOT LESS THAN 700MM UP TO A BAR DIAMETER OF 16MM. AT T- AND L- INTERSECTIONS, THE BARS SHALL BE CONTINUED ACROSS THE FULL WIDTH OF THE INTERSECTION. AT L-INTERSECTIONS, ONE OUTER BAR SHALL BE BENT AND CONTINUED 500MM, OR A BENT LAP BAR 500MM LONG SHALL BE PROVIDED ON EACH LEG.
3. A 0.2MM POLYTHENE DAMP-PROOF MEMBRANE SHALL BE PLACED BENEATH THE SLAB SO THAT THE BOTTOM SURFACE OF THE SLAB AND BEAMS, INCLUDING INTERNAL BEAMS, IS ENTIRELY UNDERLAI. THE MEMBRANE SHALL EXTEND UNDER THE EDGE BEAM TO GROUND LEVEL. WHERE REQUIRED LAPPING FOR CONTINUITY AT JOINTS SHALL BE NOT LESS THAN 200MM. ANY PENETRATIONS BY PIPES OF PLUMBING FITTINGS SHALL BE TAPPED OR SEALED WITH A CLOSE-FITTING SLEEVE.
4. ON SITES SUBJECT TO WIND OR WATER EROSION, THE FOUNDATION OF THE EDGE BEAM SHALL BE PROTECTED.
5. FOOTING DEPTHS SHOWN ON ALL DRAWINGS ARE THE MINIMUM REQUIRED BY AS2870-2011. WHERE SITE CONDITIONS REQUIRED FOUNDING DEPTHS AT LOWER LEVELS BLINDING CONCRETE (15MPa) SHALL BE USED. REFER TO THE SOIL REPORT FOR A GUIDE TO ACTUAL FOUNDING DEPTHS.  
 IF A BRITTLE FLOOR COVERING IS TO BE USED SUCH AS TILES, SLATE OR STONE IT IS RECOMMENDED THAT THE LAYING OF THE FLOOR COVERING BE DELAYED FOR AT LEAST NINE MONTHS AFTER POURING OF THE SLAB TO ALLOW THE CONCRETE ADEQUATE TIME TO DRY. IT IS ALSO RECOMMENDED THAT FLEXIBLE ADHESIVE AND GROUT ARE USED.



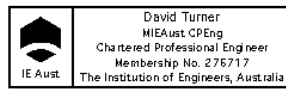
LOCATION PLAN  
NOT TO SCALE



THE CONTRACTOR SHALL CONTACT THE COUNCIL IN WRITING A MINIMUM OF 7 DAYS PRIOR TO COMMENCING WORK AND APPLY FOR A 138 CONSENT (SECTION 138 OF THE ROADS ACT FOR APPROVAL TO WORK ON A PUBLIC ROAD) AND INCLUDE COPIES OF CURRENT PUBLIC LIABILITY INSURANCE FOR A VALUE OF \$20,000,000 AND PAYMENT OF THE CURRENT FEE. REFERENCES FOR PREVIOUS WORK EXPERIENCE MAY BE REQUESTED BY COUNCIL

AMEND	DATE	DESCRIPTION	DRAWN

**GENERAL NOTES:**  
 - DO NOT SCALE  
 - GRADES INDICATIVE ONLY, LEVELS TO TAKE PRECEDENCE OVER GRADES.  
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 - THE BUILDER IS TO CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.  
 - ALL WORK IS TO BE IN ACCORDANCE WITH AUSTRALIAN CODES AND COUNCIL REGULATIONS.



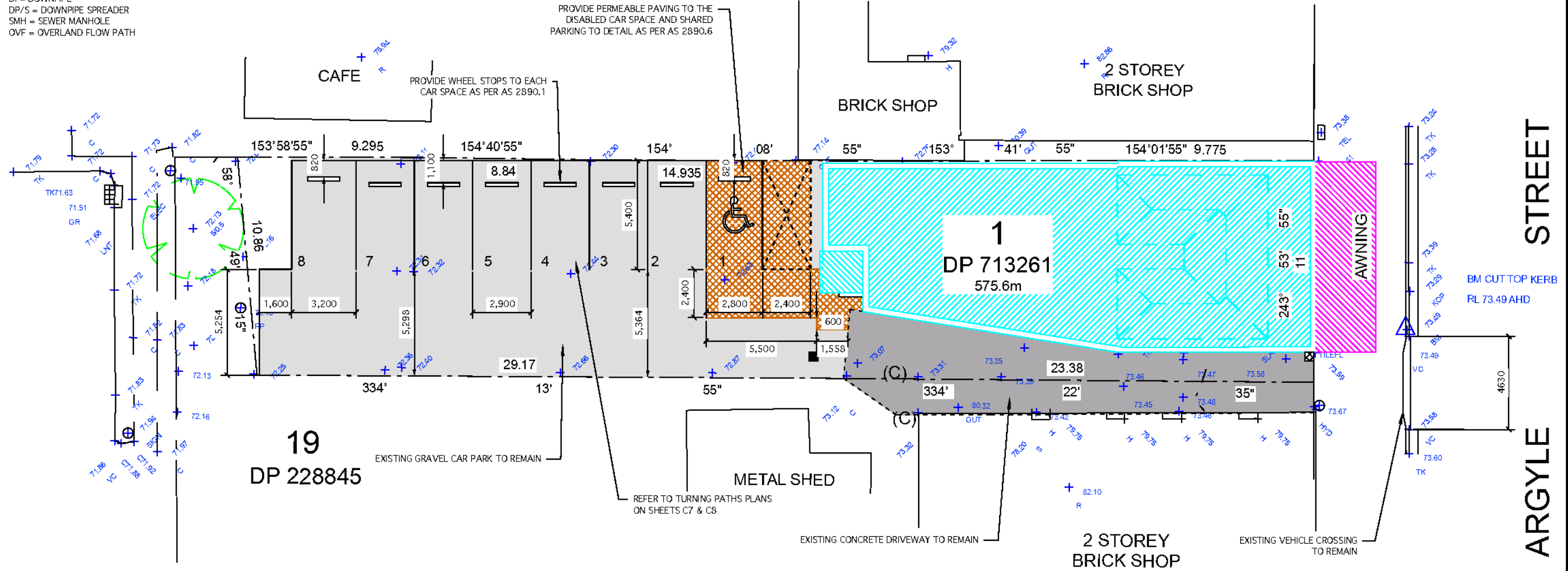
**CERTIFICATION**  
 DESIGNED IN ACCORDANCE WITH RELEVANT AUSTR CODES  
 D. TURNER, B.E. (MIEA) CPENG



PROJECT:- CIVIL PLAN FOR PROPOSED ADDITION AND ALTERATIONS		DRAWN SDL CHECKED DLT DATE 11/02/21 SCALE AS SHOWN SHEET C1	DWG No 200600 CIVILS
ADDRESS:- 63 ARGYLE STREET, CAMDEN			

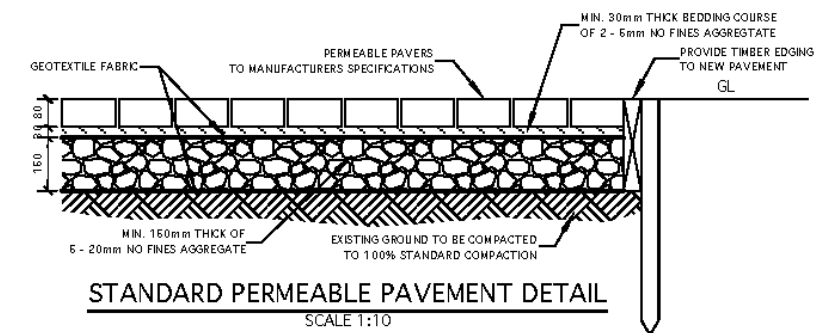
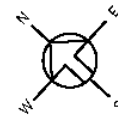
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**KEY:**  
 CL= CONCRETE LEVEL  
 FFL = FINISHED FLOOR LEVEL  
 FGL = FINISHED GROUND LEVEL  
 EGL = EXISTING GROUND LEVEL  
 IL= INVERT LEVEL  
 TOK= TOP OF KERB  
 GL= GRATE LEVEL  
 I/O= INSPECTION OUTLET  
 DP= DOWNPIPE  
 DP/S = DOWNPIPE SPREADER  
 SMH = SEWER MANHOLE  
 OVF = OVERLAND FLOW PATH



**CAR PARK PLAN**

SCALE  
 AT A1 - 1:100  
 AT A3 - 1:200  
 0m 2m 4m 6m

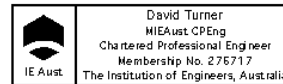


**NOTE:**

- PROVIDE SIGNAGE TO NOTIFY THAT CAR SPACES 2 - 7 ARE REAR TO WALL PARKING SPACES ONLY
- PROVIDE SIGNAGE TO NOTIFY THAT CAR SPACE 8 IS FRONT TO WALL ONLY

AMEND	DATE	DESCRIPTION	DRAWN

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 D. TURNER, B.E. (MIEA) CPENG



**D & M CONSULTING PTY LTD**  
 civil and structural engineers  
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 PH (02) 4647 4014  
 engineer@dmccng.com.au

**PROJECT:- CIVIL PLAN FOR PROPOSED ADDITION AND ALTERATIONS**

ADDRESS:- 63 ARGYLE STREET, CAMDEN

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 CHECKED DLT  
 DATE 11/02/21  
 SCALE AS SHOWN  
 SHEET C2

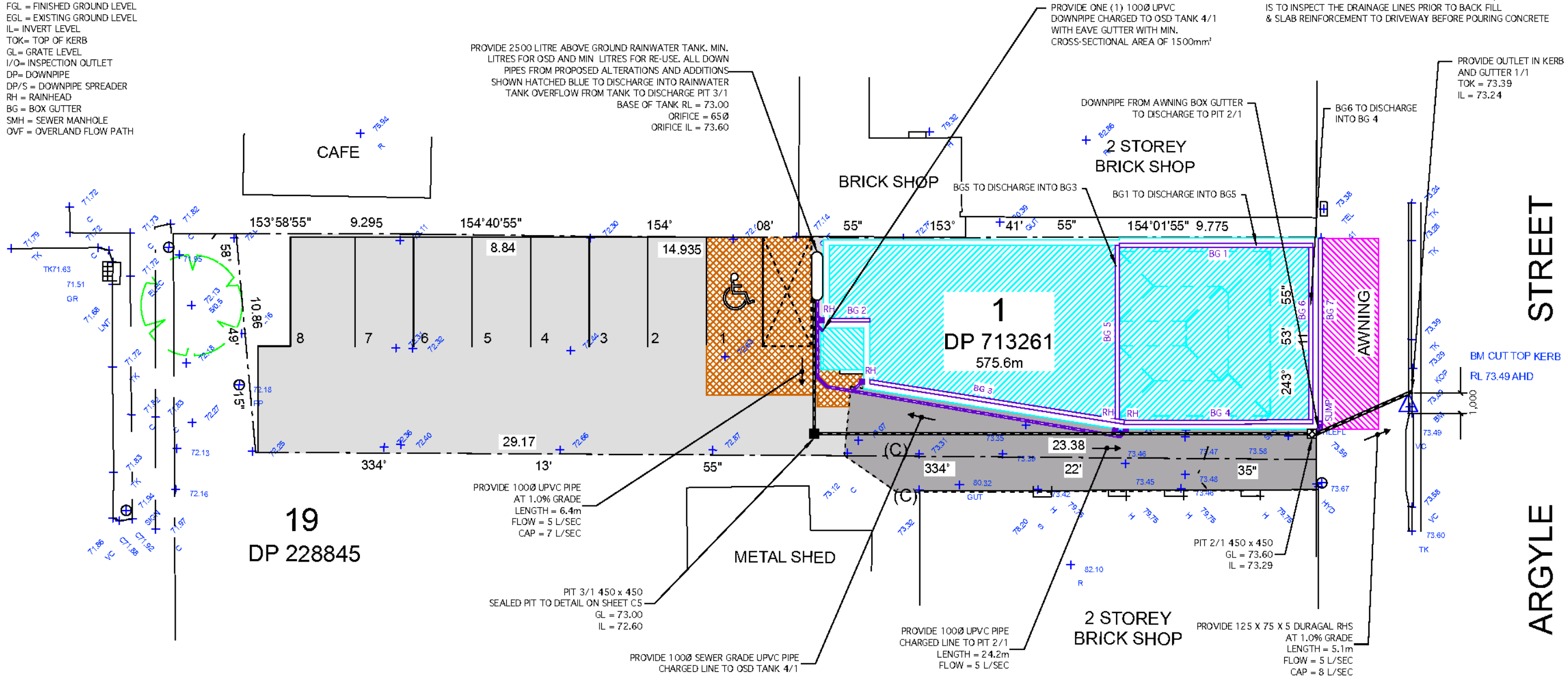
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 200600  
**CIVILS**



- KEY:**
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  - DP= DOWNPIPE
  - DP/S = DOWNPIPE SPREADER
  - RH = RAINHEAD
  - BG = BOX GUTTER
  - SMH = SEWER MANHOLE
  - OVP = OVERLAND FLOW PATH

**NOTE:**

- PLEASE BE AWARE COUNCIL OR THE CERTIFYING AUTHORITY MAY REQUIRE ENGINEERING CERTIFICATION FOR INTERNAL CIVIL WORKS.
- FOR AN ENGINEERING CERTIFICATE FROM THIS OFFICE, AN ENGINEER IS TO INSPECT THE DRAINAGE LINES PRIOR TO BACK FILL & SLAB REINFORCEMENT TO DRIVEWAY BEFORE POURING CONCRETE

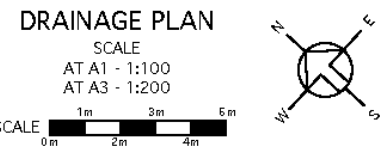


- NOTES:**
- ALL PITS TO BE LOCKED CLOSED.
  - LOCATION OF SERVICES TO BE CHECKED BY CONTRACTOR PRIOR TO COMMENCEMENT OF WORK.
  - ALL CHARGE PIPE TO BE 100Ø UPVC PIPE SEWER GRADE PIPES.
  - ALL REDUNDANT PIPELINES WITHIN FOOTPATH AREA THAT ARE DISCHARGING TO KERB AND GUTTER MUST BE REMOVED AND FOOTPATH REINSTATED.
  - PITS WITHIN TRAFFICABLE AREAS TO BE CLASS B WITH METAL GRATE.
  - PITS WITHIN LANDSCAPING BE MIN. CLASS A GRATE.
  - PIPES WITH <300MM COVER TO BE STEEL DURAGAL PIPES

**SURFACE DRAINAGE NOTES.**

THE POSSIBILITY OF SURFACE WATER ENTERING LIVING AREAS IN CLASS 1 BUILDINGS MAY BE REDUCED BY THE FOLLOWING MEASURES. THE MINIMUM HEIGHT OF THE SLAB ABOVE FINISH GROUND, LANDSCAPING OR PAVING LEVEL SHALL BE 150MM, EXCEPT IN THE FOLLOW CASES:

- IN SANDY, WELL-DRAINING AREA THE MINIMUM HEIGHT SHALL BE 100MM.
- WHERE ADJOINING PAVED AREAS SLOPE AWAY FROM THE BUILDING THESE HEIGHTS CAN BE REDUCED TO 50MM.
- THESE HEIGHTS MAY BE FURTHER REDUCED LOCALLY AT ENTRANCES THAT ARE SHIELDED FROM THE WEATHER.



- NOTE:**
- PROVIDE MIN. SIX (6) 100Ø UPVC DOWNPIPES TO THE PROPOSED ADDITION & ALTERATION
  - ALL BOX GUTTERS TO BE MIN. 200 (W) X 200 (D) AT A GRADIENT OF 1:200
  - ALL RAINHEADS TO BE MIN 200 (L) X 180 (W) X 190 (D). OVERFLOW TO BE PROVIDED 25mm FROM TOP OF RAINHEAD.
  - SUMP TO BE MIN. 400 (L) X 200 (W) X 100 (D). PROVIDE OVERFLOW DEVICE TO SUMP MIN. 200 (W) X 80 (D)

AMEND	DATE	DESCRIPTION	DRAWN

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David Turner  
 MIEAust CPEng  
 Chartered Professional Engineer  
 Membership No. 276717  
 The Institution of Engineers, Australia

**CERTIFICATION.**

DESIGNED IN ACCORDANCE WITH RELEVANT AUSTRALIAN CODES

D. TURNER, B.E. (MIEA) CPENG

**DMC**

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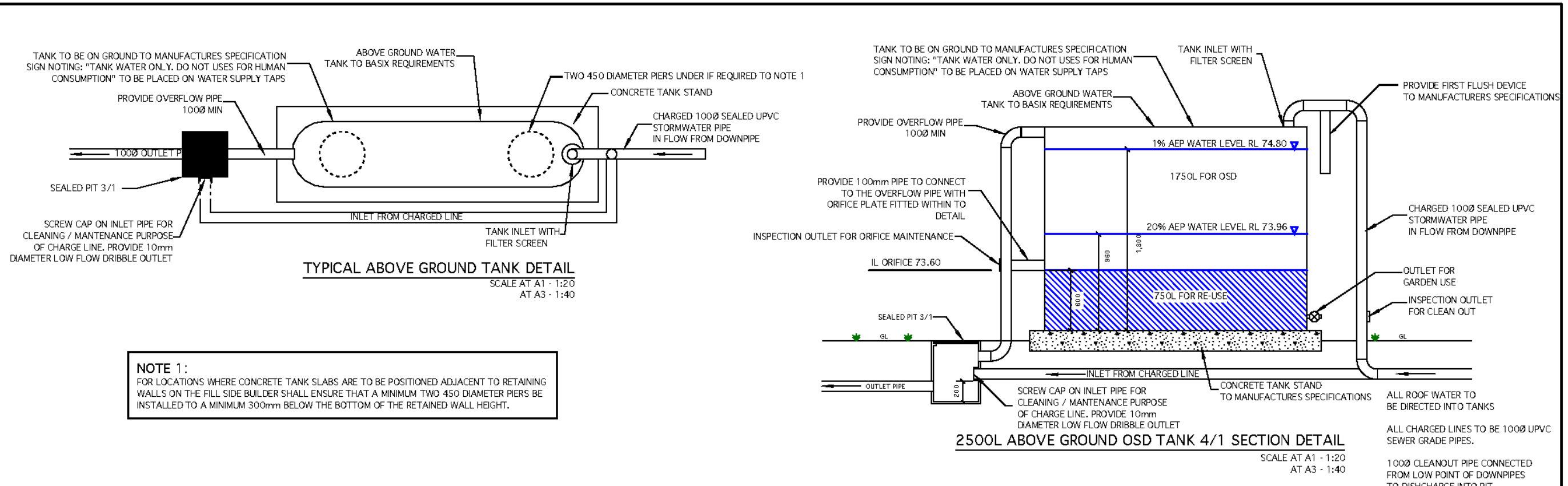
**PROJECT:- CIVIL PLAN FOR PROPOSED ADDITION AND ALTERATIONS**

ADDRESS:- 63 ARGYLE STREET, CAMDEN

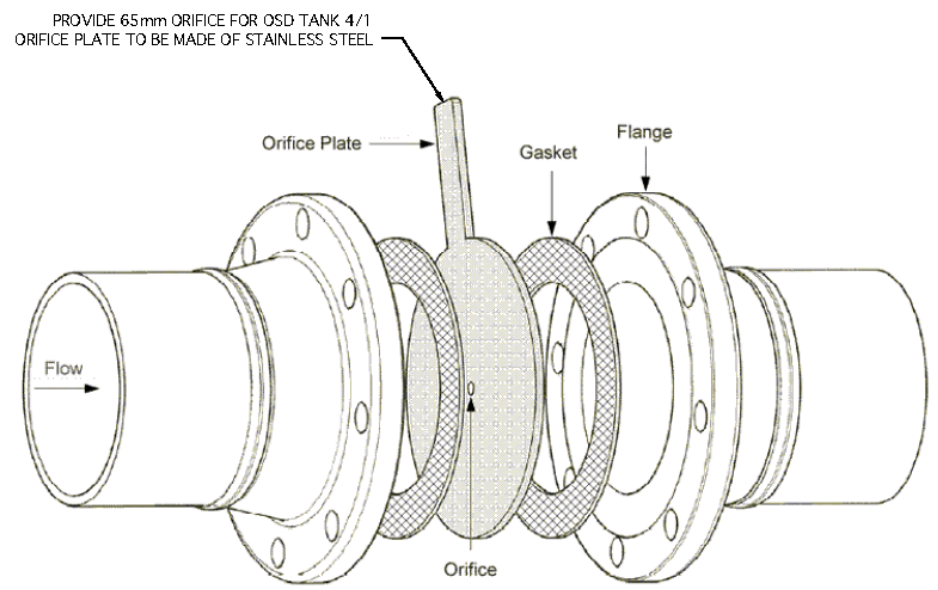
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 SHEET C3

DWG No  
 200600  
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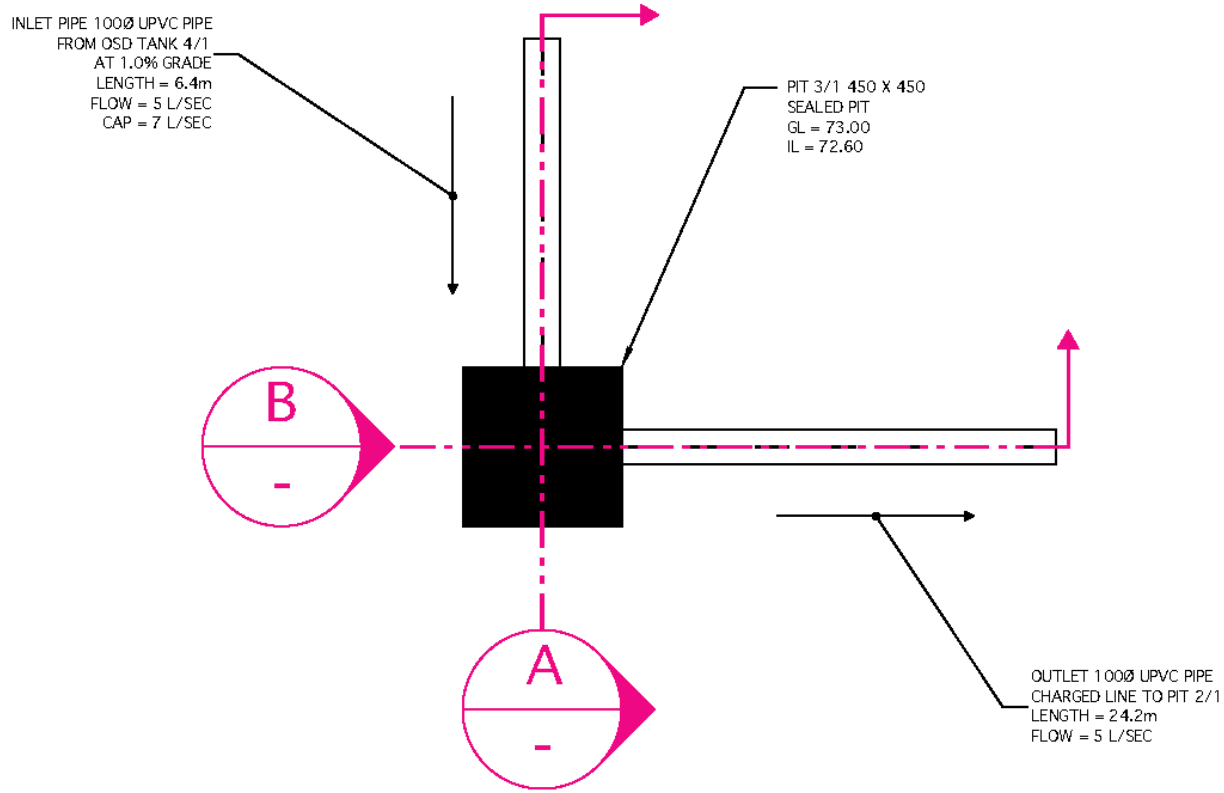
**NOTE 1:**  
FOR LOCATIONS WHERE CONCRETE TANK SLABS ARE TO BE POSITIONED ADJACENT TO RETAINING WALLS ON THE FILL SIDE BUILDER SHALL ENSURE THAT A MINIMUM TWO 450 DIAMETER PIERS BE INSTALLED TO A MINIMUM 300mm BELOW THE BOTTOM OF THE RETAINED WALL HEIGHT.



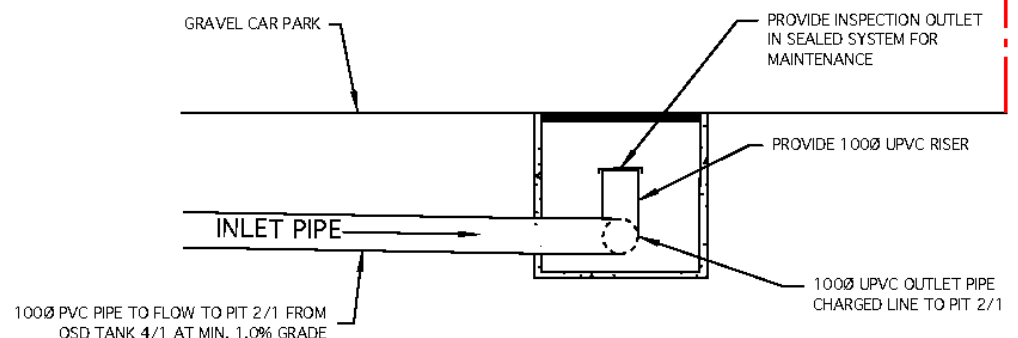
This is the report submitted to the Camden Local Planning Panel - Electronic Determination - Page 58

Architectural Plans - 63 Argyle Street, Camden

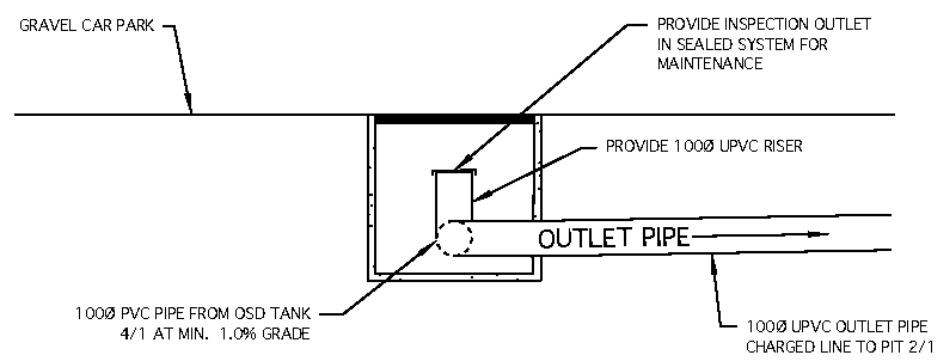
		<p>GENERAL NOTES:</p> <ul style="list-style-type: none"> <li>- DO NOT SCALE</li> <li>- GRADES INDICATIVE ONLY, LEVELS TO TAKE PRECEDENCE OVER GRADES.</li> <li>- LEVELS MAY VARY WITH FINAL DETAIL DESIGN.</li> <li>- ALL DIMENSIONS ARE IN MM UNLESS SHOWN OTHERWISE.</li> <li>- THE BUILDER IS TO CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.</li> <li>- ALL WORK IS TO BE IN ACCORDANCE WITH AUSTRALIAN CODES AND COUNCIL REGULATIONS.</li> </ul>		<p>CERTIFICATION:</p> <p>DESIGNED IN ACCORDANCE WITH RELEVANT AUSTRALIAN CODES</p> <p>D. TURNER, B.E. (MIEA) CPENG</p>		<p><b>DMC</b></p> <p>D &amp; M CONSULTING PTY LTD civil and structural engineers SHOPS 1 &amp; 2, 16 MITCHELL ST CAMDEN 2570 PH (02) 4647 4014 engineer@dmccng.com.au</p>		<p>PROJECT:- CIVIL PLAN FOR PROPOSED ADDITION AND ALTERATIONS</p> <p>ADDRESS:- 63 ARGYLE STREET, CAMDEN</p>		<p>DRAWN SDL CHECKED DLT DATE 11/02/21 SCALE AS SHOWN SHEET C4</p>		<p>DWG No <b>200600</b> CIVILS</p>	
AMEND	DATE	DESCRIPTION	DRAWN										



**SEALED PIT 3/1 PLAN**  
SCALE AT A1 - 1:10  
AT A3 - 1:20



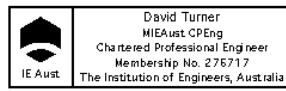
**SECTION A - A**  
SCALE  
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AT A3 - 1:20



**SECTION B - B**  
SCALE  
AT A1 - 1:10  
AT A3 - 1:20

AMEND	DATE	DESCRIPTION	DRAWN

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DATE 11/02/21  
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DWG No 200600 CIVILS

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**JOANNE TAPP**  
TOWN PLANNING AND DEVELOPMENT

PO Box 280 Camden NSW 2570 T: (02) 4680 8412 F: (02) 4680 8411 M: 0409 315 506 E: joanne@jtplanning.com.au

**NO. 63 ARGYLE STREET, CAMDEN (LOT 1 713261)  
DA 227/2021**

**APPLICATION TO VARY A DEVELOPMENT STANDARD  
(Version 3 – August 2021)**

**Clause 4.6 of Camden LEP 2010**

(1) The objectives of this clause are as follows:

*(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 proposal is not contrary to these objectives. The variation sought is minor and is consistent with optimising a desirable built outcome for rebuilding of the existing built improvements.

The following presents the 'request' for variation in the form required under the EPA Regulation:

**1. What is the name of the EPI that applies to the land?**

Camden LEP 2010

**2. What is the zoning of the Land?**

B2 Local Centre

**3. What are the objectives of the zone?**

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*

- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To ensure that mixed use developments present an active frontage to the street by locating business, retail and community uses at ground level.*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*
- *To enable other land uses that are complementary to and do not detract from the viability of retail, business, entertainment and community uses within the zone.*

**4. What is the development standard being varied? e.g. FSR, height, lot size**

Building height.

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

Clause 4.3 Height of Buildings, subclause (2).

**6. What are the objectives of the development standard?**

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

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

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

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

The [Height of Buildings Map](#) prescribes a maximum building height of 7m for the subject land.

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

There are two (2) elements of height encroachment involved with this proposed development:

1. The hipped roof in the front portion of the building is being rebuilt in close to its original form, as a consequence of the fire which significantly damaged the building in late 2020. At the highest point of the (existing) hipped roof ridge, a maximum building height (AHD) of 81.22m is realised, which translates to a height exceedance of 781mm (Refer Sheet 8, Issue P).
2. The rear of the building and at the maximum height of the new parapet roof wall (at the NE corner of the building), a maximum height of 7.735m is proposed, translating to a maximum height exceedance of 735mm (Refer Sheet 5, Issue P).

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

- Front portion of building - 10.57% is the percentage variation.
- Rear addition - 9.97% is the percentage variation.

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

Strict compliance with the maximum height is unnecessary for the following reasons:

- The proposed development is consistent with the planning objectives which underpin the B2 Local centre zone.
- The proposed development is consistent with, and does not erode the intent of the underlying building height control objectives, as detailed below:

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

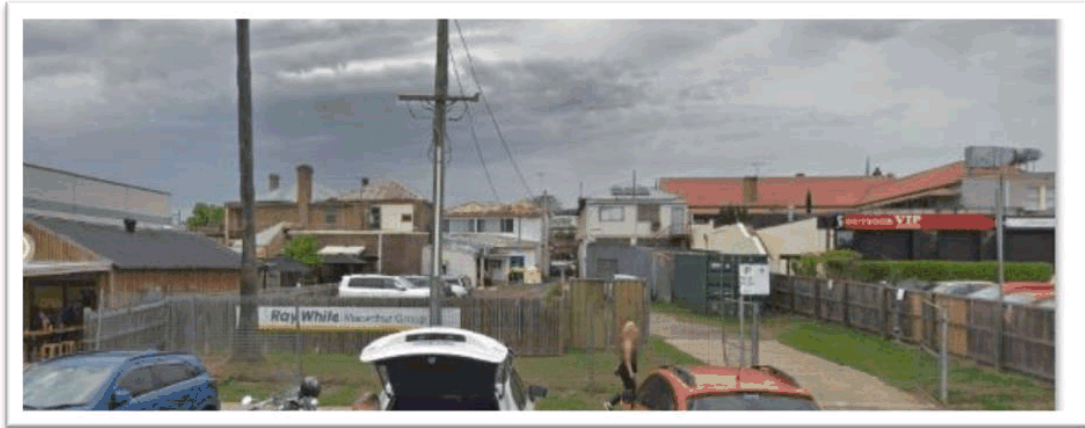
The proposed development sits within a context of adjacent and adjoining two-storey buildings, on both sides of Argyle Street. Currently, the building does not have a dominant presence to either front or rear elevation, and the Argyle Street elevation will largely remain unchanged, apart from modifications to ground floor window and door openings.

The roof form of the front portion of the building will be reinstated, in terms of both pitch and height, and therefore reinforces the desired planning and conservation principle of preserving the existing streetscape characteristics. The height exceedance (of 781mm)



closely reflects the original building height, and does not exceed that of adjacent buildings and, nor does it dominate nor adversely impact the existing streetscape of Argyle Street.

In terms of the future presence as viewed from the Larkin Place carpark, we note that development in the nearby vicinity is characterised by a mix of setbacks, articulation and building heights and onsite car parking arrangements; all of which contribute to a diverse and interesting 'streetscape' when viewed from Larkin Place. The following photograph image clearly illustrates that both adjoining buildings are taller than the proposed redevelopment of the subject site.



We further note that strict compliance with the 7m height limit is actually less consistent with the heights of adjacent buildings and therefore would detract from a consistent and cohesive streetscape. In this respect, we note that adjacent buildings, as well as the 'Plough and Harrow Hotel' to the west, all exceed the 7m height limit, and furthermore in our view, and as demonstrated by the photographic image above, present a far more dominating presence in the streetscape than the proposed redevelopment of the subject site.

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

The rear portion of the site is oriented to the north and there is no adverse impact on solar access, windows are oriented to the streets and driveway areas for natural light, internal amenity and the provision of passive surveillance. The site does not occupy a dominant location in the local topography and therefore there is negligible impact on view disruption. The proposed building elevation to Larkin Place is sympathetic and sensitive to the prevailing heritage streetscape, yet also contributes to an interesting built streetscape to the public carpark.

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

The design of the development has been carefully considered to minimise impact on the heritage values of the Camden Urban Conservation Area and neighbouring listed items. The scale of the rebuild is modest in terms of height, footprint and roof bulk, and the existing built fabric (of the elevation oriented to Argyle Street) is retained and restored as far as possible. The roof pitch and parapet walls have been designed to reflect the original building (pre-fire) and complement adjacent buildings and the character of Argyle Street.

- The height of the proposed development does not exceed the height of buildings in the immediate vicinity (both adjoining buildings are also two-storey in height), and we note that neither the pitch nor the ridge height will be increased from the original roof form of the front portion of the building, as part of the re-building exercise;
- The ridge height encroachment does not adversely affect the amenity, solar access, privacy, or views of adjacent public spaces and neighbouring occupancies; and
- The scale of encroachment above the 7m height plane will not dominate the roof line of neighbouring buildings, when viewed from the Larkin Place carpark, and neighbouring sites.

**11. How would strict compliance hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the Act.**

The objects specified by Section 5 (a)(i) and (ii) of the EP and A Act are:

*(a) to encourage:*

*(i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*

*(ii) the promotion and co-ordination of the orderly and economic use and development of land,*

The variation is of minor consequence, does not jeopardise the attainment of optimum social, economic, human and environmental outcomes, and does not prevent the orderly development of the subject land or neighbouring land. We contend that the proposed height encroachment, particularly with respect to the rear element of the building more closely reflects the heights of adjacent buildings and therefore contributes to a more harmonious streetscape.

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

No, the development standard is a numerical based control.

Clause 4.3 of Camden LEP 2010 prescribes a maximum height of 7m for the subject land; however it is underpinned by planning objectives which relate to neighbourhood compatibility, amenity impacts, and minimising adverse impacts on surrounding heritage; none of which are jeopardised by the proposed development and parapet wall height encroachment.

**13. Would strict compliance with the standard, in your particular case, would be unreasonable or unnecessary? Why?**

We consider compliance with the height control in this instance, is unreasonable and unnecessary, and in the context of the proposed development and impact on the streetscape and heritage character of the neighbourhood, contributes no tangible advantage to the development outcome. The proposed height encroachment more closely reflects the roof pitches and heights of adjacent buildings and therefore contributes to a more harmonious and respectful streetscape. Compliance with the height standard would require redesign with an outcome of a much shallower roof plane and floors which would be 'stepped' down the site. This would be an undesirable outcome in terms of achieving compliant 'accessible' commercial floor space, and roof forms which complement the historic streetscape of Argyle Street.

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

The proposed development is not contrary to the planning objectives established by the B2 Local Centre zone, or the building height control objectives. The B2 Local Centre zone is a zone for local town centres where the primary planning objective is to promote commercial development and employment.

The height exceedance of the proposed development does not warrant it being incompatible with development in the locality, and we contend that the variation is worthy of support and approval recommendation by Camden Council.



## CAMDEN LOCAL PLANNING PANEL

### CLPP02

**SUBJECT: DA/2021/456/1 - CONSTRUCTION OF A TWO-STOREY DWELLING HOUSE WITH ANCILLARY SWIMMING POOL AND ASSOCIATED SITE WORKS - 6 DUNSTAN STREET, ORAN PARK**

**TRIM #:** 21/400050

DA Number:	2021/456/1
Development:	Construction of a two-storey dwelling house with ancillary swimming pool an associated site works
Estimated Cost of Development:	\$500,000
Site Address(es):	6 Dunstan Street, Oran Park
Applicant:	[REDACTED]
Owner(s):	[REDACTED]
Number of Submissions:	No submissions
Development Standard Contravention(s):	Clause 4.3 Height of buildings
Classification:	Local Development
Recommendation:	Approve with conditions
Panel Referral Criteria:	Departure from Development Standards greater than 10%
Report Prepared By:	Lachlan Hutton, Graduate Planner, Gateway Team

### PURPOSE OF REPORT

The purpose of this report is to seek the Camden Local Planning Panel's (the Panel's) determination of a development application (DA) for a two-storey dwelling house with ancillary swimming pool and associated site works at 6 Dunstan Street, Oran Park (Lot 1490, DP 1225553).

The Panel is to exercise Council's consent authority functions for this DA as, pursuant to the Minister for Planning's Section 9.1 Direction, the development seeks to depart from the Clause 4.3 Height of Buildings principal development standard prescribed in State Environmental Planning Policy (Sydney Region Growth Centres) 2006 by more than 10%.

### SUMMARY OF RECOMMENDATION

That the Panel determine DA/2021/456/1 for a two-storey dwelling house with ancillary swimming pool 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 a for a two-storey dwelling house with ancillary swimming pool and associated site works at 6 Dunstan Street, Oran Park.

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

The DA was publicly exhibited for a period of 14 days from the 12 May to 25 May 2021. No submissions were received.

The proposed dwelling house has a maximum building height of up to 8.468m, to the top of the building parapet. This exceeds the maximum building height of 5m which applies to the land under Clause 4.3 of Appendix 9 and the Height of Buildings Map, of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 by 3.468m or 69.36%.

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

The 5m building height limit applying to this site has resulted from a planning anomaly. This anomaly is subject to an imminent housekeeping amendment to the Growth Centres SEPP which will correct this, and instead apply a 9m height of building development standard consistent with neighbouring development in areas of the precinct not subject to the heritage controls (see figure 8.). The Planning Proposal was submitted to the Department of Planning, Industry and Environment for finalisation on the 29 June 2021.

While the proposed development is located within the vicinity of Oran Park House, it is outside the curtilage of the State Heritage Item (I5052417) and outside sight lines and key view corridors established within Schedule 4 – Catherine Field (Part) Precinct DCP, and therefore the additional dwelling height has no unreasonable impacts.

The height of the proposed dwelling house will be consistent with two-storey dwellings already constructed on lots adjoining the site at 2, 4 and 8 Dunstan Street which all exceed the 5m height control.

Development applications for the dwelling houses at 2 and 8 Dunstan Street were determined by the Camden Local Planning Panel (CLPP), with similar development standard contraventions supported by the Panel in those instances.

This report also assesses a variation to site coverage controls in section 4.2.5 and Table 4.5 of the Camden Growth Centre Precincts DCP. The variation is supported by Council staff as it will not result in development of inappropriate scale that would otherwise compromise residential amenity of neighbouring properties or the area.

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



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

**KEY PLANNING CONTROL VARIATIONS**

Building Height - SEPP	Proposed	Required	Variation
SEPP (Sydney Region Growth Centres) 2006 - Clause 4.1 – Building Height – Maximum 5.0m.	8.468m	5m	3.468m to top of building parapet, or 69.36%
Site Coverage - DCP	Proposed	Required	Variation
Camden Growth Centre Precincts DCP - Section 4.2.5 – Dwelling, Height, Massing, and Sitting (Control 2) – Table 4-5 – Maximum 30% Upper Site Floor Coverage.	32.45%	30%	13.01m <sup>2</sup> 8.19%

**AERIAL PHOTO**



Figure 1. Aerial Photo.



## THE SITE

The site is legally described as Lot 1490 DP 1225553, and more commonly known as 6 Dunstan Street, Oran Park. The site has an area of 529.3m<sup>2</sup> and is burdened by an easement to drain water (A) and a restriction 1.8m wide surrounding a retaining wall (U). The lot sits approximately 1.8m lower than adjoining lots to the rear (south/south-east). The proposed development will not conflict with the terms of easement (A) and restriction (U) with the proposed development and all associated works being located outside of the restricted areas.

The lot is located adjacent to the curtilage of an item of State Heritage Significance (SHR: 1695) referred to as Oran Park House (refer to figure 5), noting that the curtilage includes residential lots to the rear or south of the site where the height control will apply.

The proposed development is consistent with the existing developments in Dunstan Street that includes two-storey dwelling houses already constructed at 2, 4 and 8 Dunstan Street.



*Image 1: Photo observing primary boundary – facing south.*



*Image 2: Photo observing adjoining properties immediately adjacent on Dunstan Street, Oran Park – facing north.*

## THE PROPOSAL

DA/2021/456/1 seeks approval to construct a two-storey dwelling house. Specifically, the development involves:

- Construction of a two-storey dwelling house;
- Construction of an inground swimming pool; and
- Associated site works.

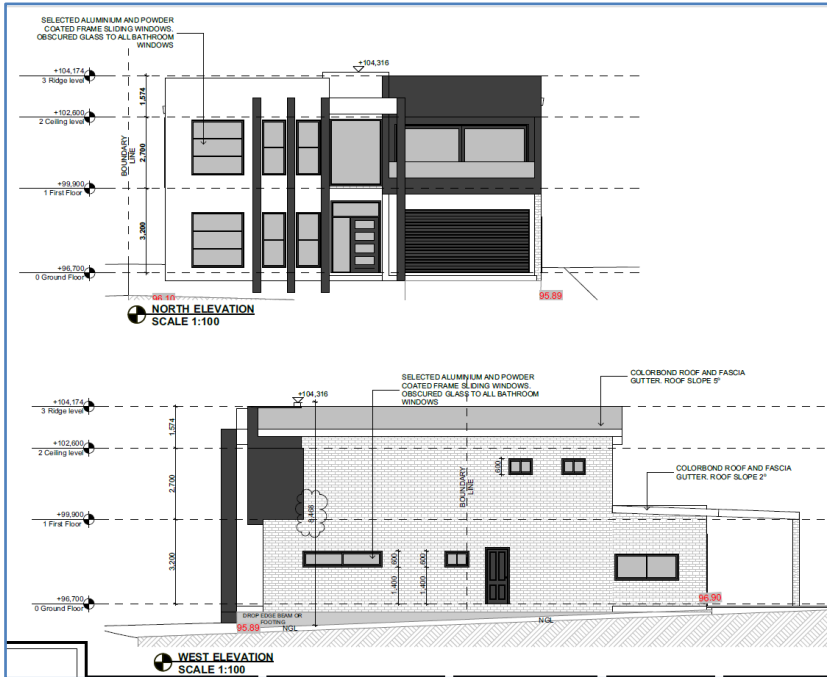


Figure 2 – Elevations of proposed dwelling house

## AREA MASTER PLAN



Figure 3. Blue 'X' denoting location of lot 1490 (the lot) in relation to Catherine Fields (Part) Precinct, Indicative Layout Plan. Ref: Catherine Fields (Part) Development Control Plan, Figure 2-1, Page 4.



**DEVELOPMENT HISTORY**

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

Date	Development
<b><u>DA/2015/1517/1</u></b>	<p>Development Consent issued on 20 June 2016 for staged subdivision to create 224 residential lots, 3 residue lots, earthworks, roads, services, drainage, retaining walls, landscaping, and associated site works.</p> <ul style="list-style-type: none"> <li>• Stage 1A – Tranche 32: 58 Lots.</li> <li>• Stage 1B – Tranche 32: 45 Lots.</li> <li>• Stage 1C – Tranche 32: 51 Lots.</li> <li>• Stage 4 – Tranche 31: 70 Lots.</li> </ul>

**BACKGROUND**

The site is located within the vicinity of Oran Park House which is identified as an item of State Heritage Significance under the State Heritage Register as (SHR: 1695).

While the site is located within the vicinity of Oran Park House, it is outside the curtilage of the heritage item (see figure 4 below).



Figure 4. Proposed lot as being located outside of the heritage curtilage of Oran Park House (SHR: 15052417).

Furthermore, the site is located outside of view lines associated with Oran Park House, as established in the Catherine Fields (Part) Precinct DCP (see figure 5 below).

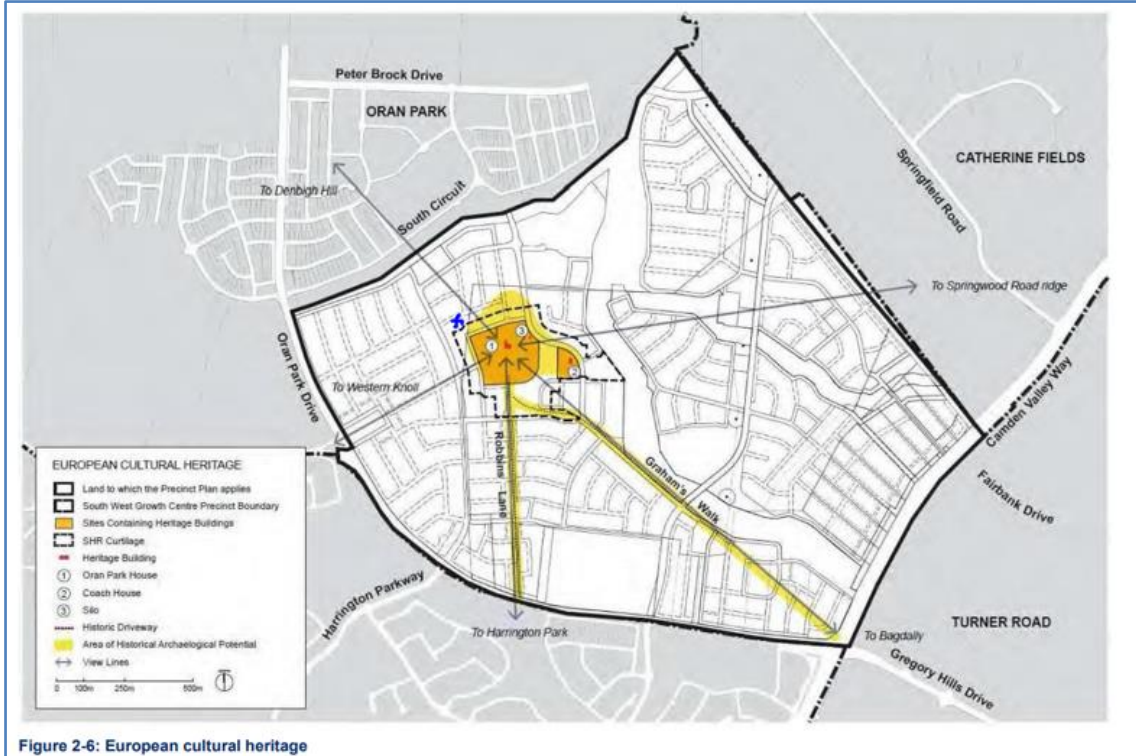


Figure 2-6: European cultural heritage

Figure 5. Blue 'X' denoting location of the subject site in relation to Catherine Fields (Part) Precinct, European Cultural Heritage. Ref: Catherine Fields (Part) Development Control Plan, Figure 2-1, Page 10.

The subject site is subject to the maximum height of buildings development standard of 5 metres as prescribed by Clause 4.3 of Appendix 9 of SEPP (Sydney Region Growth Centres) 2006, identified on the height of buildings map 04 "HOB:04" (see figure 6.).



Figure 6. Subject lot 1490 as having maximum building height of 5.0m.

The 5-metre building height limit on the site is the result of an anomaly or error in drafting of the Height of Buildings Map in the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (SEPP).

The precursor studies and the relevant objectives and controls contained in the Camden Growth Centres Precinct DCP indicate that the subject site was not intended to be included in the single storey / 5-metre building height area for land surrounding the heritage item that is within the listed heritage curtilage.

Shown below, the Oran Park House Outer Heritage Curtilage Principles (See figure 4-2 from Camden Growth Centres Precinct DCP – Catherine Fields (Part) Precinct (or figure 7 of this report), identifies the site outside the area of Very Low Density Residential intended for single storey dwellings.

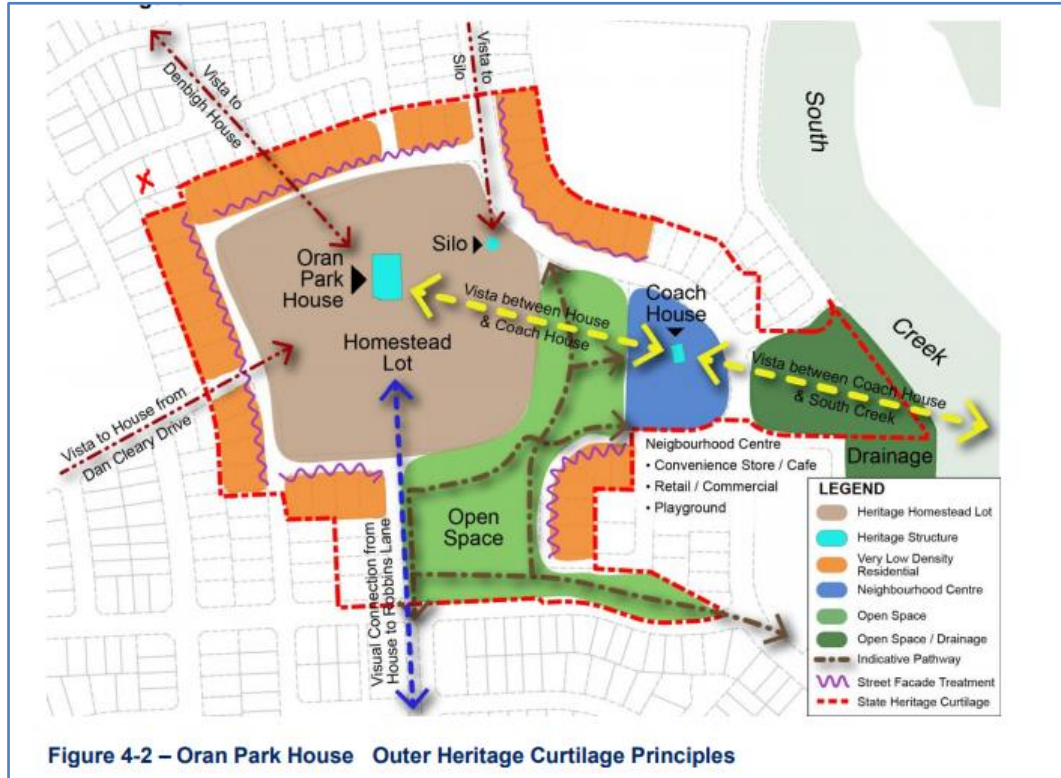


Figure 7: Oran Park House Outer Heritage Curtilage Principles – Camden Growth Centres Precinct DCP – Catherine Fields (Part) Precinct.

The mapping from figure 7 above was intended to protect the view corridors to the heritage item from public spaces. The single storey building height limit was not intended to extend to the subject site. This has previously been confirmed by Council’s Heritage Officer, that the precursor studies and the Height of Building mapping in accordance with the SEPP, lead to an error in SEPP mapping, and that single storey (5.0m) dwellings were never exclusively intended for this site.

Furthermore, the precursor studies and the controls in the DCP were based upon consideration of the original heritage curtilage for Oran Park House. The heritage listing in the SEPP, was further amended in 2017 following the listing of the Oran Park House in the State Heritage Register (see figure 8 below).



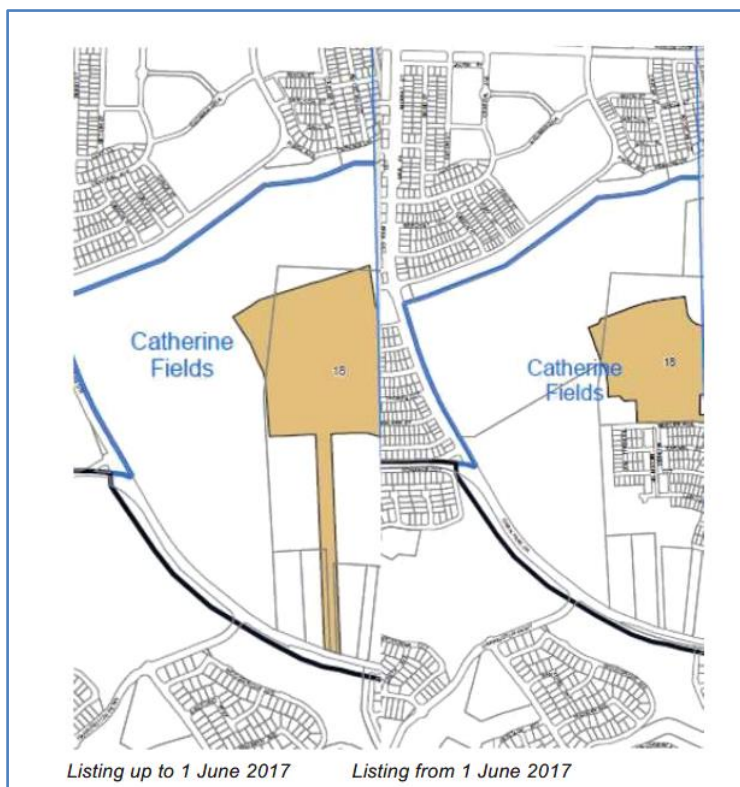


Figure 8: Amendments to the heritage listing for Oran Park House – 1 June 2017.

Development applications for two-storey dwelling houses at 2 and 8 Dunstan Street were determined by the CLPP, with similar development standard contraventions being supported. Details of those applications are provided below:

- *DA/2018/1109/1* – 2 Dunstan Street, Oran Park - Construction of a two-storey dwelling house. Development standard contravention supported for a maximum building height of 8.2m (RL104.22). Approved by the Panel on 20 November 2018.
- *DA/2018/1388/1* – 8 Dunstan Street, Oran Park - Construction of a two-storey dwelling house with a detached cabana and inground swimming pool. Development standard contravention supported for a maximum building height of 9m (RL105.67). Approved by the Panel on 5 February 2019.

A two-storey dwelling house, which has a similar design (i.e. flat roof with parapet) and height (8.021m), was approved at 4 Dunstan Street, Oran Park under a Complying Development Certificate issued by Private Certifier.

In dealing with the determination of *DA/2018/1388/1*, the Panel requested that Council consider a strategic review of the height of buildings development standard in the circumstances where there is inconsistency with the relevant background studies and DCP provisions as they apply to the southern side of Dunstan Street.

A Housekeeping Amendment of the Growth Centres SEPP (2006) is currently being finalised by the DPIE, which will amend clauses and maps within State Environmental Planning Policy (Sydney Region Growth Centres) 2006. The Planning Proposal was lodged with the Department for finalisation on the 29 June 2021.

Under these amendments to the SEPP, the 5-metre building height control will be removed from the southern side of Dunstan Street including the subject site and amended to 9m (HOB 004) (see figure 9 below).

**Matter 2.- Review of Building Heights along the curtilage of Oran Park House (Catherine Park House)**

No.	SEPP Map	Current	Proposed	Site Address	Explanation of Proposed Amendment
<b>2. Oran Park House Curtilage Height of Buildings Maps</b>					
a.	HOB 004			Properties along Dunstan Street, Oran Park PT200, DP1235003. PT2060, DP 1225569. Lot 1491, DP 1225553. Lot 1490, DP 1225553. Lot 1489, DP 1225553. Lot 1488, DP 1225553.	Remove 5m height restriction along the northern boundary of Oran Park House (Catherine Park House) The Growth Centres SEPP map is inconsistent with the extent of heritage view lines required to be protected to Oran Park House (Catherine Park House). The Northern extent of 5m height restriction along Dunstan Street is incorrect and should be removed.

Figure 9. Amended building height map with the height standard for the subject site increased to 9 metres

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

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

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

The environmental planning instruments that apply to the development are:

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy No.55 – Remediation of Land;
- State Environmental Planning Policy No.20 – Hawkesbury-Nepean River; and
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

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

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

State Environmental Planning Policy No. 55 – Remediation of Land.

The SEPP seeks to provide a state-wide approach to remediating contaminated land. The SEPP further seeks to promote the remediation of contaminated land for the purposes of reducing risk and harm to human health and any other aspect of the environment.



Contamination and remediation were appropriately dealt with during the subdivision and, release of the land for residential purposes. There was a phase 2 contamination assessment undertaken and submitted with DA/2015/1517/1 for the release area in which the subject lot is located (Report on Detailed Site Investigation, Tranches 31 to 34 Oran Park, Project 76618.37, Douglas Partners, June 2015). One site required remediation which was approved via DA/2015/1335/1. The identified areas of concern were not located in the vicinity of this lot.

#### State Environmental Planning Policy No. 20 – Hawkesbury-Nepean River

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

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

#### State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP)

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

#### *Site Zoning and Permissibility*

The site is zoned R2 Low Density Residential pursuant to Appendix 9, Clause 2.2 of the Growth Centres SEPP.

The proposed development is defined as a “*dwelling house*” meaning a building containing only one dwelling. This is permitted with consent in the R2 Low Density Residential zone and will be consistent with the zone objectives, in that it will assist and support the supply of a diverse range of housing types appropriate within a low-density residential environment.

#### *Planning Controls*

An assessment table in relation to the planning controls in the Growth Centres SEPP is provided as an **attachment** to this report.

#### *Clause 4.3 – Height of buildings*

The application seeks to contravene the height of buildings development standard that applies to the site. The development standard limits buildings to a maximum height of 5 metres above existing natural ground level. The development will have a maximum building height of 8.468 metres.

Pursuant to Clause 4.6(3) of Appendix 9 the Growth Centres SEPP, the applicant has provided a written request to justify the proposed contravention of the development standard. The written request addresses the matters listed in Clause 4.6(3)(a). This establishes that compliance with the development standard is unreasonable or unnecessary and that the purpose of the standard is not relevant to the proposed development, and that relevant tests established in the Land and Environment Court can also be met.

The applicant's justification includes the following points:

- Noise, overlooking and overshadowing have been addressed in relation to physical impacts on surrounding development with the arrangement of rooms to mitigate sounds transmission, provisions of obscure glazing where required, increased sill heights and increased setbacks to side boundaries;
- The proposal's appearance will be in harmony with the buildings around it and the character of the street, with a detached two-storey dwelling house consistent with the adjoining developments. The proposal further achieves compliance with the requirements of the DCP surrounding setbacks and landscaping;
- The development standard has been virtually abandoned or destroyed by actions in granting consents departing from the standard and compliance with the standard is unnecessary or unreasonable. Two DAs have been approved at 2 and 8 Dunstan Street (DA/2018/1109/1 and DA/2018/1388/1) with similar building height variations;
- Compliance with the development standard is unreasonable or inappropriate due to existing use of land and the current character of the area. The two-storey height is consistent with adjoining development and development opposite the site, with the site located outside of the heritage curtilage of Oran Park House;
- The proposed development is in the public interest being consistent with relevant objectives of the development standard listed under Clause 4.3 of Appendix 9 of the Growth Centres SEPP, with visual impacts minimised and amenity of adjoining development maintained in terms of solar access to buildings and open space;
- The proposed development will be consistent with relevant objectives of the R2 Low Density zone applying to the land and will provide a dwelling that meets the housing needs of the community.

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

It is assessed that the applicant's justification adequately demonstrates the objectives of Clause 4.6(1) and the matters under Clause 4.6(3) of Appendix 9 of the Growth Centres SEPP. Council staff are satisfied that items 4.6(3a) and 4.6(3b) have been justified accordingly. Therefore, Council staff recommend the contravention request be supported for the following reasons:

1. Planning anomaly.

The 5-metre building height limit was imposed on the site as a result of an anomaly or error when drafting the Height of Buildings Map in the SEPP (Sydney Region Growth Centres) 2006. It was never intended to limit the site to be exclusively reserved for single storey dwellings.





2. Surrounding context and character.  
The proposed development is consistent with development type along Dunstan Street, being predominately two-storey dwelling houses. It is considered that the proposed development will further assist and, support in supplying a diverse range of housing types appropriate within a low-density residential environment.
3. Previous development standard contraventions.  
DAs at 2 and 8 Dunstan Street have previously been approved by the CLPP with similar development standard contraventions.
4. Oran Park House (SHR: 1695).  
The site is located within the vicinity of Oran Park House (SHR: 1695) but, is not located in the heritage curtilage associated with Oran Park House. As further established in the Catherine Fields (Part) Precinct DCP, the proposed development is located outside of established sight corridors and view lines. Moreover, the Oran Park House Quarter Concept (see figure 7) identifies the site within the area of 7B which is intended to support double storey dwellings.
5. Housekeeping amendment of Growth Centres SEPP.  
On the 29 June 2021, a planning proposal was submitted to the Department for finalisation. The housekeeping amendment seeks to increase the height of building development standard from 5 metres to 9 metres. The proposed development complies with this draft development standard, which is imminent.
6. Objectives of Clause 4.3 – Height of Buildings.  
Despite the contravention, the proposed development meets the objectives of the development standard. Visual impacts are minimized and solar access to buildings and open space of adjoining development will not be significantly reduced.
7. Objectives of R2 Low Density Residential zone.  
Despite the contravention, the proposed development meets the objectives R2 Low Density zone which apply to the site. The proposed development will further assist in supplying the community with housing needs typical to a low-density residential environment; it will provide for occupants to carry out a reasonable range of activities that are compatible within the low-density residential environment, while not adversely affecting the living environment of neighbours; and it will further contribute to a range of housing types typical to a low-density residential environment noting that two storey dwellings have been established along Dunstan Street.

The Panel may assume the concurrence of the Secretary pursuant to Planning Circular PS 20-002.

Based on the above, it is recommended that the Panel support the applicant's request to vary the height of buildings development standard.

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

Draft Environment State Environmental Planning Policy (Draft Environment SEPP)

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

Housekeeping Amendment of Growth Centres SEPP

As pointed out above, the development is consistent with the new height of buildings development standard (9 metres) under the housekeeping amendment of Growth Centres SEPP that is currently with the DPIE for finalisation / gazettal.

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

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

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

**Upper Floor Site Coverage**

Under section 4.2.5 and table 4.5 of the Camden Growth Centres DCP, a maximum 30% upper floor site coverage applies to lots greater than 15m width, at the front building line, whereas 35% applies under table 4.4 for lots between 9m and 15m. The subject site is approx. 18.7m width. The proposed development does not comply with the control with upper floor site coverage of 32.45%.

Control	Proposed	Variation
Section 4.2.5 – Dwelling, Height, Massing, and Sitting (Control 2) – Table 4-5 – Maximum 30% Upper Site Floor Coverage.	32.45%	13.01m <sup>2</sup> 8.19%

The applicant has requested the variation be supported on the basis that there will be no issues pertaining to noise, overlooking, or overshadowing caused by the variation. Council has further considered the variation against the objectives of section 4.2.5.

The proposed development provides a ground floor site cover that is less than the maximum permitted amount of 50%. The development further proposes greater setbacks from western and eastern side boundaries than otherwise specified. Together, it is considered that a variation to the upper site floor coverage, in this instance, will not result in inappropriate scale that would otherwise compromise residential amenity.

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



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

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

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

The *Environmental Planning and Assessment Regulation 2000* prescribes several matters that are addressed in the conditions attached to this report.

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

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

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

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

The height, scale and design of the dwelling is consistent with existing residential development on neighbouring lots with a mix of two-storey dwellings, including the two-storey dwelling at 4 Dustan Street which has similar parapet and roof form.

There are no expected impacts on the heritage significance of Oran Park House or its view lines. There is an impending amendment to the SEPP which will increase the building height control to 9m in this section of Dunstan Street, and the proposed dwelling will be consistent with this.

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

The DA was publicly notified for a period of 14 days from the 12 May to 25 May 2021. No submissions were received.

**(e) the public interest**

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, environmental planning instruments, development control plans and policies. Based on the above assessment, the development is consistent with the public interest.

**EXTERNAL REFERRALS**

No external referrals were required for this DA.

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## **FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

## **CONCLUSION**

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

## **RECOMMENDED**

**That the Panel:**

- i. support the applicant's written request lodged pursuant to Clause 4.6(3) of Appendix 9, State Environmental Planning Policy (Sydney Region Growth Centres) 2006, Camden Growth Centres Precinct Plan, to the contravention of the maximum height of building development standard in Clause 4.3 of Appendix 9, State Environmental Planning Policy (Sydney Region Growth Centres) 2006; and**
- ii. approve DA/2021/456/1 for the construction of a two-storey dwelling house at 6 Dunstan Street, Oran Park, subject to the conditions attached to this report.**

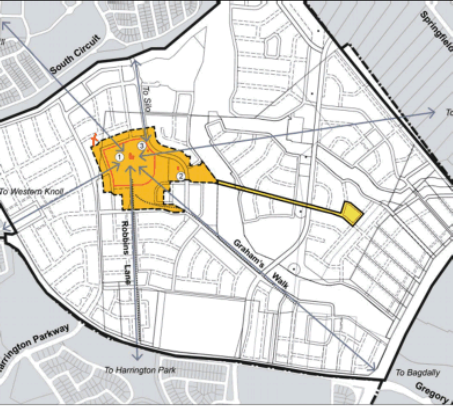
## **REASONS FOR DETERMINATION**

1. The Panel has considered the written request to contravene Appendix 9, State Environmental Planning Policy (Sydney Region Growth Centres) 2006 in relation to the maximum height of buildings development standard. The Panel considers that compliance with the standard is unreasonable and unnecessary in the circumstances and that, despite the contravention of the development standard, the development satisfies the objectives of the zone and standard, will be in the public interest and is acceptable in the particular circumstances of the case.
2. The development is consistent with the objectives of the applicable environmental planning instrument, being Appendix 9, State Environmental Planning Policy (Sydney Region Growth Centres) 2006.
3. The development is unlikely to have any unreasonable adverse impacts on the natural or built environment.
4. In consideration of the aforementioned reasons, the development is a suitable and planned use of the site and its approval is in the public interest.

## **ATTACHMENTS**

1. SEPP Assessment Table - 6 Dunstan Street, Oran Park
2. DCP Assessment Table - 6 Dunstan Street, Oran Park
3. Recommended Conditions - 6 Dunstan Street, Oran Park
4. Architectural Plans - 6 Dunstan Street, Oran Park
5. Clause 4.6 Written Request - 6 Dunstan Street, Oran Park

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

Control	Assessment	Compliance?
<p><b>4.1 – Development surrounding Oran Park House.</b></p> <p>Proposals for subdivision and development that are seeking exemption from Integrated Development referrals to Heritage NSW and exemption from Section 60 approval under the Heritage Act 1977 must comply with the guidelines contained in the Oran Park State Heritage Register listing and with the requirements contained in the NSW Heritage Act 1977.</p> <p>Approval under the NSW Heritage Act 1977 is required for development which does not meet the guidelines of the Oran Park Heritage Exemptions.</p> <p>Development must be designed to maintain significant view lines illustrated in Figure 4-1.</p> <p>Development in these areas must be sympathetically designed to complement the topography of the site, the setting of Oran Park House and associated outbuildings and the historical rural character without replicating architectural details.</p>	 <p>The subject lot is located outside of the heritage curtilage associated with Oran Park House and is therefore, not subject to controls associated with Schedule 4 Catherine Field (Part) Precinct DCP.</p> <p>The proposed development does not impact on the heritage significance or setting of Oran Park House. The proposal also does not impact on the key view corridors established within Schedule 4 – Catherine Field (Part) Precinct DCP.</p> <p>As noted in the main body of the report, the precursor studies and the relevant objectives and controls contained in the Camden Growth Centres Precinct DCP indicate that the subject site was not intended to be included in the single storey / 5 metre building height area for land surrounding the heritage item that is within the listed heritage curtilage. For this reason a Housekeeping Amendment of the Growth Centres SEPP (2006) is currently being finalised by the Department of Planning, Industry and Environment which will increase the height of building development standard on this site to 9m.</p>	<p>Not applicable.</p>
<p><b>4.1.1 – Site Analysis.</b> Site analysis plan must be provided.</p>	<p>Site analysis plan has been provided. Site analysis plan identifies site within its wider natural and built environment.</p>	<p>Yes.</p>

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

Control	Assessment	Compliance?
<p><b>4.1.2 – Cut and Fill.</b> The maximum amount of cut and fill shall not exceed 1m.</p> <p>Fill within 2.0m of a property boundary shall be contained by a deepened edge beam with no fill permitted outside of the building footprint. The deepened edge beam shall not exceed 1m above natural ground level.</p> <p>Excavation or filling alongside driveway shall be retained by a retaining wall.</p> <p>Retaining walls located in cut shall be a minimum 0.3m from property boundaries.</p> <p>Maximum height of voids 3m.</p>	<p>Proposed development will adopt fill in place of cut. Maximum cut associated with building envelope = 0.450m. Maximum fill associated with building envelope = 0.6m. Fill to be contained by deepened edge beam at a maximum height of 0.72m from finished ground level.</p> <p>No exaction of filling alongside driveway.</p> <p>No retaining walls proposed.</p> <p>No voids proposed.</p>	Yes.
<p><b>4.1.3 – Sustainable Building Design.</b></p> <p>The development is to comply with BASIX requirements.</p> <p>The design of dwellings is to maximise cross flow ventilation.</p> <p>The orientation of dwellings, location of living rooms and the positioning and size of windows and other openings is to take advantage of solar orientation to maximise natural light penetration to indoor areas and to minimise the need for mechanical heating and cooling.</p> <p>Outdoor clothes lines and drying areas are required for all dwellings and can be incorporated into communal areas for multi-dwelling development and residential flat building developments.</p> <p>Roof and paving materials and colours are to minimise the retention of heat from the sun.</p>	<p>The development complies with BASIX requirements for DA stage.</p> <p>The design will facilitate cross flow ventilation through the dwelling layout and use of windows.</p> <p>The dwelling is benefited by being orientated north. The development takes advantage where possible of capturing solar to living and bedrooms.</p> <p>Provided.</p> <p>Roof to be of metal/colourbond material and will minimise the retention of heat from the sun.</p>	Yes.



CLPP02

Attachment 1


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

Control	Assessment	Compliance?
<p data-bbox="260 248 722 304"><b>4.1.4 – Salinity, Sodicty and Aggressivity.</b></p> <p data-bbox="260 338 722 501">All development must comply with the Salinity Management Plan developed at the subdivision phase or at Appendix B. The actions/works from the Salinity Management Plan must be certified upon completion of the development.</p> <p data-bbox="260 535 722 766">Salinity shall be considered during the siting, design and construction of dwellings including: drainage, vegetation type and location, foundation selection and cut and fill activities, to ensure the protection of the dwelling from salinity damage and to minimise the impacts that the development may have on the salinity process.</p>	<p data-bbox="746 338 1201 450">Condition of consent requiring compliance to be achieved with recommendations made within Salinity Management Plan developed at subdivision stage.</p> <p data-bbox="746 546 1201 680">The salinity will be considered during the siting, design and construction of the dwelling through recommendations made within the Salinity Management Plan as further forming a condition of consent.</p>	<p data-bbox="1297 248 1345 271">Yes.</p>

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

CLPP02

Attachment 1

Control	Assessment	Compliance?
<p><b>4.2.2 – Streetscape and Architectural Design.</b></p> <p>The primary street facade of a dwelling should address the street and must incorporate at least design features.</p> <p>Modulation of the façade should be integral to the design of the building, rather than an unrelated attached element.</p> <p>Eaves are to provide sun shading and protect windows and doors and provide aesthetic interest. Except for walls built to the boundary, eaves should have a minimum of 450mm overhang.</p> <p>The pitch of hipped and gable roof forms on the main dwelling house should be between 22.5 degrees and 35 degrees. Skillion roofs, roofs hidden from view by parapet walls, roofs on detached garages, studios and ancillary buildings on the allotment are excluded from this control.</p> <p>Front facades are to feature at least one habitable room with a window onto the street.</p> <p>Carports and garages are to be constructed of materials that complement the colour and finishes of the main dwelling.</p>	<p>Primary façade to adopt to the following design features:</p> <ol style="list-style-type: none"> <li>1. Entry feature/porch.</li> <li>2. Projecting architectural elements in the form of supporting posts and blades.</li> <li>3. Feature windows in varying shapes and sizes.</li> </ol> <p>The primary façade adopts modulation in the form of steps in the building line associated with the porch and garage. Further modulation achieved by 3 large architectural blades.</p> <p>The development predominately adopts the use of parapet walls. As a result, no eaves have been proposed. The development remains compliant with BASIX requirements (solar).</p> <p>Roof to adopt hipped form with a maximum pitch of 8 degrees. Roofs hidden by parapet walls are excluded from this development control. The roof is significantly obscured by the adoption of parapet walls.</p> <p>Front façade to feature a total of 1 habitable room (lounge) at ground floor with windows facing onto the street.</p> <p>The garage is constructed with a colour and material that will match and compliment the material and colour of the main dwelling;</p>  <p style="text-align: center;">NORTH ELEVATION</p>	<p>Yes.</p>
<p><b>4.2.3 – Front Setbacks.</b></p> <p>Dwellings are to be consistent with the front setback controls and principles in the relevant Tables 4-2 to 4-6, Figure 4-4: Minimum front setback distances and Figure 4-5</p>	<p>An assessment has been included against the setback controls and principles from table 4-5 (lots &gt;15m frontage width).</p>	<p>Yes.</p>

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

Control	Assessment	Compliance?
<p><b>4.2.4 – Side and Rear Setbacks.</b> All development is to be consistent with the side and rear setback controls in the relevant Tables 4.2 to 4.6 and principles in Figure 4-7 Dwelling and open space siting principles for different lot orientations.</p> <p>Pergolas, swimming pools and other landscape features/structures are permitted to encroach into the rear setback</p>	<p>An assessment has been included against the setback controls and principles from table 4-5 (lots &gt;15m frontage width).</p> <p>Swimming pool to encroach into the rear setback. Swimming pool is a permitted structure to encroach into the rear setback.</p>	Yes.
<p><b>4.2.5 – Dwelling Height, Massing and Sitting.</b> All development is to comply with the maximum site coverage as indicated in the relevant Tables 4-2 to 4-6. 3.</p> <p>Site coverage is the proportion of the lot covered by a dwelling house and all ancillary development (eg carport, garage, shed) but excluding unenclosed balconies, verandahs, porches, al fresco areas etc.</p> <p>The ground floor level shall be no more than 1m above finished ground level.</p>	<p>The development does not comply with the maximum upper site coverage as indicate in table 4-5. The application has been accompanied by a written request to vary the control contained with table 4-5. This variation is considered supportable by Council staff as in this instance it will not result in inappropriate scale that would otherwise compromise residential amenity.</p> <p>Site coverage has been calculated in accordance with this control.</p> <p>Finished floor level (FFL) = RL 96.7. Lowest associated RL with building footprint = 96.  96.7-96 = 0.7m.</p> <p>The finished floor level is a maximum of 0.7m above the finished ground level.</p>	Yes (partial)
<p><b>4.2.6 – Landscaped Area.</b> The minimum soft landscaped area within any residential lot is to comply with the controls and principles in the relevant Tables 4-2 to 4-6.</p> <p>Surface water drainage shall be provided as necessary to prevent the accumulation of water.</p>	<p>An assessment has been included against the landscaping controls and principles from table 4-5 (lots &gt;15m frontage width).</p> <p>Lot will maintain fall to the street thus, preventing the accumulation of water.</p>	Yes.

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

Control	Assessment	Compliance?
<p><b>4.2.7 – Private Open Space.</b></p> <p>Each dwelling is to be provided with an area of Principal Private Open Space (PPOS) consistent with the requirements of the relevant Tables 4-2 to 4-6. 2.</p> <p>The PPOS is required to be conveniently accessible from the main living area of a dwelling or alfresco room and have a maximum gradient of 1:10.</p>	<p>An assessment has been included against the PPOS controls and principles from table 4-5 (lots &gt;15m frontage width).</p> <p>PPOS is located to the rear south of the lot and is conveniently accessible from the family room via the alfresco.</p> <p>The PPOs is at a grade &gt;1:10.</p>	Yes.
<p><b>4.2.8 – Garages, Site Access and Parking.</b></p> <p>3 bedroom or more dwellings will provide at least 2 car spaces.</p> <p>At least one car parking space must be located behind the building façade line where the car parking space is accessed from the street on the front property boundary</p> <p>Driveways are not to be within 1m of any drainage facilities on the kerb and gutter.</p> <p>Planting and walls adjacent to driveways must not block lines of sight for pedestrians, cyclists and motorists.</p> <p>Driveways are to have soft landscaped areas on either side, suitable for water infiltration.</p> <p>Garages are to be designed and located in accordance with the controls in relevant Tables 4.2 – 4.6. 11.</p> <p>Garage design and materials are to be consistent with the dwelling design.</p> <p>For front loaded garages: Minimum internal dimensions for double car garages 5.6m wide by 5.5 deep.</p>	<p>The proposal involves 4-bedrooms.</p> <p>Two carparking spaces have been provided behind the building line (primary façade) via an attached double car garage.</p> <p>The driveway is clear 1m of any drainage facilities on the kerb and gutter.</p> <p>Complies.</p> <p>Landscaping plan identifies soft landscaped area either side of driveway.</p> <p>An assessment has been included against the garage controls and principles from table 4-5 (lots &gt;15m frontage width).</p> <p>Complies.</p> <p>Internal double car garage dimensions; 5.6m wide 5.5m deep.</p>	Yes.

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

Control	Assessment	Compliance?
<p><b>4.2.9 – Visual and Acoustic Privacy.</b></p> <p>Direct overlooking of main habitable areas and the private open spaces of adjoining dwellings should be minimised through building layout, window and balcony location and design, and the use of screening, including landscaping.</p> <p>Living area windows on upper floors with a direct sightline within 9 metres to the Principal Private Open Space of an existing adjacent dwelling are to:</p> <ul style="list-style-type: none"> <li>• be obscured by fencing, screens or landscaping, or</li> <li>• be offset from the edge of one window to the edge of the other by a distance sufficient to limit views into the adjacent window; or</li> <li>• have sill height of 1.7 metres above floor level; or</li> <li>• have fixed obscure glazing in any part of the window below 1.7 metres above floor level.</li> </ul> <p>Balconies are not permitted on the first floor of the side and / or rear portion of the dwelling except where the balcony faces a public road, or land zoned for public recreation or drainage.</p> <p>The design of dwellings must minimize the opportunity for sound transmission through the building structure, with particular attention given to protecting bedrooms and living areas.</p>	<p>Living area contained to first floor presents privacy concerns to adjoining lot 1491 to the east. Window identified on eastern elevation plans as incorporating a sill height of 1.8m.</p> <p>Further concerns presented regarding two staircase windows – identified windows located to the eastern elevation adopt obscure glazing.</p> <p>The development appropriately adopts measures that will prevent the direct overlooking of main habitable areas and PPOS of adjoining dwellings.</p> <p>No balconies proposed on side or rear boundaries.</p> <p>Bedrooms located entirely to first floor away from communal areas predominately contained to the ground floor.</p> <p>The development gives appropriate attention to minimising the opportunity for sound transmission through the building structure.</p>	Yes.
<p><b>Table 4-5 – Front setback.</b> 4.5m to building façade.</p>	Proposed development is setback 4.881m from the primary northern boundary line measured at ground floor.	Yes.
<p><b>Table 4-5 – Articulation zone.</b> 3.0m if not fronting open space.</p>	Supporting post to be setback 3.988m from the primary northern boundary line.	Yes.
<p><b>Table 4-5 – Garage setback.</b> 5.5m to garage line and 1m behind the building line.</p>	Garage to be setback 5.552m, measured from the garage doors. Setback 1.0m from primary building line.	Yes.

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

CLPP02

Attachment 1

Control	Assessment	Compliance?
<b>Table 4-5 – Side setbacks.</b> Ground floor (Side A) = 0.9m Ground floor (Side B) = 0.9m.  Upper floor (Side A) = 1.5m. Upper floor (Side B) = 0.9m.	Western side boundary setback (Side A): Ground floor = 2.28 tapering to 1.71m in towards the rear (south).  Eastern side boundary setback (Side B): Ground floor = 1.4m.  Western side boundary setback (Side A): Upper floor = 2.28 tapering to 1.71m in towards the rear (south).  Eastern side boundary setback (Side B): Upper floor = 1.4m.	Yes.
<b>Table 4-5 – Rear setback.</b> Ground = 4.0. Upper floor = 6.0m.	Rear setback to southern boundary: Ground = 4.230m (measured from ground floor alfresco). Upper floor = 11.3m.	Yes.
<b>Table 4-5 – Building Height, Massing and Sitting.</b> Maximum 2 storeys (third subject top clause 4.2.5(1)).	Maximum 2 storeys proposed.	Yes.
<b>Table 4-5 – Site coverage.</b> Maximum 50% at ground floor. Maximum 30% at upper floor.	Ground floor = $240.27/529.3 \times 100 = 45.39\%$ . Upper floor = $171.806/529.3 \times 100 = 32.45\%$ (inclusive of void). <u><b>Please see end of table for further consideration.</b></u>	No (upper floor variation).
<b>Table 4-5 – Soft landscaped area.</b> Minimum 30% of the allotment area.	Total landscaped area = $188.564/529.3 \times 100 = 35.62\%$ .	Yes.
<b>Table 4-5 – Principal Private Open Space (PPOS).</b> Minimum 24sqm with minimum dimensions of 4m.	Total amount of PPOS provided = 49.211sqm with dimensions >4m.	Yes.
<b>Table 4-5 – Solar Access.</b> 50% of the area required for PPOS (of both proposed development and adjoining properties) should receive at least 3 hours of sunlight between 9am and 3pm on June 21.	<50% of the lots PPOS to achieve solar access for 3 hours between 9am-3pm on June 21. <u><b>Please see end of table for further consideration.</b></u>	No.
<b>Table 4-5 – Garages and carparking.</b> Maximum double car garage door width 6m. 3 bedrooms or more to provide at least 2 car spaces.	5.5m width. Two provided behind the building line via attached double car garage.	Yes.

Control.	Variation.
Section 4.2.5 – Dwelling, Height, Massing, and Sitting (Control 2) – Table 4-5 – Maximum 30% Upper Site Floor Coverage.	With reference to section 4.2.5 of the Camden Growth Centres DCP, the proposed development is non-compliant with the maximum upper site floor coverage of 30%. The applicant is proposing to vary the control by 2.45%. The applicant has requested Council support the variation on the basis that no issues pertaining to noise, overlooking or overshadowing are presented as a result of the 2.45% variation to the upper site floor control. Council has further considered the minor variation against the objectives of section 4.2.5. The proposed development provides a ground floor site cover that is less than the maximum permitted amount of 50%. The development further



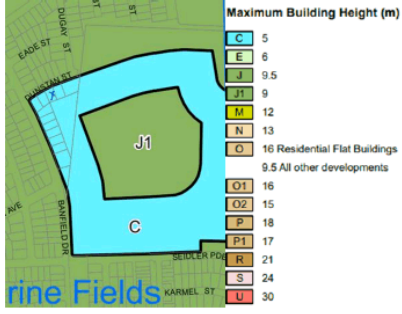
Camden Growth Centre Precincts Development Control Plan (Growth DCP) Assessment Table

	<p>proposes greater setbacks from western and eastern side boundaries that otherwise specified by the control. Overall, it is assessed that a variation of 2.45% to the upper site floor coverage, will not result in inappropriate scale that would otherwise compromise residential amenity.</p>
<p>Section 4.2.7 – Private Open Space (Control 1) – Table 4-5 – 50% of the area of the required principal private open space should receive at least 3 hours of sunlight between 9am and 3pm on June 21.</p>	<p>An addition minor variation is proposed to solar access to the nominated PPOS. The lots PPOS is partially overshadowed at 9am-12pm from adjoining lot 1491 and, further overshadowed from 12pm-3pm by adjoining lot 1489. While the proposed development will overshadow its nominated PPOS, it is considered that the orientation of the lot partially constrains its ability to achieve solar access to at least 50% of its PPOS between 9am-3pm on June 21. The proposed upper site coverage variation does not contribute to reduced solar access. The proposed development, and adjoining developments, have reasonable ground and upper floor rear boundary setbacks, and it is assessed that the rear yard will receive reasonable levels of solar access throughout the year and provides suitable amenity for the occupants of the dwelling.</p>

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth SEPP)  
Assessment Table

CLPP02

Attachment 2

Clause	Assessment	Compliance?
<p><b>Appendix 9, 2.3 Zone objectives and land use table</b></p> <p>The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.</p> <p>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.</p> <p>The zone objectives for this site are:</p> <ul style="list-style-type: none"> <li>To provide for the housing needs of the community within a low density residential environment.</li> <li>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>To allow people to carry out a reasonable range of activities from their homes where such activities are not likely to adversely affect the living environment of neighbours.</li> <li>To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.</li> <li>To provide a diverse range of housing types to meet community housing needs within a low density residential environment.</li> </ul>	<p>The lot is located in an R2 Low Density Residential zone. The proposed development is a 'dwelling house' which is permitted with consent in the R2 Low Density Residential zone of Appendix 9 – SEPP (Sydney Region Growth Centres) 2006.</p> <p>The proposal meets the objectives of the zone as:</p> <ul style="list-style-type: none"> <li>The proposal will provide for the housing needs of the community within the low-density residential environment.</li> <li>The proposal will remain consistent with its surrounds, allowing for a reasonable range of activities to be carried out that are consistent with those surrounding it.</li> <li>The proposal will be an addition to the existing housing type typical to the immediate surrounds.</li> </ul>	<p>Yes.</p>
<p><b>Appendix 9, 4.3 Height of buildings</b></p> <p>Maximum buildings heights must not exceed the maximum building height shown on the Height of Buildings Map.</p>	 <p>Maximum buildings heights shown on HOB:04 from Appendix 9, 4.3 of SEPP (Sydney Region Growth Centres) 2006 =</p>	<p>No.</p>


State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth SEPP)  
Assessment Table

Clause	Assessment	Compliance?
	<p>5m 'C'.</p> <p>The development proposes a maximum building height of 8.468m.</p> <p>The proposal represents a total non-compliance of 3.468m.</p> <p>A clause 4.6 written request was submitted with the subject DA.</p>	
<p><b>Appendix 9, 4.6 Exceptions to development standards</b></p> <p>Development consent may be granted for development that contravenes a development standard imposed by the SEPP or any other environmental planning instrument.</p> <p>The consent authority must consider a written request from the applicant that seeks to justify the contravention by demonstrating that:</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>Development consent must not be granted unless:</p> <p>(a) the consent authority is satisfied that:</p> <p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated, and</p> <p>(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and</p> <p>(b) the concurrence of the Secretary has been obtained.</p> <p>This clause prohibits the approval of development standard contraventions for certain subdivisions of land in some rural and environmental zones.</p>	<p>The application was accompanied by a written request under Clause 4.6, Appendix 9, of SEPP (Sydney Region Growth Centres) 2006 for the contravention to the maximum height of buildings development standard applicable to the site.</p> <p>The written request adequately addresses the matters required to be demonstrated by Clause 4.6(3) of the SEPP and it is assessed that sufficient justification has been provided for the building height contravention.</p> <p>The proposed development is in the public interest as, despite the contravention, the development is consistent with the objectives of the height of buildings development standard and the R2 Low Density Residential zone.</p> <p>It is noted that the Panel may assume the concurrence of the Secretary.</p>	<p>Yes.</p>

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth SEPP)  
Assessment Table

CLPP02

Attachment 2

Clause	Assessment	Compliance?
<p><b>Appendix 9, 5.10 Heritage conservation</b></p> <p><b>5.10 Heritage conservation</b></p> <p>Before granting development consent in respect of a heritage items or a heritage conservation area, or land within the vicinity of heritage significant buildings, the consent authority must consider the effect of the proposed development on the heritage significance of the item or area concerned.</p>	 <p>The subject lot is not heritage listed and is not located within the curtilage of adjoining Stage Heritage Listed item, namely Oran Park House.</p> <p>The proposed development does not impact on the heritage significance or setting of Oran Park House. The proposed dwelling house will be consistent with other two (2) storey dwellings already constructed on the lots adjoining the site at 2, 4, and 8 Dunstan Street (which all exceed the 5m height control).</p> <p>The proposal also does not impact on the key view corridors established within Schedule 4 – Catherine Field (Part) Precinct DCP.</p> <p>As noted in the main body of the report, the precursor studies and the relevant objectives and controls contained in the Camden Growth Centres Precinct DCP indicate that the subject site was not intended to be included in the single storey / 5 metre building height area for land surrounding the heritage item that is within the listed heritage curtilage. For this reason a Housekeeping Amendment of the Growth Centres SEPP (2006) is currently being finalised by the Department of Planning, Industry and Environment which will increase the height of building development standard on this site to 9m.</p>	<p>Yes.</p>

## Recommended Conditions

### 1.0 - General Conditions of Consent

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

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documents, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Sheet 1, Issue D.	Site Plan/Stormwater Concept Plan.	Archi Build International.	28/07/2021.
Sheet 2, Issue D.	Landscape Plan.	Archi Build International.	28/07/2021.
Sheet 4, Issue D.	Sediment Control Plan.	Archi Build International.	28/07/2021.
Sheet 3, Issue D.	Ground Floor Plan.	Archi Build International.	28/07/2021.
Sheet 6, Issue D.	First Floor Plan.	Archi Build International.	28/07/2021.
Sheet 8, Issue D.	Elevations.	Archi Build International.	28/07/2021.
Sheet 9, Issue D.	Elevations.	Archi Build International.	28/07/2021.
Sheet 10, Issue D.	Section.	Archi Build International.	28/07/2021.

Document Title	Prepared by	Date
BASIX Certificate, No. 1180547S.	Plan for Tomorrow.	01/03/2021.
Waste Management Plan.	Applicant.	23/04/2021.

- (2) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) for the development to which this consent applies.
- (3) **National Construction Code – Building Code of Australia (BCA)** - All building work shall be carried out in accordance with the BCA. In this condition, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (4) **Home Building Act** - Pursuant to Section 4.17(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the principal certifier for the development to which the work relates:

- a) in the case of work for which a principal contractor has been appointed:
    - i) has been informed in writing of the name and licence number of the principal contractor; and
    - ii) where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.
  - b) in the case of work to be carried out by an owner-builder;
    - i) has been informed in writing of the name of the owner-builder; and
    - ii) if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.
- (5) **Home Building Act – Insurance** - Building work that involves residential building work within the meaning of the *Home Building Act 1989*, shall not commence until such time as a contract of insurance is in force in accordance with Part 6 of that Act.

This clause does not apply:

- a) to the extent to which an exemption is in force under Clause 187 or 188 of the EP&A Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of the EP&A Regulation 2000; or
- to the erection of a temporary building, other than a temporary structure to which subclause (1A) of Clause 98 of the EP&A Regulation 2000 applies.
- (6) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
- a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
  - b) where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying

A copy of the written consent must be provided to the principal certifier prior to the excavation commencing.

- (7) **Infrastructure in Road and Footpath Areas** – Infrastructure must not be removed and/or reconstructed without prior written approval from Council. Any costs incurred due to the relocation, restoration or reconstruction of pram ramps, footpath, light



poles, kerb inlet pits, service provider pits, street trees or other infrastructure in the street footpath area for the proposed development shall be borne by the applicant, and not Council.

**Note.** The issue of this development consent does not imply concurrence or approval of any required public infrastructure work associated with the development.

- (8) **Swimming Pools and Spas** - The swimming pool/spa shall comply with:
- a) the *Swimming Pools Act 1992*;
  - b) the Swimming Pools Regulation 2008;
  - c) AS 1926.1-2012 'Swimming Pool Safety' Part 1: Safety barriers for swimming pools;
  - d) AS 3500.2-2003 'Plumbing and drainage – Sanitary plumbing and drainage';
  - e) AS 1926.3 'Water recirculation systems'; and
  - f) the BCA.
- (9) **Relocation of existing street tree** - The existing street tree located near the east of the approved crossover be relocated a minimum of one (1) metre clear of the proposed crossover. The health of the relocated tree shall be monitored and should the tree not survive the relocation shall be replaced with a tree of the same species and height.

## 2.0 - Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the accredited certifier.
- (2) **Driveway Gradients and Design** – The design of all driveways shall comply with AS 2890.1-2004 'Off street car parking' and:
- a) the driveway shall comply with Council's Access Driveway Specifications; <https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/Development-Guidelines-and-policies/Access-Driveways-Specifications-and-Drawings.pdf>
  - b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
  - c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and
  - d) a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.

- e) shall the driveway not achieve a minimum crossover width of 4.0m, a non-standard residential driveway application is to be obtained.

Details demonstrating compliance shall be provided to the accredited certifier prior to issue of a Construction Certificate.

- (3) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with 'Managing Urban Stormwater – Soils and Construction (the blue book)'. Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.
- (4) **Works in Road Reserves** - Where any works are proposed in a public road reservation, a Road Opening Permit shall be obtained from Council in accordance with Section 138 of the *Roads Act 1993*.
- (5) **Salinity (Dwellings and Outbuildings)** - All works to be in accordance with "Report on Salinity Investigation and Management Plan: Proposed residential Subdivision: Tranche 31-34 Oran Park South, Prepared by Douglas Partners, Project No. 76618.37-2" Dated November 2015.

Alternatively, a site-specific analysis including recommendations, prepared by a suitably qualified consultant and referencing Australian Standard AS2870-2011 and Council's Engineering Specifications, shall be submitted to the accredited certifier.

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

- (6) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building work that cost \$25,000 or more.
- (7) **Surface Water Collection from Swimming Pools and Spas** - Swimming pool surrounds and/or paving shall be constructed so as to ensure water from the pool overflow or surge does not discharge onto neighbouring properties. Details demonstrating compliance shall be provided to the accredited certifier.

### 3.0 - Prior to Commencement of Works

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

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the certifier.
- (2) **Notice of Principal Certifier** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:

- a) a description of the work to be carried out;
- b) the address of the land on which the work is to be carried out;
- c) the registered number and date of issue of the relevant development consent;
- d) the name and address of the principal certifier, and of the person by whom the principal certifier was appointed;
- e) the certifier's registration number, and a statement signed by the certifier consenting to being appointed as principal certifier; and

a telephone number on which the principal certifier may be contacted for business purposes.

- (3) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:

- a) the name and address of the person by whom the notice is being given;
- b) a description of the work to be carried out;
- c) the address of the land on which the work is to be carried out;
- d) the registered number and date of issue of the relevant development consent and construction certificate;
- e) a statement signed by or on behalf of the principal certifier (only where no principal certifier is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
- f) the date on which the work is intended to commence.

- (4) **Construction Certificate Required** - In accordance with the requirements of the *EP&A Act 1979*, building or subdivision works approved by this consent shall not commence until the following has been satisfied:

- a) a Construction Certificate has been issued by a certifier;
- b) a principal certifier has been appointed by the person having benefit of the development consent;
- c) if Council is not the principal certifier, Council is notified of the appointed principal certifier at least two (2) days before building work commences;
- d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and

- e) the principal certifier is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (5) **Sign of Principal Certifier and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
  - c) the name, address and telephone number of the principal certifier.

The sign shall be maintained while the work is being carried out and removed upon the completion of works.

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

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

- (8) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.
- (9) **Protection of Existing Street Trees** - No existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation shall be disturbed, relocated, removed or damaged during earthworks, demolition, excavation (including any driveway installation), construction, maintenance and/or establishment works applicable to this consent, without Council agreement and/or consent.

The protection methods for existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation during all works approved by this development consent shall be installed in accordance with AS 4970-2009 Protection of Trees on Development Sites.

- (10) **Protection of Trees to be Retained** - Protection of trees to be retained shall be in accordance with Council's Engineering Specifications. The area beneath the canopies of the tree(s) to be retained shall be fenced. Tree protection signage is required to be attached to each tree protection zone, and displayed in a prominent position.

#### 4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Work Hours** - All work (including delivery of materials) shall be:
- restricted to between the hours of 7am to 5pm Monday to Saturday (inclusive), and
  - not carried out on Sundays or public holidays,

unless approved in writing by Council.

- (2) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:

- a) preserve and protect the building from damage;
- b) if necessary, underpin and support the building in an approved manner; and
- c) give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

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

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

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

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

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

- (4) **Site Management** - The following practices are to be implemented during construction:
- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
  - b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
  - c) waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;
  - d) a waste storage area shall be located on the site;
  - e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);
  - f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
    - i) be a standard flushing toilet connected to a public sewer; or
    - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
    - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (5) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.
- (6) **Finished Floor Level** - A survey report prepared by a registered land surveyor confirming that the finished floor level complies with the approved plans or floor levels specified by the development consent, shall be provided to principal certifier prior to the development proceeding beyond floor level stage.
- (7) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the principal certifier prior to the pouring of concrete.
- (8) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.



- (9) **Vehicles Leaving the Site** - The construction supervisor must ensure that:
- all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
  - the wheels of vehicles leaving the site:
    - do not track soil and other waste material onto any public road adjoining the site; and
    - fully traverse the site's stabilised access point.
- (10) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines 2014 (refer to: [www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm](http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm))
- Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.
- (11) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (12) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (13) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (14) **Fill Material (Dwellings)** – Prior to the importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the principal certifier.

The validation report and associated sampling location plan must:

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

For Virgin Excavated Natural Material (VENM):

- i) the Department of Land and Water Conservation publication "Site Investigation for Urban Salinity;" and
- ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW."

For Excavated Natural Material (ENM):

- i) compliance with the Excavated Natural Material Order 2014 and the Resource Recovery Orders and Exemptions issued under Part 9 of the Protection of the Environment Operations (Waste) Regulation 2014
  - c) confirm that the fill material has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity") and is compatible with any salinity management plans approved for the site.
- (15) **Protection for Existing Trees** – The protection of existing trees (on-site and street trees) must be carried out as specified by AS 4970 Protection of Trees on Development Sites.
- (16) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a certified contaminated land consultant has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

- (17) **Swimming Pool Fence Design** - The swimming pool or spa must be fenced so that the pool is effectively isolated from the dwelling and adjoining lands. The swimming pool fence must comply with the following requirements:
- a) The swimming pool safety fencing must strictly adhere to the design and location approved with the development consent, and any conditions of the development consent;
  - b) Fences and gates must strictly comply with AS1926-2012 – Swimming pool safety – Part 1: Safety barriers for swimming pools;
  - c) Fencing shall have a minimum effective height of 1.2m;
  - d) All swimming pool gates shall be self-closing and self-latching. All gates must open outwards from the swimming pool enclosure;

- e) The filtration equipment including any cover, housing or pipe work, must not be located within a distance of 900mm from the outside face of the swimming pool safety fencing enclosure, nor within 300mm from the inside of the swimming pool safety fencing enclosure (where footholds are possible); and
- f) Boundary fencing forming part of the swimming pool safety fencing shall maintain a minimum effective height of 1.8m and a 0.9m non climbable zone (measured from the top of the inside of the barrier).

The swimming pool safety fencing must be installed prior to the swimming pool being filled with water. The principal certifier, or an accredited certifier must inspect the swimming pool safety fencing.

- (18) **Wastewater From Swimming Pools and Spas** - All swimming pool wastewater shall be disposed of as follows:

Sand Filters

- a) Where a Sydney Water sewer is available – wastewater shall be drained or pumped to the sewer; or

Where a Sydney Water sewer is not available (such as rural areas) – wastewater shall be disposed of as follows:

- i) discharging to a rubble pit measured 600mm wide x 600mm deep x 3m long, located not less than 3m from any structure or property boundary; or
- ii) discharging to a tail out drain to disperse the water over a large grassed area or paddock, provided that the land fall does not direct water to buildings on the subject or adjoining properties, or create a nuisance to an adjoining property owner and subject to subclauses iii) and iv) below:-
- iii) wastewater shall not be discharged to a septic tank or an on-site sewage management installation or disposal area; and
- iv) wastewater shall not be discharged into a reserve, watercourse, easement or stormwater drainage system or otherwise adversely impact upon an adjoining property.

Cartridge Filters

Cartridge filters do not need to be connected to Sydney Water sewer or in rural properties to a rubble pit or tail out drain. However, when the cartridge needs cleaning it is to be hosed out in a location that does not adversely impact upon any effluent disposal area and adjoining properties, and must not cause water to enter a waterway, the stormwater system or roadway.

- (19) **Swimming Pool Construction Sign** – A sign must be erected and maintained that:

- a) bears a notice containing the words "This swimming pool is not to be occupied or used";
- b) is located in a prominent position in the immediate vicinity of the swimming pool; and
- c) continues to be erected and maintained until a relevant occupation certificate or a certificate of compliance has been issued for the swimming pool.

### 5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate Required** - An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Driveway Crossing Construction** – A footpath crossing (where required) and a driveway crossing shall be constructed in accordance with this development consent and the driveway crossing approval prior to use or occupation of the development.
- (3) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.
- (4) **Waste Management Plan** - The principal certifier shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (5) **Filter & Recirculation Systems** - Prior to issue of an Occupation Certificate, a certificate of compliance, or other documentary evidence confirming that the proposed recirculation system and filtration system complies with AS1926.3, must be provided to the principal certifier.
- (6) **Swimming Pool Register** - In accordance with Part 3A of the *Swimming Pools Act 1992* all swimming pools (including spas) are required to be registered on the NSW Swimming Pools Register. You can register your Swimming Pool online at [www.swimmingpoolregister.nsw.gov.au](http://www.swimmingpoolregister.nsw.gov.au)

Prior to the issue of any occupation certificate you are required to provide evidence in the form of the Certificate of Registration to the principal certifier.

- (7) **Warning Notice** - A warning notice complying with the provisions of Clause 10 of the *Swimming Pools Regulation 2008*, must be displayed and maintained in a prominent position in the immediate vicinity of the swimming pool, in accordance with Section 17 of the *Swimming Pools Act 1992*.

The principal certifier shall ensure that this warning notice is provided and displayed prior to the issue of the Occupation Certificate.

Council also recommends that all owners and/or users of swimming pools obtain a copy of the 'Cardiopulmonary Resuscitation Guideline' known as "Guideline 7:

Cardiopulmonary Resuscitation" published in February 2010 by the Australian Resuscitation Council (available through [www.resus.org.au](http://www.resus.org.au)).

- (8) **Swimming Pool Landscaping** - Landscaping of the swimming pool enclosure and surrounds including the provision of outdoor furniture, construction of barbecues and pergolas must not reduce the effectiveness of the swimming pool safety fencing. All landscaping, furniture, and other similar structures shall be located at least 900mm from the outside of the pool safety fencing.
- (9) **Swimming Pool Barrier Certification** – Certification from the supplier of the swimming pool barrier is to be submitted to the principal certifier. The certification must state that the swimming pool barrier materials comply with the applicable Australian Standards.

### 6.0 - Ongoing Use

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

- (1) **Residential Air Conditioning Units** - The operation of air conditioning units shall operate as follows:
  - a) be inaudible in a habitable room during the hours of 10pm – 7am on weekdays and 10pm to 8am on weekends and public holidays; and
  - b) emit a sound pressure level when measured at the boundary of any neighbouring residential property, at a time other than those specified in (a) above, which exceeds the background (LA90, 15 minutes) by more than 5dB(A). The source noise level shall be measured as a LAeq 15 minute.
- (2) **Noise Nuisance Prevention** - The motor, filter, pump, and all sound producing equipment associated with or forming part of the swimming pool filtration system must be located so as not to cause a nuisance to adjoining property owners.

Should a noise nuisance arise, Council may serve Orders issued pursuant to the *Environmental Planning and Assessment Act 1979* requiring remedial works to be carried out. Action may also be initiated by the principal certifier where the principal certifier is not Council.

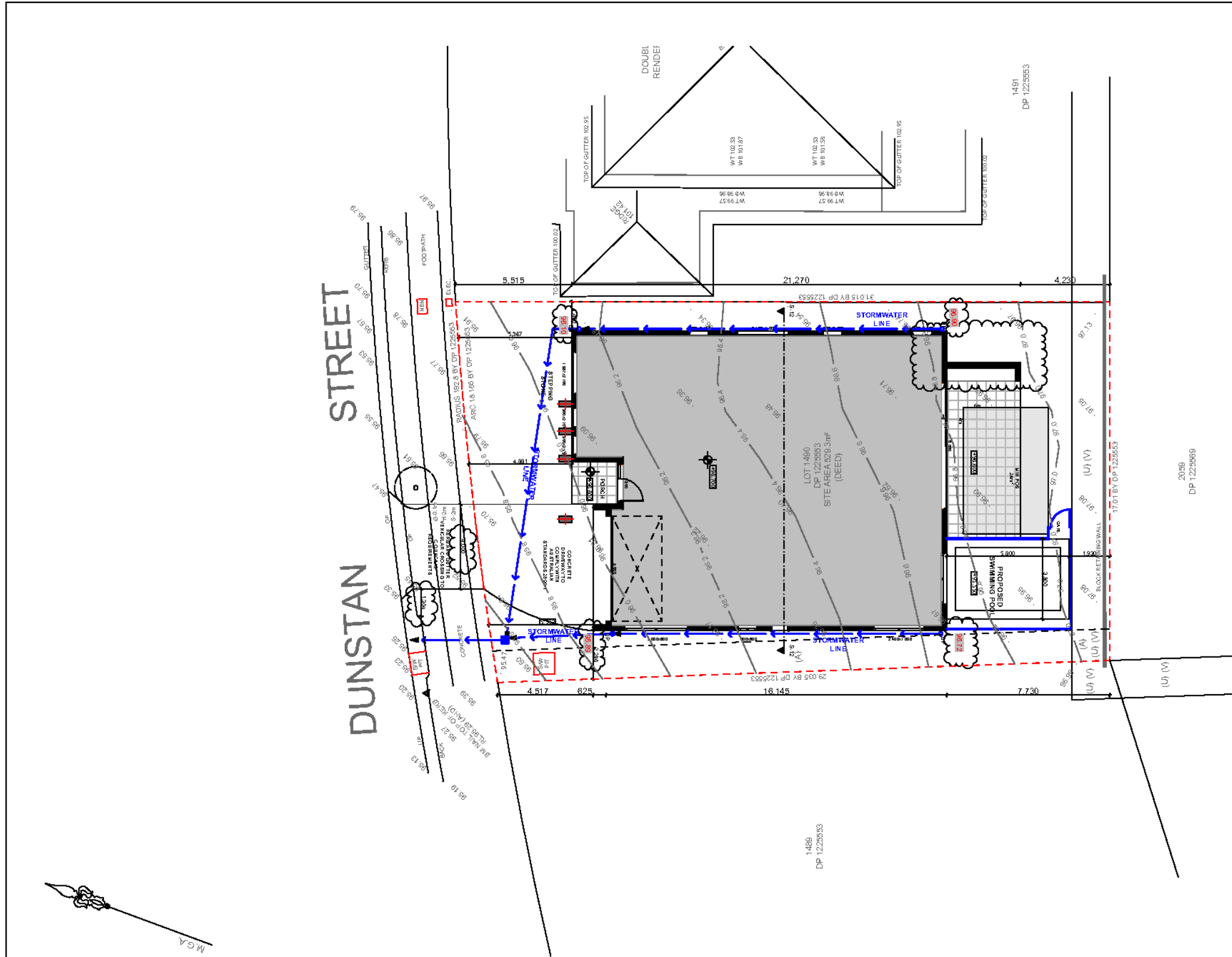
The location of equipment that causes offensive noise may require the equipment to be located within a suitable acoustic enclosure, or the relocation of such equipment.

- (3) **Prohibitions Within Swimming Pool Enclosure** - The area contained within the swimming pool safety fencing enclosure must not be used for other non related activities or equipment, such as the installation of children's play equipment or clothes drying lines.
- (4) **Private Swimming Pool Water Quality** – Swimming pool water shall be maintained in a clean and healthy condition at all times so as to protect user health and safety and to prevent conditions that support the activity of water borne organisms (including bacteria, viruses and algae), insects and aquatic pests.





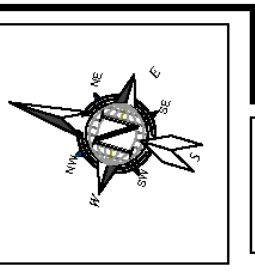




**CALCULATION TABLE:**

LOT : 1490  
 DP : 1225553  
 AREA : 529.3m<sup>2</sup>  
 MAX SITE COVERAGE:  
 GROUND FLOOR (50%): 255m<sup>2</sup>  
 FIRST FLOOR (30%): 153 m<sup>2</sup>  
 PROPOSED SITE COVERAGE:  
 GROUND FLOOR : 222.2m<sup>2</sup>  
 FIRST FLOOR : 164m<sup>2</sup> (INCL VO)  
 LANDSCAPE AREA : 154m<sup>2</sup>

**SITE PLAN/ STORMWATER CONCEPT PLAN**  
 SCALE 1:200



ISSUE	DATE	DRAWN
D	29.07.2021	A.B
C	12.04.2021	A.B
B	12.04.2021	A.B
A	12.01.2020	A.B

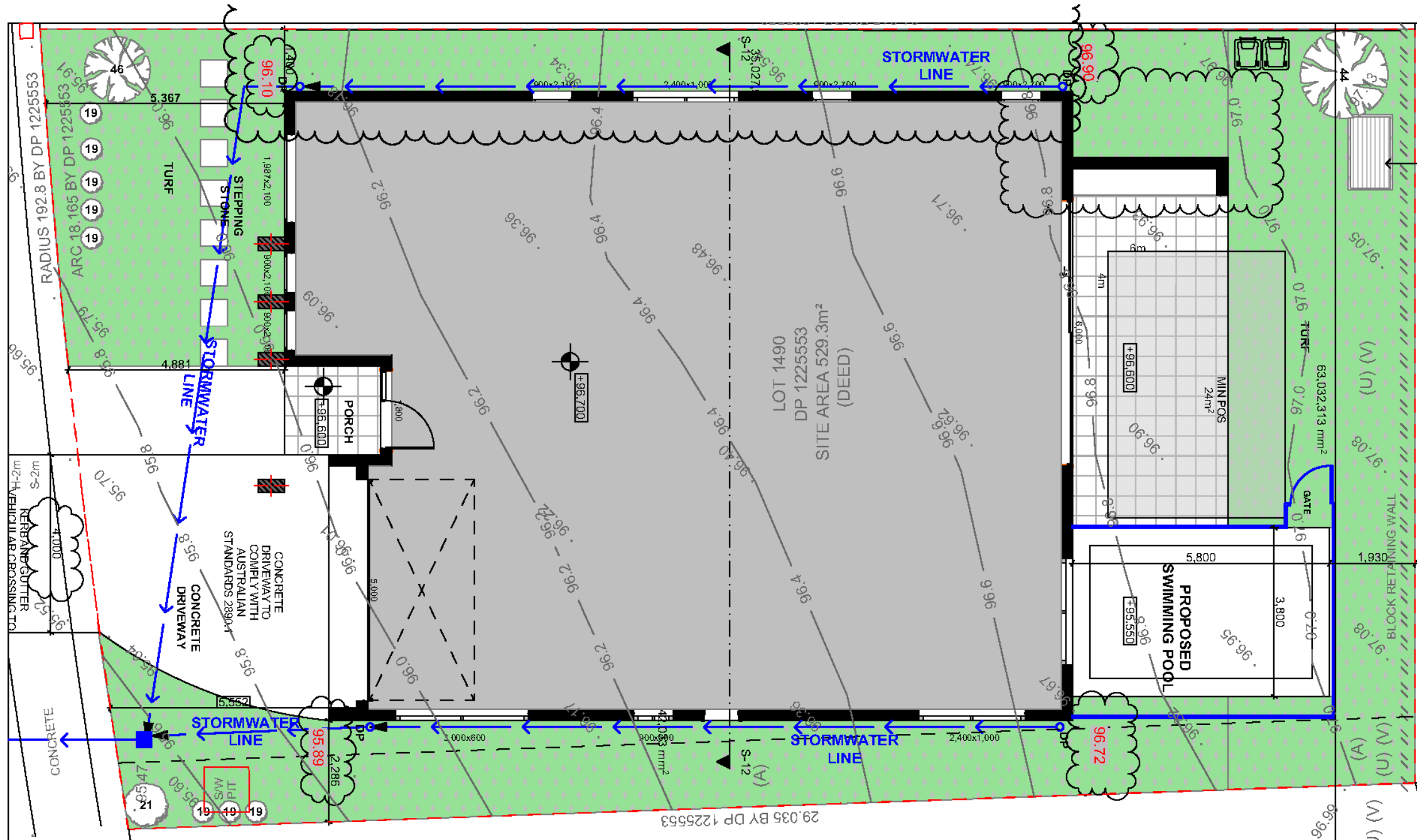
**GENERAL NOTES**  
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SHEET TITLE:  
 SITE PLAN/ STORMWATER CONCEPT  
 DRAWN: A.B CHECKED: A.B DATE: JAN-2021 SCALE: AS MARKED @ A3  
 LGA: CAMDEN COUNCIL

PROPOSED TWO STOREY DWELLING & INGROUND SWIMMING POOL  
 STREET: 6 DUNSTAN STREET  
 SUBURB: ORAN PARK  
 COUNCIL: CAMDEN COUNCIL  
 A3 SHEET.1

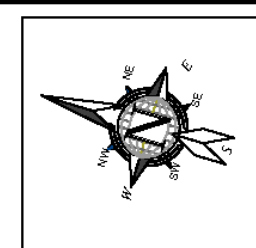
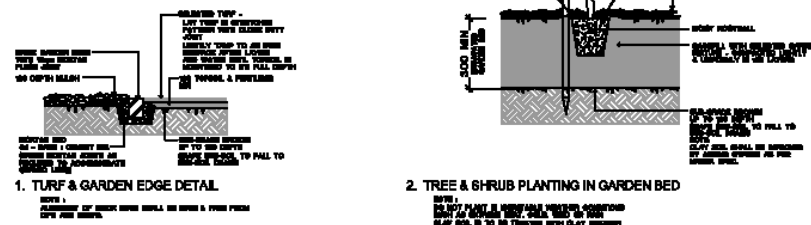




LEGEND/FINISH SCHEDULE	
	PROPOSED TREES, SHRUBS & GROUND COVER (REFER NO. TO PLANT SCHEDULE)
	GARDEN BED SELECTED BRICK GARDEN EDGE OR AS SELECTED REFER TO DETAIL 1
	LAWN AREA SR WALTER BUFFALO REFER TO DETAIL 1
	DRIVEWAY/PATH SELECTED STENCILED CONCRETE
ITEM	MATERIAL
SOIL	NOTE: ALL SOIL TYPE AS PER AUST. NATIVE ALNSCAPE SUPPLY OR EQUIVALENT
LAWN AREA	1ST QUANTITY TOP SOIL
NATIVE GARDEN BED	NATIVE GARDEN MIX
EXOTIC GARDEN BED	ORGANIC GARDEN MIX
MULCH	SELECTED HARWOOD CHIP DECORATIVE GRAVEL TO OSD AREA REFER TO DETAIL 1 & 2
PLANT MATERIAL	AS PER PLANT SCHEDULE REFER TO DETAIL 2
GARDEN EDGE	SELECTED PRESSED BRICK OR AS SELECTED REFER TO DETAIL 1
RETAINING WALL & PLANTER BOX	SELECTED MASONRY RETAINING WALL AND DRAINAGE TO ENG. DETAIL
FENCE	
SIDE & REAR BOUNDARY	REFER TO ARCHITECT DETAIL
COURTYARD SEPARATION FENCE	1800 HIGH LAPPED & CAPPED TIMBER FENCE OR 1800MM HIGH COLOURBOND FENCE
FRONT	REFER TO ARCHITECT DETAIL

PROPOSED PLANT SCHEDULE					
NO.	BOTANICAL NAME	COMMON NAME	APPROX. MATURED HEIGHT	POI	QTY
<b>GROUND COVER / BOARDER</b>					
1	Stemodia 'Blue'	Steel needle	0.0	0.00m	
2	Lachenalia 'Blue'	Steel Needle	0.0	0.00m	
3	Lachenalia 'Blue'	Steel Needle	0.0	0.00m	
4	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
5	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
6	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
7	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
<b>LOW SHRUBS</b>					
8	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
9	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
10	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
11	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
12	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
13	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
14	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
15	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
16	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
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23	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
24	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
25	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
26	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
27	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
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30	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
31	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
32	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
33	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
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48	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
49	Stemodia 'Blue'	Steel Needle	0.0	0.00m	
50	Stemodia 'Blue'	Steel Needle	0.0	0.00m	

LANDSCAPE PLAN SCALE 1:100



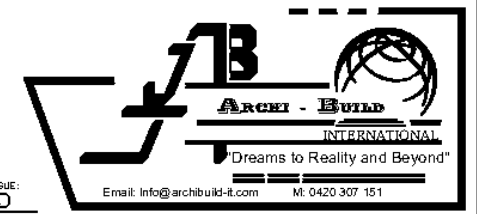
ISSUE	DESCRIPTION	DATE	BY
D	AMENDED AS PER COUNCIL LETTER	28.07.2021	A.B.
C	AMENDED AS PER COUNCIL LETTER	12.04.2021	A.B.
B	ISSUE FOR DA	12.04.2021	A.B.
A	ISSUE FOR CLIENT'S REVIEW	12.01.2020	A.B.

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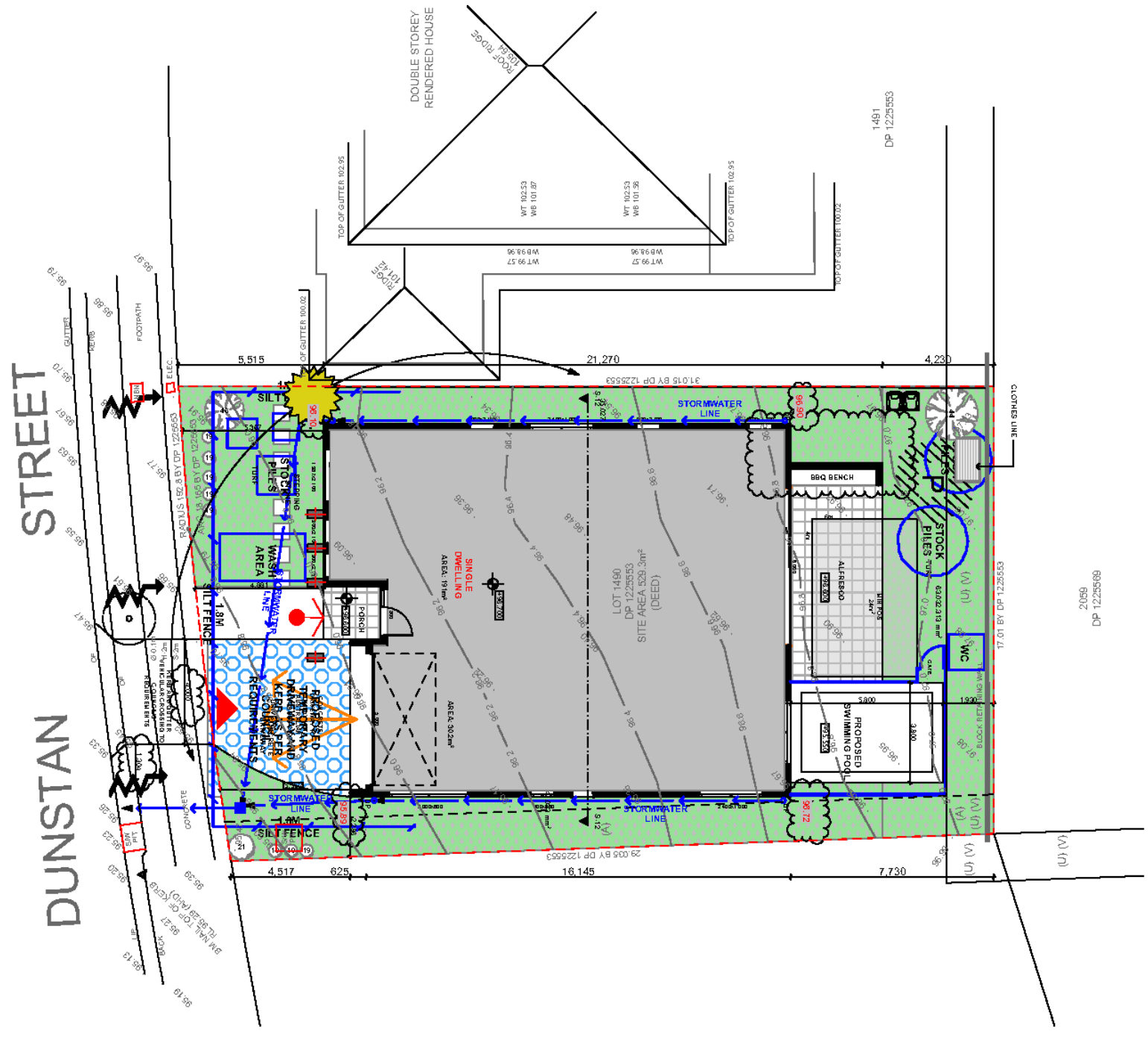
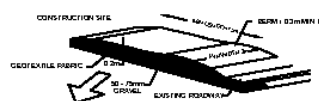
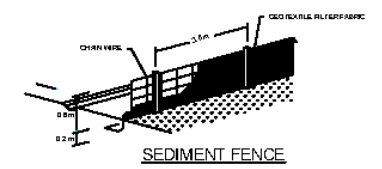
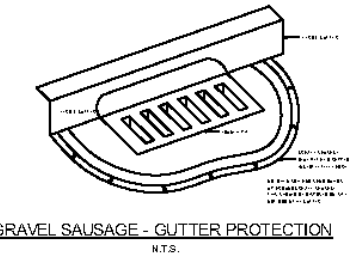
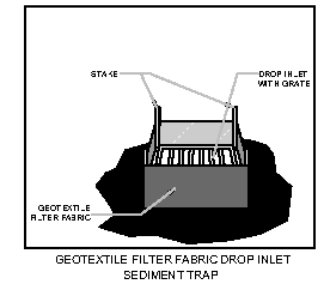
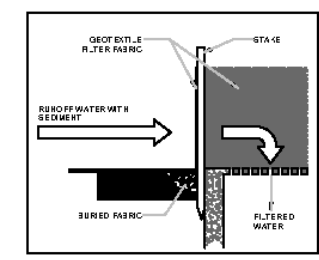
SHEET TITLE:  
 LANDSCAPE PLAN  
 DRAWN: A.B. CHECKED: A.B. DATE: JAN-2021 SCALE: AS MARKED @ A3  
 LGA: CAMDEN COUNCIL

PROPOSED TWO STOREY DWELLING & INGROUND SWIMMING POOL  
 STREET: 6 DUNSTAN STREET  
 SUBURB: ORAN PARK  
 COUNCIL: CAMDEN COUNCIL  
 A3 SHEET.2

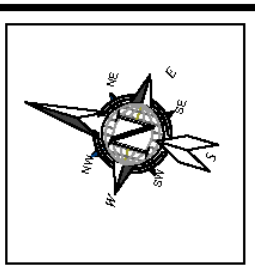


THE REMOVAL OF EXCESS STORMWATER DURING PERIODS OF RAIN WHILE CONSTRUCTION IS IN PROGRESS, IS TO BE FLOCCULATED AND PUMPED THROUGH A FILTRATION SYSTEM PRIOR TO DISPERSMENT TO THE STREET DRAINAGE.

BUILDING MATERIAL STOCKPILES ALL STOCK PILES OF BUILDING MATERIAL SUCH AS SAND AND SOIL MUST BE PROTECTED TO PREVENT SCOUR AND EROSION. THE SHOULD NEVER BE PLACED IN THE STREET GUTTER WHERE THEY WILL WASH AWAY WITH THE FIRST RAINSTORM.



**SEDIMENT CONTROL PLAN**  
SCALE 1:100



ISSUE	DATE	DRAWN
D	28.07.2021	A.B
C	12.04.2021	A.B
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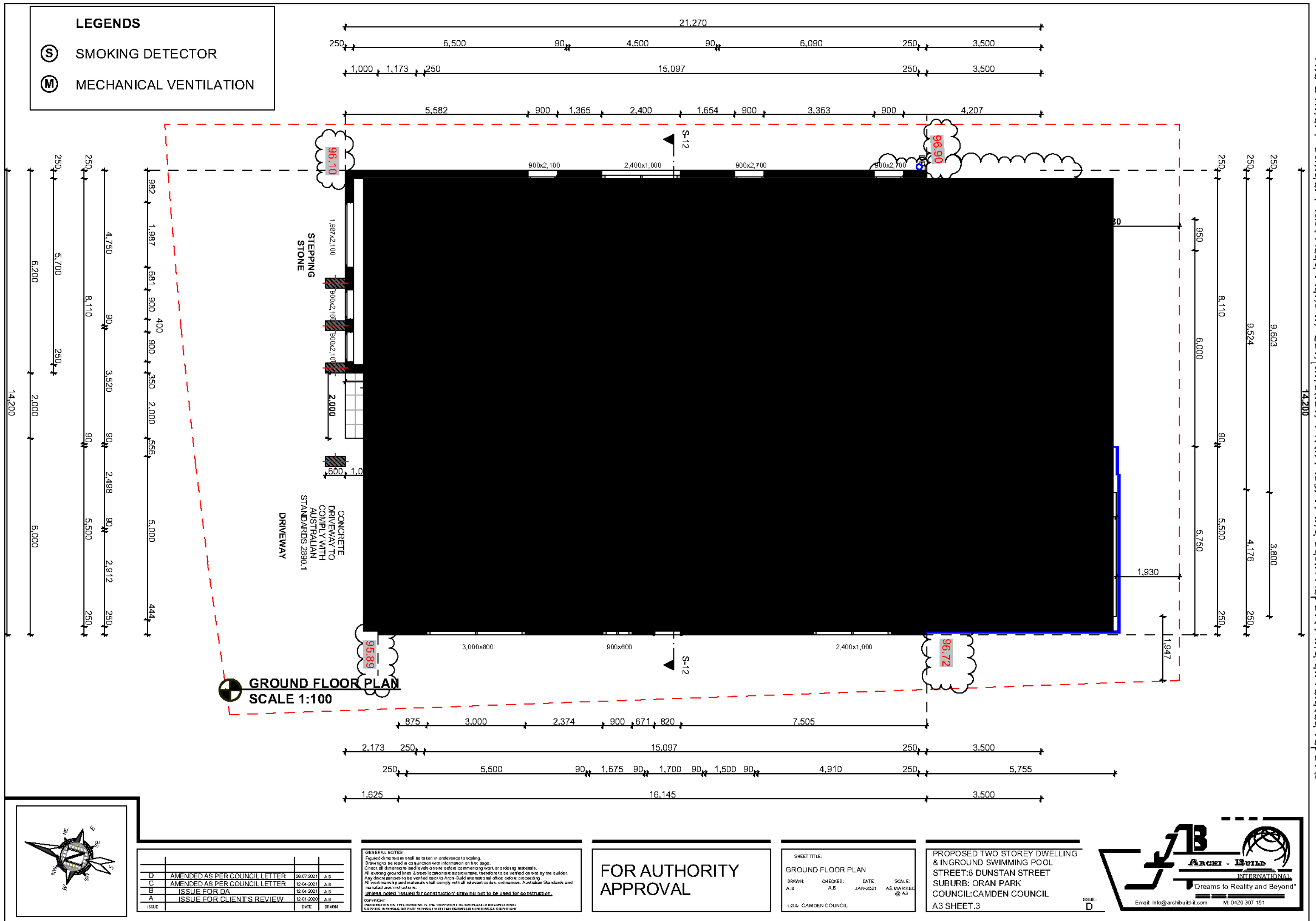
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**SEDIMENT CONTROL PLAN**  
DRAWN: A.B CHECKED: A.B DATE: JAN-2021 SCALE: AS MARKED @ A3  
LGA: CAMDEN COUNCIL

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STREET: 6 DUNSTAN STREET  
SUBURB: ORAN PARK  
COUNCIL: CAMDEN COUNCIL  
A3 SHEET 4

ISSUE: D

Email: info@archibuild-ll.com Tel: 0420 307 151



**LEGENDS**

- (S) SMOKING DETECTOR
- (M) MECHANICAL VENTILATION

**GROUND FLOOR PLAN**  
SCALE 1:100

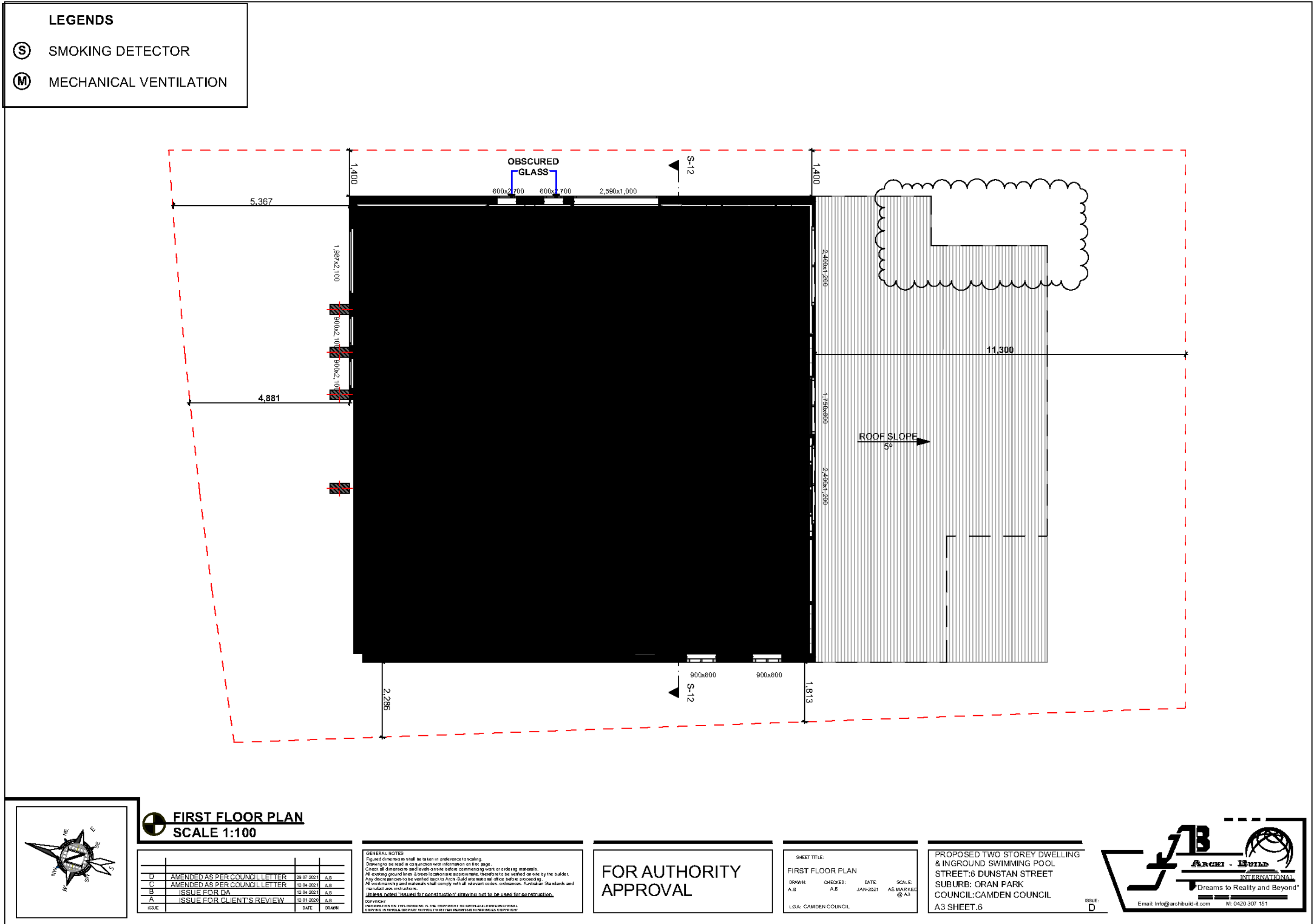
ISSUE	DESCRIPTION	DATE	DRAWN
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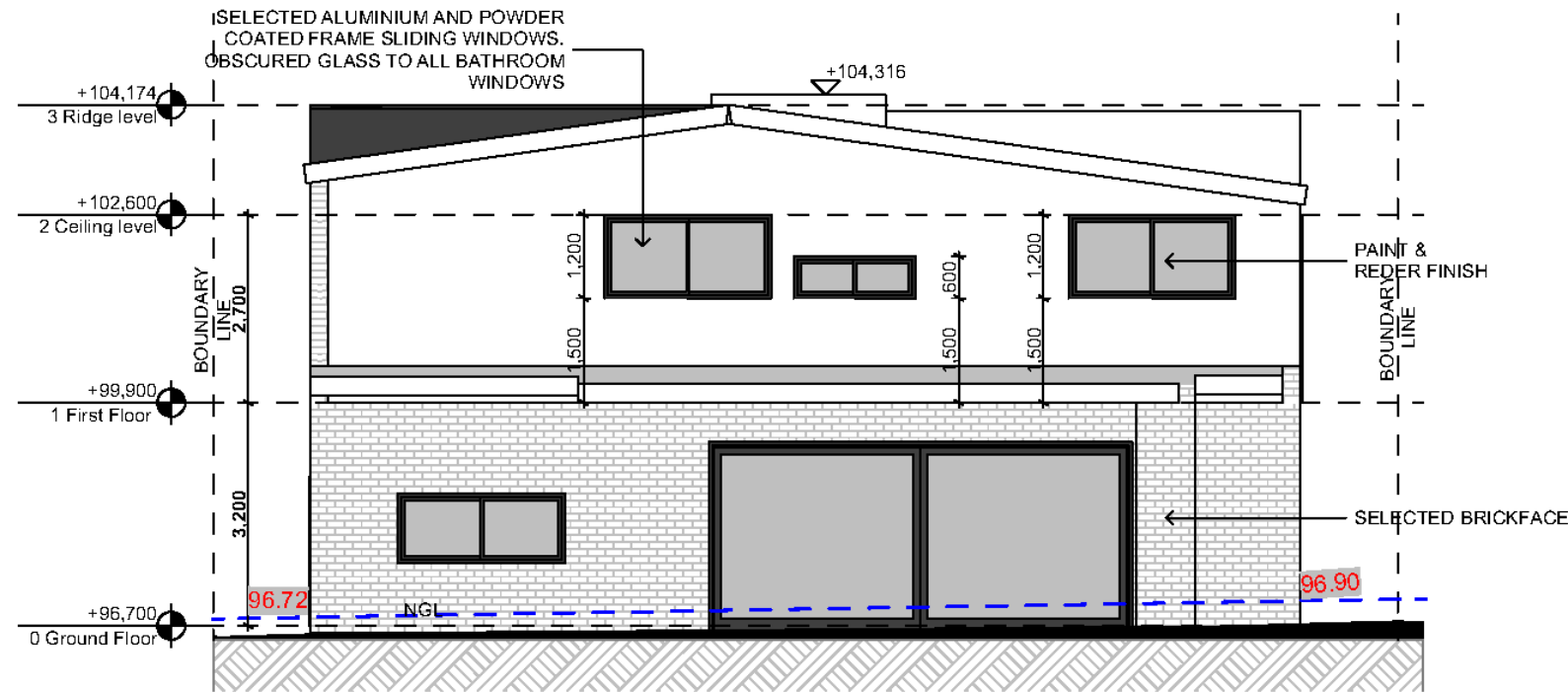
**FOR AUTHORITY APPROVAL**

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 LGA: CAMDEN COUNCIL

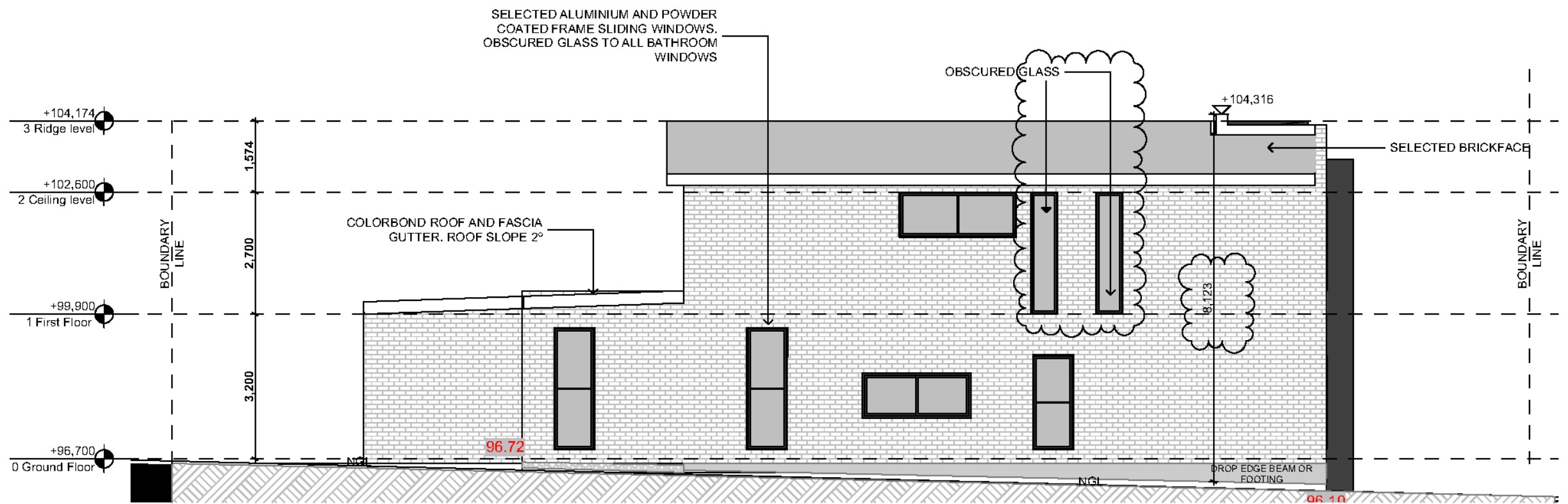
**PROPOSED TWO STOREY DWELLING & INGROUND SWIMMING POOL**  
 STREET: 6 DUNSTAN STREET  
 SUBURB: ORAN PARK  
 COUNCIL: CAMDEN COUNCIL  
 A3 SHEET.3







**SOUTH ELEVATION**  
SCALE 1:100



**EAST ELEVATION**  
SCALE 1:100

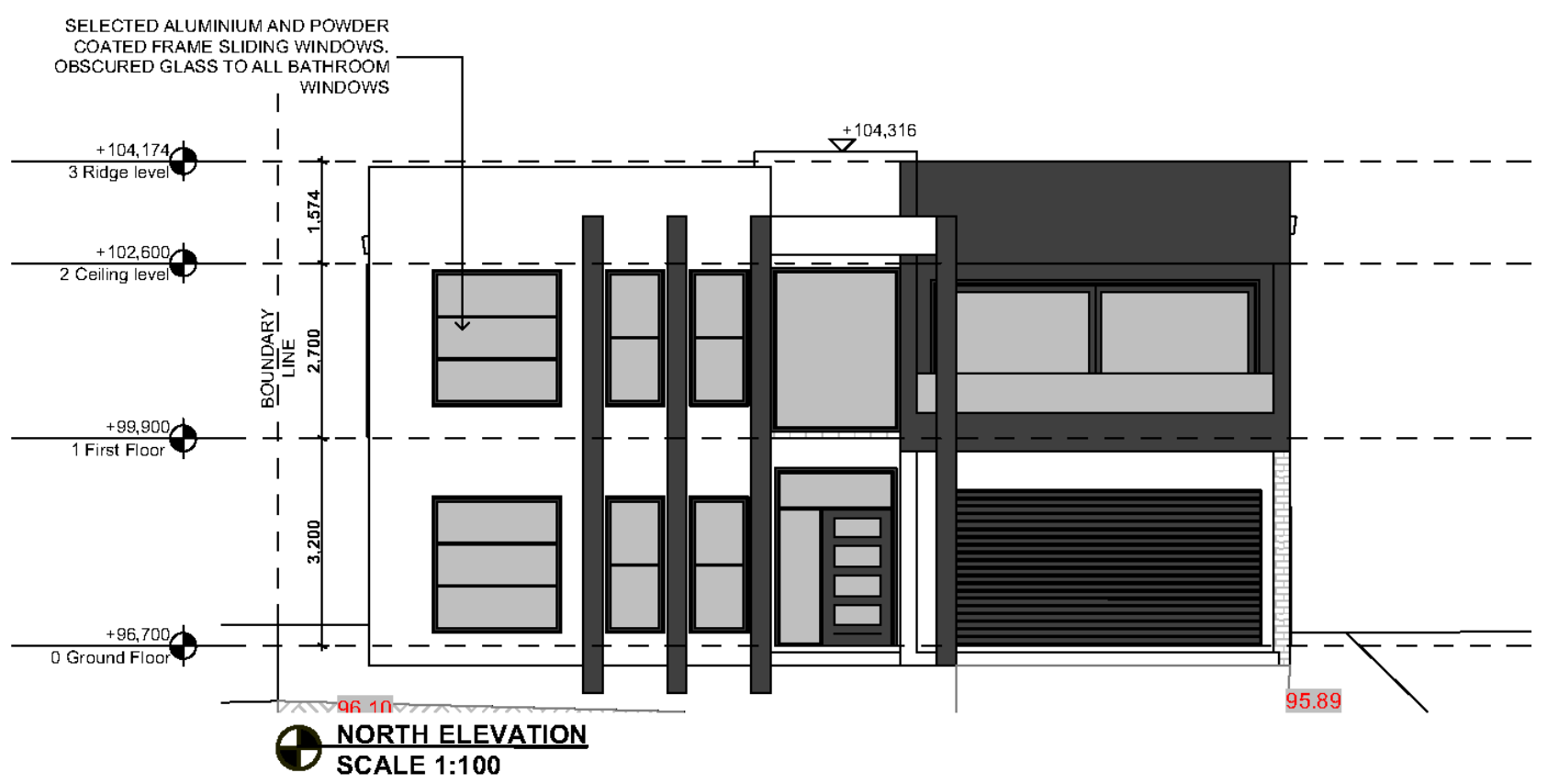
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C	AMENDED AS PER COUNCIL LETTER	12.04.2021	A.B
B	ISSUE FOR DA	12.04.2021	A.B
A	ISSUE FOR CLIENT'S REVIEW	12.01.2020	A.B

**GENERAL NOTES**  
Figured dimensions shall be taken in preference to scaling.  
Drawings to be read in conjunction with information on this page.  
Check all dimensions and levels on site before commencing work or ordering materials.  
All existing ground lines & levels located where appropriate, therefore to be verified on site by the builder.  
All workmanship and materials shall comply with all relevant codes, ordinances, Australian Standards and manufacturer's instructions.  
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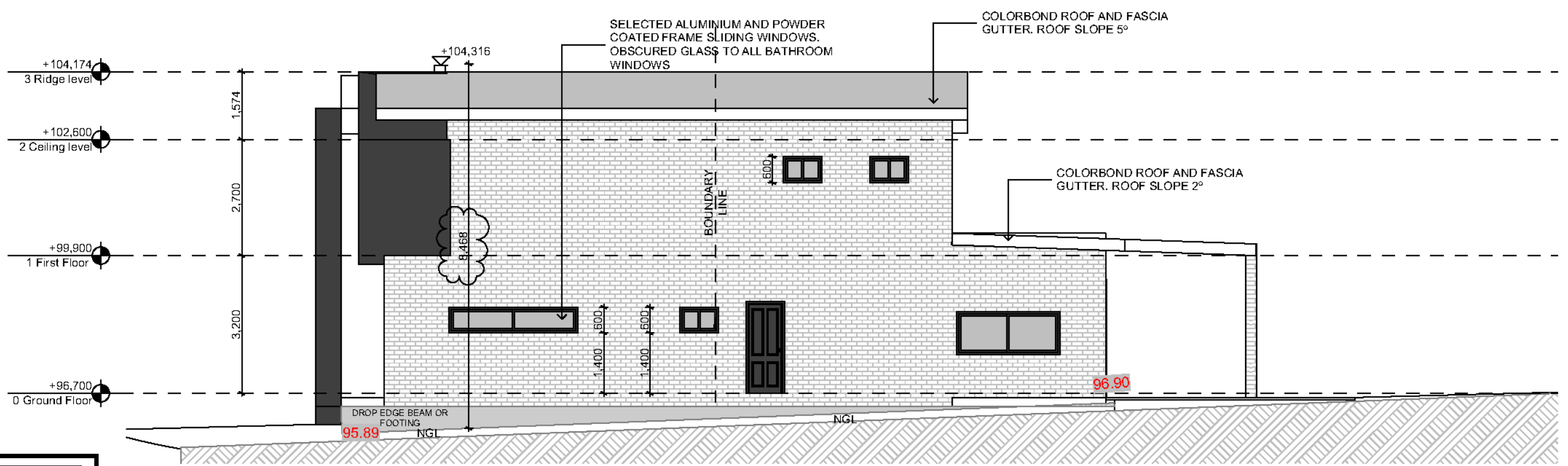
**FOR AUTHORITY APPROVAL**

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DRAWN: A.B  
CHECKED: A.B  
DATE: JAN-2021  
SCALE: AS MARKED @ A3  
LGA: CAMDEN COUNCIL

**PROPOSED TWO STOREY DWELLING & INGROUND SWIMMING POOL**  
STREET: 6 DUNSTAN STREET  
SUBURB: ORAN PARK  
COUNCIL: CAMDEN COUNCIL  
A3 SHEET.8



**NORTH ELEVATION**  
SCALE 1:100



**WEST ELEVATION**  
SCALE 1:100

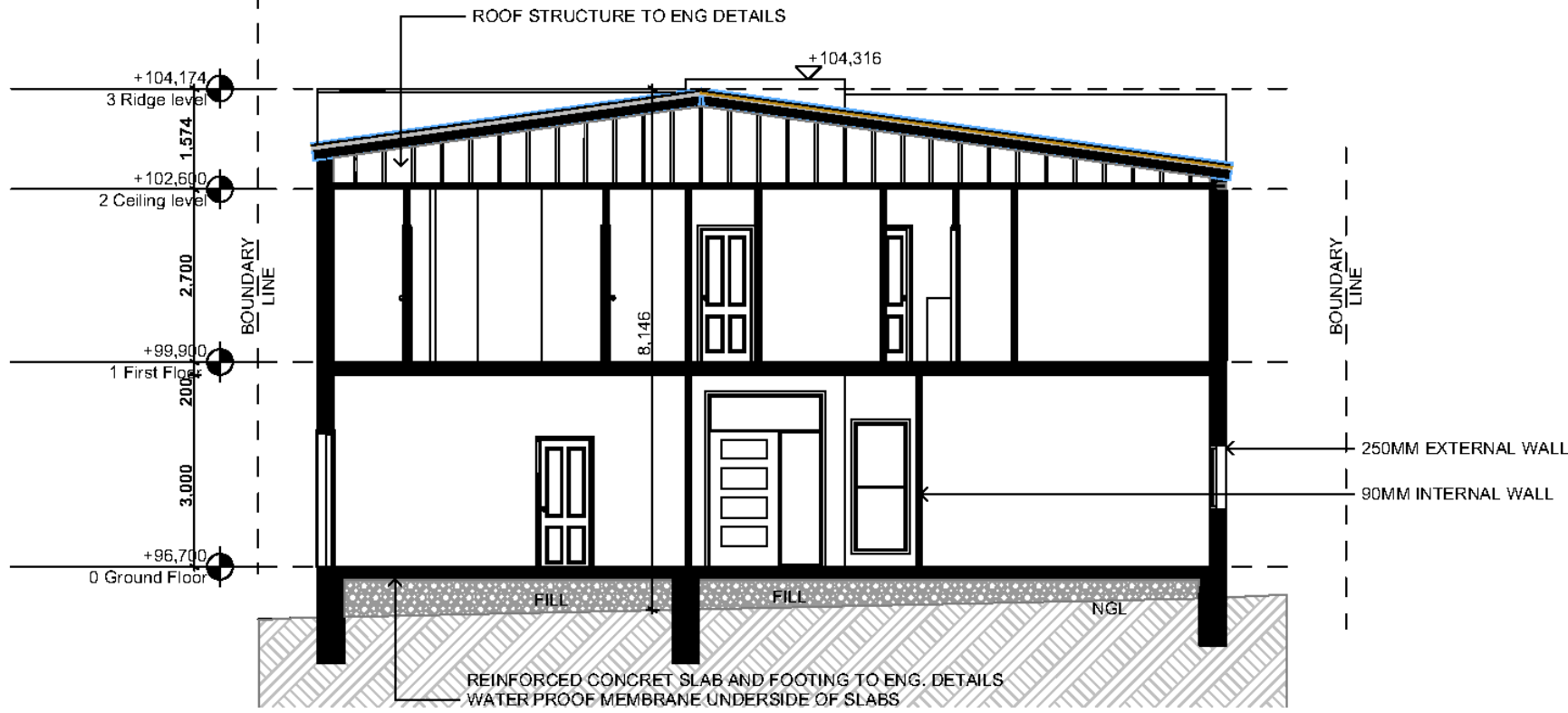
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D	29.07.2021	A.B
C	12.04.2021	A.B
B	12.04.2021	A.B
A	12.01.2020	A.B

**GENERAL NOTES**  
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 Drawing to be read in conjunction with information on first page.  
 Check all dimensions and levels on site before commencing work or ordering materials.  
 All existing ground lines & tree locations are approximate, therefore to be verified on site by the builder.  
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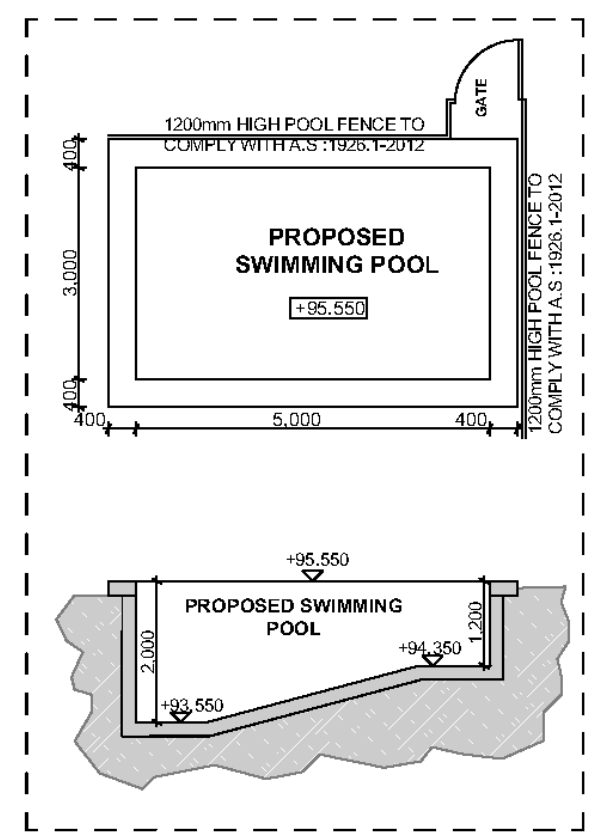
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 LGA: CAMDEN COUNCIL

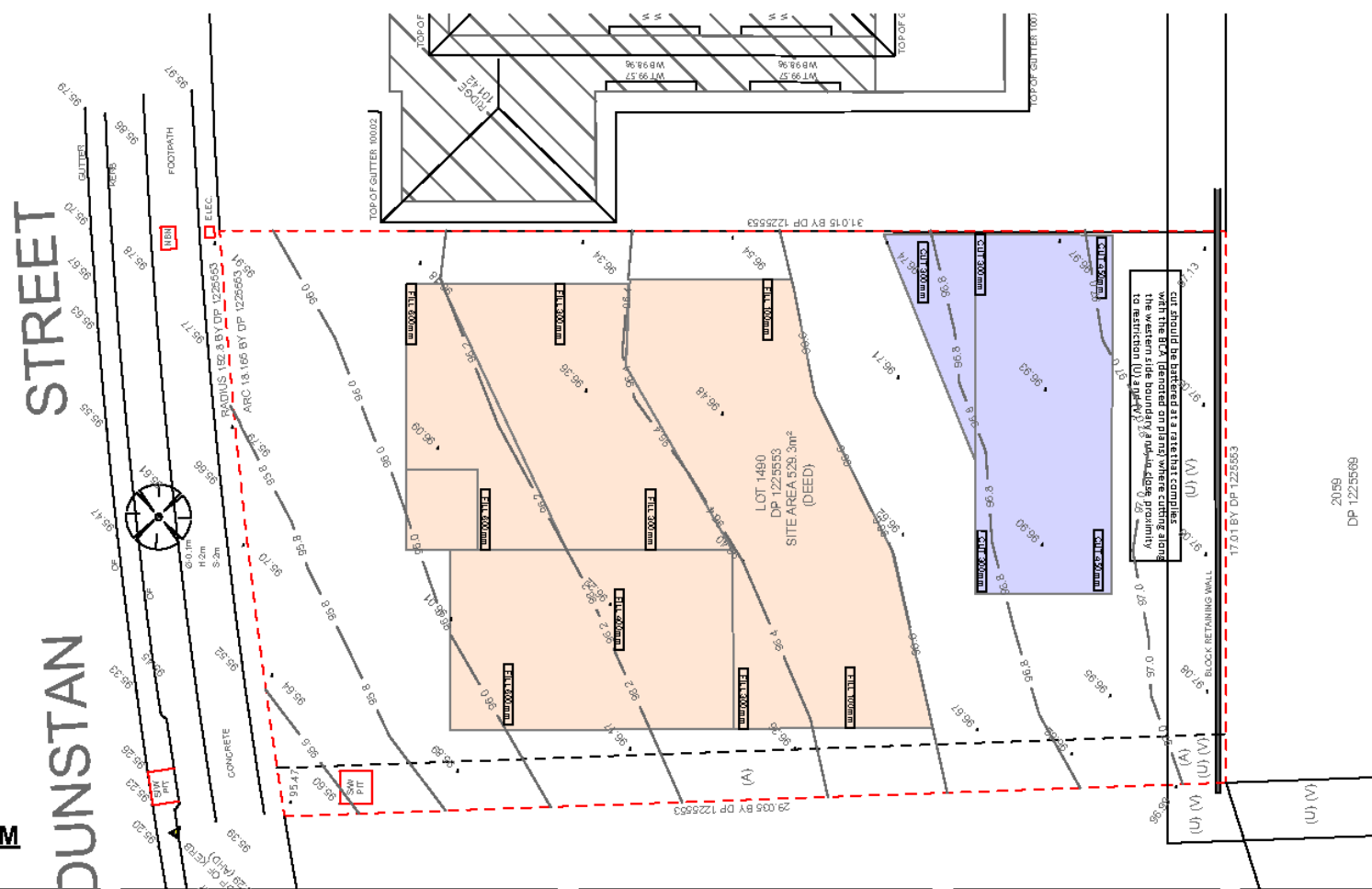
PROPOSED TWO STOREY DWELLING & INGROUND SWIMMING POOL  
 STREET: 6 DUNSTAN STREET  
 SUBURB: ORAN PARK  
 COUNCIL: CAMDEN COUNCIL  
 A3 SHEET.9



**SECTION**  
SCALE 1:100



**SWIMMING POOL PLAN & SECTION**  
SCALE 1:100



**CUT & FILL DIAGRAM**  
SCALE 1:200

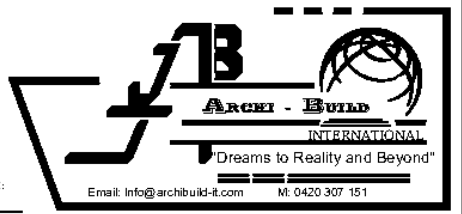
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C	AMENDED AS PER COUNCIL LETTER	12.04.2021	A.B
B	ISSUE FOR DA	12.04.2021	A.B
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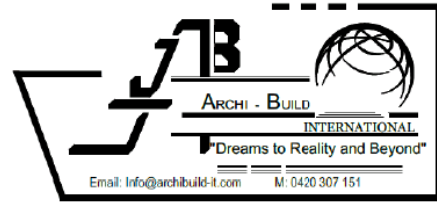
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SECTION:  
DRAWN: A.B  
CHECKED: A.B  
DATE: JAN-2021  
SCALE: AS MARKED @ A3  
LGA: CAMDEN COUNCIL

PROPOSED TWO STOREY DWELLING & INGROUND SWIMMING POOL  
STREET: 6 DUNSTAN STREET  
SUBURB: ORAN PARK  
COUNCIL: CAMDEN COUNCIL  
A3 SHEET.10





ARN: 300 016 077 755



CLPP02

June 2021



Camden Council

Attachment 5

**SITE:** 6 DUNSTAN STREET, ORAN PARK

**PROPOSAL:** CONSTRUCTION OF A DOUBLE STOREY DWELLING AND INGROUND POOL.

**RE:** 4.6 VARIATION TO HEIGHT OF BUILDINGS

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 contains its own variations clause (Clause 4.6) to allow a departure from a development standard. Clause 4.6 of the SEPP is similar in tenor to the former State Environmental Planning Policy No. 1, however the variations clause contains considerations which are different to those in SEPP 1. The language of Clause 4.6(3)(a)(b) suggests a similar approach to SEPP 1 may be taken in part.

This letter supports a written request varying **Height of Buildings** development standard prescribed in the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applying to the proposed Construction of a double storey dwelling and an inground swimming pool at 6 Dunstan Street, Oran Park. This submission should be read in conjunction with the Statement of Environmental Effects, architectural plans prepared by Archi-Build International and other consultant's reports.

#### Clause 4.6

- (1) The objectives of this clause are as follows—*
- (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.*

**Response:** The proposal seeks flexibility in application of the standard "Height of Buildings".

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the [Height of Buildings Map](#). The Height of Buildings for the site is 5m. The development proposes a maximum height of 8.468m (western elevation) being two (2) storeys to allow for a reasonable development of appropriate scale on the site.

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

**Response:** The development standard to be contravened is Clause 4.3(2) Height of buildings. The Consent authority is able to grant consent as this development standard is not expressly excluded from the operation of this clause.

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

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

**Response:** This submission is a written request for consideration by the consent authority.

Compliance with the development standard is unreasonable in the circumstances and there are sufficient environmental planning grounds to justify contravening the development standard.

The NSW Land and Environment Court in *Four2Five Pty LTD v Ashfield Council* [2015] NSWLEC 90, considered how this question may be answered and referred to the earlier Court decision in *Wehbe v Pittwater Council* [2007] NSWLEC 827. The court provided five tests as follows:

Test 1: The objectives of the standard are achieved notwithstanding non-compliance with the standard.

Test 2: The underlying object or purpose of the standard is not relevant to the development and compliance is unnecessary.

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

Test 4: The development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.

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

Additionally, of note, in the judgment in *Randwick City Council v Micaul Holdings Pty Ltd* [2016] NSWLEC 7 the Chief Judge upheld the Commissioner's approval of large variations to height and FSR controls on appeal. He noted that under clause 4.6, the consent authority (in that case, the Court) did not have to be directly satisfied that compliance with the standard was unreasonable or unnecessary, rather that the applicant's written request adequately addresses the matters in clause 4.6(3)(a) that compliance with each development standard is unreasonable or unnecessary.

In this regard, this written request establishes and adequately addresses the matters in clause 4.6(3)(a) that compliance with each development standard is unreasonable or unnecessary because the underlying objective of purpose of the standard is not relevant to the development irrespective of the non-compliance, and accordingly justifies the variation pursuant to Test 1, Test 4 and Test 5

### Test 1

The NSW Land and Environment Court in *Project Venture Developments v Pittwater Council [2005] NSWLEC 191*, considered *Scale and density in the context of the surrounding area* and formed the following planning principle: *Compatibility in the urban environment*. The first question that was asked was:

- *Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites*

The principle follows that in relation to the physical impacts (i.e. amenity), consideration is given to **noise, overlooking, overshadowing** and constraining development potential which can be assessed with relative objectivity (as was applied in this principle).

In relation to noise:

The DCP considers acoustics in relation to the sites location and properties of the development itself. The development is not located near a classified or heavy collector road that requires noise mitigation measures. The development is for a detached double storey dwelling of a residential nature that will eventually be surrounded by residential dwellings. The rooms in the dwelling are appropriately arranged to mitigate sound transmission.

In relation to overlooking:

The proposed dwelling includes upper floor windows that are appropriate for the room to which they relate and consider the adjoining properties habitable areas and private open space. Windows with a direct sightline to the habitable room windows in an adjacent dwelling within 9m are:

- offset from the edge of one window to the edge of the other by a distance sufficient to limit views into the adjacent window,
- have a sill height of 1.7m above floor level,

In relation to overshadowing:

Due to the orientation of the site (east to west) it is acknowledged that the neighbour to the south will experience some overshadowing however this is mitigated by increased setbacks on this orientation. The neighbouring dwelling is able to receive at least 3 hours of sunlight between 9am and 3pm at the winter solstice (21 June) to at least 50% of the required PPOS.

The second question that was asked was:

- *Is the proposal's appearance in harmony with the buildings around it and the character of the street?*

The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by **building height, setbacks and landscaping**. In special areas, such as conservation areas, **architectural style and materials** are also contributors to



character. As this site is not located within a conservation area the test is applied to **building height, setbacks and landscaping**

The principle provides that *Buildings do not have to be the same height to be compatible*. In this regard, the development proposes a detached two storey development consistent with the adjoining developments and developments adjacent:



**Figure 1:** 6 Dustan Street and development adjoining the subject site (Google Streetview)



**Figure 2:** 6 Dustan Street and development adjacent the subject site (Google Streetview)

The principle notes front and rear setbacks are an important element of urban character and determine the rhythm of building and void. While it may not be possible to reproduce the rhythm exactly, new development should strive to reflect it in some way to which the development provides setbacks consistent with the adjoining developments and in accordance with the requirements of the DCP.

Landscaping is also an important contributor to urban character. In the most common sense, the Commissioner provides that most people “experience the urban environment without applying the kind of analysis described above” and simply moving around a city is enough for a person to respond to their surroundings and like in the planning principle a streetscape elevation is provided as a plates throughout this document that shows that if simply taking a walk in this neighbourhood there is little chance that this development would be seen “out of context” and therefore within a compatible Scale and density in the context of the surrounding area.

Landscaping is provided to the front, sides and rear of the site and incorporates ground covers, low and taller shrubs, feature shrubs and trees in accordance with the requirements (and subsequent approval) of the Developer. The landscaping is consistent with the adjoining and adjacent dwellings which are subject to the same requirements and therefore the development is not likely to be seen to be out of context.

**Test 4**

In relation to the Fourth Way "The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable (Fourth Way)" it is noted that the following approvals have proposed the same variation and have been approved thereby abandoning the development standard:

- *CLPP02 – DA/2018/1109/1 - Construction of a Two Storey Dwelling - 2 Dunstan Street, Oran Park*

**REASONS FOR DETERMINATION**

- 1. The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being State Environmental Planning Policy (Sydney Region Growth Centres) 2006, State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 and Deemed State Environmental Planning Policy No. 20 – Hawkesbury-Nepean River.*
  - 2. The proposed variation to the maximum height of building (HoB) development standard prescribed under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 is considered acceptable in the particular circumstances of this case as compliance with the development standard is unreasonable and unnecessary and sufficient environmental planning grounds have been provided to justify contravening the development standard in this instance.*
  - 3. The proposed development is considered to be of an appropriate scale and form for the site and the character of the locality.*
  - 4. The proposed development, subject to the recommended conditions, will have no unacceptable adverse impacts upon the natural or built environments.*
  - 5. In consideration of the aforementioned reasons, the proposed development is a suitable and planned use of the site and its approval is within the public interest*
- *CLPP03 - DA/2018/1388/1 - Construction of Two Storey Dwelling House, Swimming Pool and Cabana, with Associated Site Works - 8 Dunstan Street, Oran Park*

**REASONS FOR DETERMINATION**

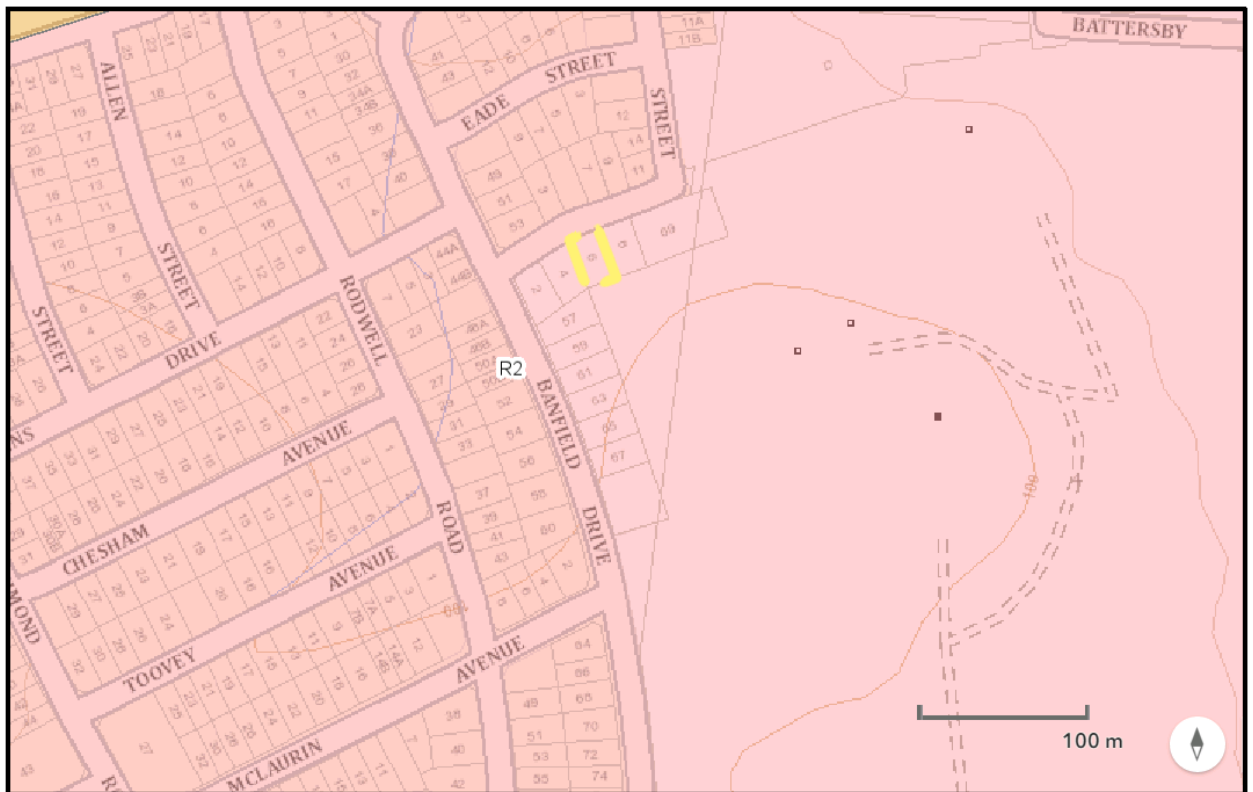
- 1. The Panel has considered the written request to vary State Environmental Planning Policy (Sydney Region Growth Centres) 2006 in relation to the height of buildings development standard. The variation satisfies the objectives of the zone and standard and is acceptable in the particular circumstances of this case. There would be no public benefit in maintaining the development standard.*
- 2. The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being, State Environmental Planning Policy (Sydney Region Growth Centres) 2006, State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004, State Environmental Planning Policy No 55 – Remediation of Land and Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River.*

- 3. The development is, subject to the recommended conditions, consistent with the objectives of the applicable development control plan, being Camden Development Control Plan 2011 and Camden Growth Centres Development Control Plan 2016.
- 4. The proposed development is considered to be of an appropriate scale and form for the site and the character of the locality.
- 5. The development, subject to the recommended conditions, is unlikely to have any unacceptable adverse impacts upon the natural or built environments.
- 6. In consideration of the above reasons, the proposed development is a suitable and planned use of the site and its approval is within the public interest.

**Test 5**

In relation to the Fifth Way "The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone (Fifth Way)".

**Response:** It is not the zone that is in question in this case, but the height of buildings. The zoning is consistent across the surrounding area as follows:



**Figure 3:** Land Zoning (NSW Planning Portal)

However the height of buildings is limited to a ring road around the open space (heritage area) to the rear of the site.

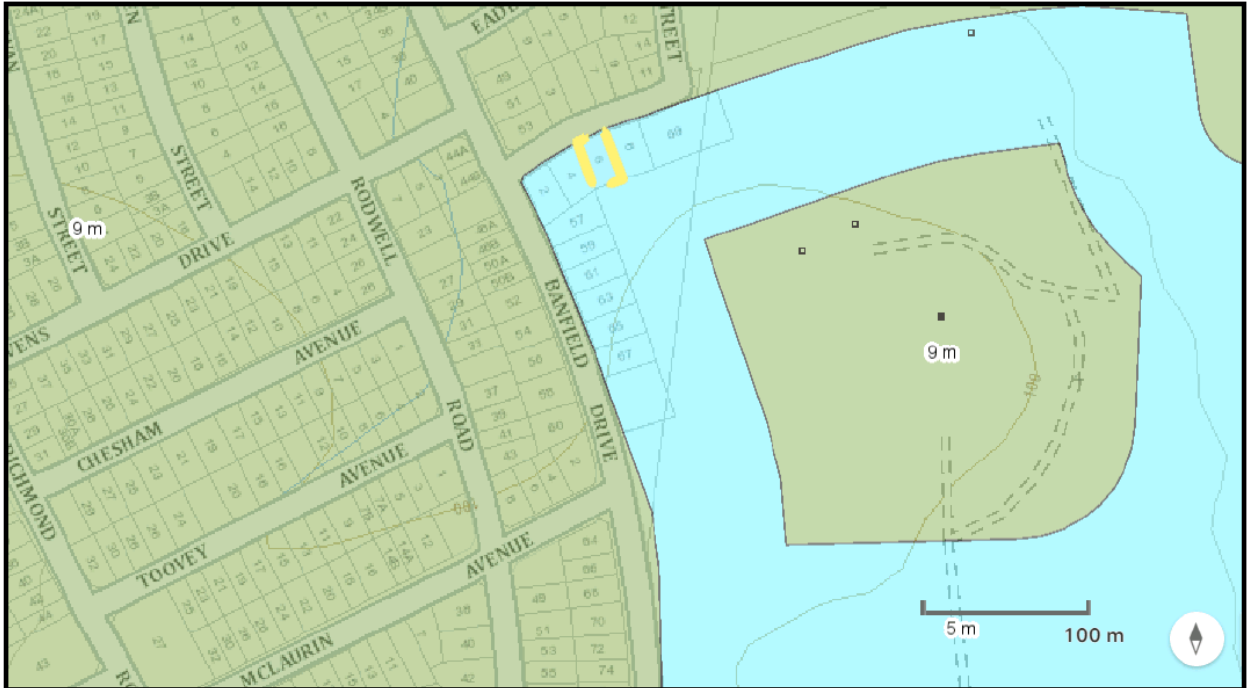


Figure 4: Height of Building (NSW Planning Portal)

However, this is not consistent to the south of the heritage site:

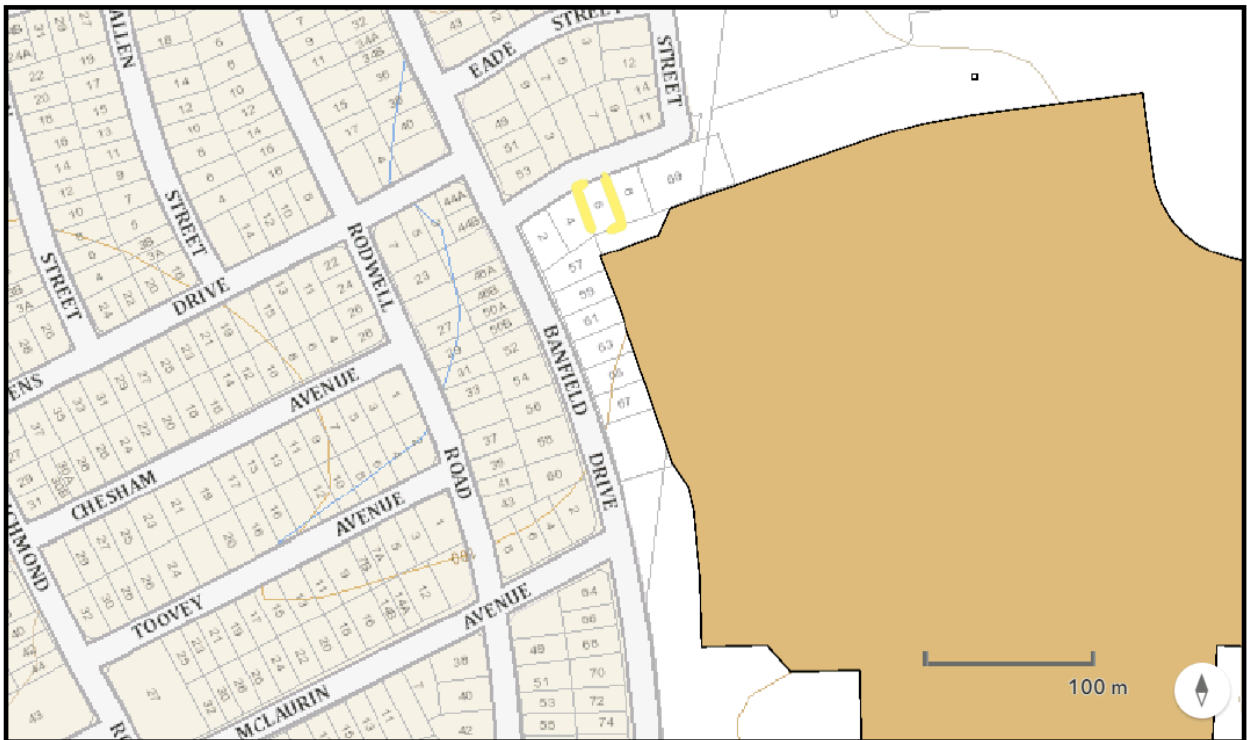


Figure 5: Heritage (NSW Planning Portal)

It is therefore more appropriate for the height of building to be consistent with those opposite (and the heritage item itself being 9m to which the proposed height of building complies.

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

*(a) the consent authority is satisfied that—*

*(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*

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

*(b) the concurrence of the Director-General has been obtained.*

**Response:** This letter satisfies that the applicant has provided a written request. The proposed development is in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out. The objectives 4.3 Height of Buildings are as follows:

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

*(b) to minimise visual impact and protect the amenity of adjoining development and land in terms of solar access to buildings and open space,*

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

**Response:** Test 4 has established that the height of buildings is not necessarily an indicator of the appropriate height of building for the site. The amenity of adjoining development has been adequately addressed in Test 1 and the site is not located in a commercial centre or major transport route.

The site is zoned R2 Low Density. The objectives of the zone are as follows:

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

**Response:** The development provides a dwelling that meets the housing needs of the community and provides a range of housing needs to meet the community.

- (5) *In deciding whether to grant concurrence, the Director-General must consider—*
- (a) *whether contravention of the development standard raises any matter of significance for State environmental planning, and*
  - (b) *the public benefit of maintaining the development standard, and*
  - (c) *any other matters required to be taken into consideration by the Director-General before granting concurrence.*

**Response:** The development does not raise any matters of significance. The development is considered within the public benefit and no other matters are required to be taken into consideration by the Director-General.

- (6) *Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if—*
- (a) *the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
  - (b) *the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.*

**Response:** The development does not propose the subdivision of land.

- (7) *After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).*

**Response:** It is expected that the consent authority will keep a record of the assessment.

- (8) *This clause does not allow development consent to be granted for development that would contravene any of the following—*
- (a) *a development standard for complying development,*
  - (b) *a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which [State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#) applies or for the land on which such a building is situated,*
  - (c) *clause 5.4.*

**Comment:** The development is not a complying development. The variation does not relate to BASIX or a standard under Clause 5.4.



**Conclusion**

In considering the abovementioned, the proposed development will be in the public interest as it is consistent with the objectives of the particular numerical control in which the development is proposed to be carried out.

The proposal will not result in any adverse impacts with regards to the amenity of the adjoining properties.

The proposed non-compliance is unlikely to result in any future precedents given the surrounding pattern of development and the combination of zoning and other associated controls currently in place.

In conclusion, the objection is considered to be well founded on planning grounds and compliance with the standard is unreasonable in the circumstances of the case.

If you have any further questions regarding the amended documents or plans, or the content of the above, please do not hesitate to contact us.

Yours Faithfully

Tania Hannaford  
Plan for tomorrow

Antoine Bechara  
Archi-Build International