



Camden Council

Business Paper

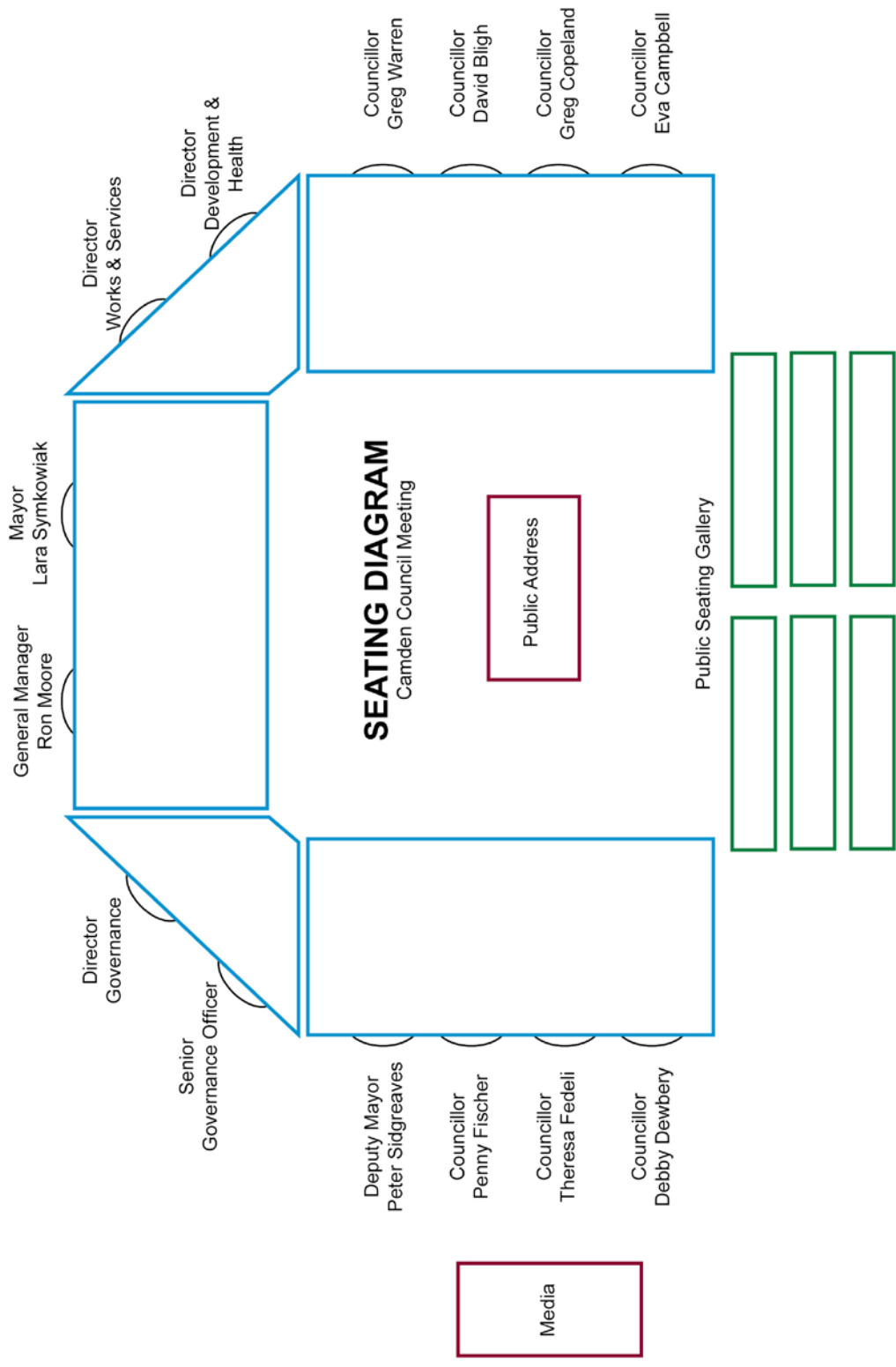
Ordinary Council Meeting
11 June 2013

Camden Civic Centre
Oxley Street
Camden



COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BCA	Building Code of Australia
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
DA	Development Application
DECCW	Department of Environment, Climate Change & Water
DCP	Development Control Plan
DDCP	Draft Development Control Plan
DPI	Department of Planning & Infrastructure
DLG	Division of Local Government, Department of Premier & Cabinet
DWE	Department of Water and Energy
DoH	Department of Housing
DoT	NSW Department of Transport
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning & Assessment Act
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
GCC	Growth Centres Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
MACROC	Macarthur Regional Organisation of Councils
OSD	Onsite Detention
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
RMS	Roads & Maritime Services (incorporating previous Roads & Traffic Authority)
SECTION 149 CERTIFICATE	Certificate as to zoning and planning restrictions on properties
SECTION 603 CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
SECTION 73 CERTIFICATE	Certificate from Sydney Water regarding Subdivision
SEPP	State Environmental Planning Policy
SRA	State Rail Authority
SREP	Sydney Regional Environmental Plan
STP	Sewerage Treatment Plant
VMP	Vegetation Management Plan
WSROC	Western Sydney Regional Organisation of Councils



**Please do not talk during Council Meeting proceedings.
Recording of the Council Meeting is not permitted by members of the public at any time.**



ORDINARY COUNCIL

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ORDINARY COUNCIL

SUBJECT: PRAYER

PRAYER

Almighty God, bless all who are engaged in the work of Local Government. Make us of one heart and mind, in thy service, and in the true welfare of the people we serve: We ask this through Christ our Lord.

Amen

Almighty God, give thy blessing to all our undertakings. Enlighten us to know what is right, and help us to do what is good: We ask this through Christ our Lord.

Amen

Almighty God, we pause to seek your help. Guide and direct our thinking. May your will be done in us, and through us, in the Local Government area we seek to serve: We ask this through Christ our Lord.

Amen

AFFIRMATION

We affirm our hope and dedication to the good Government of Camden and the well being of all Camden's residents, no matter their race, gender or creed.

We affirm our hope for the sound decision making by Council which can improve the quality of life in Camden.

Either – "So help me God" or "I so affirm" (at the option of councillors)

We pledge ourselves, as elected members of Camden Council, to work for the provision of the best possible services and facilities for the enjoyment and welfare of the people of Camden.

Either – "So help me God" or "I so affirm" (at the option of councillors)

ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGMENT OF COUNTRY

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

ORDINARY COUNCIL

SUBJECT: RECORDING OF COUNCIL MEETINGS

In accordance with Camden Council's Code of Meeting Practice and as permitted under the Local Government Act this meeting is being audio recorded by Council staff for minute taking purposes.

ORDINARY COUNCIL

SUBJECT: APOLOGIES

Leave of absence tendered on behalf of Councillors from this meeting.

RECOMMENDED

That leave of absence be granted.

ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

NSW legislation provides strict guidelines for the disclosure of pecuniary and non-pecuniary Conflicts of Interest and Political Donations.

Council's Code of Conduct also deals with pecuniary and non-pecuniary conflict of interest and Political Donations and how to manage these issues (Clauses 7.5 -7.27).

Councillors should be familiar with the disclosure provisions contained in the Local Government Act 1993, Environmental Planning and Assessment Act, 1979 and the Council's Code of Conduct.

This report provides an opportunity for Councillors to disclose any interest that they may have or Political Donation they may have received relating to a Report contained in the Council Business Paper and to declare the nature of that interest.

RECOMMENDED

That the declarations be noted.

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

The Public Address segment (incorporating Public Question Time) in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper agenda or on any matter within the Local Government area which falls within Council jurisdiction.

Speakers must book in with the Council office by 4.00pm on the day of the meeting and must advise the topic being raised. Only seven (7) speakers can be heard at any meeting. A limitation of one (1) speaker for and one (1) speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' and should only be considered where the total number of speakers does not exceed seven (7) at any given meeting.

Where a member of the public raises a question during the Public Address segment, a response will be provided where Councillors or staff have the necessary information at hand; if not a reply will be provided at a later time. There is a limit of one (1) question per speaker per meeting.

All speakers are limited to 4 minutes, with a 1 minute warning given to speakers prior to the 4 minute time period elapsing.

Public Addresses are recorded for administrative purposes. It should be noted that speakers at Council meetings do not enjoy any protection from parliamentary-style privilege. Therefore they are subject to the risk of defamation action if they make comments about individuals. In the event that a speaker makes potentially offensive or defamatory remarks about any person, the Mayor/Chairperson will ask them to refrain from such comments.

The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person.

RECOMMENDED

That the public addresses be noted.

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 28 May 2013.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 28 May 2013, copies of which have been circulated, be confirmed and adopted.

ORDINARY COUNCIL

ORD01

ORD01

SUBJECT: DEMOLITION OF AN EXISTING DWELLING AND ASSOCIATED STRUCTURES AND THE CONSTRUCTION OF 5 X 3 BEDROOM, TWO STOREY ATTACHED TOWNHOUSES, TREE REMOVAL AND ASSOCIATED SITE WORKS AT 38 OLD HUME HIGHWAY, CAMDEN

FROM: Director, Development & Health

BINDER: DA 1167/2012

APPLICATION NO: DA 1167/2012

PROPOSAL: Demolition of an existing dwelling and associated structures and the construction of 5 x 3 bedroom, two storey attached townhouses, tree removal and associated site works

PROPERTY ADDRESS: 38 Old Hume Highway, Camden

PROPERTY DESCRIPTION: Lot 4, DP 28081

ZONING: R3 Medium Density Residential

OWNER: Mr D A Stilloni and Ms M A Piccinin

APPLICANT: Mr D A Stilloni

SITE INSPECTION

A report was submitted to the Council meeting of 28 May, 2013. At that meeting Council resolved:

"That Council defer the matter pending a site inspection and a report be brought back to the next Council meeting."

A site inspection is to be held prior to the matter going before Council. Councillors to meet in the Council car park at 4.45pm or on-site at 5.00pm on Tuesday 11 June 2013.

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the demolition of an existing dwelling and associated structures, construction of 5 x 3 bedroom, two storey, attached townhouses, tree removal and associated site works at 38 Old Hume Highway, Camden.

The DA is referred to Council for determination as there remain unresolved issues received in 1 submission from the public and there is a proposed variation to Camden Development Control Plan 2011 (DCP).

SUMMARY OF RECOMMENDATION

That Council determine DA 1167/2012 for the demolition of an existing dwelling and associated structures, construction of 5 x 3 bedroom, two storey attached townhouses, tree removal and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the demolition of an existing dwelling and associated structures, construction of 5 x 3 bedroom, two storey attached townhouses, tree removal and associated site works at 38 Old Hume Highway, 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 outcome of this assessment is detailed further in this report.

The DA was publicly exhibited for a period of 14 days in accordance with the DCP. 1 submission was received (objecting to the proposed development). **A copy of the submission is provided with the Business Paper supporting documents.**

The issues raised in the submission relate to traffic and parking issues, both for the proposed development and upon the existing Camden South Primary School (located approximately 150m to the south of the site). These issues relate to traffic safety and a perceived reduction in the available on-site car parking spaces for school drop off and pick up. Concerns were also raised over non-compliance with the DCP controls, the loss of trees and habitat and residential amenity impacts.

Council staff have considered the traffic and parking impacts of the proposed development. As only 5 dwellings are proposed there will be only minimal additional traffic generated and no anticipated impacts upon traffic safety in the area. The proposed development will provide 10 on-site car parking spaces which is in excess of the 9 required by the DCP. There will be only minimal impacts on the availability on on-street car parking in the overall area.

The removal of vegetation on the site has been considered by Council staff. Much of the existing vegetation on the site could be removed without Council approval. None of the vegetation is listed on Council's significant tree register and its removal is necessary to facilitate the redevelopment of the site. The planting of replacement landscaping, including new Jacaranda trees along the site's Old Hume Highway frontage, will help to mitigate the proposed vegetation removal. Overall it is considered that the proposed removal of the vegetation on the site is reasonable and will not have any significant impacts upon fauna habitat or the residential amenity of the area.

The applicant proposes a variation to Section D2.2.3 of the DCP in relation to the minimum rear setback required for the dwellings. The DCP requires a rear setback of 6m however the proposed dwellings are only setback between of 5.44 and 5.78m at the rear.

Since the DA was originally lodged Council staff have worked with the applicant to reduce the proposed rear setback variation. Staff have assessed the variation and recommend that it be supported. The proposed variation is considered to be minor and necessary to facilitate a reasonable medium density development on the site which is a key objective of this zone. The reduced rear setback will not negatively impact upon adjoining properties or the surrounding area.

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

AERIAL PHOTO



THE SITE

The site is commonly known as 38 Old Hume Highway, Camden and is legally described as lot 4, DP 28081.

The site forms the northern corner of the Old Hume highway and Rosalie Avenue. The site has a frontage of approximately 61m to Rosalie Avenue, approximately 17m to the Old Hume Highway and an overall area of 1,037m².

The site currently accommodates a single storey timber clad cottage with a pergola, outhouse and vegetation. The site slopes downwards from west to east along Rosalie Avenue.

The surrounding properties are characterised by a mix of residential developments. The area contains detached dwellings, medium density dwellings and a residential flat building which lies directly to the north of this site. Camden Primary School lies approximately 150m to the south of the site.

The residential part of Camden lies to the north with the Camden Town Centre further to the north. The Nepean River, Camden Bypass and the developing residential suburb of Spring Farm lies to the east. To the south exists the residential suburb of Camden South and to the west lies Camden General Cemetery and the rural residential suburb of Cawdor.

HISTORY

Council does not have any records of any development approvals on this site. However the site's existing dwelling is believed to have been built prior to the 1970s.

THE PROPOSAL

DA 1167/2012 seeks approval for the demolition of an existing dwelling and associated structures, construction of 5 x 3 bedroom, two storey attached townhouses, tree removal and associated site works.

Specifically the proposed development involves:

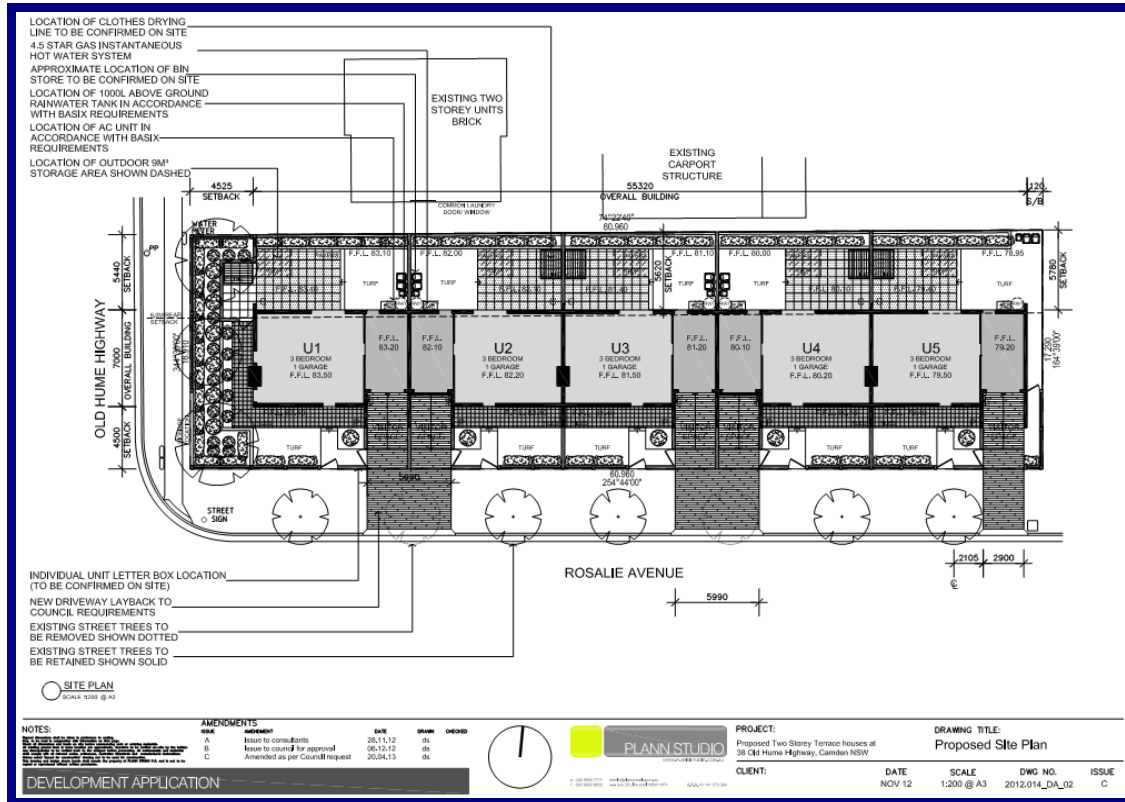
- demolition of the site's existing single storey dwelling and associated structures including a pergola and outhouse;
- removal of 14 trees;
- construction of 5 x 3 bedroom, two storey attached townhouses. Each dwelling will have a single attached garage. The dwellings will be of masonry construction with a grey painted finish;
- associated site works including drainage and landscaping; and
- display of a small building identification sign along the site's Old Hume Highway frontage identifying the dwellings as "Rosalie Terraces." This sign will have an area of 1.52m² (0.95m x 1.6m).

No subdivision of the land has been proposed as part of this DA.

The value of the works is \$850,000.

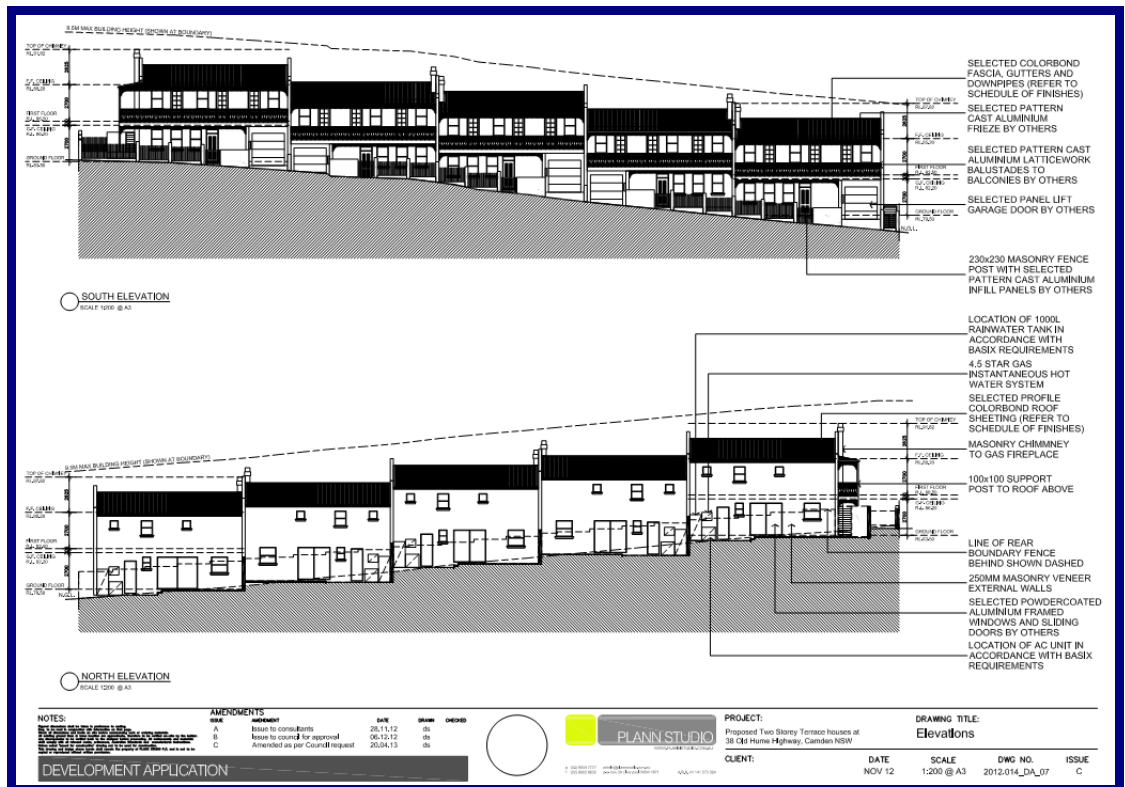
A copy of the proposed plans is provided as Attachment 1 to this report.

PROPOSED SITE PLAN

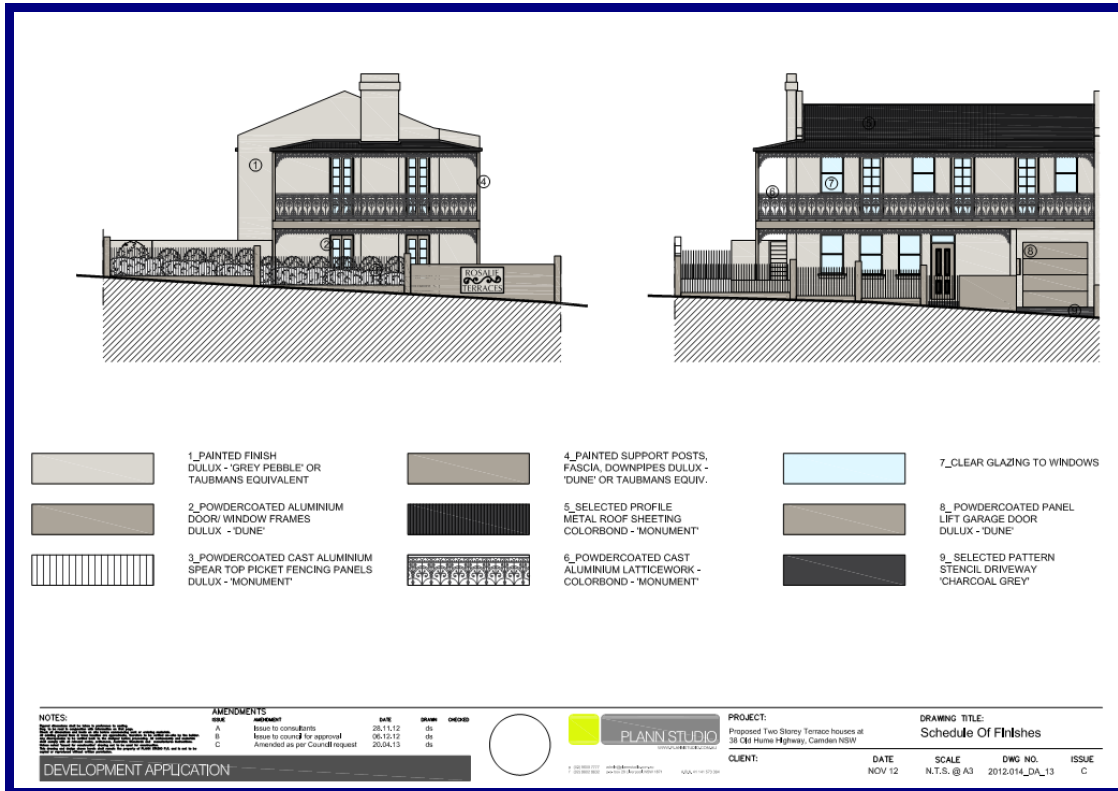


ORD01

PROPOSED ELEVATIONS



PROPOSED STREETSCAPE



ASSESSMENT

Environmental Planning and Assessment Act 1979 – Section 79(C)(1)

In determining a DA, the consent authority is to take into consideration the following matters as are of relevance in the assessment of the DA on the subject property:

(a)(i) The Provisions of any Environmental Planning Instrument

The Environmental Planning Instruments that relate to the proposed development are:

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy No 64 – Advertising and Signage
- Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River
- Camden Local Environmental Plan 2010

An assessment of the proposed development under the Environmental Planning Instruments is detailed below.

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

The SEPP aims to encourage sustainable residential development and requires DAs for such development to be accompanied by a list of BASIX commitments as to the manner in which the development will be carried out.

Council staff have reviewed the BASIX certificates for the proposed development and are satisfied that it has been designed to achieve the minimum targets for water,

thermal comfort and energy. It is a recommended condition that the proposed development is carried out in accordance with the commitments described in the BASIX certificates.

State Environmental Planning Policy No 64 – Advertising and Signage (SEPP)

The proposed development includes the display of a small building identification sign along the site's Old Hume Highway frontage identifying the dwellings as "Rosalie Terraces." This sign will have an area of 1.52m² (0.95m x 1.6m).

Pursuant to Clause 4(1) of the SEPP, the proposed sign is considered to be a "building identification sign" in that it simply identifies the dwellings but does not include the general advertising of products, goods or services.

The proposed sign has been assessed against the Schedule 1 assessment criteria of the SEPP. The sign is considered acceptable on the basis that:

- the sign is deemed compatible with the existing and desired future character of the area and complementary to the proposed dwellings for the site;
- the sign will not detract from any special areas such as residential or environmentally sensitive areas;
- the sign is small and attached to the dwelling's fence along the site's Old Hume Highway frontage. Therefore it is not considered that it will dominate the local skyline or unacceptably detract from views into, out of or through the area;
- the sign will provide some visual interest to the Old Hume Highway streetscape, is of an appropriate scale and form for this area and will not protrude above buildings or significant landscape features in the area;
- the scale and proportions of the sign are considered acceptable, having regard to its identification function, the proposed dwellings for the site, the surrounding landform and landscape features;
- the sign will not be illuminated; and
- given its proposed location and design, the sign will not reduce safety for passing pedestrians or motorists or that it will obscure any sight lines.

Overall it is considered that the proposed sign is consistent with the aims, objectives and Schedule 1 assessment criteria of the SEPP.

Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River (SEPP)

The proposed development is consistent with the aim of the SEPP (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.

There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development.

Camden Local Environmental Plan 2010 (LEP)

Permissibility

The site is zoned R3 Medium Density Residential under the provisions of the LEP. The proposed development is defined as "multi dwelling housing" by the LEP which is a permissible land use in this zone.

Objectives

The objectives of the R3 Medium Density Residential zone are as follows:

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

Officer comment:

The proposed development will increase the residential density of the site (5 dwellings as opposed to 1) and is therefore consistent with this objective.

- To provide a variety of housing types within a medium density residential environment.

Officer comment:

The proposed development provides a housing type that is consistent with the medium density outcome sought by this objective and is therefore consistent with it.

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

Officer comment:

This objective is not relevant to the proposed development as the proposal is for residential development.

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

Officer comment:

The proposed development will provide medium density development that is located in close proximity to the Camden town centre and other important activity centre including Camden hospital and Camden Primary School. It is considered the proposed redevelopment of this site is consistent with this objective.

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

Officer comment:

It is not considered that the proposed development will cause conflict between land uses within this or adjoining zones.

Relevant Clauses

The DA was assessed against the following relevant clauses of the LEP.

Clause	Requirement	Provided	Compliance
2.7 Demolition	Demolition requires consent	A demolition plan has been provided and the proposed demolition forms part of this DA	Yes
4.3 Height of Buildings	Maximum 9.5m building height	Proposed building heights range from 8.3m to 9.2m	Yes

(a)(ii) The Provisions of any Draft Environmental Planning 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 Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)).

There is no draft Environmental Planning Instrument applicable to the proposed development.

(a)(iii) The Provisions of any Development Control Plan

Camden Development Control Plan 2011 (DCP)

The following is an assessment of the proposed development's compliance with the controls in the DCP. Discussion of any variations of the controls is provided after the compliance table.

Control	Requirement	Provided	Compliance
B1.1 Erosion and Sedimentation	Erosion and sediment control measures	Appropriate erosion and sedimentation controls are required via a recommended condition	Yes
B1.2 Earthworks	Maximum cut and fill shall not exceed 1m	Minimal cut and fill is proposed (less than 1m and only in certain areas) and the proposed development respects the sloping topography of the site	Yes
B1.3 Salinity Management	Salinity resistant construction	The proposed development will be constructed to be salinity resistant	Yes
B1.4 Water Management	Demonstrate how stormwater will be managed in accordance with Council's Engineering Specifications	The applicant has provided concept stormwater plans outlining how stormwater will be managed through on site detention in accordance with Council's Engineering Specifications	Yes

Control	Requirement	Provided	Compliance
B1.5 Trees and Vegetation	Protect trees and vegetation that contribute to the ecological, botanical, cultural, heritage and aesthetic of the LGA.	The DA proposes to remove 14 existing trees from the site. No trees on site are listed on Council's significant tree register. A number of the trees are dead and others would not require Council approval to be removed. Their removal will help facilitate the redevelopment of the site, will not have any adverse ecological or amenity impacts and is supported	Yes
B1.9.1 Waste Management Plan	A waste management plan is required	An appropriate waste management plan has been provided	Yes
B1.9.6 WMP for Multi Dwelling Housing, Attached housing and residential flat buildings	Waste management plan showing the location and storage of garbage receptacles on each site demonstrating collection points and path of travel	A site plan showing locations for bin storage behind the building line and paths of travel to the street has been provided for each dwelling	Yes
B4.1 General Requirements for Signs	Signs to not detract from amenity/character	The proposed sign will not detract from the amenity or character of the area due to its design, location and graphic	Yes
	Signs must be in scale with development	The proposed sign is in scale with the building and is not considered to be inconsistent with the existing area due to its size, position and graphic	Yes
	Signs must be located wholly with property boundaries	The proposed sign is located wholly within the property boundaries	Yes
B4.1 Signs in Residential Zones	Signs to not detract from amenity/character	The proposed sign will not detract from the amenity or character of the area due to its design, location and graphic	Yes

Control	Requirement	Provided	Compliance
	Signs must be located wholly with property boundaries	The proposed sign is located wholly within the property boundaries	Yes
	Illuminated signs are not permitted	The proposed sign will not be illuminated	Yes
B5.1 Off-street Car Parking Rates and Requirements	1 space per dwelling plus 0.5 spaces per each 3 bedroom dwelling and 1 visitor space per 5 dwellings. Therefore: 5 x 3 bedroom dwellings = 7.5 plus 1 visitor space = 8.5 (9 spaces)	10 off-street car parking spaces have been provided which complies with the DCP	Yes
D2.1.5 Private Open Space (POS), Site Cover and Landscape Area	Dwellings must comply with the minimum landscaped area of 30%	30%	Yes
	Each dwelling must be provided with a minimum of 20% POS	20% POS has been provided for each dwelling	Yes
	POS minimum area of 24m ² , minimum length of 4m and at a grade of 1:10	Minimum 24m ² POS has been provided with minimum dimensions of 4m and grades less than 1:10	Yes
	Solar access for 50% of POS for minimum 3hrs between 9am and 3pm	50% of POS receives a minimum of 3hrs between 9am and 3pm	Yes
	North facing windows shall receive at least 3 hours solar access	3 hours solar access has been demonstrated for north facing windows	Yes
	North facing windows to neighbouring properties shall not have solar access reduced to less than 3 hours	Solar access to neighbouring properties will not be reduced by the proposed development as shadows from the dwellings will be largely cast shadows to the	Yes

Control	Requirement	Provided	Compliance
	<p>At least one principal living area of a dwelling should face predominately north</p> <p>Principal private open space must be adequately screened from adjacent dwellings</p> <p>At least 65% of POS shall be soft landscaping</p>	<p>south onto Rosalie Avenue</p> <p>Kitchen and living areas for each dwellings face predominately north</p> <p>The proposed development provides sufficient screening between dwellings to ensure privacy is maintained</p> <p>A condition is recommended to ensure compliance with this control</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
D2.2.3 Multi Dwelling Housing	Encourage high quality residential developments and amenity whilst ensuring sites have sufficient area to accommodate appropriate setbacks, open space areas	The proposed development provides a quality design that will provide a high level of amenity to future residents whilst complying with Council's open space the majority of setback requirements. The dwellings are of a compatible design and suitable for the character and streetscape of the surrounding area	Yes
Image and Legibility	Development should be reflective of existing character, compatible with the streetscape and avoid design repetition, whilst providing clear differentiation between private areas and communal areas and car parking	The style of the proposed development is Victorian terrace which involves a repetitious design however the design is considered to be of a high quality and compatible with the surrounding area. The proposal clearly differentiates public from private spaces through boundary fencing thereby ensuring each dwelling has a clearly defined street frontage	Yes
Access and Entries	Minimise vehicular and pedestrian entry points, providing a pedestrian route	The site has direct street frontage and has been designed to minimise vehicular access points	Yes

Control	Requirement	Provided	Compliance
	safe route and accessibility to people with lesser mobility	to ensure safe pedestrian access	
Car Parking and Access	Parking be provided in accordance with Section B5, parking to be located in view of residents and to be located away from bedrooms	The car parking provided complies with Section B5 as stated above, and can be viewed by residents from first floor balconies	Yes
Storage	Each dwelling has separate secure storage space of 8m ³	9m ³ of secure storage space is provided behind the building line for all dwellings	Yes
Private open Space (POS)	POS to be provided in D2.1.5 of this DCP	The proposed development fully complies as described previously in this table	Yes
Communal open Space and Landscaping	Each development should incorporate an area of communal open space with landscaping designed in accordance with section D2.1.5, the design should minimise water usage and maintenance	The proposed development does not provide a communal open space as the proposal is designed to give all dwellings sufficient private open space. The proposal does not warrant a communal space and the DCP control is aimed at providing such spaces within larger townhouse developments	Yes
Security	Designed to Council's Safer by Design guidelines	The proposal has been designed to provided for an active street frontage allowing passive surveillance and territorial reinforcement to the site as the proposal clearly delineates public and private space	Yes
Site Requirements	Primary frontage 25m (small developments)	61m frontage to Rosalie Avenue	Yes
Front Setback	4.5m	4.5m	Yes
Secondary Street Setback	4.5m	4.52m	Yes
Side Setback	0.9m	1.2m	Yes
Rear Setback	6m	5.44-5.78m	No – DCP variation 1

Control	Requirement	Provided	Compliance
Garage Setback	1m behind building line (5.5m from front boundary)	5.5m	Yes
Site Coverage (max)	50%	35.4%	Yes
Landscape Area	30%	30%	Yes
Private Open Space	20%	A minimum of 20% of the site has been provided as private open space	Yes
Principal Private Open Space (PPOS)	24m ² with a minimum dimension of 4m at ground level	All units have a minimum dimension of 4m ranging and areas ranging from 25.2m ² to 26.8m ²	Yes
Gradient of PPOS	1:10	Level platforms are provided for each dwelling's PPOS	Yes
Solar access to PPOS	3 hours between 9.00-3.00pm on 21 June	A minimum of 3 hours of solar access between 9-3pm has been demonstrated for each dwelling	Yes
Garage Width	Maximum 50% of the front elevation	The garage widths are a maximum of 36% of the dwellings' front elevations	Yes

DCP Variation 1 – Rear Setbacks

DCP Control

The DCP requires a rear setback of 6m for each dwelling. The proposal development provides a rear setback that varies in depth from 5.44 to 5.78m for each dwelling.

Variation Request

The applicant has requested that Council support a variation to this DCP control on the basis that:

- the proposed development requires this minor non-compliance due to the depth of the site and the requirement to meet front setbacks for the dwellings;
- the proposal meets the aims and objectives of the controls by providing the required open space, parking, landscaping and front and side setbacks; and
- the proposed development will not result in a loss of amenity in terms of solar access, overshadowing or privacy as a result of the non-compliance.

Council Staff Assessment

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

- the proposed setback variation will not result in any negative impacts upon the adjacent apartment building at the rear of the site. It is noted that the apartment building has only a low carport structure adjoining part of its shared boundary with the subject site;
- the proposed development complies with all other objectives and controls specified in the DCP;
- the proposal is consistent in style and density to other developments in the surrounding area and is considered consistent with the local character; and
- the proposed development provides a good development outcome for the site and assists in achieving the overall strategic objective of the zone to provide quality medium density developments.

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

(a)(iia) The Provision of any Planning Agreement that has been entered into under Section 94F, or any draft Planning Agreement that a developer has offered to enter into under Section 93F

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

(a)(iv) The Regulations

The Regulations prescribe several matters that are addressed in the conditions contained in 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 proposed development is unlikely to have a significant impact on both the natural and built environments, and the social and economic conditions of the locality.

(c) The suitability of the site

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

(d) Any submissions made in accordance with this Act or the Regulations

The DA was publicly exhibited for 14 days in accordance with the DCP. The exhibition period was from 27 February to 13 March 2013. 1 submission was received (objecting to the proposed development).

The following discussion addresses the issues and concerns raised in the submission.

1. *The application does not comply with the DCP for medium density housing, in particular the rear set back requirement of 4.5m and approval of this application will result in establishing significant precedent in Camden*

Officer comment:

The plans originally submitted with the DA proposed a significant variation to the rear setback control of 6m by providing only a 4m setback, which Council staff did not support. Following discussions with Council staff the applicant has amended the plans to reduce the non compliance to a rear setback of between 5.44 and 5.78m.

This non-compliance is supported by Council staff on the basis that it will not result in any negative impacts upon the adjacent apartment building at the rear of the site.

2. *Concerns that insufficient off-street car parking spaces have been provided and that the stacking of parking does not comply with the DCP and will encourage more on street parking*

Officer comment:

The proposed development will provide 10 off-street car parking spaces. This complies with Part B5.1 of the DCP which requires 9 spaces to be provided. Therefore sufficient off-street car parking spaces will be provided for the proposed development.

3. *Traffic volumes on Old Hume Highway make it difficult to turn right into Rosalie Avenue. The increase in driveways accessing Rosalie Avenue will exacerbate this issue.*

Officer comment:

The proposal will increase the residential density on the site. The design of the development, including the driveway location has been assessed and is considered satisfactory in relation to access and safety. The additional vehicle movement generated by the development can be accommodated within the capacity of the existing road network.

4. *The increase in number of driveways will decrease on street parking available. On street parking is required for school drop off and pick ups and school events.*

Officer comment:

Camden South Primary School's main entrances are located on the Old Hume Highway approximately 150m away from Rosalie Avenue. Whilst the additional driveways will reduce on-street car parking availability this is not considered to be significant.

5. *The proposal will require visitors to park on street due to the parking configuration proposed (stacking).*

Officer comment:

The proposed development provides parking spaces in excess of those required by the DCP. Whilst visitor spaces are provided in front of each dwelling's garage this is no different than detached residential dwellings with single garages.

6. *The objector identifies that the removal of trees on site will reduce their level of amenity and enjoyment of the surrounding area*

Officer comment:

The planting of replacement landscaping, including new Jacaranda trees along the site's Old Hume Highway frontage, will help to mitigate the proposed vegetation removal. Overall it is considered that the removal of the vegetation on the site is reasonable and is necessary to facilitate the redevelopment of the site and will not have any significant impacts upon the residential amenity of the area.

7. *Concerns are raised over the loss of habitat on site and the resulting loss in nesting places for local birds such as wrens and finches.*

Officer comment:

The removal of vegetation on the site has been considered by Council staff. Much of the existing vegetation on the site could be removed without Council approval. None of the vegetation is listed on Council's significant tree register and its removal is necessary to facilitate the redevelopment of the site. It is not considered that their removal will adversely affect nesting places for wrens and finches in the area, particularly given that replacement landscaping is proposed.

8. *Concerns on the impact of the development on a large Oak tree on the adjoining property to the east*

Officer comment:

Council staff has assessed the proposed development and do not consider that it will adversely impact upon this adjoining tree. A condition is recommended to ensure that this tree is protected during construction works.

(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 proposed development is consistent with the public interest.

EXTERNAL REFERRALS

No external referrals were required for the proposed development.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 1167/2012 is recommended for approval subject to the conditions contained in this.

CONDITIONS

1.0 - General Requirements

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

- (1) **Development in Accordance with Plans** – The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

Plan / Development No.	Description	Prepared by	Dated
2012.014_DA_02 Issue C	Site Plan	Plann Studio	20.4.13
2012.014_DA_12 Issue C	Demolition/ waste management Plan	Plann Studio	20.4.13
2012.014_DA_03 Issue C	Ground Floor Plan	Plann Studio	20.4.13
2012.014_DA_04 Issue C	First Floor Plan	Plann Studio	20.4.13
2012.014_DA_06 Issue C	Roof Plan	Plann Studio	20.4.13
2012.014_DA_07 Issue C	Elevations	Plann Studio	20.4.13
2012.014_DA_08 Issue C	Elevations/section	Plann Studio	20.4.13
2012.014_DA_11 Issue C	Landscape Plan	Plann Studio	20.4.13
2012.014_DA_13 Issue C	Schedule of Finishes	Plann Studio	20.4.13

Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions of this consent override the approved plans/documentation to the extent of the inconsistency.

- (2) **Building Code Of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (3) **Landscaping Installation, Removal, Replacement, Establishment and Maintenance Costs** - The applicant will be responsible for all costs involved with the site landscaping and nature strip street tree, removal, replacement, installation, establishment and maintenance works. The costs involved will include, but not limited to, such items as electricity costs and water usage.
- (4) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The 12 month maintenance and establishment period includes (but not limited to) the Applicant's responsibility for the establishment, care and repair of all street tree installations.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

It is the Applicant's responsibility to arrange a site inspection with the Principal Certifying Authority (PCA), upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

At the completion of the 12 month landscaping maintenance and establishment period any nature strip street trees, street tree protective guards and bollards must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth

- (5) **Demolition WorkCover NSW Notifications and Permits** - All demolition work must be notified to WorkCover NSW at least seven (7) days before work starts in accordance with Clauses 333 and 345 of the Occupational Health and Safety Regulation 2001.

Demolition work must not begin until a WorkCover NSW stamped copy of the notification has been received and is displayed on site for inspection by any interested party.

- (6) **General Requirement** - All activities associated with the development must be carried out in an environmentally satisfactory manner as defined under Section 95 of the *Protection of the Environment Operation Act 1997*.

- (7) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with: -

- (a) Camden Council's current Engineering Specifications; and
- (b) Camden Council's Development Control Plan 2011.

2.0 - Construction Certificate Requirements

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

- (1) **Salinity** - Council's Salinity Management Policy is to be implemented in this development. Details of compliance shall be forwarded to the certifying authority for approval with the Construction Certificate application.
- (2) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$4,587 per additional lot or dwelling, total \$18,348, for **Open Space, Recreation & Community Land**.

The contribution must be indexed by the methods set out in Paragraph 2.15.2 of the plan and paid Prior to the issue of a Construction Certificate.

The monetary contribution may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed prior to the release of a Construction Certificate.

- (3) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$6,247 per

additional lot or dwelling, total \$24,988, for **Recreation & Community Facilities, Volunteer Emergency Services Facilities and Plan Preparation & Administration Services.**

The contribution must be indexed by the methods set out in Paragraph 2.15.1 of the plan and paid Prior to the issue of a Construction Certificate.

- (4) **Traffic Management Plan** – A construction traffic management plan is required in accordance with Camden Council's current Engineering Design Specifications.
- (5) **Driveways** - The proposed driveways shall be designed with a maximum grade of 4% across the Rosalie Avenue and internal graded to comply with the AS 2890.1.
- (6) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with the relevant Development Control Plan and Engineering Specifications and are to be submitted For Approval To The Principal Certifying Authority prior to the Engineering Construction Certificate being issued.
 - (a) under the *Roads Act 1993*, only the Council can issue a Construction Certificate for works within an existing road reserve.
 - (b) under section 109E of the *Environmental Planning and Assessment Act 1997*, Council must be nominated as the Principal Certifying Authority for subdivision work and has the option of undertaking inspection of physical construction works.
- (7) **Civil Engineering Details** - The developer must submit details of all engineering works on engineering plans to the Certifying Authority for approval prior to a Construction Certificate being issued.
- (8) **Public Risk Insurance Policy** - Prior to the issue of the Construction Certificate, the owner or contractor is to take out Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.
- (9) **Drainage Design** - A stormwater management plan is to be prepared prior to the issue of a Construction Certificate to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This Plan must be submitted and approved by the Principal Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.
 - The submitted drainage concept plan is not approved and should be amended to Comply with the council's design specifications. The location of the facility must be wholly with in the private property outside of the existing easement.
 - Detail drainage design for the proposed drainage system shall be prepared by an engineer or qualified and experienced person on hydraulics and hydrology in accordance with the Council's Design Specifications and comply with the approved architectural plans.

- The Principal Certificate Authority shall obtain a Design Compliance Certificate from a hydraulic engineer/consultant confirming that the proposed drainage design complies with the Council's Design Specification and the relevant conditions of the Development Consent, prior to the issue of the Construction Certificate.
- (10) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, footpaths, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council prior to the issuing of the Construction Certificate.
- The survey must include descriptions of each photo and the date when each individual photo was taken.
- (11) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following:
- (a) all matters associated with Council's Erosion and Sediment Control Policy.
 - (b) all matters associated with Occupational Health and Safety.
 - (c) all matters associated with Traffic Management/Control.
 - (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (12) **Amended Landscaping Plan** - A revised landscaping plan demonstrating a minimum 65% of the private open space for each dwelling as soft landscaping must be provided to the Certifying Authority prior to the issue of a Construction Certificate.

3.0 - Prior To Works Commencing

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

- (1) **Information Required Prior to Demolition** - The demolisher shall lodge with Camden Council or the Principal Certifying Authority at least 48 hours prior to the commencement of demolition work the following details:
- (a) written notice indicating the date when demolition of the building is to commence;
 - (b) copy of the demolition licence and details of name, address and business hours contact telephone number;
 - (c) a copy of the applicable asbestos licence (if required for demolition works involving asbestos);
 - (d) copy of the WorkCover NSW permit for the demolition works;
 - (e) copy of the WorkCover NSW stamped notification form including any asbestos removal notification.

- (2) **Notice to Adjoining Properties of Demolition** - The following matters must be satisfied prior to and during demolition:
- (a) seven days prior to the commencement of demolition, the applicant shall give written notice to adjoining land owners and residents, advising of the commencement date for the demolition works;
 - (b) safe access to and from adjoining buildings shall be maintained at all times;
 - (c) no demolition activity shall cause damage to or adversely affect the structural integrity of any adjoining building;
 - (d) consideration shall be given to the need for shoring and underpinning, and to changes in soil conditions as a result of the demolition, and appropriate measures implemented;
 - (e) the affects of vibration and concussion on adjoining buildings and their occupants must be minimised;
 - (f) where the surface of an adjoining building is exposed by demolition, the need for weatherproofing the exposed surface shall be investigated and temporary or permanent protection provided as appropriate; and
 - (g) the demolition of below ground walls which support the adjoining ground shall not be undertaken until it is established that demolition will not cause the collapse of the adjoining ground, or effective lateral support is provided to prevent collapse.

- (3) **Hoardings and Security Fencing** - The site must be enclosed with a suitable temporary hoarding or security fence of a type approved by Camden Council.

No site or demolition works must commence before the hoarding or fence is erected. Public thoroughfares must also not be obstructed in any manner whatsoever during demolition works.

All demolition works must comply with the requirements of AS2601:2001 - Demolition of structures.

- (4) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water.
- (5) **Erection of Signs** – Shall be undertaken in accordance with Clause 98A of the Environmental Planning and Assessment Regulation 2000.
- (6) **Toilet Facilities** - Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or

- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (7) **Notice Of Commencement Of Work and Appointment of Principal Certifying Authority** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act 1979* and clauses 103 and 104 of the *Environmental Planning and Assessment Regulation 2000* shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building or subdivision works.
- (8) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of *Building Code of Australia*. Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.
- (9) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point. Council's standard detail (SD 31) shall be used for construction.
- (10) **Performance Bond** - Prior to the issue of the Construction Certificate a performance bond of \$15,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (11) **Soil Erosion And Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

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

Where a soil erosion and sediment control plan (or details on a specific plan) has been approved with the development consent, these measures must be implemented in accordance with the approved plans. In situations where no plans or details have been approved with the development consent, site soil erosion and sediment controls must still be implemented where there is a risk of pollution occurring.

Provide a stabilised entry/exit point. The access should be a minimum of 2.5m wide and extend from the kerb to the building line. The access should consist of aggregate at 30-40mm in size.

Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

- (12) **Zone Of Influence To An Easement** - Structures adjacent to an easement or within the zone of influence of the easement must be designed to utilise a pier and

beam system of footing or other approved method designed by a suitably qualified practising Structural Engineer. The loads must be transferred below the invert of existing pipeline within the easement. A Compliance Certificate/documentary evidence confirming compliance with this condition must be submitted prior to the construction proceeding above floor level.

- (13) **Public Road Activity** - A Public Road Activity Application shall be lodged for approval of the Council (Road Authority) with Public liability insurance and Traffic Control Plan prepared by a RTA accredited Traffic Controller prior to commencement of any work in public roads.
- (14) **Disconnection of Services** - All services (such as sewer, telephone, gas, water and electricity) must be disconnected prior to the commencement of demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (15) **Protection for Existing Trees on-site** - The protection of existing trees, other than any existing trees authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

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

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

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

- (16) **Asbestos Licence** - An asbestos licence must be obtained from WorkCover NSW for asbestos removal.

The required asbestos licence must be obtained prior to any demolition works commencing.

A copy of the licence is to be displayed on the demolition work site.

4.0 - During Construction

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

- (1) **Conditional Approval for Tree Removal** - Consent is granted for the removal of trees and other vegetation as indicated on the Landscape Plan (Drwg No 2012.014_DA_11, Dated Nov 2012, Issue B, prepared by Plan Studio) and Demolition Waste Management Plan (Drawing No 2012.014_DA_12, Dated Nov 2012, Issue B, prepared by Plan Studio) lodged with the subject Development Application.

Consent is also granted to remove the existing 7 Prunus trees in the adjoining nature strip area in Rosalie Avenue, on the Consent Condition that 3 advanced Jacaranda trees (sourced in minimum 200 litre container size) are reinstalled into the Rosalie Avenue nature strip.

This work should only be carried out by a fully insured and qualified Arborist or Horticulturist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

The issuing of this Consent is conditioned upon the planting, maintenance and establishment of suitable replacement nature strip street trees and also in the site re landscaping, as a means to achieve a "No Nett Loss" approach to the area and street amenity. The plantings are to be installed on the subject property and nature strip prior to the issue of the Occupation Certificate.

Prior to the issue of the Occupation Certificate, arrangements must be made for Council's Vegetation Management Officer to inspect the street tree plantings to ensure that Council's objectives for vegetation management and amenity enhancement and retention are being achieved.

- (2) **Fill Quality** – Any fill material brought in for the construction of the development must only contain uncontaminated soil, clay, shale or rock. No effluent, garbage or trade waste, including building or demolition waste, must be included in the fill. The extent and depth of filling must only occur in accordance with the approved plans and any other conditions of the Development Consent. Evidence of the certification of the fill as uncontaminated shall be provided to the Principal Certifying Authority.
- (3) **Survey Report (Peg Out)** - The building must be set out by a registered Land Surveyor. A Survey Report detailing the siting of the building in relation to the allotment boundaries shall be submitted to the Principal Certifying Authority (PCA) prior to the placement of any concrete.
- (4) **Retaining Walls** - If the soil conditions require it:
 - (a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and

- (b) retaining walls must be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property.

The following restrictions apply to any retaining wall erected within the allotment boundaries:

- (a) where the height of an approved retaining wall exceeds 600mm above or below natural ground level, structural engineering details must be provided to the Principal Certifying Authority, prior to any works commencing on the site. Manufacturers' installation details may satisfy this requirement for treated timber products and some dry stacked masonry products;

Note: Where Councils is nominated as the Principal Certifying Authority, construction of the retaining wall must be inspected at critical stages as nominated in the Mandatory Inspection Notice. Prior to issue of an Occupation Certificate, certification will also be required attesting that the wall has been built in accordance with the relevant standard.

- (b) adequate provisions must be made for surface and subsurface drainage of retaining walls and all water collected must be diverted to, and connected to, a stormwater disposal system within the property boundaries;
- (c) retaining walls shall not be erected within drainage easements;
- (d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited by the easement or entitled to release or vary the restrictions applying to the easement (electrical easement and the like), or if the erection of the retaining wall makes the purpose of the easement inconvenient or redundant (such as easements for support and maintenance).
- (5) **Hours of Work** – The hours for all construction and demolition work are restricted to between:
- (a) 7.00am and 6.00pm, Monday to Friday (inclusive);
- (b) 7.00am to 4.00pm on Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8.00am to 4.00pm;
- (c) work on Sunday and Public Holidays is prohibited.
- (6) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
- (a) the delivery of material shall only be carried out between the hours of 7.00am and 6.00pm, Monday to Friday, and between 8.00am and 4.00pm on Saturdays;
- (b) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site;

- (c) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
 - (d) waste must not be burnt or buried on site, nor should wind-blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot;
 - (e) a waste control container shall be located on the development site.
- (7) **Footpath Levels** - The ground levels of the footpath area within the road reserve (between the boundary of the subject site to the kerb and gutter) must not be altered (by cut or fill) as a consequence of building design and/or construction.
- (8) **Surface Drainage** – To prevent surface water from entering the building:
- (a) the floor level for slab on ground construction shall be a minimum of 150mm above finished ground level for habitable rooms;
 - (b) seepage and surface water shall be collected and diverted clear of the building by a sub-surface/surface drainage system;
 - (c) the control of surface water drainage shall in all respects comply with the *Building Code of Australia (Class 1 and Class 10 Buildings)*;
 - (d) where a rainwater tank is required on the site, all surface water drainage lines shall be connected to the outlet overflow drainage line from the rainwater tank.
- (9) **Shoring and Adequacy of Adjoining Property** - Shall be in accordance with Clause 98E of the Environmental Planning and Assessment Regulation 2000.
- (10) **Protection of Public Places** – If the work involved in the erection or demolition of a building:
- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (b) building involves the enclosure of a public place,
- a hoarding or fence must be erected between the work site and the public place.
- If necessary, an awning is to be erected, sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.
- (11) **Drainage Easements** - No changes to site levels, or any form of construction shall occur within any drainage easements that may be located on the allotment.
- (12) **BASIX Certificate** – Under clause 97A of the *Environmental Planning & Assessment Regulation 2000*, it is a condition of this development consent that

all the commitments listed in each relevant BASIX Certificate for the development are fulfilled.

In this condition:

- (a) relevant BASIX Certificate means:
 - (i) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under Section 96 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or
 - (ii) if a replacement BASIX Certificate accompanies any subsequent application for a Construction Certificate, the replacement BASIX Certificate; and
- (b) BASIX Certificate has the meaning given to that term in the *Environmental Planning & Assessment Regulation 2000*.

- (13) **Burying and Burning of Demolition Materials** - No demolition materials shall be buried on the site, other than with the consent of Council. The burning of any demolition material on the site is also not permitted.
- (14) **Prevention of Nuisance to Inhabitants** - All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from wind blown dust, debris, noise and the like.
- (15) **Vehicles Leaving the Site** - The demolisher shall ensure that motor lorries leaving the site with demolition material and the like are have their loads covered. Wheels of vehicles leaving the site are also not to track soil and other waste material onto the public roads adjoining the site.
- (16) **Removal of Hazardous and/or Intractable Wastes** - Hazardous and/or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of the relevant Statutory Authorities, and receipts submitted to Council.
- (17) **Asbestos Removal** - All works/demolition works involving the removal and disposal of asbestos over 10m² must only be undertaken by contractors who hold an appropriate and current WorkCover Asbestos Licence.
- (18) **Protection of Council Property** - Damage caused to any Council land or infrastructure will be required to be rectified to Council's satisfaction.
- (19) **Asbestos Safe Disposal** - The procedures in the WorkCover NSW publication "Working with Asbestos – Guide 2008" are to be adhered to.
- (20) **Asbestos Removal** - The removal of asbestos shall be carried out in accordance with the "Asbestos Code of Practice" for the safe removal of asbestos (National Occupational Health and Safety Commission).
- (21) **Asbestos Transporting** - All asbestos must be lawfully transported to a waste facility that is classified for the disposal of asbestos, and a copy of tipping

receipts being submitted to Council at the completion of removal works and prior to the issue of the Occupation Certificate.

- (22) **Air Quality (Dust and Odours)** - Dust emissions shall be confined within the site boundary.
- (23) **Construction Noise** - That noise from the construction/demolition activities associated with the development shall have regard to the guidelines contained in the NSW, EPA, Environmental Noise Control Manual chapter 171, that is

Construction periods of 4 weeks and under:

The LA10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background (LA90) noise level by more than 20dB(A) when assessed to any sensitive noise receiver.

Construction periods greater than 4 weeks and not exceeding 26 weeks:

The LA10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background (LA90) noise level by more than 10dB(A) when assessed to any sensitive noise receiver.

- (24) **Offensive Noise, Dust, Odour, Vibration** – Construction work shall not give rise to offensive noise or give rise to dust, odour, vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (25) **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 earthworks/site preparation/ construction, then such works must cease immediately until a qualified Environmental Consultant has been contacted and has conducted a thorough assessment. In the event that contamination has been identified as a result of this assessment and remediation is required, site works must cease in the vicinity of the contamination and the Consent Authority must be notified immediately.

Where remediation work is required, the Applicant will be required to comply fully with Council's Policy - Management of Contaminated Lands with regard to obtaining consent for the remediation works.

- (26) **Public Utility Relocation** – Any work and public utility relocation within a public place shall incur no cost to Council.
- (27) **Civil Engineering Inspections** - Where Council has been nominated as the Principal Certifying Authority, inspections by Council's Engineer are required to be carried out at the following Stages of construction:
- (a) prior to installation of sediment and erosion control measures;
 - (b) prior to backfilling pipelines and subsoil drains;
 - (c) prior to casting of pits and other concrete structures, including kerb and gutter, roads, accessways, aprons, pathways and footways, vehicle crossings, dish crossings and pathway steps;
 - (d) proof roller test of subgrade and sub-base;
 - (e) roller test of completed pavement prior to placement of wearing course;

- (f) prior to backfilling public utility crossings in road reserves;
- (g) prior to placement of asphaltic concrete;
- (h) final inspection after all works are completed and "Work As Executed" plans, including work on public land, have been submitted to Council.

Where Council is not nominated as the Principal Certifying Authority, documentary evidence in the form of Compliance Certificates, stating that all work has been carried out in accordance with Camden Council's Development Control Plan 2011 and Engineering Specifications must be submitted to Council prior to the issue of the Subdivision/Occupation Certificate.

- (28) **Services** - All services affected due to the proposed work shall be adjusted in consultation with the appropriate Service Authority at no cost to Council.
- (29) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be submitted to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- (a) be prepared by a person with experience in the geotechnical aspects of earthworks, and
- (b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- (c) be prepared in accordance with:

For Virgin Excavated Natural Material (VENM):

- (i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
 - (ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- (d) confirm that the fill material:
- (i) provides no unacceptable risk to human health and the environment;
 - (ii) is free of contaminants;
 - (iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
 - (iv) is suitable for its intended purpose and land use; and
 - (v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- (e) less than 6000m³ - 3 sampling locations,
- (f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

For (e) and (f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m ³)
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

Note 1: Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (30) **Fill Quality** – Any fill material brought in for the construction of the development must only contain uncontaminated soil, clay, shale or rock. No effluent, garbage or trade waste including building or demolition waste must be included in the fill. The extent and depth of filling must only occur in accordance with the approved plans and any other conditions of the development consent. Evidence of the certification of the fill as uncontaminated shall be provided to the Principal Certifying Authority.
- (31) **Demolition WorkCover NSW Licence** - Persons undertaking demolition work shall be licensed.

A copy of this licence must be obtained from WorkCover NSW and displayed on the site where demolition work is carried out.
- (32) **Demolition Australian Standard** - Demolition of the building shall be carried out in accordance with the requirements of Australian Standard AS2601:2001 - *Demolition of Structures*.
- (33) **Compaction** - Any filling on the site must be compacted in accordance with Camden Council's current Engineering Design Specifications.
- (34) **Building Platform** - This approval restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2m from the external walls of the building. Where the external walls are within 2m of any property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level must be used.

5.0 - Prior To Issue Of Occupation Certificate

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

- (1) **Installation of 3 Street Trees and Their Protective Guards and Bollards –**
 - (a) Approval is given for the Applicant to remove the existing 7 Prunus street trees along Rosalie Avenue

- (b) The Applicant is advised that 3 advanced Jacaranda mimosifolia nature strip street trees are to be re installed in the nature strip area of Rosalie Avenue to restore the street amenity.

The 3 advanced street trees are to be positioned to allow appropriate distance from the proposed driveways and the trees installed a minimum 1.2 meter from the kerb edge to the main stem.

The 3 Jacaranda street trees are to be sourced in minimum 200 litre container size.

- (c) The 3 reinstalled street trees are to have well constructed tree guard protection installed.

A minimum requirement is the installation of at least 3 bollards per street tree. The bollards are to be installed approximately 1m from the main stem of the tree. The bollards are to be sourced in minimum 1.8m length, which will allow for 1.2m above ground exposure and .6m buried support. The bollards are to be timber (or other acceptable composite material) and a minimum 150mm x 150mm width. Timber bollards are to be a durability minimum of H4 CCA.

- (d) All street trees are to have root barrier installation to the kerb.
- (e) Prior to the issue of the Occupation Certificate, any nature strip street trees, their tree guards, protective bollards, garden bed surrounds or root barrier installation which are disturbed, relocated, removed, or damaged must be successfully restored.
- (f) Any repairs, relocations, installations or replacements needed to the street trees, bollards, tree guards or existing root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees carried out prior to the issue of the Occupation Certificate.

- (2) **Occupation Certificate** – An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) prior to occupation or use of the development. In issuing an Occupation Certificate, the PCA must be satisfied that the requirements of Section 109H of the *Environmental Planning and Assessment Act 1979* have been satisfied.

The PCA must submit a copy of the Occupation Certificate to Camden Council (along with the prescribed lodgement fee) within two (2) days from the date of determination and include all relevant documents and certificates that are relied upon in issuing the certificate.

The use or occupation of the approved development must not commence until such time as all conditions of this development consent have been complied with.

- (3) **Component Certificates** - Where Camden Council is appointed as the Principal Certifying Authority (PCA) for the development, the following component certificates, as relevant to the development, shall be provided prior to the issued of a Final Occupation Certificate:

- (a) Insulation installation certificates.
- (b) Termite management system installation certificates.
- (c) Smoke alarm installation certificate from installing licensed electrician.
- (d) Survey certificate(s), prepared by a registered land surveyor, certifying that the building has been correctly and wholly located upon the subject allotment.
- (e) Certification attesting that retaining walls have been constructed in accordance with Engineer's details or manufacturer's specifications as applicable.
- (f) All certificates or information relating to BASIX compliance for the development.
- (g) An 'Approval to Operate a Sewage Management System' issued by Camden Council (for areas that are not serviced by a Sydney Water sewer).
- (h) A certificate certifying that the wet areas have been waterproofed in accordance with the requirements of the *Building Code of Australia*.
- (i) All certificates relating to salinity, as required by conditions of the development consent.
- (j) Any other certificates relating to the development (for example, engineering certification for foundations, piers, reinforcing steel or hydraulic certification for all stormwater drainage works).

Where the appointed PCA is not Camden Council, the matters listed in this condition should be regarded as advisory only.

Note: The above certification does not override any requirements of the *Environmental Planning and Assessment Act, 1979* with respect to any required critical stage inspections.

- (4) **Path** - A standard 1.2m wide concrete footpath shall be constructed on Rosalie Avenue to link the footpaths on the Old Hume Highway and Murrndah Avenue in accordance with Council's Engineering Specifications.
- (5) **Works As Executed Plan** - Prior to the Occupation Certificate being issued, a works-as-executed drawing must be submitted in accordance with Camden Council's current Engineering Construction Specifications to the Principal Certifying Authority.
- (6) **Footpath Crossing Construction** - Prior to the issue of any Occupation Certificate a footpath crossing must be constructed in accordance with Camden Council's issued footpath crossing information.
- (7) **Gutter/Footway Crossings** - The following works must be constructed prior to the issue of an Occupation Certificate and under the *Roads Act 1993* must be approved by Camden Council:

- Provision of a gutter crossing at all points of ingress and egress.

All works must be carried out strictly in accordance with Camden Council's current Engineering Specifications. Prior to works commencing the applicant must contact Council on (02) 4654 7777 to arrange payment of fees and inspection of the works.

- (8) **Redundant Crossings** - All redundant gutter crossings and footpath crossing must be reinstated to the existing standards on the road.
- (9) **Survey Report (Completion)** - A survey report prepared by a registered land surveyor shall be provided upon completion of the building. The survey report shall be submitted to the Principal Certifying Authority (PCA) upon completion of the building and prior to the issue of an Occupation Certificate.
- (10) **Asbestos Certification** - A Clearance Certificate issued by an Occupational Hygienist shall be submitted to Council at the completion of works and prior to the issue of the Occupation Certificate, validating that all asbestos has been removed from the site.

6.0 - Operational Conditions

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

- (1) **Residential Air Conditioning Units** - The operation of the approved air conditioning units must operate at all times so:
 - (a) as to be inaudible in a habitable room during the hours of 10.00pm to 7.00am on weekdays and 10.00pm to 8.00am on weekends and public holidays; and
 - (b) as to emit a sound pressure level when measured at the boundary of any other 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 must be measured as a LAeq 15 minute.
 - (c) as not to discharge any condensate or moisture onto the ground surface of the premises or into stormwater drainage system in contravention of the requirements of the Protection of the Environment Operations Act, 1997.
- (2) **Waste Reciprocals** – All mobile waste reciprocals must be stored behind the building line as shown on the approved plans

RECOMMENDED

That Council approve DA 1167/2012 for the demolition of an existing dwelling and associated structures, construction of 5 x 3 bedroom, two storey attached townhouses, tree removal and associated site works at 38 Old Hume Highway, Camden subject to the conditions listed above.

ATTACHMENTS

1. Proposed Site Plan and Elevations
2. Proposed Floor Plan - *Supporting Document*
3. Submission - *Supporting Document*

ORD01

Attachment 1

ORD01

LOCATION MAP



DEVELOPMENT DATA

site area	1037.0m ²
site coverage: *balconies & verandahs not inclusive	372.1m ² (35% of total site area)
ground floor site coverage	387.2m ² (37% of total site area)
first floor site coverage	
car spaces required	1 space per dwelling, plus; 0.5 spaces per 3 bed dwelling, plus; 1 space per 5 dwellings (visitor space)
total car spaces required	8.5 = 9 spaces
car spaces provided	2 spaces per unit (1 covered + 1 uncovered)
total car spaces provided	10 spaces (5 covered + 5 uncovered)
p.o.s. required	min 40m ² per dwelling
p.o.s. provided	U1 - 68.0m ² U2 - 59.2m ² U3 - 59.9m ² U4 - 60.7m ² U5 - 68.9m ² 316.0m ² (30% of total site area)
total p.o.s. provided	
p.p.o.s. required	24m ² - min 6mx4m
p.p.o.s. provided	U1 - 26.4m ² U2 - 26.4m ² U3 - 26.4m ² U4 - 26.4m ² U5 - 26.4m ²
landscaping required	min. 30% of total site area
landscaping provided	455.3m ² 44% of total site area

- 2012.014_DA_00 COVER
- 2012.014_DA_01 SITE ANALYSIS
- 2012.014_DA_02 PROPOSED SITE PLAN
- 2012.014_DA_03 GROUND FLOOR PLAN
- 2012.014_DA_04 FIRST FLOOR PLAN
- 2012.014_DA_05 DOORS/ WINDOWS/ BASIX NOTES
- 2012.014_DA_06 ROOF PLAN
- 2012.014_DA_07 ELEVATIONS
- 2012.014_DA_08 ELEVATIONS
- 2012.014_DA_09 SECTIONS
- 2012.014_DA_10 SHADOW DIAGRAMS
- 2012.014_DA_11 LANDSCAPE PLAN
- 2012.014_DA_12 DEMOLITION/WASTE MANAGEMENT PLAN
- 2012.014_DA_13 SCHEDULE OF EXTERNAL FINISHES

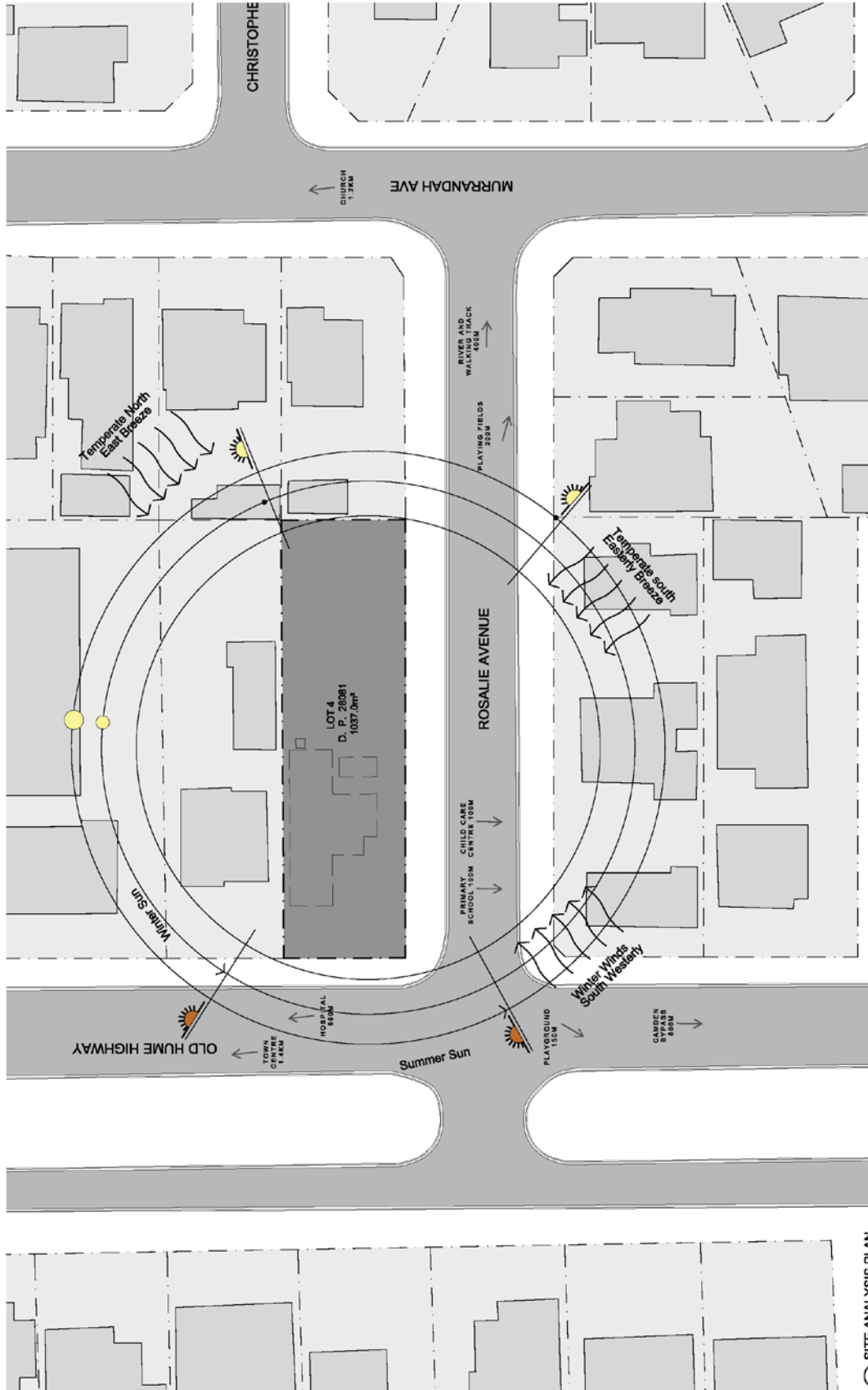


PROPOSED TERRACE HOUSE DEVELOPMENT - 38 OLD HUME HIGHWAY, CAMDEN NSW

DEVELOPMENT APPLICATION

PLANN STUDIO
www.plannstudio.com.au

P (02) 9600 1777 info@plannstudio.com.au A.B.N. 41 141 973 364
F (02) 9602 8832 s.a. box 26 Liverpool, NSW



SITE ANALYSIS PLAN
SCALE: 1:500 @ A3

NOTES:
 1. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO APPROVAL BY THE LOCAL GOVERNMENT.
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS.
 3. THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE ARCHITECT.

AMENDMENTS

AMENDMENT	DATE	BY	CR
A	28.11.12	ds	ds
B	08.12.12	ds	ds
C	20.04.13	ds	ds

Issue to consultants
 Issue to council for approval
 Amended as per Council request

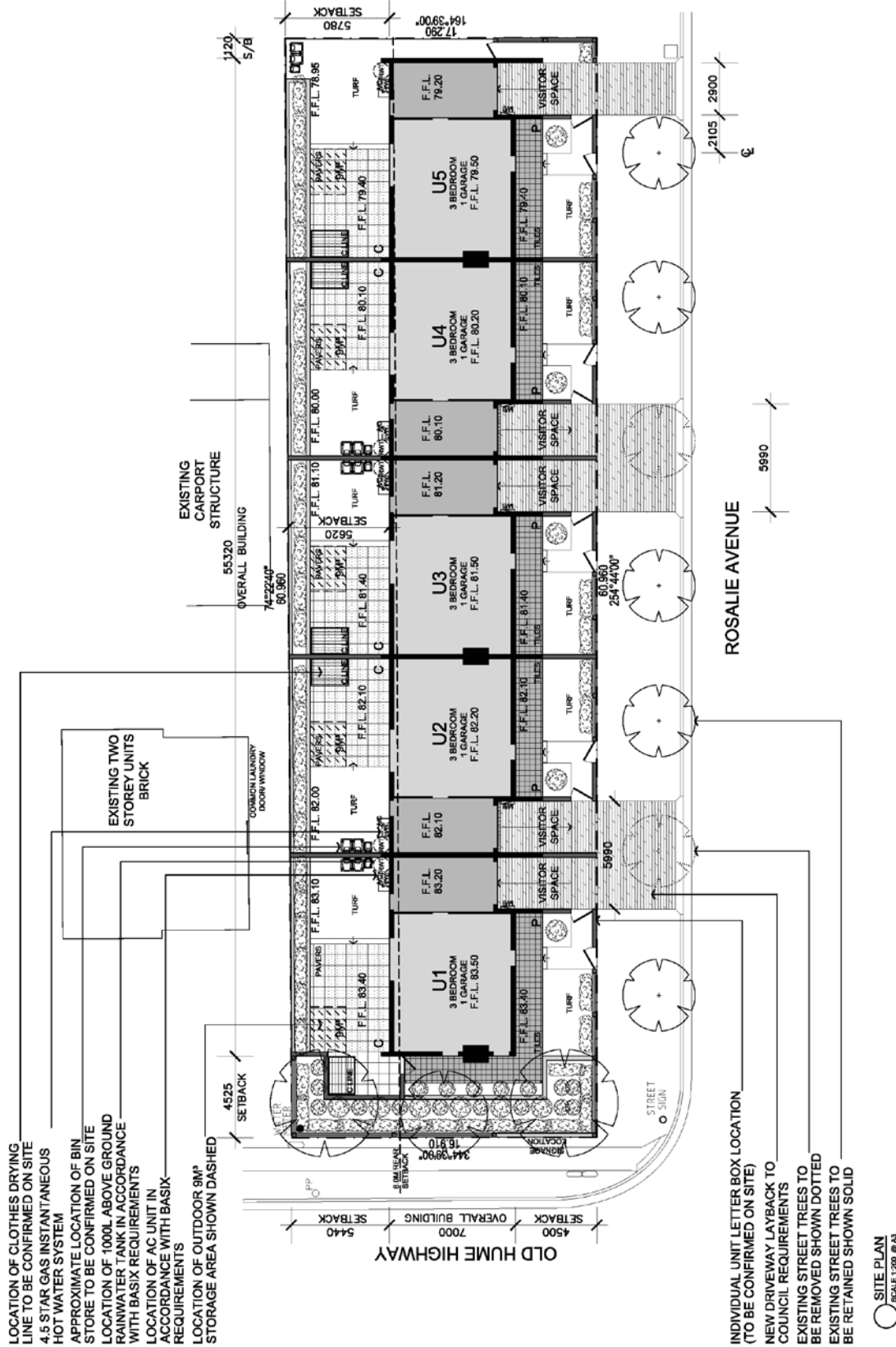
DEVELOPMENT APPLICATION

PROJECT: Proposed Two Storey Terrace houses at 38 Old Hume Highway, Camden NSW
CLIENT: [Redacted]
 DATE: NOV 12
 SCALE: 1:500 @ A3
 DMC NO.: 2012.014_DA_01
 ISSUE: C

PLANN STUDIO
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 A: 1/111 141 1304

Attachment 1

ORD01



LOCATION OF CLOTHES DRYING LINE TO BE CONFIRMED ON SITE
 4.5 STAR GAS INSTANTANEOUS HOT WATER SYSTEM
 APPROXIMATE LOCATION OF BIN STORE TO BE CONFIRMED ON SITE
 LOCATION OF 1000L ABOVE GROUND RAINWATER TANK IN ACCORDANCE WITH BASIX REQUIREMENTS
 LOCATION OF AC UNIT IN ACCORDANCE WITH BASIX REQUIREMENTS
 LOCATION OF OUTDOOR 9M² STORAGE AREA SHOWN DASHED

EXISTING TWO STOREY UNITS BRICK
 EXISTING CARPORT STRUCTURE

OVERALL BUILDING 55320
 74°-22'48" 60.960

OVERALL BUILDING 7000
 4500 SETBACK
 5440 SETBACK

OVERALL BUILDING 5990
 60.960 254'44'00"

OVERALL BUILDING 5780
 164'39'00" 17.280

ROSLIE AVENUE

OLD HUME HIGHWAY

STREET SIGN LOCATION

INDIVIDUAL UNIT LETTER BOX LOCATION (TO BE CONFIRMED ON SITE)
 NEW DRIVEWAY LAYBACK TO COUNCIL REQUIREMENTS
 EXISTING STREET TREES TO BE REMOVED SHOWN DOTTED
 EXISTING STREET TREES TO BE RETAINED SHOWN SOLID

NOTES:
 1. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.
 2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.
 3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

AMENDMENTS
 A Issue to consultants
 B Issue to council for approval
 C Amended as per Council request

DATE 28.11.12 ds
 08.12.12 ds
 20.04.13 ds

PROJECT: Proposed Site Plan
 PROJECT: Proposed Two Storey Terraced houses at 38 Old Hume Highway, Camden NSW
 CLIENT: 202 9600 7777 www.plannstudio.com.au
 1 202 9600 8888 88 100 501 Campbell Street Sydney
 AUST 61 141 61 946

DRAWING TITLE: Proposed Site Plan
 SCALE 1:200 @ A3
 DATE NOV 12
 DIMC NO. 2012.014_DA_02
 ISSUE C

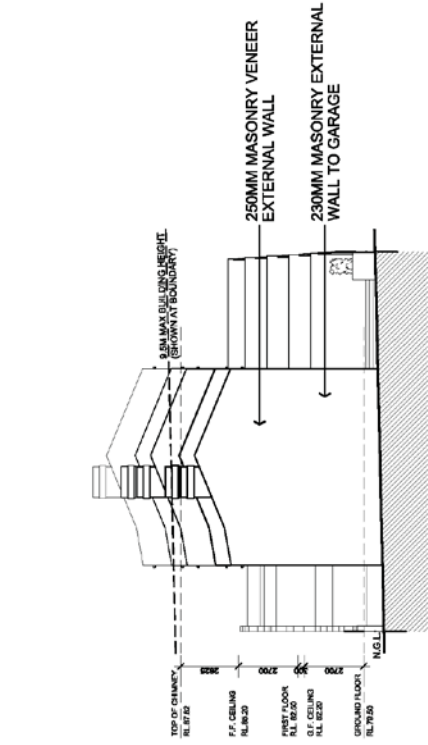
PLANN STUDIO
 WWW.PLANNSTUDIO.COM.AU

DEVELOPMENT APPLICATION

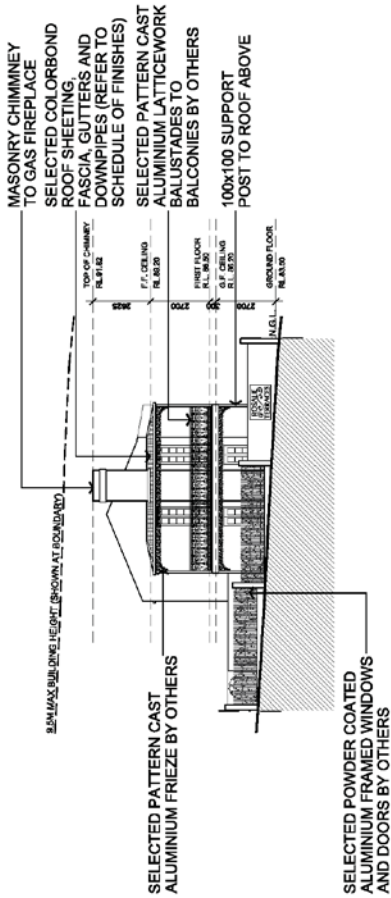
SITE PLAN
 SCALE 1:200 @ A3

Attachment 1

ORD01

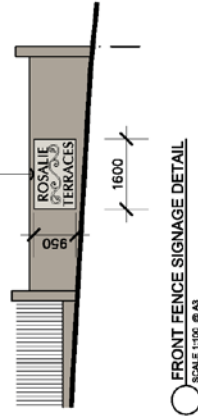


WEST ELEVATION
SCALE 1:200 @ A3



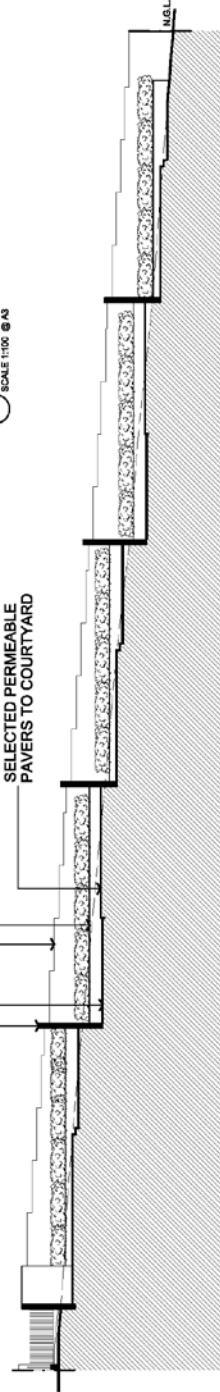
EAST ELEVATION
SCALE 1:200 @ A3

CAST ALUMINIUM PLAQUE POWDERCOATED FINISH TO MANUFACTURER'S SPECIFICATION FIXED TO RENDERED AND PAINTED FENCE



FRONT FENCE SIGNAGE DETAIL
SCALE 1:100 @ A3

1800H COURTYARD PARTITION FENCE/RETAINING WALL
SELECTED TURF (REFER TO LANDSCAPE PLAN)
1800H REAR COURTYARD FENCE/RETAINING WALL
MASONRY PLANTER BOX
SELECTED PERMEABLE PAVERS TO COURTYARD



REAR COURTYARD SECTION
SCALE 1:200 @ A3

NOTES:

AMENDMENTS

SCALE	AMOUNT	DATE	BY	CRD
A	Issue to consultants	26.11.12	ds	ds
B	Issue to council for approval	06.12.12	ds	ds
C	Amended as per Council request	20.04.13	ds	ds

PROJECT: Proposed Two Storey Terraces houses at 38 Old Home Highway, Camden NSW

DRAWING TITLE: Elevations/ Section

SCALE: 1:200 @ A3

DATE: NOV 12

DWG. NO.: 2012.014_DA_08

CLIENT: [Redacted]

ISSUE: C

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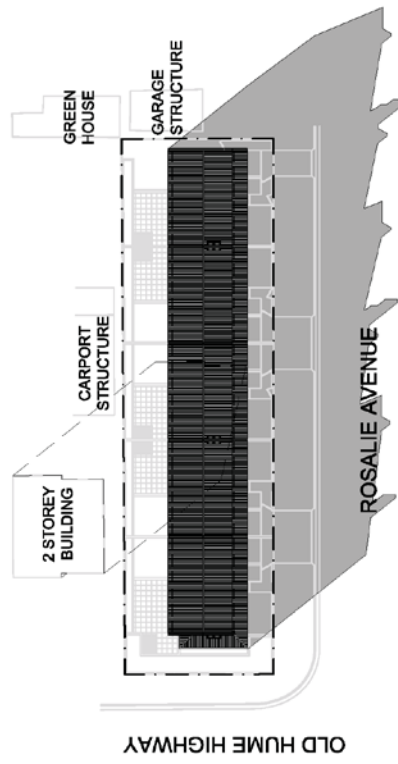
150 9600 7777
150 9600 8888
AUS:61 451 61 946

DEVELOPMENT APPLICATION



9AM SHADOW
SCALE 1:500 @ A3

12NOON SHADOW
SCALE 1:500 @ A3



3PM SHADOW
SCALE 1:500 @ A3

NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 2. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL BUILDING REGULATIONS 2011 AND THE NATIONAL FIRE BRANCH REGULATIONS 2011.
 3. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL ELECTRICAL REGULATIONS 2011 AND THE NATIONAL PLUMBING REGULATIONS 2011.
 4. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL GAS REGULATIONS 2011 AND THE NATIONAL MECHANICAL REGULATIONS 2011.
 5. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL WATER REGULATIONS 2011 AND THE NATIONAL SANITARY REGULATIONS 2011.
 6. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL CONCRETE REGULATIONS 2011 AND THE NATIONAL MASONRY REGULATIONS 2011.
 7. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL PAINT REGULATIONS 2011 AND THE NATIONAL FINISH REGULATIONS 2011.
 8. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL ROOFING REGULATIONS 2011 AND THE NATIONAL CLADDING REGULATIONS 2011.
 9. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL GLAZING REGULATIONS 2011 AND THE NATIONAL WINDOW REGULATIONS 2011.
 10. ALL WORK IS TO BE ACCORDING TO THE CURRENT EDITIONS OF THE NATIONAL DOOR REGULATIONS 2011 AND THE NATIONAL WINDOW REGULATIONS 2011.

AMENDMENTS

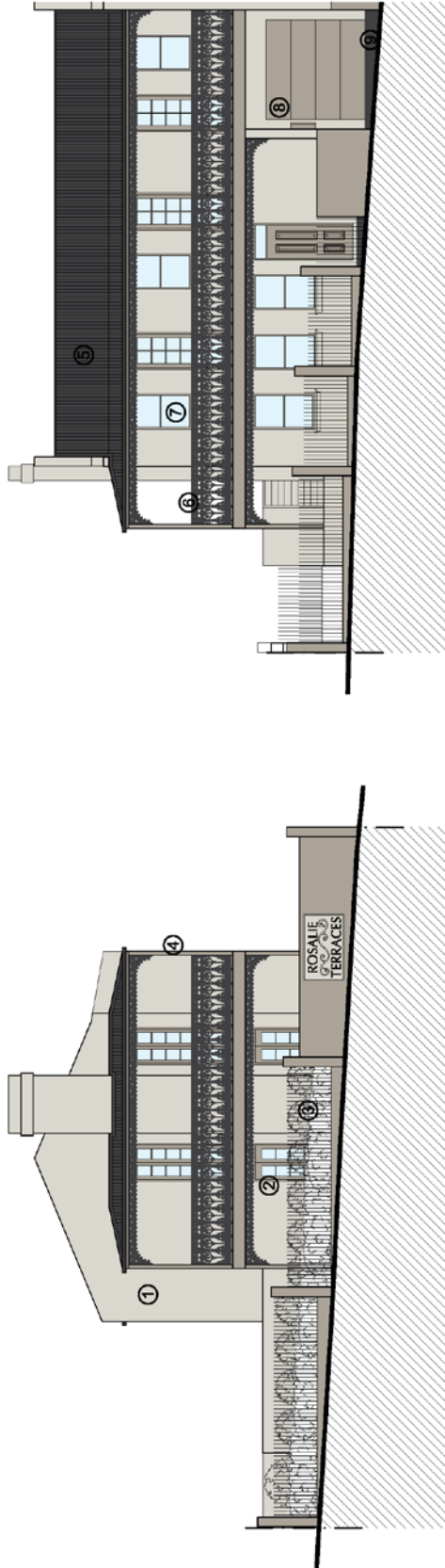
NO.	DATE	BY	REASON
A	28.11.12	ds	Issue to consultants
B	08.12.12	ds	Issue to council for approval
C	20.04.13	ds	Amended as per Council request





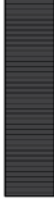




DEVELOPMENT APPLICATION

PLANN STUDIO
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 A 1/111 1411 0304

PROJECT: Proposed Two Storey Terrace houses at 38 Old Hume Highway, Camden NSW
DRAWING TITLE: Shadow Diagrams
SCALE: 1:200 @ A3
DATE: NOV 12
DWG. NO.: 2012.014_DA_10
ISSUE: C

Attachment 1 ORD01



- | | | |
|--|--|---|
| <p>1. PAINTED FINISH
DULUX - 'GREY PEBBLE' OR
TAUBMANS EQUIVALENT</p>  | <p>4. PAINTED SUPPORT POSTS,
FASCIA, DOWNPIPES DULUX -
'DUNE' OR TAUBMANS EQUIV.</p>  | <p>7. CLEAR GLAZING TO WINDOWS</p>  |
| <p>2. POWDERCOATED ALUMINIUM
DOOR/ WINDOW FRAMES
DULUX - 'DUNE'</p>  | <p>5. SELECTED PROFILE
METAL ROOF SHEETING
COLORBOND - 'MONUMENT'</p>  | <p>8. POWDERCOATED PANEL
LIFT GARAGE DOOR
DULUX - 'DUNE'</p>  |
| <p>3. POWDERCOATED CAST ALUMINIUM
SPEAR TOP PICKET FENCING PANELS
DULUX - 'MONUMENT'</p>  | <p>6. POWDERCOATED CAST
ALUMINIUM LATTICEWORK -
COLORBOND - 'MONUMENT'</p>  | <p>9. SELECTED PATTERN
STENCIL DRIVEWAY
'CHARCOAL GREY'</p>  |

NOTES:

AMENDMENTS

DATE	28.11.12	BY	ds	ORIGIN	
DATE	08.12.12	BY	ds	ORIGIN	
DATE	20.04.13	BY	ds	ORIGIN	

AMOUNT

SCALE	A	AMOUNT	Issue to consultants
SCALE	B	AMOUNT	Issue to council for approval
SCALE	C	AMOUNT	Amended as per Council request

DEVELOPMENT APPLICATION

PROJECT: Proposed Two Storey Terraces houses at 38 Old Hume Highway, Camden NSW

DRAWING TITLE: Schedule Of Finishes

SCALE: N.T.S. @ A3

DATE: NOV 12

DWG. NO.: 2012.014_DA_13

ISSUE: C

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40-42 Campbell Street, Sydney NSW 1511

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AUS 61 151 934

ORDINARY COUNCIL

ORD02

ORD02

SUBJECT: DOMESTIC SOLID FUEL BURNING APPLICANCES (WOOD FIRED HEATERS)

FROM: Director Governance

BINDER: Amendment No.25 - Wood Fired Heaters

PURPOSE OF REPORT

The purpose of this report is to outline proposed policy changes which are needed to streamline the process for installing new domestic solid fuel burning appliances (wood fire heaters) and to reiterate and promote Council's resolved position to attempt to improve air quality by restricting the type of wood heaters to those that have lower emissions and higher efficiency (i.e. heaters with a 1 gram per kilogram emission rate or less and an efficiency rating of 65% or greater).

BACKGROUND

On 24 July 2012, Council resolved to adopt a position to attempt to improve air quality by restricting the type of wood heaters to those that have lower emissions and higher efficiency (i.e. heaters with a 1 gram per kilogram emission and 65% efficiency rating). At this meeting, Council also resolved to develop a Local Approvals Policy (LAP) and Education Strategy and to notify and provide an update to relevant stakeholders of Council's decision to promote the above standards.

Since that time, Council has written to key stakeholders and has also been successful in receiving funding through the NSW Government's Wood Smoke Reduction Program which is administered by the Environmental Protection Authority (as reported to Council on 9 April 2013). The funding has assisted Council to address air pollution caused by wood heaters through a community education program that will focus on the health impacts of wood smoke pollution and how to best operate wood heaters.

Council has obtained further advice about the best course of action of implementing restrictions on the type of wood heaters to those that have lower emissions and higher efficiency. The advice suggests there are a number of limitations for LAPs and the best course of action is to prepare a Planning Proposal (provided as **Attachment 1 to this report**) to make wood heaters exempt development subject to compliance with Council's energy and efficiency rating. It is also proposed to amend Camden Development Control Plan 2011 (DCP) (outlined in **Attachment 2 to this report**) to provide controls in instances where a Development Application is needed.

MAIN REPORT

Impacts on Air Quality

It has been well documented over a number of decades that due to the geography and meteorology of the Sydney Basin, south-west Sydney experiences higher levels of air pollution in comparison to the remainder of the Sydney Basin.

In addition, the influence of temperature inversions and calm wind conditions, especially in winter, exacerbates air pollution by trapping pollutants close to the ground surface and inhibiting dispersal.

The impact of wood heaters on air quality has been well studied. The main pollutant of concern emitted from wood heaters is particulate matter less than 2.5 microns in size (PM_{2.5}) which penetrate the deepest recesses of the lungs. These particles are small enough to cross into the blood stream. Other pollutants of concern include polycyclic aromatic hydrocarbons (PAH) and volatile organic compounds (VOC).

The reduction of pollution emissions from wood heaters, especially particulate matter (PM) has been identified as a key priority by State and Federal Governments. Current air quality monitoring data shows that PM still poses a problem in the Sydney Basin. A spike in air pollutants emitted by wood fire heaters occurs every winter heating season.

Whilst only 4.3% of households within Sydney use wood fire as a primary source of heating, wood heaters are responsible for a total of 71.7% of PM_{2.5} emissions on a typical winter weekend. In comparison, the next highest contributors to PM_{2.5} emissions are by Industrial off-road vehicles and equipment (3.4%) and on-road diesel passenger vehicles (2.8%).

Health Impacts

The latest scientific evidence has established that there is no safe exposure level to PM_{2.5} and it is now considered as the most hazardous known air pollutant to human health.

A review of scientific studies by the Centre for Inland Health 2011 indicates that health effects due to exposure to emissions of PM_{2.5} and Air Toxics have been established to include the following:

- Increased mortality particularly from respiratory and cardiovascular diseases;
- Inflammation of lungs and increased respiratory illness such as bronchitis and asthma;
- Adverse effects on cardiovascular system; and
- Increased medication use and hospitalisation.

In addition, there is an emerging body of evidence linking exposure to emissions associated with wood heaters to the following:

- Increased risk of stroke;
 - Increased risk of lung cancer due to DNA damage caused by PAH;
 - Increased cognitive decline due to particulate pollution entering the brain;
 - Genetic and epigenetic damage in babies and young children; and
 - Increased risks of attention/hyperactivity problems and anxiety.
- The results of a report prepared by AECOM for the NSW Government concluded that the estimated NSW health cost will be in the order of \$8 billion due to emissions from wood fire heaters.

Other Jurisdictions

Given the pollutant load emitted through the use of wood heaters and the serious health impacts caused by exposure to those pollutants, a number of jurisdictions

across Australian and internationally have taken action to improve air quality through tighter control on wood heater use. Examples include:

- Holroyd Council – no new installations permitted;
- Waverly Council – no new installations permitted;
- Ashfield Council – no new installations permitted;
- Pittwater Council – replacement of existing heaters only with no new roof penetrations;
- Armidale Council - 2.5g/kg Emission and 57% Efficiency;
- Australian Capital Territory – Prohibition of wood heater installations in new suburbs of the Molonglo Valley and Draft Legislation with 1g/kg Emission and 65% Efficiency;
- New Zealand – Bans on new installations in Christchurch and Otago Regions combined with Regional Policies (Similar to EPA) with 1g/kg Emission and 65% Efficiency;
- Canada – Hampstead, Quebec, banned all new installations and ordered removal of existing systems within 7 years; and
- Australian Home Heating Association - 2.5g/kg Emission and 55% Efficiency.

It should be noted that given the local climatic conditions affecting the Camden LGA that Council has adopted a policy of a maximum 1g/1Kg Emission and a minimum 65% Efficiency.

Proposed Approvals Process

The proposed changes seek to provide a more streamlined approval process for the installation of wood fired heaters than the current requirement of lodging a Development Application. It also provides an incentive to those residents who choose a heater of a higher environmental standard by not requiring a development application. In order to facilitate this process, the following changes to Camden's existing planning controls are proposed:

- To make wood fired heaters exempt development (i.e. no development application required) subject to conditions outlined below.
- For instances where a development application is required, controls are proposed to be added to Part D (Controls Applying to Specific Land Uses / Activities); these are also outline below.

Exempt Development

Wood heaters are proposed to be exempt development if they comply with the following criteria:

- to be installed in a single detached dwelling only;
- must comply with Council's 1 gram per kilogram emission and 65% efficiency rating (Note: The current Australian Standard is 4g/1Kg Emission);
- the flue height is at least 1m above any structure within a 15m radius; and
- should otherwise be installed in accordance with the Building Code of Australia (BCA) and Australian Standard 2918:2001 – Domestic Solid Fuel Burning Appliances - Installation.

Exempt developments will not apply to properties that are heritage listed or within a heritage conservation area. For new wood heaters in these properties, a development application will be required.

Proposed DCP controls

If the criteria for exempt development is not met, a development application must be lodged with Council. In this regard, these applications will be assessed on a merit basis and will need to comply with the following provisions:

- compliance with the BCA, Australian Standards AS4012:1999 – Domestic solid fuel burning appliances – Method for determination of power output and efficiency and AS4013:1999 – Domestic solid fuel burning appliances – Method for determination of flue gas emission and EPA guidelines; and
- maximum emissions of 4 grams per kilogram of fuel burnt.

Wood heaters that comply with both the exempt criteria and the proposed DCP provisions are stocked by local suppliers.

Industry Consultation

On 11 April 2012 Council Officers met with representative of the Australian Home Heating Association (AHHA). At this meeting the AHHA presented a voluntary proposal that would have required their members to ensure that all the heaters they manufactured and sold met the performance criteria of 2.5g/kg for emissions and 55% for efficiency.

On 24 August 2012, letters were sent to installers and suppliers of wood heaters in the local area to inform them of Council's decision to improve air quality by limiting wood heaters to those with a maximum emissions rate of 1 gram per kilogram and a minimum efficiency rating of 65%.

It should be noted that as part of Council's public exhibition process, local industry will be provided with another chance to comment on the proposed changes.

LEP Delegation

Council intends to use its delegation pursuant to Section 2B of the Environmental Planning and Assessment Act 1979 for this Planning Proposal. The General Manager is Council's nominated officer.

Public Exhibition

It is proposed that the Planning Proposal, and draft DCP amendments be publicly exhibited for a period of 28 days following receipt of a favourable Gateway Determination from the Department of Planning and Infrastructure. During the public exhibition period, relevant public agencies and industry representatives will also be contacted and given the opportunity to comment.

The matter will be advertised in the local newspaper, with the public exhibition materials available at the following locations:

- Narellan Customer Service Centre and Narellan Library, Queen Street, Narellan (Hard Copy).

- Camden Customer Service Centre and Camden Library, John Street, Camden (Hard Copy).
- Council's website for the length of the exhibition period (Electronic Copy).

Following the exhibition period, a further report will be presented to Council.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

CONCLUSION

Due to air movement patterns across the Sydney Basin, Camden experiences high levels of air pollutant concentrations. Particulate matter (PM) emitted from wood fire heater use is of particular concern because of its impact on health. Many councils and other bodies are now moving to prohibit further installations of these heaters or restrict the types of heaters to those that have low levels of emissions.

The implementation of the draft LEP and draft DCP amendments will assist Council to promote the types of wood fire heaters to those that have low emissions and higher efficiency.

The Planning Proposal (LEP) will provide an incentive to Camden residents to install wood fire heaters of the higher environmental standard by not requiring a development application.

RECOMMENDED

That Council:

- i. support the draft Planning Proposal and draft DCP Amendments provided in Attachments 1 and 2 of this report;**
- ii. submit the Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination and advise that Council will be using its delegation pursuant to Section 23 of the EP&A Act 1979;**
- iii. publically exhibit the Planning Proposal and draft DCP Amendments following a positive gateway determination for a 28 day period; and**
- iv. consider a further report which takes into account the submissions received during the public exhibition period.**

ATTACHMENTS

1. Draft Planning Proposal
2. DCP changes

ORD02

Attachment 1



CAMDEN COUNCIL PLANNING PROPOSAL

**Camden Local Environmental Plan 2010 (Amendment No.25) –
Wood Fired Heaters**

Version 1

June 2013

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Background

It has been well documented over a number of decades that due to the geography and meteorology of the Sydney Basin, South-West Sydney experiences higher levels of air pollution in comparison to the remainder of the Sydney Basin.

The influence of temperature inversions and calm wind conditions, especially in winter, exacerbates air pollution by trapping pollutants close to the ground surface and inhibiting dispersal.

The impact of wood heaters on air quality has been well studied. The main pollutant of concern emitted from wood heaters is particulate matter less than 2.5 microns in size (PM2.5) which penetrate the deepest recesses of the lungs and are small enough to cross into the blood stream.

The reduction of pollution emissions from wood heaters, especially particulate matter (PM) has been identified as a key priority by State and Federal Governments. Current air quality monitoring data shows that PM still poses a problem in the Sydney Basin. A spike in air pollutants emitted by wood fire heaters occurs every winter heating season.

Given the pollutant load emitted through the use of wood heaters and the serious health impacts caused by exposure to those pollutants, a number of jurisdictions across Australian and internationally have taken action to improve air quality through tighter control on wood heater use.

This Planning Proposal seeks to provide a streamlined process as an incentive for Camden residents who wish to install a wood fired heater by relinquishing the need for a Development Application and making wood heaters exempt development on the condition of compliance with a 1 gram per kilogram emission rate or less and an efficiency rating of 65% or greater and other requirements.

Part 1 – Objectives or Intended Outcomes

The objective of this Planning Proposal is to implement an amendment to Camden Local Environmental Plan 2010 (CLEP 2010) which seeks to make domestic solid fuel burning appliances (wood fired heaters) exempt development and to limit heaters to 1 gram per kilogram emission rate or less and an efficiency rating of 65% or greater.

Part 2 – Explanation of provisions

The proposed outcome will be achieved by inserting “domestic solid fuel burning appliances” into Schedule 2 (Exempt Development) with the following criteria:

- Heaters must comply with a 1 gram per kilogram emission rate or less and an efficiency rating of 65% or greater; and
- Heaters must not locate on a property which is heritage listed or located in a Heritage Conservation Area.
- Heaters must be located on Single detached dwellings only
- The height of the flue must be at least 1m above any structure within a 15m radius
- Heaters must be otherwise installed in accordance with the Building Code of Australia and relevant Australian Standards.

Part 3 – Justification

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

The planning proposal is not a result of any strategic study or report, the need for an amendment to the LEP to make wood fired heaters exempt development was identified by Council staff.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is considered to be the only means of facilitating the intended outcomes.

Section B – Relationship to Strategic Planning framework

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited strategies)?

It is considered that the planning proposal is consistent with the Metropolitan Plan and the Draft Subregional Strategy.

4. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

It is considered that the planning proposal is consistent with Council's Community Strategic Plan, Camden 2040.

5. Is the planning proposal consistent with the applicable state environmental planning policies?

It is considered that the planning proposal is consistent with all applicable state environmental planning policies.

6. Is the planning proposal consistent with the applicable Ministerial Directions (s.117 directions)?

It is considered that the planning proposal is consistent with the applicable Ministerial Directions. Please refer to Attachment A.

Section C – Environmental, Social and economic impact

7. Is there any likelihood of any adverse affect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this planning proposal?

It is unlikely that the planning proposal will have an adverse affect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this planning proposal.

8. Are there any other likely environmental effects as a result of the planning proposal and how they are proposed to be managed?

Given Council's emission rate and efficiency rating, it is likely that the implementation of this plan will help improve air quality.

How has the planning proposal adequately addressed any social and economic affects?

Not applicable

Section D – State and Commonwealth interests

9. Is there adequate public infrastructure for the planning proposal?

Not applicable

10. What are the views of state and Commonwealth public authorities consulted in accordance with the gateway determination?

Any necessary consultation with public authority will be undertaken following a positive gateway determination.

Part 4 – Mapping

No mapping required.

Part 5 – Community Consultation

The Gateway Determination will stipulate the required community consultation. The written notice and display materials will be in accordance with the document 'A guide to preparing local environmental plans'.

A report on the public authority and community consultation outcomes will be presented to Council for its consideration following the public exhibition period.

ORD02

Attachment 1

Part 6 – Project timeline

It is expected that this Planning Proposal will be finalised by December 2013.

Stage	Anticipated date/ target timeframe
Anticipated commencement date (date of Gateway Determination)	TBA
Anticipated timeframe for the completion of required technical information.	TBA
Timeframe for government agency consultation (pre and post exhibition as required by Gateway Determination).	TBA
Commencement and completion dates for public exhibition period.	TBA
Dates for public hearing (if required).	TBA
Timeframe for consideration of submissions.	TBA
Timeframe for the consideration of a proposal post exhibition.	TBA
Date of submission to the department to finalise the LEP.	TBA
Anticipated date RPA will make the plan (if delegated).	TBA
Anticipated date RPA will forward to the department for notification.	TBA

Attachment A– Ministerial Directions

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
Environment and Heritage			
2.1 Environment Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	<p>A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands".</p>	Yes.
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	<p>A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</p> <p>(c) Aboriginal areas,</p>	Yes, wood fired heaters will not be exempt if located on a property which is heritage listed or located in a Heritage Conservation Area. In this case, a Development Application would need to be lodged.

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Attachment 1

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.	
Local Plan Making			
6.1 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	<p>A planning proposal must:</p> <p>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</p> <p>(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</p> <p>(i) the appropriate Minister or public authority, and</p> <p>(ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General),</p> <p>prior to undertaking community consultation in satisfaction of section 57 of the Act, and</p> <p>(c) not identify development as designated development unless the relevant planning authority:</p> <p>(i) can satisfy the</p>	Yes.

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		<p>Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and</p> <p>(ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.</p>	
Metropolitan Planning			
7.1 Implementation of the Metropolitan Plan for Sydney 2036	The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.	Planning proposals shall be consistent with the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010 ("the Metropolitan Plan").	Yes.

Attachment 2

Proposed changes to Camden Development Control Plan 2011

DCP Part	Proposed Controls
Part D – Controls Applying to Specific Land Uses and Activities	<p data-bbox="502 369 534 1108">D5.7 Domestic Solid Fuel Burning Appliances (Wood Fired Heaters)</p> <p data-bbox="566 974 598 1108">Objectives:</p> <p data-bbox="630 369 758 1108">To allow for Domestic Solid Fuel Burning Appliances (Wood Fired Heaters) that are installed appropriately and will not have an adverse impact on air quality or the amenity of the surrounding residential neighbourhood.</p> <p data-bbox="790 996 821 1108">Controls:</p> <ul data-bbox="853 347 1109 1108" style="list-style-type: none"> - Must be installed in accordance with the Building Code of Australia and Australian Standards AS4012:1999 – Domestic solid fuel burning appliances – Method for determination of power output and efficiency and AS4013:1999 - Domestic solid fuel burning appliances – Method for determination of flue gas emission and EPA guidelines; and - maximum emissions of 4 grams per kilogram of fuel burnt. <p data-bbox="1141 369 1316 1108">Note: Heaters with a 1 gram per kilogram emissions rate or less and an efficiency rating of 65% or greater are preferred as they have a lower impact on air quality, are exempt development and therefore do not require the lodgement of a development application.</p>