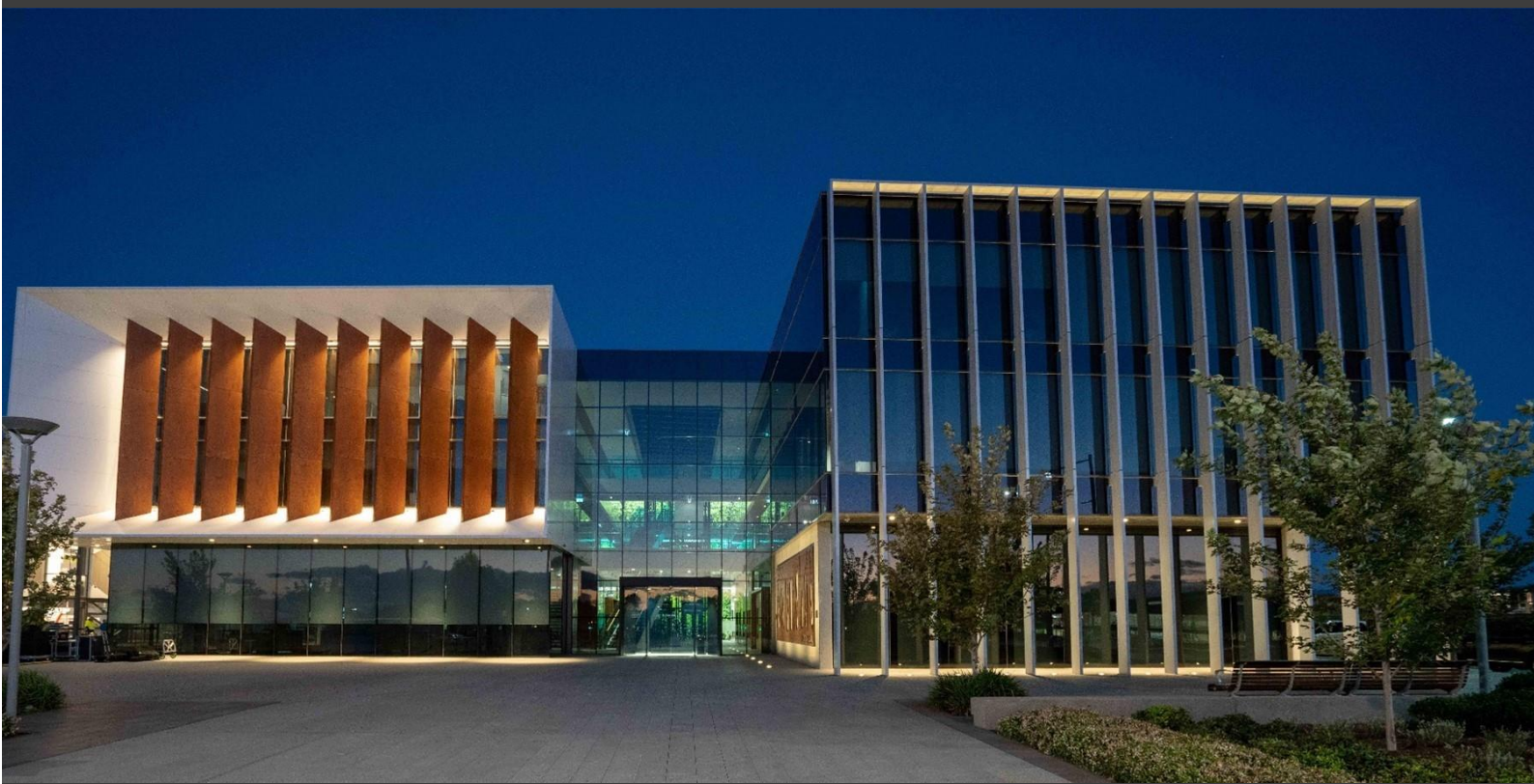


# Business Paper

Camden Local Planning Panel  
Electronic Determination

5 May 2025



camden  
council



**ORDER OF BUSINESS**

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CLPP01    DA/2024/579/1 - Construction Of A Mixed Use Development At 22-26  
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**SUBJECT: ACKNOWLEDGEMENT OF COUNTRY**

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



**SUBJECT:        DECLARATION OF INTEREST**

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

**SUBJECT:** DA/2024/579/1 - CONSTRUCTION OF A MIXED USE DEVELOPMENT  
AT 22-26 LASSO ROAD AND 6 STEER ROAD, GREGORY HILLS  
**FROM:** Manager Statutory Planning  
**EDMS #:** 25/199976

DA Number:	2024/579/1
Development:	Consolidation of two lots, construction of a three storey mixed use development including retail premises, business premises and light industrial, with basement and at grade car parking, drainage construction, landscaping and associated site works.
Estimated Cost of Development:	\$13,464,402
Site Address(es):	22-26 Lasso Road and 6 Steer Road, Gregory Hills
Applicant:	LYMT Pty Ltd
Owner(s):	Mainstream Property Gregory Hills Pty Ltd
Number of Submissions:	One submission
Development Standard Contravention(s):	<ul style="list-style-type: none"> <li>Maximum shop area.</li> <li>Maximum shop area per development.</li> </ul>
Classification:	Local Development.
Recommendation:	Approve with conditions.
Panel Referral Criteria:	Development standard contravention $\geq 10\%$
Report Prepared By:	Jessica Mesiti, Executive Planner

### PURPOSE OF REPORT

The purpose of this report is to seek the Camden Local Planning Panel's (the Panel's) determination of a development application (DA) for a mixed use development at 22-26 Lasso Road and 6 Steer Road, Gregory Hills.

The Panel is to exercise Council's consent authority functions for this DA as, pursuant to the Minister for Planning's Section 9.1 Direction, it proposes to contravene the retail shop cap development standards that apply to the site by more than 10%.

### SUMMARY OF RECOMMENDATION

That the Panel determine DA/2024/579/1 for a mixed use development pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions attached to this report.

## EXECUTIVE SUMMARY

Council is in receipt of a DA for a mixed use development at 22-26 Lasso Road and 6 Steer Road, Gregory Hills.

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

The DA was publicly exhibited in accordance with the Camden Community Participation Plan 2021. The exhibition period was from 19 November to 9 December 2024 and one submission was received (objecting to the development). A consideration of the submission issues is provided later in this report.

The application proposes contraventions to two development standards that limit the amount of shop area in the B5 Business Development zone (to 2,500m<sup>2</sup>) and the amount of shop area per development (to 500m<sup>2</sup>). The development proposed 624.73m<sup>2</sup> of retail floor area which will result in a total of 16,798.83m<sup>2</sup> of shop area in the B5 Business Development zone. The contraventions are assessed in detail in this report and are supported by Council staff.

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

## KEY PLANNING CONTROL VARIATIONS

Control	Proposed	Variation
Maximum 2,500m <sup>2</sup> shop area in the B5 Business Development zone.	16,798.83m <sup>2</sup> shop area in the B5 Business Development zone (inclusive of 16,174.1m <sup>2</sup> already approved by other DAs & CDCs).	14,298.83m <sup>2</sup> shop area (571.9%).
Maximum 500m <sup>2</sup> shop area per development in the B5 Business Development zone.	624.73m <sup>2</sup> shop area.	124.73m <sup>2</sup> shop area (24.9%).

## AERIAL PHOTO



## THE SITE

The site is commonly known as 22-26 Lasso Road and 6 Steer Road, Gregory Hills and is legally described as Lot 2 and Lot 7 in DP1267546. The site has a frontage of 49.2 metres to Lasso Road and 32.575 metres to Steer Road and has an overall area of 5,365m<sup>2</sup>. The site is rectangular in shape, with the exception of the site's frontage to Steer Road, which is located on a bend in the road. The existing ground level of the land falls away from a centrally traversing ridge approximately 3m towards Lasso Road and 0.5m towards Steer Road. There is no vegetation or structures on the lots.

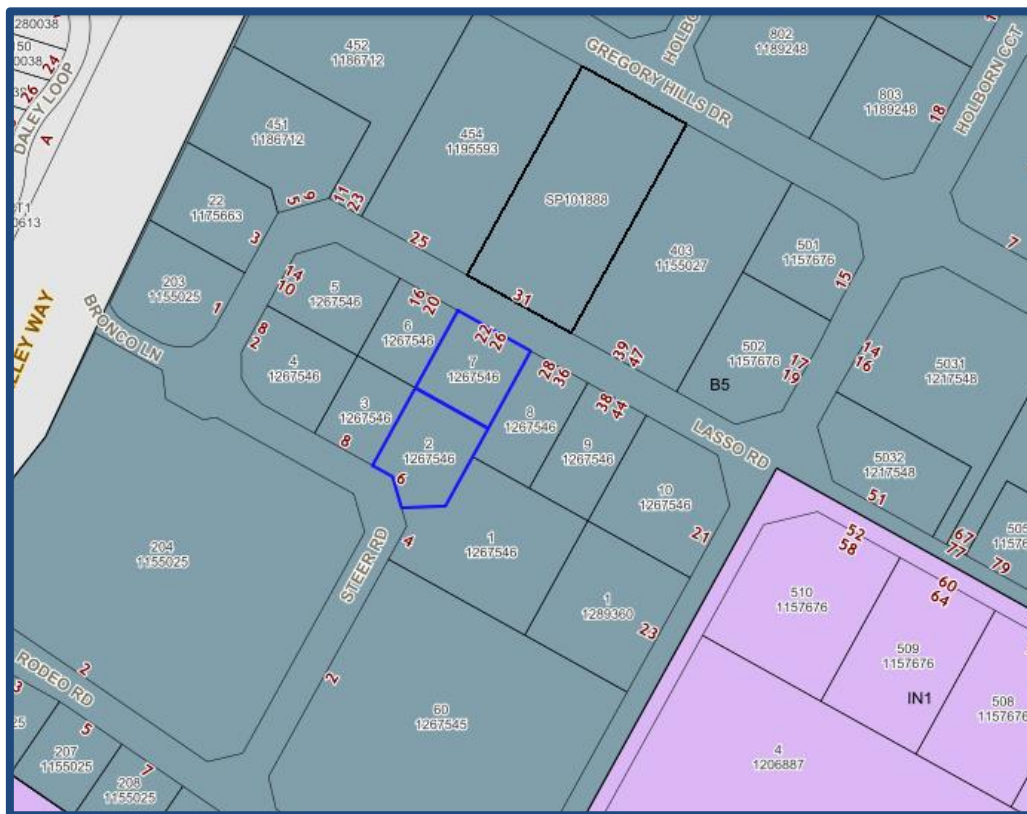
The site is surrounded by a series of commercial lots, which are mostly vacant. The adjoining site to the east has a DA approval for a commercial mixed use development up to six storeys in height facing Lasso Road and a two storey light industrial development facing Steer Road. The adjoining site to the west is vacant facing Lasso Road with an approved three storey mixed use commercial building facing Steer Road.

The surrounding area is characterised by a mix of business development lands. To the north lies the residential suburb of Gledswood Hills, to the east lies the residential suburb of Gregory Hills, to south lies industrial development within Smeaton Grange and to the west lies the residential suburbs of Oran Park and Harrington Park. The site is located within the Turner Road Precinct of the South West Growth Area.

It is noted that a DA was previously approved on the subject site in November 2022 (DA/2021/1962/1), for the consolidation of two lots and construction of a 5 storey mixed use development comprising 55 business premises tenancies and two food and drink premises with at grade and basement car parking, landscaping and associated site works.

The subject DA has been lodged with a new design which reduces the height to 3 storeys for the commercial component facing Lasso Road and introduces a two storey light industrial component facing Steer Road with a mix of at grade and basement parking.

### ZONING PLAN



### AREA MASTER PLAN



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

Date	Development
15 November 2022	Approval of DA/2021/1962/1 for the consolidation of two lots and construction of a 5 storey mixed use development comprising 55 business premises tenancies and two food and drink premises with at grade and basement car parking, landscaping and associated site works.

## THE PROPOSAL

DA/2024/579/1 seeks approval for the construction and use of a mixed use development.

Specifically, the development involves the construction of mixed commercial and light industry building consisting of:

- A three storey commercial building facing Lasso Road with central front entry stairs and west side accessible ramp;
- Two retail tenancies on the ground level facing Lasso Road with four commercial tenancies (two on each level) on level 1 and 2 with associated amenities;
- Six light industrial tenancies with associated mezzanine office space on the first floor located to the rear of the site which are accessible from Steer Road;
- 80 space basement parking accessible from Lasso Road;
- 30 at grade car parking spaces accessible from Steer Road and associated loading zone with a pedestrian link through to the commercial part of the building facing Lasso Road;
- A designated plant equipment area on the roof;
- Erection of a business identification pylon sign on the Steer Road frontage; and
- Associated site works.

## ASSESSMENT

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

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

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

The environmental planning instruments that apply to the development are:

- State Environmental Planning Policy (Precincts - Western Parkland City) 2021.
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- State Environmental planning Policy (Sustainable Buildings) 2022.
- State Environmental Planning Policy (Biodiversity and Conservation) 2021.

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

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

#### ***Site Zoning***

The site is zoned B5 Business Development pursuant to Appendix 2, Section 2.2 of the Western Parkland City SEPP.

#### *Development Characterisation*

The development is characterised as a 'mixed use development' comprising 'light industrial', 'business premises' and 'retail premises'.

#### *Permissibility*

The development is permitted with consent in the zone in which it is proposed pursuant to the land use table in Appendix 2 of the Western Parkland City SEPP.

#### *Planning Controls*

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

#### *Proposed Contravention*

The applicant proposes contraventions to the maximum shop area development standards that apply to the site. These are:

Control	Proposed	Variation
Maximum 2,500m <sup>2</sup> shop area in the B5 Business Development zone.	16,798.83m <sup>2</sup> shop area in the B5 Business Development zone (inclusive of 16,174.1m <sup>2</sup> already approved by other DAs & CDCs).	14,298.83m <sup>2</sup> shop area (571.9%).
Maximum 500m <sup>2</sup> shop area per development in the B5 Business Development zone.	624.73m <sup>2</sup> shop area.	124.73m <sup>2</sup> shop area (24.9%).

#### *Contravention Assessment*

Pursuant to Appendix 2, Section 4.6(3) of the Western Parkland City SEPP, the applicant has submitted a written request that seeks to justify the contraventions of the development standards. In summary, the applicant's written request provides the following justification for the contraventions:

- The proposed retail 'shop' tenancies will not detract from the economic strength or function of centres.
- The proposed retail 'shop' tenancies will have an overall positive impact in respect of employment generation.
- A series of departures have already been endorsed and the caps have largely been abandoned as they sit in contradiction with the large format retailing that is often sought in the B5 zone.
- The proposal is in the public interest because it is consistent with the objectives of the B5 Business Development Zone.



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

Pursuant to Appendix 2, Section 4.6(3) of the Western Parkland City SEPP, Council staff are satisfied that:

- The applicant's written request has adequately addressed the matters required to be demonstrated by Appendix 2, Section 4.6(3) of the Western Parkland City SEPP, and
- The development will be in the public interest because it is consistent with the objectives for development within the zone in which the development is proposed to be carried out. It is noted that although the development standards do not have any objectives their core purpose is to protect the viability and vitality of centres.

The development standard contraventions are supported for the following reasons:

- The development is consistent with the objectives for development within the zone in which the development is proposed to be carried out:
  1. *To enable a mix of business and warehouse uses and specialised retail uses that require a large floor area, in locations that are close to, and that support the viability of, centres.*

The development will provide business premises, industrial and retail premises. The proposed retail floor space will support the operation of the proposed business premises and will not impact on the viability of nearby centres.

2. *To provide for a wide range of employment generating development.*

The development will provide a range of employment generating land uses appropriate for the zone.

3. *To provide for a mix of ancillary uses to support the primary function of providing employment generating development.*

The development will provide a mix of uses that will ultimately help support other employment generating development on the site and in the zone.

4. *To maintain the economic strength of centres by limiting the retailing of food, clothing and convenience shopping.*

Clause 4.1E(1) of Appendix 2 of the SEPP seeks to ensure that retail 'shop' floor space within the Lasso Road precinct does not impact upon the envisaged hierarchy of centres and intended function of the Turner Road precinct.

The proposed retail 'shop' tenancies would not impact on the ongoing operation or viability of any existing retail centre in the local area, or impact negatively on the existing hierarchy of centres.

The nearest existing retail centre is Gregory Hills Village Centre, some 1.5 km from the site. This centre contains 7,500sqm of retail floor space and is anchored by a full-line Woolworths supermarket as well as an ALDI. The Gregory Hills Village Centre will serve a mix of local residents and workers whereas any retail development at the subject site will primarily serve local workers.

5. *To provide for a range of uses, including recreational uses and function centres, that complement other permissible employment generating land uses within the zone.*

The business premises are the primary land use proposed. The proposed retail 'shop' tenancies represent an ancillary use that will support and complement the operation of the industrial and business premises floor space at the site.

- The Camden Centres and Employment Lands Strategy (CCELS) notes that the development standards were established in 2007 and that the area has changed significantly since then. It is also recognised that the application of the development standards has become increasingly difficult to enforce due to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP).

The development is consistent with actions 13 and 14 of the CCELS:

- *Action 13 - Protect and retain the industrial and urban services land at Smeaton Grange, Gregory Hills and Narellan.*

The majority the development will be used for light industrial and business premises. These uses are core uses within the B5 Business Development zone and the proposal will ensure that this purpose is achieved on the site.

- *Action 14 - Remove the shop area development standards applying to the B5 Business Development zone.*

The development standard contraventions are consistent with action 14 which recommends removal of them.

- The Codes SEPP was gazetted after the Precinct was established in 2007. Part 2, Subdivision 10A of the Codes SEPP allows for business premises to be changed to shops as exempt development in many instances. Part 5A of the Codes SEPP allow for premises to either be used as, or change their use to, shops as complying development in many instances.
- The proposed retail floor space will not detract from the economic strength or function of nearby centres.
- The proposed retail 'shop' tenancies will have an overall positive impact in respect of employment generation.
- The proposed development includes an appropriate ground level ancillary retail use. The ancillary use supports the operation of industrial and business premises, which represents the primary land use activity proposed across the site.

Consequently, it is recommended that the Panel support this proposed contravention to the Western Parkland City SEPP.

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

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

#### *Contaminated Land*

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

Contamination was assessed under the parent subdivision which created the subject site under DA/2020/433/1. Council's Environmental Health Specialist has confirmed that the site is suitable for the intended mixed use development.

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

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

The Sustainable Buildings SEPP aims to encourage the design and delivery of sustainable buildings, ensure consistent assessment of sustainable buildings, and record accurate data about the sustainability of buildings.

The development is satisfactory in terms of Chapter 3 of the Sustainable Buildings SEPP in that:

- the development has been designed to enable the sustainability measures listed in Section 3.2,
- the embodied emissions attributable to the development have been quantified,
- the applicant has provided evidence that the development will incorporate the infrastructure necessary for the development to not use on-site fossil fuels after 1 January 2035,
- the applicant has submitted a NABERS commitment agreement that demonstrates the development is capable of achieving the standards for energy and water use specified in the Sustainable Buildings SEPP, and
- the applicant has detailed the method under Section J of the Building Code of Australia that will be used to demonstrate the development is capable of achieving the standards for energy use specified in the Sustainable Buildings SEPP.

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

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

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

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

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

The development control plans that apply to the development are:

- Camden Development Control Plan 2019.
- Turner Road Development Control Plan 2007.

Camden Development Control Plan 2019 (Camden DCP)

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

Turner Road Development Control Plan 2007 (Turner Road DCP)

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

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

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

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

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

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

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

Visual Impacts

It is considered that the development will positively contribute to the character of the area. The development is well articulated and incorporates a range of building setbacks, heights, materials, finishes and landscaping that provide a high degree of visual interest.

The site is not subject to a maximum building height development standard and buildings height is compatible with the surrounding land uses which vary between 2 and 6 storeys in height.

#### Traffic Impacts

The applicant has submitted a traffic report and supporting information in support of the DA. The report and supporting information demonstrate that the development will not have a significant negative impact upon the surrounding road network and the operation of surrounding intersections. Council staff have reviewed the report and supporting information and agree with their conclusions.

All other likely impacts have been assessed in other sections of this report.

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

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

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

The DA was publicly exhibited in accordance with Camden Community Participation Plan 2021. The exhibition period was from 19 November to 9 December 2024 and one submission was received (objecting to the development).

The following discussion addresses the issues raised in the submission.

1. *Concerns were raised that the building has no side setback.*

#### Officer Comment:

The proposal complies with the setback controls under the Turner Road Development Control Plan 2018 (DCP). The controls do not require a side setback for commercial buildings in the Turner Road Precinct.

It is noted that Council officers requested some additional articulation to the side elevations due to the length of the wall on the boundary. Amended plans were submitted which identify the inclusion of glass bricks on the side elevations to provide visual interest when viewed from the adjoining property.

Council officers sent the amended plans to the submitter and advised them of the DCP controls. The submitter acknowledged the plans and provided no further comments.

The proposed side setbacks (or lack thereof) are considered reasonable.

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

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

plans and policies. Based on the assessment, the development is consistent with the public interest.

### EXTERNAL REFERRALS

No external referrals were applicable 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 4.15(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. The DA is recommended for approval subject to the conditions attached to this report.

### RECOMMENDED

That the Panel:

- i. Support the applicant's request pursuant to Appendix 2, Section 4.6(3) of State Environmental Planning Policy (Precincts - Western Parkland City) 2021 to contravene Clause 4.1E(1) of Appendix 2 of State Environmental Planning Policy (Precincts - Western Parkland City) 2021, and
- ii. Approve DA/2024/579/1 for a mixed use development at 22-26 Lasso Road and 6 Streer Road, Gregory Hills subject to the conditions attached to this report for the following reasons:
  1. The Panel has considered the written request to contravene State Environmental Planning Policy (Precincts - Western Parkland City) 2021 in relation to the retail shop cap standards. The Panel considers that the written request from the applicant adequately demonstrates that compliance with the development standards in Section 4.1E(1), Appendix 2 of State Environmental Planning Policy (Precincts - Western Parkland City) 2021 is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standards. The Panel is also satisfied that the development will be in the public interest because it is consistent with the objectives of the development standards in Section 4.1E(1), Appendix 2 of State Environmental Planning Policy (Precincts - Western Parkland City) 2021 and the objectives for development within the B5 Business Development zone.
  2. The development is consistent with the objectives and controls of the applicable environmental planning instruments, being State Environmental Planning Policy (Precincts - Western Parkland City) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental planning Policy (Sustainable Buildings) 2022 and State Environmental Planning Policy (Biodiversity and Conservation) 2021.

3. The development is consistent with the objectives of the Turner Road Development Control Plan 2007 and Camden Development Control Plan 2019.
4. The development is considered to be of an appropriate scale and form for the site and the character of the locality.
5. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.
6. For the above reasons, the development is a suitable use of the site and its approval is in the public interest.

#### ATTACHMENTS

1. Recommended Conditions
2. Western Parkland City SEPP Assessment Table
3. Camden DCP Assessment Table
4. Turner Road DCP Assessment Table
5. Public Submission - *CONFIDENTIAL*
6. Clause 4.6 Written Request
7. Architectural Plans



**RECOMMENDED CONDITIONS**

## General

### 1.1 - General Conditions

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

<b>Approved plans</b>			
<b>Number</b>	<b>Title</b>	<b>Drawn by</b>	<b>Date</b>
AP01 Rev 5	Cover Sheet	LYMT	19/3/2025
AP02 Rev 5	Site Analysis	LYMT	19/3/2025
AP03 Rev 5	Site Plan	LYMT	19/3/2025
AP04 Rev 5	Basement & Ground Floor Plan	LYMT	19/3/2025
AP05 Rev 5	Level 1 & 2 Plans	LYMT	19/3/2025
AP06 Rev 5	Roof Plan	LYMT	19/3/2025
AP07 Rev 5	Elevations and Sections	LYMT	19/3/2025
54208-01/9 Issue B	Erosion & Sediment Control Plan	ING Consulting Engineers Pty Ltd	3/2/2025
54208-02/9 Issue B	Catchment Plan	ING Consulting Engineers Pty Ltd	3/2/2025
54208-03/9 Issue B	Proposed Commercial Development	ING Consulting Engineers Pty Ltd	3/2/2025
54208-04/9 Issue B	Ground/Site Plan	ING Consulting Engineers Pty Ltd	3/2/2025
54208-05/9 Issue B	Level 1 to 2 & Roof Plan	ING Consulting Engineers Pty Ltd	3/2/2025
54208-06/9 Issue B	Roof Plan	ING Consulting Engineers Pty Ltd	3/2/2025
54208-07/9 Issue B	Water Sensitive Urban Design	ING Consulting Engineers Pty Ltd	3/2/2025



54208-08/9 Issue B	Notes & Details	ING Consulting Engineers Pty Ltd	3/2/2025
54208-09/9 Issue B	Notes & Details 2	ING Consulting Engineers Pty Ltd	3/2/2025
21-4515 L01 Rev B Sheet 1 of 2	Landscape Plan	ING Consulting Engineers Pty Ltd	31/1/2025
21-4515 L02 Rev B Sheet 2 of 2	Landscape Plan	ING Consulting Engineers Pty Ltd	31/1/2025

Approved documents		
Title	Prepared by	Date
Disability Access Compliance Statement Development Application for a Light Industrial, Retail and Commercial Development, 6 Steer Road and 22-26 Lasso Road, Gregory Hills, Rev 2	Urban Pathways	1/11/2024
Building Code of Australia Compliance Assessment Report for DA Submission Mixed Use Development 6 Steer Road and 22-26 Lasso Road, Gregory Hills, Report no. 11534 Rev 01	AED Group	9/10/2024
Fire Engineering Letter, Ref 143991.00 Version A	Holmes	16/10/2024
NABERS Estimation Report, 6 Steer Road & 22-26 Lasso Road, Gregory Hills, Ref 076-2399J2 Rev 1	Eco Engineering Group	7/2/2025
Office NABERS Water Estimation Report, 6 Steer Road & 22-26 Lasso Road, Gregory Hills, Ref 076-2399W1 Rev 1	Eco Engineering Group	7/2/2025
Net Zero Emission Assessment Report, 6 Steer Road & 22-26 Lasso Road, Gregory Hills, Ref 076-2399J4 Rev 1	Eco Engineering Group	7/2/2025
Traffic and Parking Assessment Report 22-26 Lasso Road and 6 Steer Road, Gregory Hills, Proposed Mixed Use Building Development Ref 24112	CJP Consulting Engineers	30 October 2024
Waste Management Plan 22&26 Lasso Road and 6 Steer Road, Gregory Hills	LYMT Pty Ltd	2/11/2024

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

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

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

Building / Tenancy Number	Approved Use
Ground Floor – Retail (303.69sqm)	Retail Premises
Ground Floor – Retail (321.04sqm)	Retail Premises
Units 1 to 6 (inclusive)	Light Industrial
Level 1 – B01	Business Premises
Level 1 – B02	Business Premises
Level 2 – B01	Business Premises
Level 2 – B02	Business Premises

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

- (3) **Approved tree work** - This development consent approves the following tree to be removed:

1. One Lophostemon Confertus at the proposed driveway on Lasso Road.

**Condition reason:** To detail approved tree work and any replacement landscaping.

- (4) **No fit out approved** - This development consent does not approve the fit out of the approved tenancies. A separate development application must be lodged with and approved by Council before any fit out commences (unless the fit out is exempt or complying development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008).

**Condition reason:** To clarify when separate consent is required for the fit out of approved buildings and tenancies.

- (5) **Signage** - This development consent does not approve any signage, with the exception of the business identification pylon sign on Steer Road and the business identification sign above basement car park entry on Lasso Road.

A separate development application must be lodged with and approved by Council before any signage is displayed on the site (unless the signs are exempt or complying development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008).

**Condition reason:** To clarify when separate consent is required for signage.

- (6) **Energy and water use for large commercial development under State Environmental Planning Policy (Sustainable Buildings) 2022** - Within the relevant

period, the following information must be given to the consent authority using the NSW Planning Portal:

1. An assessment of the NABERS rating for water use achieved by the development, prepared by an assessor accredited under NABERS.
2. An assessment of the NABERS rating for energy use achieved by the development, prepared by an assessor accredited under NABERS.
3. Evidence that the offsets required for the development under section 79A of the *Environmental Planning and Assessment Regulation 2021* have been:
  - a. for ACCUs or large-scale generation certificates - purchased and surrendered, or
  - b. for Climate Active certification - obtained.
4. The assessment under point 3 of this condition must specify the following:
  - a. The rated annual electricity use.
  - b. If the development will not achieve the energy use standards - the difference between the rated annual electricity use and the energy use standards, calculated for the first 5 years of operation.
  - c. The rated use of on-site fossil fuels and the associated amount of carbon dioxide measured as carbon dioxide equivalent or CO<sub>2</sub>e, calculated for the first 10 years of operation.

**Condition reason:** Prescribed condition under section 79A of the *Environmental Planning and Assessment Regulation 2021*.

## Building Work

### 2.1 - Before Issue of a Construction Certificate

- (1) **Surrender of development consent** - Before the issue of a construction certificate, development consent DA/2021/1962/1 must be surrendered under section 4.17 of the *Environmental Planning and Assessment Act 1979* and section 67 of the *Environmental Planning and Assessment Regulation 2021*.

**Condition reason:** To require the surrender of existing consent(s) where warranted by approved development.

- (2) **Design amendments** - Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:
  1. The landscape plans and civil engineering plans are required to be amended to match the approved architectural plans to show the amended landscaping and at grade/basement car parking layouts.

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

- (3) **Public infrastructure alterations** - Before the issue of a construction certificate, any required alterations to public infrastructure (including ramps, footpaths, kerb and

gutter, light poles, kerb inlets, service provider pits, street trees or any other public infrastructure) must be approved by the roads authority under the *Roads Act 1993*. Any costs incurred will be borne by the developer. Evidence of the approval must be provided to the certifier.

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

- (4) **Fibre-ready facilities and telecommunications infrastructure** - Before the issue of a construction certificate, written evidence from the carrier must be obtained that demonstrates, to the certifier's satisfaction, that arrangements have been made for:

1. The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Written confirmation that the carrier is satisfied that the fibre ready facilities are fit for purpose is also required.
2. The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

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

- (5) **Glass reflectivity index** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the glass reflectivity index for all glass used externally will not exceed 20%.

**Condition reason:** To ensure all glass used externally has a reasonable maximum level of reflectivity.

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

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

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

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

- (8) **Driveway design** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the approved driveway(s) will comply with AS 2890 - Parking

Facilities and Council's Access Driveway Specifications or Heavy Duty Industrial Commercial Vehicle Crossing (as applicable to the development).

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

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

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

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

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

**Condition reason:** To ensure that new public infrastructure works undertaken within the existing public domain are constructed to an appropriate standard.

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

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

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

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

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

1. Erosion and sediment control measures, including compliance with the NSW Department of Planning, Housing and Infrastructure document 'Guidelines for erosion and sediment control on building sites' and the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate (the blue book)' (as applicable and as amended from time to time).
2. Earthworks.

3. Water quantity and quality facilities:
  - a. A detailed on-site detention and water quality report.
  - b. An electronic stormwater model.
  - c. A validated Camden Council MUSIC-link report with electronic model.
4. Details of any required augmentation of existing drainage systems to accommodate drainage from the development.
5. For roads and car parks:
  - a. Pavement design.
  - b. Traffic management devices.
  - c. Line marking.

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

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

- (14) **Detailed landscaping plan** - Before the issue of a construction certificate, detailed landscaping plans must be prepared by a registered landscape architect and demonstrate, to the certifier's satisfaction, the following detailed design requirements:
1. Consistency with the concept landscaping plans approved by this development consent.
  2. Compliance with Appendix B of Camden Development Control Plan 2019.
  3. Street tree planting detail is required to show root barriers against all hard surfaces (i.e. footpaths, curb, driveways) and are required to be 2m wide and 600mm deep.
  4. Street trees are required to have a 100L stock size.
  5. Landscape trees are required to be a minimum of 75L.
  6. Street trees are required to comply with AS2303 – Tree Stock for Landscape Use.

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

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

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

- (16) **Mechanical exhaust systems** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the mechanical exhaust systems will comply with AS 1668 - The Use of Ventilation and Air Conditioning in Buildings (including exhaust air quantities and discharge location points).

**Condition reason:** To ensure compliance with industry standards.

- (17) **Outdoor lighting plan (preparation)** - Before the issue of a construction certificate, a lighting plan must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that all lighting will comply with AS 4282 - The Control of Obtrusive Effects of Outdoor Lighting and AS 1158 - Lighting for Roads and Public Spaces.

**Condition reason:** To ensure compliance with industry standards and to protect the amenity of the surrounding area.

- (18) **Salinity management** - Before the issue of a construction certificate, information must be prepared by a suitably qualified person and demonstrate, to the certifier's satisfaction, that the development will comply with the salinity control measures in Council's engineering specifications.

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

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

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

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

#### **More information**

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

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

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

1. Constructed of solid, impact resistant materials and finished in a smooth, even surface.
2. Smooth, impervious walls to ensure no moisture, oils or similar material can soak in.
3. Impervious, coved and graded floors that will be drained to a floor waste connection.
4. Ventilated in accordance with AS 1668 - The Use of Ventilation and Air Conditioning in Buildings.
5. Provided with lighting, pest proofing and an external water tap.
6. Roofed with a minimum ceiling height of 2.4m.
7. Serviced by a minimum 1.8m wide door(s) that opens in an outwards direction and can be locked open.

**Condition reason:** To ensure that hygienic waste management facilities are provided.

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

Camden Section 7.12 Development Contribution Plan	
% of development cost	<b>1% OF DEVELOPMENT COST</b>
Amount payable	<b>\$ 134,644</b>

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

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

## 2.2 - Before Building Work Commences

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

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

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



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

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

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

1. A photographic survey of the following properties:
  - a. Lot 6 DP 1267546, 16-20 Lasso Road, Gregory Hills.
  - b. Lot 8 DP 1267546, 28-36 Lasso Road, Gregory Hills.
  - c. Lot 1 DP 1267546, 4 Steer Road, Gregory Hills.
  - d. Lot 3 DP 1267546, 8 Steer Road, Gregory Hills.
2. A photographic survey of existing public infrastructure surrounding the site including (but not necessarily limited to):
  - a. Road carriageways.
  - b. Kerbs.
  - c. Footpaths.
  - d. Drainage structures.
  - e. Street trees.

In the event that access for undertaking the dilapidation report is denied by a property owner, the developer must detail in writing that all reasonable steps have been taken to obtain access to and advise the affected property owner of the reason for the survey and that these steps have failed. Written approval must be obtained from the principal certifier in such an event.

Should any public property or the environment sustain damage during the course of and as a result of works, or if the works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the developer's damages bond.

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

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

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

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

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

- (5) **Erection of signs** - Before any building work commences, a sign must be erected in a prominent position on the site:
1. Showing the name, address and telephone number of the principal certifier for the work.

2. Showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours.

3. Stating that unauthorised entry to the work site is prohibited.

The sign must be:

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

This condition does not apply in relation to:

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

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

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

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

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

### 2.3 - During Building Work

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

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

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

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

Unless otherwise approved in writing by Council.

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

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

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

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

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

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

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

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

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

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

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

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

'WARNING UP TO \$30,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (12 22 63) - Solution to Pollution.'

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

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

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

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

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

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

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

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

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

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

- c. Has had its salinity characteristics identified in the report and specifically the aggressiveness of salts to concrete and steel (refer to the Department of Land and Water Conservation publication 'Site investigation for Urban Salinity').
  - d. Is suitable for its intended purpose and land use.
  - e. Has been lawfully obtained.
4. The sampling of the material for salinity complies with:
- a. Less than 6,000m<sup>3</sup> - 3 sampling locations.
  - b. Greater than 6,000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2,000m<sup>3</sup> or part thereof.
  - c. A minimum of 1 sample from each sampling location must have been provided for assessment.
5. The sampling of the material for contamination complies with:
- a. 1 sample per 1,000m<sup>2</sup> or part thereof.
  - b. For volumes less than 1,000m<sup>2</sup>, a minimum of 2 separate samples from different locations must be taken.

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

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

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

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

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

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

- (13) **Fill compaction (non-subdivision)** - While building work is being carried out, all fill must be compacted in accordance with Council's current engineering specifications, to the satisfaction of the principal certifier.

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

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

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

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

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

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

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

- (16) **Compliance with *Building Code of Australia*** - While building work is being carried out, the work must be carried out in accordance with the *Building Code of Australia*. A

reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the relevant date (as defined by section 19 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*).

This condition does not apply:

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

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

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

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

This condition does not apply if:

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

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

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

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

- (19) **Anti-graffiti finish** - While building work is being carried out, an anti-graffiti finish must be applied to all external facing and publicly accessible building elements, to the satisfaction of the principal certifier.

**Condition reason:** To protect buildings from graffiti application.



## 2.4 - Before Issue of an Occupation Certificate

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

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

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

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

- (3) **Services** - Before the issue of an occupation certificate, the following information from energy, water and wastewater service suppliers must be obtained and provided to the principal certifier:

1. A notice of arrangement for the distribution of electricity from Endeavour Energy to service the approved development.
2. A section 73 compliance certificate from Sydney Water demonstrating that satisfactory arrangements have been made to service the approved development. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to the [Sydney Water website](#) or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

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

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

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

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

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

- (6) **Existing street trees inspection** - Before the issue of an occupation certificate, all existing street trees along all public roads adjoining the site must be inspected by Council. Any damage to these existing street trees must be rectified to the

satisfaction of Council. Evidence of the inspection and Council's satisfaction of any required rectification works must be provided to the principal certifier.

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

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

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

- (8) **Water management facilities positive covenant** - Before the issue of an occupation certificate, evidence must be provided and demonstrate, to the principal certifier's satisfaction, that a positive covenant has been registered with NSW Land Registry Services. The positive covenant must be created under Section 88E of the *Conveyancing Act 1919* and burden the property owner with a requirement to maintain any on-site detention, on-site retention/re-use and water quality facilities on the property.

The terms of the positive covenant must include the following:

1. The property owner is responsible for maintaining and keeping clear all pits, pipelines, trench barriers and other structures.
2. The property owner will have the facilities inspected by a competent person on a schedule mandated by the facilities' design specifications.
3. Council will have the right to enter the site at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities.
4. Council will have the right to recover as a liquidated debt the cost of any remedial work from the property owner upon demand.
5. The property owner will indemnify Council and all adjoining property owners against damage to their properties arising from the failure of any component of the facilities or the failure to clean, maintain and repair the facilities.

**Condition reason:** To provide a legal mechanism for the long-term maintenance of water management facilities.

- (9) **On-site detention facility plan of management (preparation)** - Before the issue of an occupation certificate, an on-site detention facility plan of management (POM) must be prepared by a suitably qualified person, to the satisfaction of the principal certifier. The POM must describe all design and operational parameters for the facility including:

1. Design levels.
2. Hydrology and hydraulics.

3. Inspection and maintenance requirements (including time intervals for inspections and maintenance).

**Condition reason:** To provide a management regime for on-site detention facilities.

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

1. Digital data must be in AutoCAD .dwg or .dxf format and the data projection coordinate must be in GDA94 / MGA Zone 56.
2. Verify that any water management basins have been completed in accordance with the approved plans and provide the following details:
  - a. Levels and dimensions to verify the storage volume of any water management facilities.
  - b. Levels and other relevant dimensions of:
    - i. Internal drainage pipes.
    - ii. Orifice plates.
    - iii. Outlet control devices and pits.
    - iv. Weirs (including widths).
  - c. Verification that the orifice plates have been fitted and the diameter of the fitted plates.
  - d. Verification that trash screens are installed.
3. Where the site is flood affected, the plans must clearly delineate the extent of the flood planning levels. The plans must clearly delineate the extent and location of the 5% annual exceedance probability (AEP), the 1% AEP, the probable maximum flood and the flood planning level (FPL) lines and clearly label them as such. The FPL is defined in Council's Flood Risk Management Policy.

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

- (11) **Mechanical exhaust systems** - Before the issue of an occupation certificate, information must be prepared by a suitably qualified person and demonstrate, to the principal certifier's satisfaction, that:
1. The mechanical exhaust systems have been designed, constructed and installed in accordance with the *Building Code of Australia* and AS 1668 - The Use of Ventilation and Air Conditioning in Buildings.
  2. The installed air handling system has been tested and complies with the construction certificate plans and specifications (including ventilation requirements and fire precautions).

**Condition reason:** To ensure that mechanical exhaust system(s) are installed in accordance with industry standards.

- (12) **Acoustic compliance report** - Before the issue of an occupation certificate, an acoustic compliance report must be prepared by a suitably qualified acoustic consultant and demonstrate, to the principal certifier's satisfaction, that the noise levels from mechanical plant shall comply with background noise levels + 5db(A) at the nearest sensitive receiver.

All noise attenuation structures and materials used for the mitigation of noise must be in accordance with the conditions of this development consent.

For any acoustic non-compliance(s), the compliance report must make recommendations for compliance or further mitigation of noise sources, to the satisfaction of Council. The developer must then comply with the recommendations of the compliance report and a further acoustic compliance report must be prepared by a suitably qualified acoustic consultant and demonstrate, to the principal certifier's satisfaction, that the noise criteria in this condition has been achieved.

**Condition reason:** To ensure that operational noise levels will comply with the approved acoustic report.

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

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

- (14) **Lot consolidation** - Before the issue of an occupation certificate, the following lots must be consolidated into one lot:

1. Lot 2 DP 1267546.
2. Lot 7 DP 1267546.

**Condition reason:** To ensure the site is legally configured as one lot.

## 2.5 - Occupation and Ongoing Use

- (1) **Priority (noxious) weeds management (ongoing)** - During occupation and ongoing use of the development, weed dispersion must be minimised and weed infestations must be managed under the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*. All new infestations must be reported to Council.

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

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

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

- (3) **Loading and unloading** - During occupation and ongoing use of the development, all loading and unloading activities must take place within the development's approved loading area.

**Condition reason:** To maintain the visual amenity of the area and off-street car parking spaces and driveways approved for the development.

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

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

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

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

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

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

- (7) **Liquid spills management** - During occupation and ongoing use of the development, the management of liquid spills must comply with the following requirements:

1. Supplies of spill prevention, absorbent and clean-up materials must be kept on site to recover any spilled liquid.
2. Liquid spills must be cleaned up using dry methods (by placing absorbent material on the spill and sweeping or shovelling the material into a secure bin).
3. Materials used for clean-up must be disposed of at a waste facility.

**Condition reason:** To protect the environment from pollution.

- (8) **Offensive noise and noise compliance** - During occupation and ongoing use of the development, the use and occupation of the premises, including all plant and equipment, must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*. Operational noise must also comply with the NSW Noise Policy for Industry 2017.

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

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

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

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

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

- (11) **On-site detention facility plan of management (ongoing)** - During occupation and ongoing use of the development, the on-site detention facility plan of management plan required by this development must be complied with.

**Condition reason:** To provide a management regime for on-site detention facilities.

- (12) **Outdoor lighting plan (ongoing)** - During occupation and ongoing use of the development, the approved lighting plan must be complied with.

**Condition reason:** To ensure compliance with industry standards and to protect the amenity of the surrounding area.

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

Clause	Assessment	Compliance?
<p><b>Appendix 2, 2.3 Zone objectives and land use table</b></p> <p>The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.</p> <p>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.</p> <p>The zone objectives for this site are:</p> <ul style="list-style-type: none"> <li>• To enable a mix of business and warehouse uses and specialised retail uses that require a large floor area, in locations that are close to, and that support the viability of, centres.</li> <li>• To provide for a wide range of employment generating development.</li> <li>• To provide for a mix of ancillary uses to support the primary function of providing employment generating development.</li> <li>• To maintain the economic strength of centres by limiting the retailing of food, clothing and convenience shopping.</li> <li>• To provide for a range of uses, including recreational uses and function centres, that complement other permissible employment generating land uses within the zone.</li> </ul>	<p>The proposed development is consistent with the objectives of the B5 Business Development zone. Specifically, the development provides employment generating development and provides an ancillary use that supports the primary function of the surrounding area.</p>	Yes
<p><b>Appendix 2, 4.1E Shops – Turner Road Precinct</b></p> <p>The total area used for shops on all land within Zone B5 Business Development in the Turner Road Precinct must not exceed 2,500m<sup>2</sup>.</p> <p>The total area used for shops in a particular development for that purpose on land within Zone B5 Business Development in the Turner Road Precinct must not exceed 500m<sup>2</sup>.</p>	<p>The 2,500sqm threshold for retail 'shop' floor space under Clause 4.1E has been exceeded by several developments in the precinct. The proposal includes an area of retail 'shop' floor space of 624.73sqm across two tenancies which further varies this development standard.</p> <p>624.73sqm of retail 'shop' floor space is proposed at the ground level.</p>	<b>No - The application is supported by a Clause 4.6 written request.</b>
<p><b>Appendix 2, 4.3 Height of buildings</b></p> <p>The SEPP does not specify a maximum building height.</p>	<p>The height of the proposed building is 15.4m to the top of roof mounted equipment.</p>	Yes
<p><b>Appendix 2, 6.1 Public utility infrastructure</b></p> <p>Development consent must not be granted for development on land unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been</p>	<p>Council staff are satisfied the site contains essential public utility infrastructure.</p>	Yes

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

Clause	Assessment	Compliance?
made to make that infrastructure available when it is required.		
<b>Appendix 2, 6.6 Development in special areas</b> Development consent must not be granted for development in a special area on the Special Areas Map unless a development control plan has been prepared for the land and addresses a number of matters listed in this clause; including a transport movement hierarchy and stormwater and water quality management controls.  The above does not apply to certain minor development types listed by this clause.	The Turner Road Development Control Plan applies to the subject site. An assessment of the proposed development against the relevant provisions of the DCP has been undertaken and is provided in the DCP Assessment Table.	Yes



Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Control	Assessment	Compliance
<b>A2 Notification Requirements</b>  DAs are to be publicly exhibited in accordance with the Camden DCP	The DA has been publicly exhibited in accordance with the Camden DCP.	Yes
<b>B1.1 Erosion and Sedimentation</b>  Appropriate erosion, sediment and dust control measures must be implemented	Appropriate conditions are included in the recommendation to ensure the control of erosion and sedimentation.	Yes
<b>B1.2 Earthworks</b>  Cut and fill should be minimized  Only virgin excavated natural material should be used as fill	The proposal includes excavation for the proposed basement parking which is reasonable for the proposed development.  An appropriate condition is included in the recommendation to ensure only virgin excavated natural material is used as fill (if any is required).	Yes  Yes
<b>B5.1 Off Street Car Parking Rates/ Requirements</b>  Off-street car parking compliant with the car parking rates provided in the Camden DCP  Business premises = 1 space per 40m <sup>2</sup>  Retail premises = 1 space per 22m <sup>2</sup> (200m <sup>2</sup> or greater) or 1 space per 30m <sup>2</sup> (less than 200m <sup>2</sup> ).  Industrial 1 space per 70m <sup>2</sup> Office - 1 space per 40m <sup>2</sup> (for the office space component in excess of 20% of the light industrial floor area)  Business and Retail Motorcycle and Bike:  1 bicycle space per 25 car parking spaces in excess of the first 25 car parking spaces; and  1 motorcycle space per 50 car parking spaces in excess of the first 50 car parking spaces.	  1403.2 /40 = 35  624.73/ 22 = 28  2,357/70 = 34  Office for industrial 678.42m <sup>2</sup> → 207.02 (office component above 20% of the industrial floor area) /40 = 5  Total required = 102  Total provided =110  The proposed development requires 5 bicycle spaces and 2 motorcycle spaces.  A total of 9 bicycle spaces and 4 motorcycle spaces are provided.	Yes

Turner Road Development Control Plan 2018 (Turner Road DCP) Assessment Table

Part A – Precinct Wide Controls		
Control	Assessment	Compliance
<b>2.1 Indicative Layout Plan (ILP)</b>  All development is to be undertaken generally in accordance with the ILP at Figure 2.	The ILP identifies that the site should be developed for business development purposes. The proposed development is generally consistent with the ILP as it proposes a mixed use development which comprises predominately of light industrial, business premises, and supplementary retail uses which support the functions of the business tenancies.	Yes.
<b>2.2 Vision and Development Objectives</b>  Consistency with key development objectives for the Turner Road Precinct.	The proposed development is consistent with the vision and objectives of the Turner Road Precinct as it: <ul style="list-style-type: none"> <li>a. Facilitates urban development which meets environmental sustainability objections.</li> <li>b. Achieves a high standard of urban and architectural design quality.</li> <li>c. Maximises opportunities for local employment and business; and,</li> <li>d. Provides a specialist business centre.</li> </ul>	Yes.
<b>2.5 Hierarchy of Centres and Employment Areas</b>  Development is to be consistent with the Hierarchy of Centres and Employment Areas Table (Table 1) and the Neighbourhood and Employment Areas Figure (Figure 4).	The proposed development is consistent with the Hierarchy of Centres and Employment Areas in that it is a building which will offer business premises which is consistent with the business development type listed in Table 1.	Yes.

Turner Road Development Control Plan 2018 (Turner Road DCP) Assessment Table

<p><b>6.2 Flooding and Watercycle Management</b></p> <p>Compliance with Council's Engineering Specifications.</p> <p>Compliance with the environmental stormwater objectives listed in Table 9.</p>	<p>Civil engineering plans, stormwater management report and MUSIC/DRAINS models were submitted with the DA which demonstrate compliance with Council's Engineering Design Specifications.</p> <p>An on site detention (OSD) tank is proposed as part of the development and the development achieves water sensitive urban design in accordance with Council's Engineering Design Specifications (Table 9).</p>	<p>Yes.</p>
<p><b>6.3 Salinity and Soil Management</b></p> <p>Works are to comply with the Salinity Initiative booklets and Council's Building in Saline Prone Environments policy.</p> <p>Sediment and erosion controls are to be installed prior to construction.</p>	<p>A Salinity Management Plan was approved as part of the parent subdivision which was included on the Section 88B instrument for the subject site. Conditions are recommended for compliance with the Salinity Management Plan.</p> <p>A satisfactory sediment and erosion control plan was submitted with the DA.</p>	<p>Yes.</p>
<p><b>6.8 Contamination Management</b></p> <p>A contamination assessment in accordance with Council's Management of Contaminated Lands Policy is required</p>	<p>Contamination was assessed under the parent subdivision. Therefore, the site is suitable for the intended use as a mixed use development. A standard unexpected finds contingency condition is recommended.</p>	<p>Yes.</p>
<p><b>6.10 Acoustics</b></p> <p>Compliance with Council's Environmental Noise Policy (ENP)</p>	<p>An acoustic report was not considered necessary for the proposed development given the nature of the proposal.</p>	<p>Yes.</p>

## Turner Road Development Control Plan 2018 (Turner Road DCP) Assessment Table

<p><b>8.1 Sustainable Building Design</b></p> <p>Developments <u>not</u> affected by BASIX must achieve a 40% reduction of baseline potable water consumption.</p> <p>Building design is to respond to local climate and site conditions with passive solar and ventilation measures to be incorporated into building design.</p> <p>High use work areas (such as offices) are to be positioned to maximise solar gain and natural ventilation.</p>	<p>The proposed building is subject to BASIX requirements under the State Environmental Planning Policy (Sustainable Buildings) 2022 as it is a large scale commercial building. Supporting documentation has been submitted which demonstrates compliance with the BASIX requirements including energy and water efficiency ratings.</p> <p>The building is designed to respond to local climate and site conditions through the incorporation of passive solar and ventilation measures. Extensive use of solar panels is also provided on the rooftop.</p> <p>The tenancies are positioned to maximise solar gain and natural ventilation.</p>	<p>Yes.</p>
<p><b>8.2 Stormwater and Construction Management</b></p> <p>A Stormwater Concept Plan is to be submitted with each building DA indicating how stormwater will be managed and disposed of. Drainage for individual developments shall be designed in accordance with the stormwater quality and quantity targets set by the DECC, Australian Rainfall and Runoff (1997), and Council's Engineering Design Specification. All subsurface drains are to be connected into the stormwater system within the site downstream of any water tanks.</p> <p>All development shall be carried out in accordance with an approved Soil and Water Management Plan prepared in accordance with Managing Urban Stormwater - Soils and Construction, Landcom 4th Edition March 2004 ('The Blue Book').</p> <p>Where properties fall away from the street and/or are unable to drain to a trunk drainage system, an easement for draining through downstream properties must be created in the subdivision plan.</p>	<p>A concept stormwater plan has been submitted with the application, which is consistent with the DECC, Australian Rainfall and Runoff (1997), Council's Engineering Design Specifications and the Blue Book.</p> <p>The property falls towards Lasso Road and does not require provision of an easement.</p>	<p>Yes.</p>

Turner Road Development Control Plan 2018 (Turner Road DCP) Assessment Table

<p><b>8.3 Waste Management</b></p> <p>A waste management plan must be submitted with DA.</p> <p>All business and industrial operations are to provide adequate on-site waste storage facilities that are readily accessible and appropriately screened from view.</p> <p>Development must demonstrate that the design takes into account refuse storage and collection without reducing the amenity of a dwelling or neighbouring lots</p> <p>Storage areas for rubbish bins are to be located away from the front of development where they have a significant negative impact on the streetscape, the visual presentation of the building entry and on the amenity of residents, building users and pedestrians.</p>	<p>An adequate waste management plan has been submitted in support of the DA and adequate waste storage facilities are provided within the basement. Council's Waste Officer has reviewed the design and is satisfied adequate waste storage and services are provided on site.</p>	<p>Yes.</p>
<p><b>8.4 Site Facilities and Servicing.</b></p> <p>Garbage, mail structures, service meters and the like are to be integrated into the overall design of the building and landscaping</p>	<p>Service facilities are adequately integrated into the building design.</p>	<p>Yes.</p>
<p><b>8.6 Safety and Surveillance</b></p> <p>Buildings must be designed to provide casual surveillance, avoid blank walls and comply with Crime Prevention Through Environmental Design (CPTED) principles</p>	<p>The building is designed to have a frontage to Lasso Road and provide casual surveillance of the street and internal common areas.</p>	<p>Yes.</p>
<p><b>Part B3 – Controls for the Turner Road Employment Area</b></p>		
<p><b>3.1 Land Uses</b></p> <p>Development is to be undertaken generally in accordance with the DCP's Preferred Land Use Plan at Figure 67.</p>	<p>The proposed development is generally consistent with the DCP's Preferred Land Use Plan in that it proposes the primary land use as light industrial and business premises. A retail premises is proposed as supplementary land uses.</p>	<p>Yes.</p>
<p><b>3.4 Public Domain and Interface Areas</b></p> <p>The principles of CPTED must be incorporated into the design of all development</p>	<p>CPTED principles are evident in the design of the building and layout. The proposed building has a frontage to Lasso Road. This will enable passive surveillance of the public streets.</p>	<p>Yes.</p>

Turner Road Development Control Plan 2018 (Turner Road DCP) Assessment Table

<p><b>3.5 Site Planning</b></p> <p>The following building setbacks are required:</p> <p>5m to Lasso Road</p> <p>Front setbacks are to be landscaped and not dominated by parking areas or loading facilities</p> <p>Each site is to provide on-site stormwater detention</p>	<p>A 5.8m setback is provided to Lasso Road.</p> <p>The front setback has been adequately landscaped with no vehicular hard stand areas. Parking is both basement and at grade parking.</p> <p>The development includes on site detention tanks which comply with Council's pre and post discharge requirements.</p>	<p>Yes.</p>
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Turner Road Development Control Plan 2018 (Turner Road DCP) Assessment Table

<p><b>3.6 Building Design</b></p> <p>Scale and massing of buildings should reinforce the desired urban design character with larger buildings used to signify prominent corners, activity nodes and the like</p> <p>The office component of any development is to be incorporated into the overall design of the building, and located generally along the primary street frontage.</p> <p>Key sites (Figure 70) are to include 'gateway buildings' which signify the entrances to the employment area. The built form and architecture of development is to enhance its location and positively respond to and emphasise the street corner.</p> <p>Facades visible from the public domain are to include a high proportion of glazing and be provided with architectural articulation</p> <p>Blank building facades facing the primary street frontage are not permitted</p> <p>Glazing shall not exceed 20% reflectivity</p> <p>The use of metal cladding is discouraged unless it forms part of an architectural design solution in association with masonry, glazing and other high quality materials.</p> <p>Materials that are likely to contribute to poor internal air quality, such as those generating formaldehyde or those that may create a breathing hazard in the case of fire (e.g. polyurethane), should be avoided.</p> <p>Building design within the Business Development Lands are to include:</p> <p>(a) Effective sun-shading for west facing windows.</p> <p>(b) Articulated roof forms.</p>	<p>The scale of the proposed building is generally in keeping with surrounding development in the area.</p> <p>The proposal includes business premises offices which have a frontage to Lasso Road.</p> <p>The subject site is not identified as a key site.</p> <p>The proposed development provides an active presentation to the street and is appropriately modulated / articulated with satisfactory glazing.</p> <p>No blank facades are proposed. The front and rear elevations are articulated and include painted concrete with glass bricks to provide visual articulation where visible from the street.</p> <p>A standard condition could address this matter should the DA be approved.</p> <p>The proposal does not include metal cladding.</p> <p>The proposed materials will not contribute to poor internal air quality.</p> <p>West facing windows are adequately shaded from the sun.</p> <p>Roof forms are articulated through the staggering of height. The top level is recessed back and provides</p>	<p>Yes</p>
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Turner Road Development Control Plan 2018 (Turner Road DCP) Assessment Table

<p>(c) Emphasis on customer entries.</p> <p>The use of high-quality materials and finishes.</p>	<p>rooftop landscaping and amenities to reduce the bulk and scale.</p> <p>Each tenancy at ground level has individual access. Access to upper floors is via a lobby and with a lift and stairs which is accessible via the centre of the building.</p> <p>The design incorporates high quality materials and finishes including the use of curved glass and complementary landscaping.</p>	
<p><b>3.7 Employment Operations</b></p> <p>Access, parking and loading to be in accordance with Camden DCP 2011</p> <p>Development applications must provide proposed hours of operation, number and timing of deliveries expected per day, nature and frequency of heavy vehicles expected to access the premises and proposed locations of external light sources and the extent of light spillage outside of the subject property.</p>	<p>The proposal requires a total of 102 car parking spaces to be provided. A total of 110 spaces have been provided. Satisfactory loading and unloading are provided. It noted that deliveries are to be undertaken within the dedicated loading bays by a medium rigid vehicle for the light industries and SRV for the commercial component.</p> <p>A DA/CDC will be required for the fit-out of the tenancies. All other business tenancies identified on the plans will be leased and subject to CDCs/DAs for those uses and fit outs.</p> <p>A standard condition is recommended ensuring provision of a detailed lighting plan prior to the issue of a construction certificate.</p>	<p>Yes.</p>
<p><b>3.9 On Site Landscaping</b></p> <p>A concept landscaping plan is to be provided with the DA and native landscaping is to be used where possible</p>	<p>A satisfactory landscape plan has been submitted and reviewed by Council's Landscape Officer.</p>	<p>Yes.</p>

Turner Road Development Control Plan 2018 (Turner Road DCP) Assessment Table

<p><b>3.10 Outdoor Storage.</b></p> <p>(1) No external storage of goods, including garbage bins, shall be permitted where such areas will be visible from the public domain.</p> <p>(2) The ground surfaces of outdoor storage areas, including waste collection areas, are to be sealed and are to be located behind the building line and screened with landscaping and solid fences.</p> <p>(3) The following information is to be provided with a Development Application, where required:</p> <p>(4)</p> <ul style="list-style-type: none"> <li>(a) Size of outdoor storage area;</li> <li>(b) Maximum storage height;</li> <li>(c) Types of goods, materials and equipment being stored outdoors; and</li> </ul> <p>Details on landscaping and screening structures.</p>	<p>No external storage of goods is proposed. A proposed waste storage room is proposed for the storage of bins out of view of the public domain.</p> <p>Storage of waste is proposed to be located within the proposed premises and away from the public domain.</p> <p>No outdoor storage areas proposed.</p>	<p>Yes.</p>
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**Clause 4.6 request to permit  
a variation to a  
Development Standard:  
Clause 4.1E (1)-(2) Retail  
Floorspace Cap**

**Lot 2 and 7 in DP1267546,  
6 Steer Road and 22-26 Lasso  
Road  
Gregory Hills**

Proposed construction of a building and lot  
consolidation comprising:

- two floors of commercial premises
- one floor of retail premises
- two floors plus mezzanine of light industrial  
premises within six units; and
- basement and at grade car-parking.

to be occupied by a mix of future permissible  
'commercial premises', 'light industrial' and  
'retail premises' land uses.

**6 February 2025**





This report was prepared by Ivan Kokotovic and approved for release by Gilbert de Chalain.

**Haskew de Chalain**

**Haskew de Chalain**

Edwina Nelson

Gilbert Blandin de Chalain MPlA

**Senior Associate**

**Partner**



**Office:** Level 12, 32 Martin Place

Sydney NSW 2000

**Email:** [eddy@hdcplanning.com.au](mailto:eddy@hdcplanning.com.au)

**Mobile:** 0410 177 954

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# 1 Introduction

This request has been prepared as the Applicant's Written Request for Variation to a Development Standard and is made in accordance with the provisions of clause 4.6 (cl4.6 request) of Appendix 2 Oran Park and Turner Road of State Environmental Planning Policy (Western Parkland City) 2021 (SEPP WPC)

The request relates to the development standard of clause 4.1E(1) and (2) which applies a cap of 2,500m<sup>2</sup> on floorspace used for 'shops' across all B5 Business Development zoned land in the Turner Road Precinct and a 500 m<sup>2</sup> cap on floor area used for 'shops' on individual sites.

The request applies to a current Development Application - DA2024/579/1 at 22-26 Lasso Road and 6 Steer Road, Gregory Hills which seeks approval for:

Proposed construction of a building and lot consolidation comprising:

- two floors of commercial premises
- one floor of retail premises;
- two floors plus mezzanine of light industrial premises within six units; and
- basement and at grade car-parking.

to be occupied by a mix of future permissible 'commercial premises', 'light industrial' and 'retail premises' land uses.

The proposed development includes a retail gross floor area of 653.31 m<sup>2</sup>; however, the specific future uses of this retail space are not yet determined. The proportion that may be occupied by 'shops', as opposed to other retail uses such as food and drink premises, will depend on future development consents. Given this uncertainty, this Clause 4.6 variation request assumes that the entire retail floor space will be classified as 'shops' for assessment purposes.

On this basis, the proposed retail floor space of the subject development exceeds the 500 m<sup>2</sup> limit prescribed under Clause 4.1E(2). Additionally, the 2,500 m<sup>2</sup> total retail cap under Clause 4.1E(1)—established by Camden Council at the time of the Turner Road Precinct Plan's release in 2007—has already been reached. As a result, a variation to both subclauses of Clause 4.1E is required.

This Clause 4.6 variation request demonstrates that strict compliance with the Turner Road shops floorspace cap is unreasonable and unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify contravention of the standard



## 2 Site and proposed development

### 2.1 Site Description

The subject site comprises two allotments located midblock between Steer and Lasso Roads in Gregory Hills. It is located within the Turner Road Precinct which has been undergoing development for business and light industrial purposes consistent with the Turner Road Precinct Plan since the precinct's release in 2007.

The subject land is known as 6 Steer Road and 22-26 Lasso Road, Gregory Hills, and is legally described as Lot 2 DP1267546 and Lot 7 DP1267546.

The site has a regular street frontage along Lasso Road of 49.2 metres and a splayed frontage with Steer Road (at its bend) of 32.58m and total site area of 5365sqm. Although the site is generally rectilinear in shape. The existing ground level of the land falls away from a centrally traversing ridge approximately 3m towards Lasso Road (to the north) and 0.5m towards Steer Road (to the south).

The subject site is vacant and cleared of any vegetation. See Figure 1 below.



Figure 1 – Subject site – 22-26 Lasso Road and 6 Steer Road





## 2.2 Proposed development

The development proposes construction of a building and lot consolidation with details as follows

A two and three-storey commercial and light industry building with one-level basement and at-grade car parking, consisting of:

### Basement

- 69 car spaces, including 2 accessible
- 2 motorcycle spaces
- 5 bicycle spaces
- 2 lifts providing access to the upper floors
- 2 staircases
- Services and pump rooms

### Ground Floor Building and Site Layout

- Central front entry stairs and west-side accessible ramp from Lasso Road footpath, leading into the building and raised front forecourt, which connects to the central lift lobby, sanitary facilities, and thoroughfare to the light industry section
- Central rear entry path from Steer Road footpath, providing access to the at-grade car park and light industry units
- At-grade car park with 39 car spaces
- Two retail premises suites for future permissible uses
- Six light industry units for future permissible uses

### Level 1

- Two commercial premises suites for future permissible uses
- Upper floor of the light industry units, each with a mezzanine
- Central lift lobby and sanitary facilities

### Level 2

- Two commercial premises suites for future permissible uses
- Central lift lobby and sanitary facilities

### Roof Plan

- Low-pitch metal deck roof with box gutters
- Plant area above the central lobby
- Solar panels

### Lot Consolidation

- Consolidation of the two parent lots



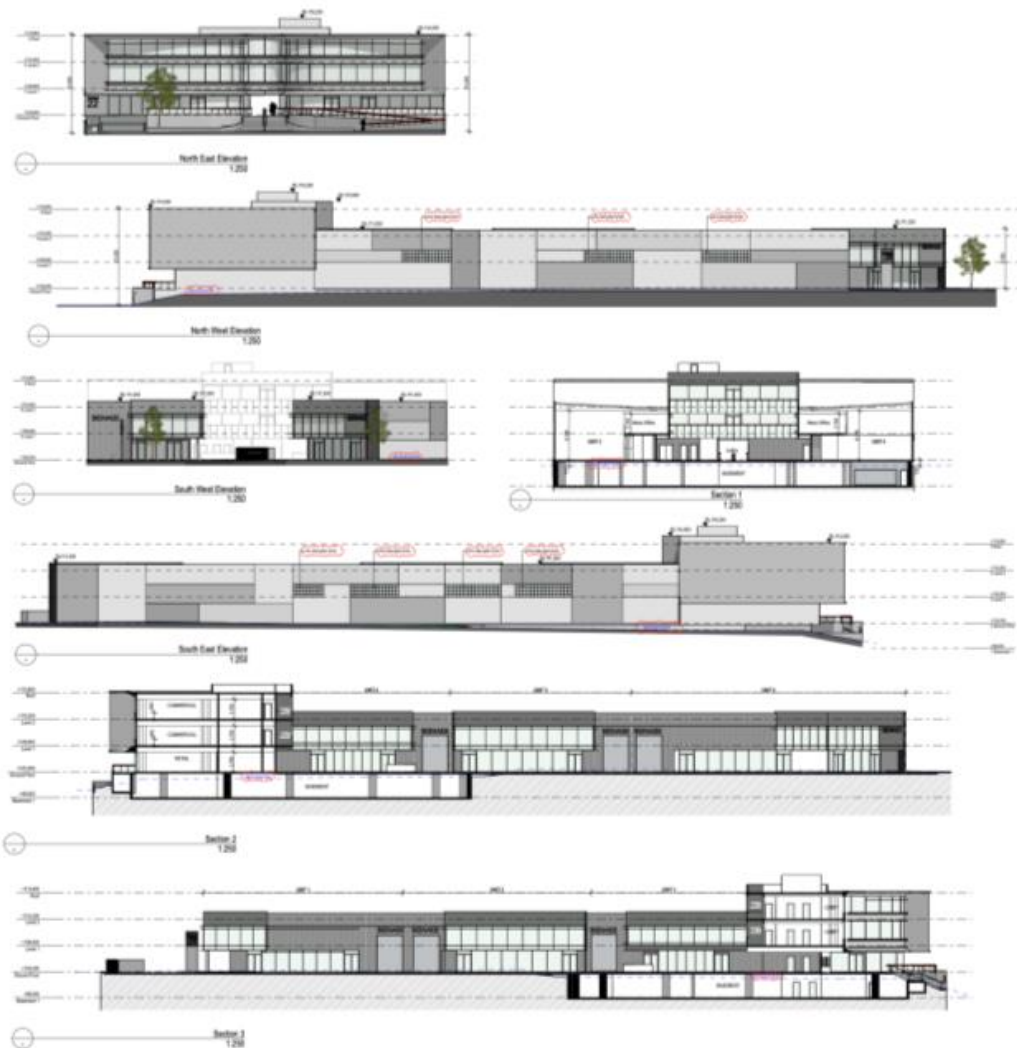
### Proposed Design

The proposed retail floorspace is located on the ground floor along the Lasso Road frontage. An extract of the ground floor plan is provided below. Building elevations and sections are shown in Figure 3 with the component of the development shown on the ground floor of the North East Elevation.



Source: LYMT AP04-4 Ground Floor Plan

**Figure 2 – Ground Floor Plan – Proposed Retail Component**



Source: LYMT AP07 04 Elevations and Sections

**Figure 3 – Elevations and Sections**



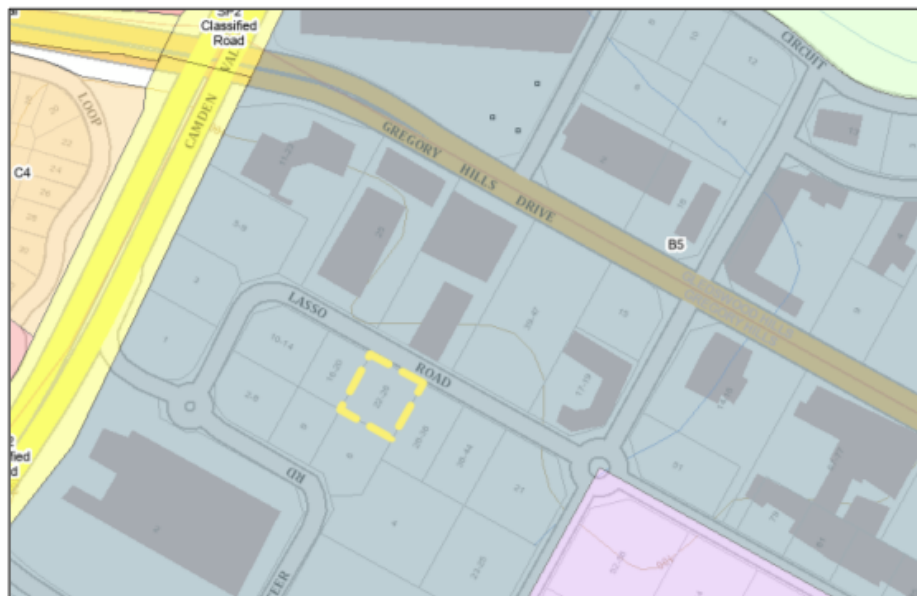
## 3 Planning Instrument, Development Standard and Proposed Variation

### 3.1 Applicable Environmental Planning Instrument

This application seeks to vary clause 4.1E (1) and (2) - Shops – Turner Road which is contained in Appendix 2 of the Oran Park and Turner Road Precinct Plan, under Chapter 3 of State Environmental Planning Policy (Western Parkland City) 2021.

### 3.2 Zoning

The site is zoned B5 Business Development. An extract of the zoning map is provided below:



Source: NSW Planning Spatial Viewer

**Figure 4 -Zoning**

### 3.3 Development Standard to be Varied

The proposed development seeks a variation to Clause 4.1E (1)-(2) – Shops (Turner Road Precinct). This clause applies specifically to retail floor space intended for 'shops'.

For new buildings, the specific future use of retail floor space is often not known at the development application stage. The future tenancy mix may include 'shops', 'food and drink premises', or other retail uses permitted in the zone.



For the purpose of this Clause 4.6 variation request, it is assumed that the entire retail floor space of the proposed building will be occupied by 'shops', even though it is likely that a significant portion will be used for 'food and drink premises', which are excluded from the cap.

Clause 4.1E comprises two subclauses, both of which are reproduced below and are subject to this variation request:

**4.1E Shops—Turner Road Precinct**

- (1) The total area used for shops on all land within Zone B5 Business Development in the Turner Road Precinct must not exceed 2,500m<sup>2</sup>.
- (2) The total area used for shops in a particular development for that purpose on land within Zone B5 Business Development in the Turner Road Precinct must not exceed 500m<sup>2</sup>.

The subject land is within the Turner Road Precinct and is zoned B5 Business Development meaning

Clause 4.1E **applies to any development that includes shops.**

Clause 4.1E **does not contain any objectives.**

### 3.4 Numeric Value of Cl4.1E and Variation Required

Clause 4.1E is a numeric standard that limits the floor area intended for 'shops' within B5 zoned land within the Turner Road Precinct to 2,500m<sup>2</sup> and imposes a 500 m<sup>2</sup> cap on floor area used for 'shops' on individual sites.

The proposed total retail area is 653.31 m<sup>2</sup>. This exceeds the 500 m<sup>2</sup> limit imposed under cl4.1E(2) by 153.31m<sup>2</sup> representing a variation of 30.6%.

The total amount of approved retail floor space across the B5 zoned land in the Turner Road Precinct is unclear however it is documented to have been exceeded<sup>1</sup>. Additionally, Council has also confirmed that the 2,500 m<sup>2</sup> retail cap has been reached and has requested the following (letter dated 16 January 2025 relating to DA2024/579/1):

*"As per Clause 4.1E(1) of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021, the total area for shops on all land within Zone B5 Business Development in the Turner Road Precinct must not exceed 2,500 m<sup>2</sup>. A Clause 4.6 written request for further consideration of the proposed retail uses within the proposal is required to be submitted as the retail cap is being further exceeded."*

As such, this application includes a Clause 4.6 written request seeking a variation to both Clause 4.1E(1) and Clause 4.1E(2).

Figure 2 and Figure 3 above provide the location of the retail component of the development.

<sup>1</sup> Camden Centres and Employment Lands Strategy, June 2021, page 33



### 3.4.1 Relevance of percentage variation

Whilst the NSW Department of Planning and Environment includes a requirement to identify the percentage variation in its *Guide to Varying Development Standards* there are a number of case law examples that demonstrate that there is no constraint on the degree to which a consent authority may depart from a numerical standard.

The following examples relate to Floor Space Ratio and Height of Buildings development standards and assist in demonstrating that the degree of exceedance alone is not determinative in assessment of a Request for Variation to a development standard.

- (a) In *Baker Kavanagh Architects v Sydney City Council* [2014] NSWLEC 1003 the Land and Environment Court granted a development consent for a three storey shop top housing development in Woolloomooloo. In this decision, the Court, approved a **floor space ratio variation of 187 per cent**.
- (b) In *Amarino Pty Ltd v Liverpool City Council* [2017] NSWLEC 1035 the Land and Environment Court granted development consent to a mixed use development on the basis of a clause 4.6 request that sought a **38 per cent height exceedance over a 15-metre building height standard**.
- (c) In *Auswin TWT Development Pty Ltd v Council of the City of Sydney* [2015] NSWLEC 1273 the Land and Environment Court granted development consent for a mixed use development on the basis of a clause 4.6 request that sought a **28 per cent height exceedance over a 22-metre building height standard**.
- (d) In *Season Group Pty Ltd v Council of the City of Sydney* [2016] NSWLEC 1354 the Land and Environment Court granted development consent for a mixed use development on the basis of a clause 4.6 request that sought a **21 per cent height exceedance over a 18-metre building height standard**.

In short, clause 4.6 is a performance-based control so it is possible (and not uncommon) for large variations to be approved in the right circumstances.

In the context of this proposal, Council has acknowledged that the shop cap provisions impede economic viability of the area<sup>2</sup>. Given this, the 30.6% exceedance is an irrelevant measure of impact of impact. Instead, the planning merits of the proposal—including its consistency with the B5 zoning objectives, the economic needs of the precinct, and the demonstrated demand for employment-supporting retail—are more relevant considerations in assessing the appropriateness of the variation

<sup>2</sup> Camden Centres and Employment Lands Strategy, June 2021, page 33



## 4 Justification for the Proposed Variation

### 4.1 How is compliance with the development standard unreasonable or unnecessary?

Clause 4.6(3) of Appendix 2 provides the requirements for consideration of a request for variation:

#### 4.6 Exceptions to Development Standards

*(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant for development consent has demonstrated that—*

*(a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and*

*(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.*

The matter of *Wehbe v Pittwater Council* [2007] NSWLEC 827 (21 December 2007) sets out five ways in which strict compliance with a development standard can be demonstrated to be unreasonable or unnecessary in the circumstances of the case.

The 5 ways are:

1. *if the proposed development proffers an alternative means of achieving the [development standard] objective, strict compliance with the standard would be unnecessary (it is achieved anyway) and unreasonable (no purpose would be served);*
2. *the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary*
3. *the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable*
4. *the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable*
5. *"the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary.*





Compliance with a development standard might be shown as unreasonable or unnecessary in circumstances where the development achieves the objectives of the development standard, notwithstanding non-compliance with the development standard. Demonstrating that the development achieves the objectives of the development standard involves identification of the objectives of the development standard and establishing that those objectives are in fact achieved.

Clause 4.1E does not include any objectives. However it is possible to infer the reason for the controls from the objectives of the B5 zone which includes: *"To maintain the economic strength of centres by limiting the retailing of food, clothing and convenience shopping"*

Ultimately, the intent of Clause 4.1E is to prevent excessive retail (comprising 'shops') expansion in the B5 zone that could undermine established centres.

The following discussion supports the argument that compliance of the developments standard is unreasonable or unnecessary in the circumstances of the case.

#### **4.1.1 Achievement of objectives of the clause and the zone**

Clause 4.1E does not contain specific objectives; however, the B5 Business Development zone objectives provides a framework for assessing whether the proposed retail and specifically the variation is consistent with the intended vision for the precinct.

The proposed retail area, including any exceedance is consistent with the following B5 zone objectives:

##### **Objective 2 - Provide a wide range of employment generating development**

The retail component forms part of a larger commercial and light industrial building, which will represent a varied range of employment sectors (business, light industry and retail). The retail premises are intended to service both employees of the building and more broadly businesses, workers, and visitors of the locality. The retail component will reinforce the site's employment focus rather than acting as a stand-alone retail destination.

##### **Objective 3 – To provide for a mix of ancillary uses to support the primary function of providing employment generating development.**

The retail floorspace is small in scale and integrated within a broader employment-based development, demonstrating that it functions as an ancillary use rather than a competing retail centre.

Despite the exceedance in retail floorspace, the retail area will continue to operate as a supporting use and will not exceed the intent of the zone by becoming larger than what is contemplated under the objectives.

##### **Objective 4 - To maintain the economic strength of centres by limiting the retailing of food, clothing and convenience shopping**

Ultimately, the intent of Clause 4.1E is to prevent excessive expansion of floor space used by 'shops' in the B5 zone that could undermine established centres. The exceedance in the floorspace will not impact on the economic strength or dominance of surrounding centres, as the retail space unlikely to be dedicated to general convenience shopping, food or clothing, which are the types of retail the objective seeks to limit in B5 zones.



The retail floorspace is more likely to be dedicated for food and drink premises designed to service local businesses, workers, and visitors, making it complementary rather than competitive with nearby retail centres.

In conclusion, the proposed retail component, despite exceeding the 500m<sup>2</sup> cap remains consistent with the objectives of the B5 zone and does not undermine the economic strength of surrounding commercial centres. Furthermore, Council's 2021 Centres and Employment Lands Strategy clearly identifies that:

*The shop cap was established in 2006; the precinct has changed significantly since then with established residential and commercial developments... the shop cap provision is not feasible and impedes economic viability in the area. The total shop floor space exceeds the aggregated shop floor space of 2,500 m<sup>2</sup>, and many developments are larger than the individual shop cap of 500 m<sup>2</sup> (page 33).*

However, given the rapid growth of the precinct, the intensity of employment-generating uses (including large-scale commercial office space and medical services), and the significant workforce density in the area, the additional retail floorspace is proportionate to the needs of the local workforce, justifying the arguments that compliance with the standard is both unnecessary and unreasonable. .

#### **4.1.2 Relevance of the underlying objective and purpose of the development standard.**

Clause 4.1E does not include any objectives. However it is possible to infer the reason for the controls from the objectives of the B5 zone which includes: "To maintain the economic strength of centres by limiting the retailing of food, clothing and convenience shopping"

Ultimately, the intent of Clause 4.1E is to prevent excessive retail (comprising 'shops') expansion in the B5 zone that could undermine established centres.

#### **4.1.3 Would underlying objectives or purpose be thwarted if compliance was required**

The underlying purpose of Clause 4.1E is to ensure that 'shop' activity in the B5 Business Development zone remains ancillary to employment-generating uses and does not undermine the economic strength of established centres. While the 500 m<sup>2</sup> per site cap and the 2,500 m<sup>2</sup> precinct-wide cap were originally introduced to prevent excessive expansion of shop floor area, Council's 2021 Centres and Employment Lands Strategy confirms that these controls are now outdated and impractical.

Forcing strict compliance with Clause 4.1E would defeat the underlying purpose by:

- Restricting the availability of retail services necessary to support large scale commercial development
- Ignoring the reality that the precinct has evolved significantly since the shop cap was introduced in 2006, with retail floorspace already exceeding the original limits.



- Imposing an unnecessary constraint on economic viability, as Council's own study identifies that the shop cap impedes commercial growth and limits provision of convenience services in the area.

#### 4.1.4 Abandonment of the development standard by Council

Council's 2021 Centres and Employment Lands Strategy acknowledges that the shop cap is outdated, difficult to enforce (due to in part to development approved under the State Environmental Planning Policy(exempt and Complying Development Codes) 2008), and impedes economic viability of the locality..

The total shop floorspace in the precinct has already exceeded the 2,500 m<sup>2</sup> cap, and many developments surpass the 500 m<sup>2</sup> per site limit, as confirmed in Council's Centres and Employment lands Strategy.

Given this, it is evident that Council no longer rigidly applies this standard in practice, abandoning its original intent, in response to the precinct's evolving commercial needs.

## 4.2 Sufficient environmental planning grounds to justify contravening the development standard

The term "environmental planning grounds" is not defined in any environmental planning instrument. It is also not defined in the Department of Planning's Guide to Varying Development Standards

Nevertheless, given that demonstration of sufficient environmental planning grounds is a separate test under clause 4.6(3) to the test of "unreasonable or unnecessary in the circumstances of the case"; and that case law relevant to SEPP 1 such as *Wehbe v Pittwater Council* [2007] NSWLEC 827 (21 December 2007) and *Winten Property v North Sydney* (2001) 130 LGERA 79 deal with demonstration of "unreasonable and unnecessary in the circumstances of the case", it must therefore be concluded that "environmental planning grounds" are a different test which cannot necessarily rely on the same methodology as laid down in SEPP 1 relevant Court decisions.

The matter of *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009 (30 January 2015) provides some helpful guidance on the subject of "environmental planning grounds", however it is in fact limited to defining some factors which are not environmental planning grounds.

Paragraph 60 of Commissioner Pearson's decision states:

*The environmental planning grounds identified in the written request are the public benefits arising from the additional housing and employment opportunities that would be delivered by the development, noting (at p 5) the close proximity to Ashfield railway station, major regional road networks and the Ashfield town centre; access to areas of employment, educational facilities, entertainment and open space; provision of increased employment opportunities through the ground floor retail/business space; and an increase in the available housing stock. I accept that the proposed development would provide those public benefits, however any development for a mixed use development on this site would provide those benefits, as would any similar development on any of the sites on Liverpool Road in the vicinity of the subject site that are also*



in the B4 zone. **These grounds are not particular to the circumstances of this proposed development on this site.** To accept a departure from the development standard in that context would not promote the proper and orderly development of land as contemplated by the controls applicable to the B4 zoned land, which is an objective of the Act (s 5(a)(ii)) and which it can be assumed is within the scope of the “environmental planning grounds” referred to in cl 4.6(4)(a)(i) of the LEP. (emphasis added)

On Appeal in *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90 (3 June 2015), the Court considered whether the Commissioner had erred in law in confining environmental planning grounds to those particular to a site or proposed development. The Court held at [29] and [30] that this was a matter which the Commissioner was entitled to consider in her exercising of discretion:

*Turning to the first ground of appeal, it refers to a finding of the Commissioner at [60] in relation to the environmental planning grounds identified in the written request, as required by cl 4.6(3)(b). The Commissioner concluded that the grounds referred to were not particular to the circumstances of the proposed development on the particular site. Firstly, it is debatable that this ground of appeal couched as the misconstruction of subclause (4)(a)(i) does identify a question of law. The Commissioner's finding, that the grounds relied on in the written report were not particular to the circumstances of the proposed development on this particular site, is one of fact. That informed her finding of whether the grounds put forward were sufficient environmental planning grounds.*

*To the extent the issue raised can be described as a question of mixed fact and law, the Commissioner is exercising a discretion under subclause (4)(a)(i) in relation to the written report where the terms in subclause (3)(b) of sufficient environmental planning grounds are not defined and have wide import,*

From this we interpret that particular circumstances of the site or development is an appropriate (although not exclusive) filter through which to view the sufficiency of environmental planning grounds.

In the absence of a legislative or other definition we adopt a definition for “environmental planning grounds” as ‘any matter arising from consideration of either Section 4.15 of the EP&A Act 1979 or its Objectives which in the circumstances of the particular development on the particular site, warrants variation from the development standard’.

Based on the above explanation, the environmental planning grounds which support variation to the retail cap are discussed below.

#### **4.2.1 Environmental Planning Ground 1 – The precinct has evolved past the original retail expectations**

The Turner Road Precinct has changed significantly since the 2,500 m<sup>2</sup> retail cap was introduced. The employment area now contains major commercial, industrial, and medical facilities, with corresponding numbers of employees. Such development requires a higher provision of land uses included in the definition of ‘shop’ to provide practical day to day items to support workers and businesses. The shop cap no longer reflects the precinct's growth and demand, making strict adherence to Clause 4.1E unrealistic.



The intent of Clause 4.1E is to ensure that 'shop' functions remain secondary to employment-generating uses. The proposed retail component of the building, noting that the retail floorspace is likely to be dedicated to food and drink premises, maintains this hierarchical role by directly servicing the needs of the local workforce rather than operating as a standalone retail centre.

#### **4.2.2 Environmental Planning Ground 2 – No adverse amenity or urban design impacts**

The retail floor space exceedance does not impact on the built form of the building on the precinct. The retail space is well-integrated within the building, and its scale is consistent with other similar development in the locality.

Unlike some numerical exceedances that may result in visual bulk, overshadowing, or overdevelopment, the additional 153.31 m<sup>2</sup> of retail floorspace does not physically impact the streetscape or the intended built form outcomes for the precinct. The development remains consistent with the desired future character and function envisioned for the Turner Road Precinct and Lasso Road precinct.

#### **4.2.3 Environmental Planning Ground 3 – 'Shop' floor area is commensurate with the workforce demand**

As discussed above, the scale and intensity of commercial and industrial activity in the precinct have also increased, meaning the relative proportion of retail to employment uses remains appropriate.

#### **4.2.4 Environmental Planning Ground 4 – Market evidence shows cap is no longer feasible**

The Camden Centres Study (2021) confirms that:

- The shop cap provision is not feasible given the scale of current developments.
- The shop cap is outdated and increasingly difficult to enforce, particularly given developments approved under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- Many businesses, defined as 'shop' in the precinct already exceed the 500 m<sup>2</sup> shop cap, showing that Council has approved variations to this control in practice.
- The precinct-wide cap of 2,500 m<sup>2</sup> has been exceeded, and this has not resulted in adverse economic impacts on nearby centres.

This demonstrates that adhering strictly to Clause 4.1E would be counterproductive and that variations to the standard are reasonable and consistent with objectives of the zone and the precinct.

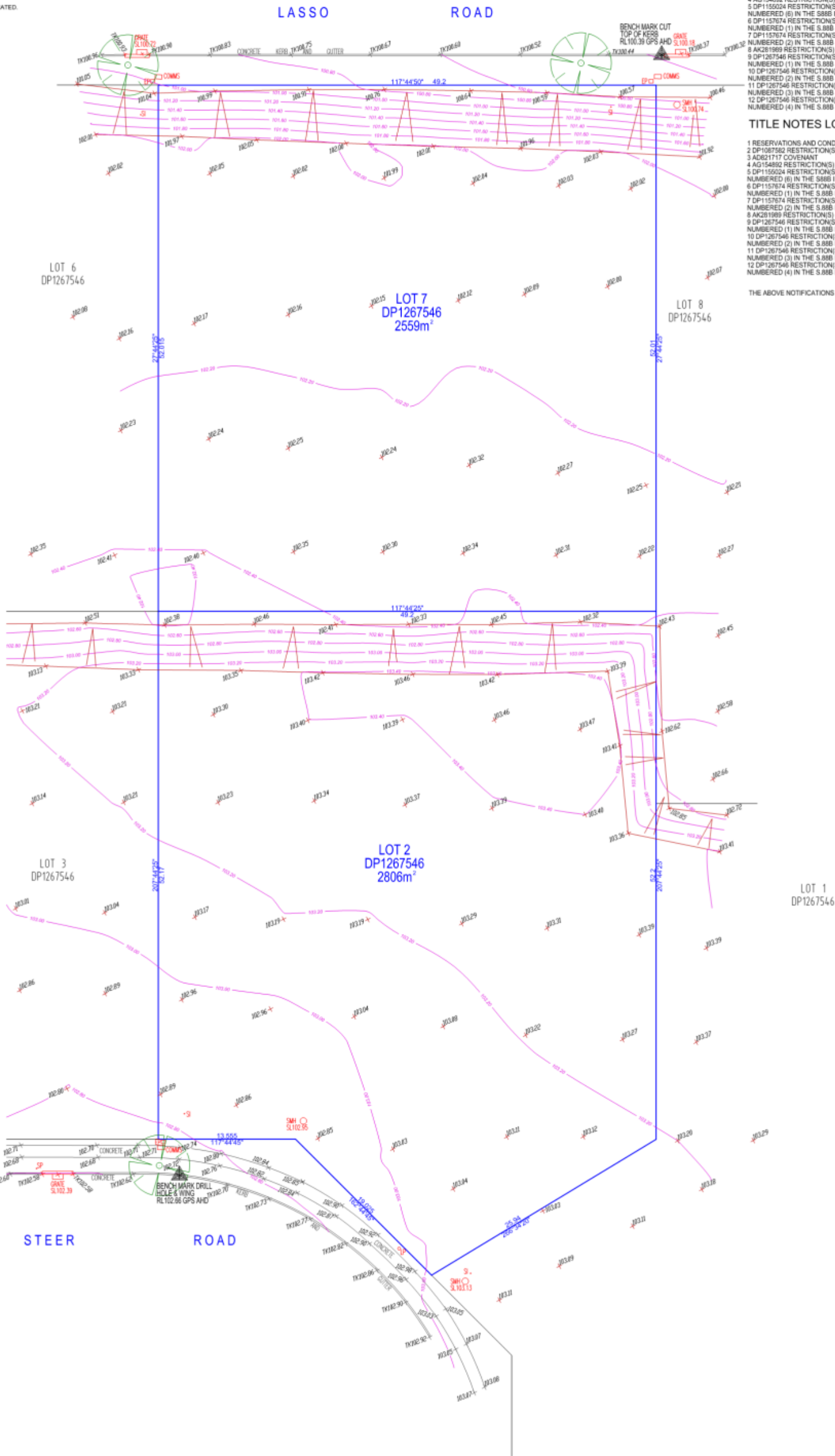
The Camden Centres Study (2021) identifies that:

- The shop cap is outdated and increasingly difficult to enforce, particularly given changes in exempt and complying development provisions.
- The total approved shop floor space already exceeds the 2,500 m<sup>2</sup> limit, and many individual retail premises exceed 500 m<sup>2</sup>, reflecting the reality of market demand and employment intensity in the area.



- The current cap impedes economic viability, as businesses and services struggle to meet the needs of the growing workforce and resident population.



\* THIS DETAIL SURVEY IS NOT A LAND SURVEY AS DEFINED BY THE SURVEYING ACT, 2002.  
\* DISTANCES SHOWN HAVE BEEN TAKEN FROM A REGISTERED PLAN OF SUBDIVISION KNOWN AS DP1267546  
\* THE AREA SHOWN HAS BEEN CALCULATED FROM THE REGISTERED LAND DIMENSIONS.  
\* BOUNDARY ANGLES AND DIMENSIONS ARE SUBJECT TO SURVEY INVESTIGATION.  
\* VISIBLE AND ACCESSIBLE SERVICES HAVE ONLY BEEN LOCATED. THE LOCATION OF ANY UNDERGROUND SERVICES WAS NOT INVESTIGATED. INVESTIGATIONS WITH DIAL BEFORE YOU DIO (P/N 1100) AND SERVICE PROVIDERS MUST BE UNDERTAKEN PRIOR TO ANY DESIGN, EXCAVATION AND/OR CONSTRUCTION WORKS.



**TITLE NOTES LOT 2 DP 1267546:**  
1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)  
2 DP1087562 RESTRICTION(S) ON THE USE OF LAND  
3 AD821717 COVENANT  
4 AG154892 RESTRICTION(S) ON THE USE OF LAND  
5 DP1155024 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (6) IN THE S.88B INSTRUMENT  
6 DP1157674 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (1) IN THE S.88B INSTRUMENT  
7 DP1157674 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (2) IN THE S.88B INSTRUMENT  
8 AK281989 RESTRICTION(S) ON THE USE OF LAND  
9 DP1267546 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (1) IN THE S.88B INSTRUMENT  
10 DP1267546 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (2) IN THE S.88B INSTRUMENT  
11 DP1267546 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (3) IN THE S.88B INSTRUMENT  
12 DP1267546 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (4) IN THE S.88B INSTRUMENT

**TITLE NOTES LOT 7 DP 1267546:**  
1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)  
2 DP1087562 RESTRICTION(S) ON THE USE OF LAND  
3 AD821717 COVENANT  
4 AG154892 RESTRICTION(S) ON THE USE OF LAND  
5 DP1155024 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (6) IN THE S.88B INSTRUMENT  
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12 DP1267546 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (4) IN THE S.88B INSTRUMENT

THE ABOVE NOTIFICATIONS HAVE NOT BEEN INVESTIGATED.

REVISION	DATE	DETAILS	DATUM: AUSTRALIAN HEIGHT DATUM ORIGIN: GLOBAL POSITIONING SYSTEM	LEGEND LP - LIGHT POLE EP - ELECTRICAL PILLAR SP - SIGN POST SI - SERVICE INDICATOR COMMS - COMMS PIT			PLAN OF: DETAIL AND LEVELS 6 STEER ROAD & 22 LASSO ROAD GREGORY HILLS BEING: LOT 2 & 7 IN DP1267546 CLIENT: MAINSTREAM PROPERTY & GREGORY HILLS PTY LTD
A	24/08/2021	1ST ISSUE	REDUCTION RATIO: 1:200 SHEET SIZE: A1 DATE OF SURVEY: 20 AUGUST 2021 SURVEYOR: RB/JF SHEET 1 OF 1	* AUSTRALIAN HEIGHT DATUM HAS BEEN DETERMINED USING GLOBAL POSITIONING SYSTEMS (GPS). THE ACCURACY OF THE LEVEL IS DEPENDANT ON THE NUMBER AND POSITION OF SATELLITES AT THE TIME OF SURVEY.			



# PROPOSED MIXED USE DEVELOPMENT

6 Steer Road & 22-26 Lasso Road, GREGORY HILLS



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larger scale drawings and written dimensions take preference.  
do not scale from drawing  
all dimensions to be checked on site before commencement of work.  
all discrepancies to be brought to the attention of the author.

lymt.com.au  
info@lymt.com.au  
National Australia Bank  
James Murrell Reg. 11118 (Andrew Daniels Reg. 11124)

amendments

Revision	Description	By	Date
01	Preliminary Consultant Issue	JM	23.09.24
02	Coordination	JM	23.10.24
03	DA Submission	JM	25.10.24
04	Council Amendments	JM	21.01.25
05	Council Amendments	JM	19.03.25

notes

DRAWING LIST

Drawing No:	Description	Rev.
AP01	Cover Sheet	05
AP02	Site Analysis	05
AP03	Site Plan	05
AP04	Basement & Ground Floor Plan	05
AP05	Level 1 & 2 Plans	05
AP06	Roof Plan	05
AP07	Elevations and Sections	05
AP08	Schedule of Finishes	04

DEVELOPMENT DATA

LIGHT INDUSTRY					
UNIT	WAREHOUSE	MEZZ	MEZZ (p 20% to be calculated at 1.40)	LOADING (incl from GFA)	GFA
1	295.34	59	37.5	31	391.85
2	295.34	59	47.77	31	402.11
3	295.34	59	45.1	31	399.44
4	295.34	59	52.88	31	407.22
5	295.34	59	47.77	31	402.11
6	481.06	96	56.4	31	633.46
TOTALS	1957.76	391	287.42	186	2636.19
COMMERCIAL					
FLOOR	USE	NLA			
GF	RETAIL	624.73			
1	BUSINESS	701.62			
2	BUSINESS	701.62			
TOTALS		2027.97			

PARKING	Rate	Required	Proposed
Retail	1 per 22	29	30
Business	1 per 40	35	39
Light Industry	1 per 70	35	30
Mezzanine	above 20% @ 1 per 40	4	11
Bicycle	1 per 25 cars	5	5
TOTAL		108	110

SCHEDULE OF FINISHES

01 - NATURAL FINISH CONCRETE

02 - FLUTED CONCRETE PANEL IN NATURAL FINISH COLOUR

03 - BRUSHED SILVER METALLIC CUSTOM ALUMINIUM PROFILE

04 - COMPOSITE ALUMINIUM CLADDING - MONUMENT OR SIMILAR

05 - GREY TINTED GLAZING

06 - CLEAR TINT GLAZING

north point

client

Precinct 22 Pty Ltd

project

21035 - Mixed Use Development  
6 STEER RD AND 22-26 LASSO RD, GREGORY HILLS

drawing

Cover Sheet  
AS SHOWN @ A1 drawing no. \ AP01 05







Site Analysis  
1:2000

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☐ all dimensions to be checked on site before commencement of work  
☐ all discrepancies to be brought to the attention of the author  
  
lymt.com.au  
info@lymt.com.au  
Registered Architects 6026  
James Morrison Reg. 11118 Andrew Daniels Reg. 11124

amendments			
Revision	Description	By	Date
01	Preliminary Consultant Issue	JM	23.08.24
02	Coordination	JM	03.10.24
03	DA Submission	JM	29.10.24
04	Council Amendments	JM	21.01.25
05	Council Amendments	JM	19.03.25

notes

north point



client  
Precinct 22 Pty Ltd

project  
21035 - Mixed Use Development  
6 STEER RD AND 22-26 LASSO RD, GREGORY HILLS

drawing  
Site Analysis  
AS SHOWN @ A1 drawing no. \ AP02 05

LYMT

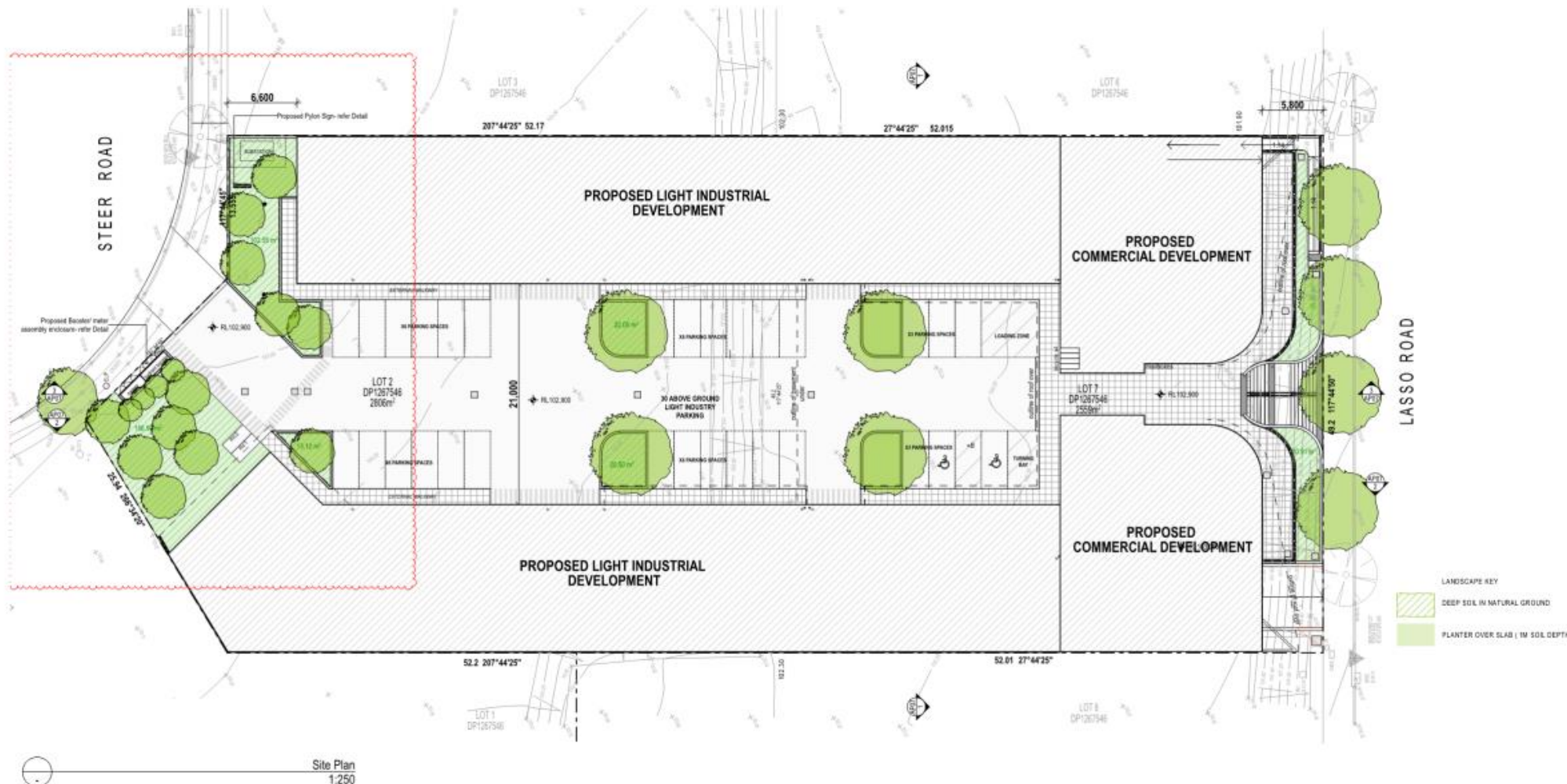
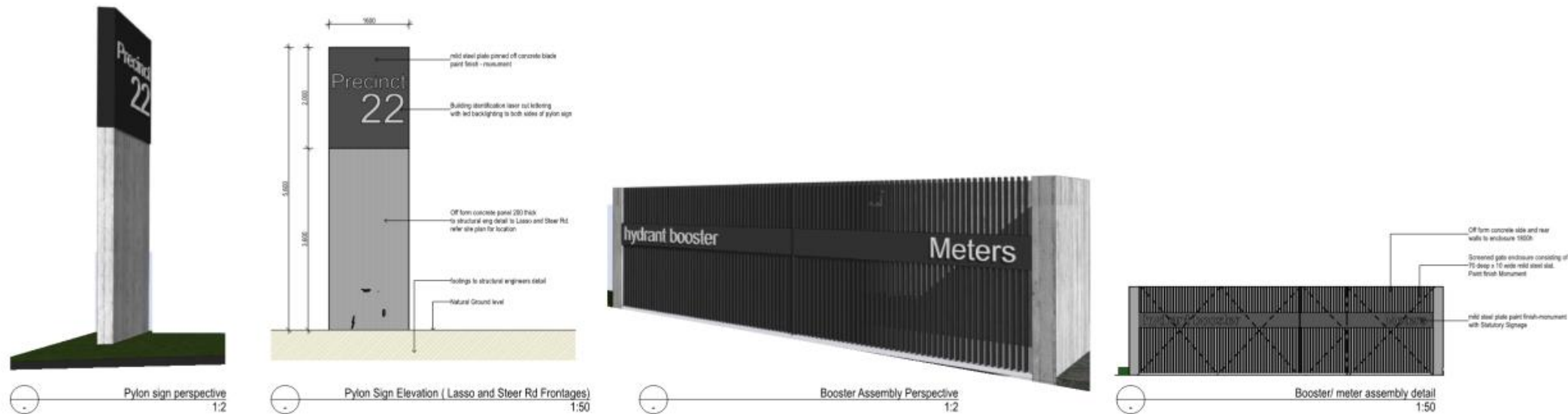


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□ all discrepancies to be brought to the attention of the author  
W lymt.com.au  
E info@lymt.com.au  
Nominations Australia 1800  
James Munro Reg. 11118 (Andrew Daniels Reg. 11124)

amendments

Revision	Description	By	Date
01	Preliminary Consultant Issue	JM	23.09.24
02	Coordination	JM	23.10.24
03	DA Submission	JM	25.10.24
04	Council Amendments	JM	21.01.25
05	Council Amendments	JM	19.03.25

notes



north point



client  
Precinct 22 Pty Ltd

project  
21035 - Mixed Use Development  
6 STEER RD AND 22-26 LASSO RD, GREGORY HILLS

drawing  
Site Plan  
AS SHOWN @ A1 drawing no. AP03 05

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of work  
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w lymt.com.au  
e info@lymt.com.au  
Registered Architects 6026  
James Morrison Reg. 11118 Andrew Daniels Reg. 11124

amendments

Revision	Description	By	Date
01	Preliminary Consultant Issue	JM	23.09.24
02	Coordination	JM	03.10.24
03	DA Submission	JM	29.10.24
04	Council Amendments	JM	21.01.25
05	Council Amendments	JM	19.03.25

notes

north point



client  
Precinct 22 Pty Ltd

project  
21035 - Mixed Use Development  
6 STEER RD AND 22-26 LASSO RD, GREGORY  
HILLS

drawing  
Basement & Ground Floor Plan  
AS SHOWN @ A1 drawing no. \ AP04 05

LYMT





Revision	Description	By	Date
01	Preliminary Consultant Issue	JM	23.08.24
02	Coordination	JM	03.10.24
03	DA Submission	JM	29.10.24
04	Council Amendments	JM	21.01.25
05	Council Amendments	JM	19.03.25

notes

north point



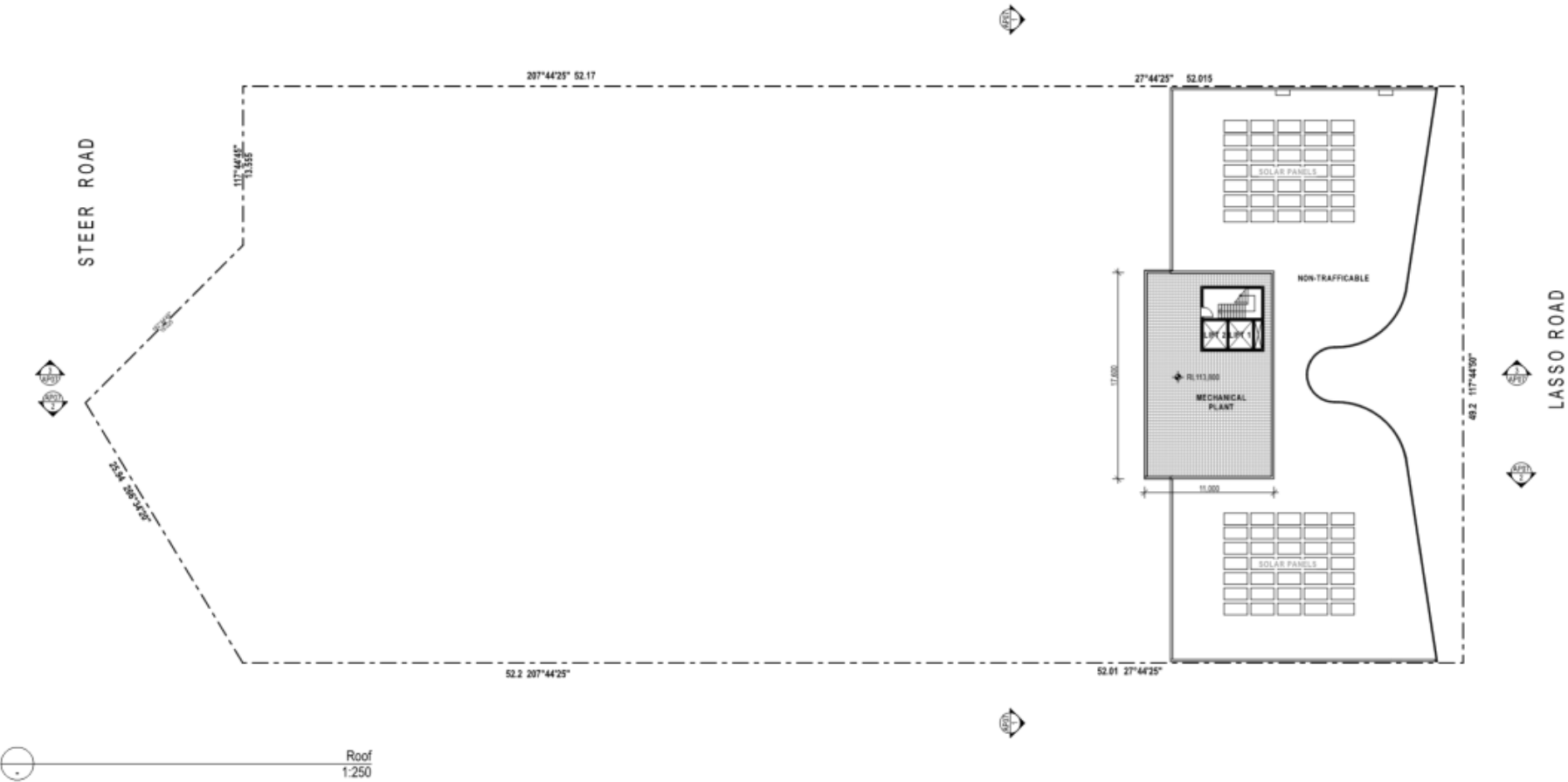
client  
Precinct 22 Pty Ltd

project  
21035 - Mixed Use Development  
6 STEER RD AND 22-26 LASSO RD, GREGORY  
HILLS

drawing  
Level 1 & 2 Plans

AS SHOWN @ A1, drawing no. \ AP05 05

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☐ all discrepancies to be brought to the attention of the author.  
  
lymt.com.au  
info@lymt.com.au  
Nominated Architects: 5018  
James Morrison Reg. 11118 | Andrew Daniels Reg. 11124

amendments			
Revision	Description	By	Date
01	Preliminary Consultant Issue	JM	23.08.24
02	Coordination	JM	03.10.24
03	DA Submission	JM	29.10.24
04	Council Amendments	JM	21.01.25
05	Council Amendments	JM	19.03.25

notes

north point

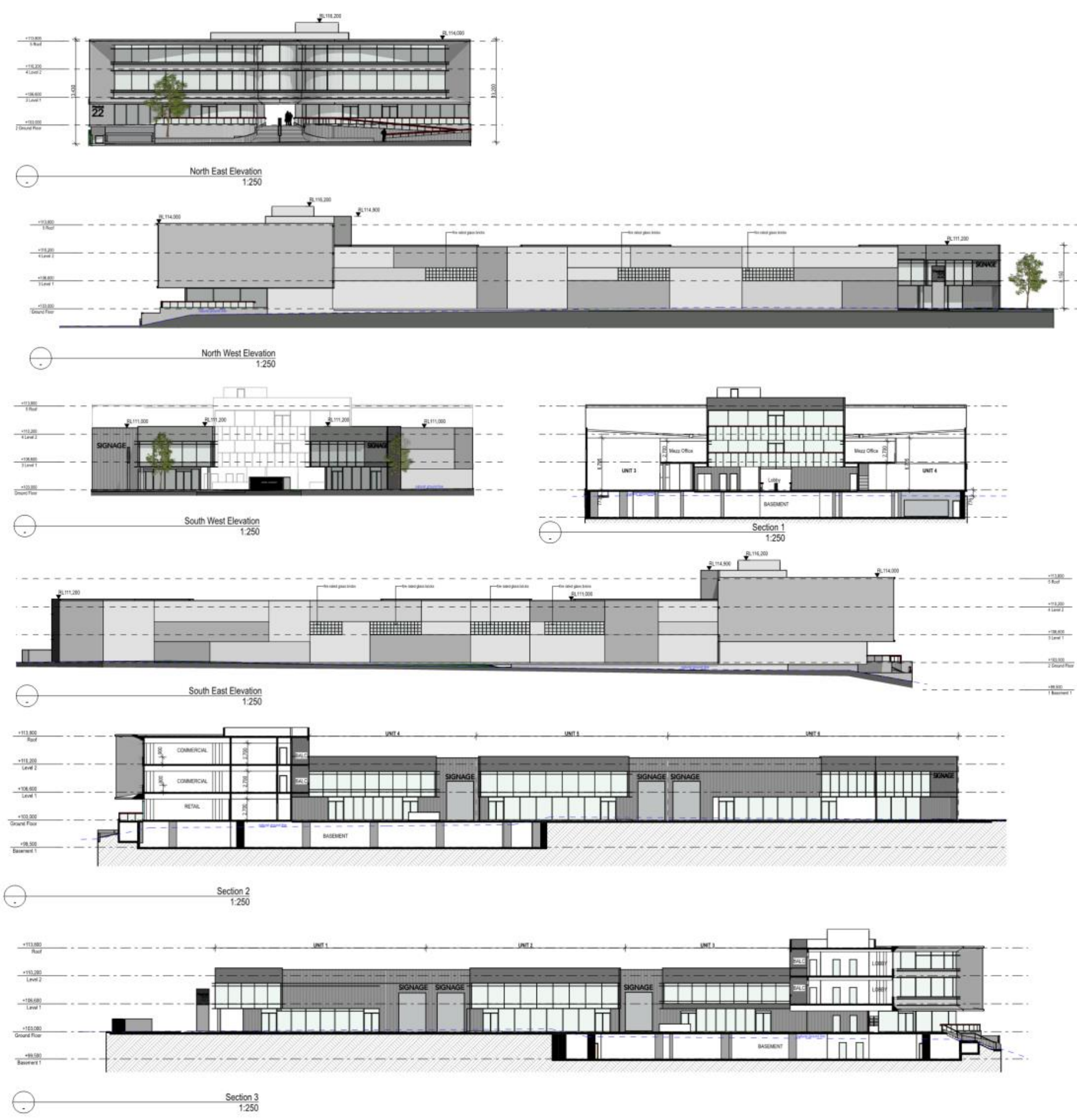


client  
Precinct 22 Pty Ltd

project  
21035 - Mixed Use Development  
6 STEER RD AND 22-26 LASSO RD, GREGORY HILLS

drawing  
Roof Plan  
AS SHOWN @ A1, drawing no. \ AP06 05

LYMT



amendments

Revision	Description	By	Date
01	Preliminary Consultant Issue	JM	23.09.24
02	Coordination	JM	23.10.24
03	DA Submission	JM	25.10.24
04	Council Amendments	JM	21.01.25
05	Council Amendments	JM	19.03.25

notes

north point

client  
Precinct 22 Pty Ltd

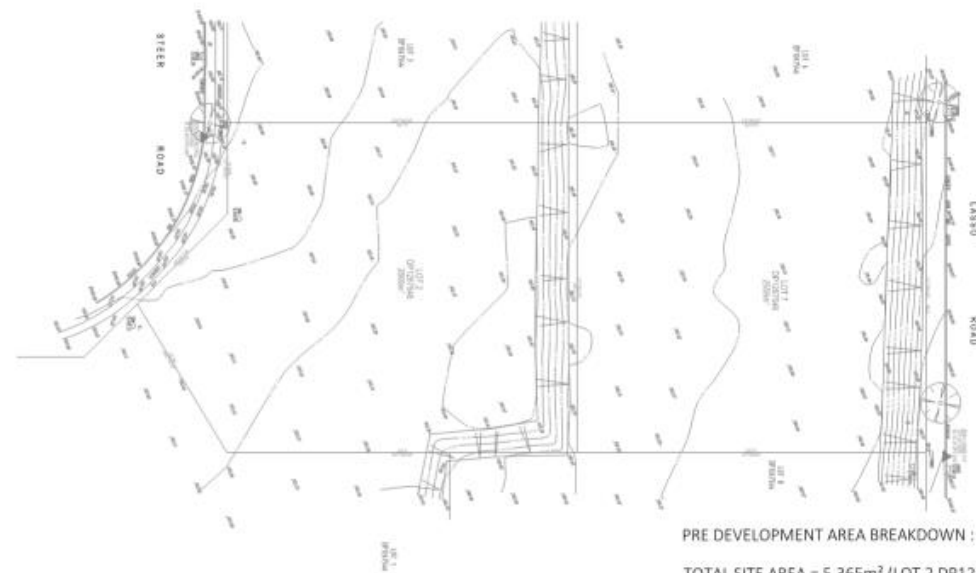
project  
21035 - Mixed Use Development  
6 STEER RD AND 22-26 LASSO RD, GREGORY HILLS

drawing  
Elevations and Sections  
AS SHOWN @ A1 drawing no. AP07 05









PRE DEVELOPMENT AREA BREAKDOWN :

TOTAL SITE AREA = 5,365m<sup>2</sup> (LOT 2 DP1267546 AND LOT 7 DP1267546)

100% PERVIOUS

**PRE DEVELOPMENT PLAN**

SCALE 1 : 500

**NOT FOR CONSTRUCTION**

POST DEVELOPMENT AREA BREAKDOWN :

TOTAL SITE AREA = 5,365m<sup>2</sup>

- BUILDING / ROOF IMPERVIOUS AREAS = 3,419.7m<sup>2</sup>
- PATHWAY / OTHER IMPERVIOUS AREAS DRAINING TO OSD = 1,724.8m<sup>2</sup>
- PERVIOUS AREAS DRAINING TO OSD = 113.2m<sup>2</sup>
- PERVIOUS AREAS BY-PASSING OSD / TREATMENT = 32.0m<sup>2</sup>
- IMPERVIOUS AREAS BY-PASSING OSD BUT TO TREATMENT = 75.3m<sup>2</sup>

**POST DEVELOPMENT PLAN**

SCALE 1 : 500



**DRAINS results prepared from Version 2023.11.8726.15750**

Vision 8								
Name	Max HGL	Max Pond HGL	Max Surface Flow Arriving (cu.m/s)	Max Pond Volume (cu.m)	Min Freeboard (m)	Overflow (cu.m/s)	Constraint	
KIP	100.5		0					
SUB-CATCHMENT DETAILS								
Name	Max Flow Q (cu.m/s)	Paved Max Q (cu.m/s)	Grassed Max Q (cu.m/s)	Paved Tc (min)	Grassed Tc (min)	Supp. Tc (min)	Due to Storm	
Post-Dev't Catchme	0.376	0.37	0.006	5	5	5	1% AEP, 5 min burst, Storm 1	
Pre-Dev't Catchmen	0.307	0	0.307	5	5	5	1% AEP, 10 min burst, Storm 1	
Bypass Area	0.007	0.005	0.002	5	5	5	1% AEP, 5 min burst, Storm 1	
PIPE DETAILS								
Name	Max Q (cu.m/s)	Max V (m/s)	Max U/S HGL (m)	Max D/S HGL (m)	Due to Storm			
Pipe	0.243	3.98	101.128	100.5	1% AEP, 10 min burst, Storm 4			
CHANNEL DETAILS								
		Due to Storm (cu.m/s)	(m/s)					
OVERFLOW ROUTE DETAILS								
Name	Max Q U/S	Max Q D/S	Safe Q	Max D	Max DxV	Max Width	Max V	Due to Storm
OF1	0	0	1.479	0	0	0	0	
DETENTION BASIN DETAILS								
Name	Max WL	Max Vol	Max Q Total	Max Q Low Level	Max Q High Level			
OSD Basin	101.83	37.4	0.243	0.243	0			
Run Log for DRAINS v2023.11.8726.15750 - OSD.DRN run at 10:25:54 on 30/9/2024 using Watercom Drains v2023.11.8726.15750								
Flows were safe in all overflow routes.								

Run Log for DRAINS v2023.11.8726.15750 - OSD DRN run at 10:25:54 on 30/9/2024 using Watercom Drains v2023.11.8726.15750  
Flows were safe in all overflow routes.**DRAINS MODELLING RESULTS**

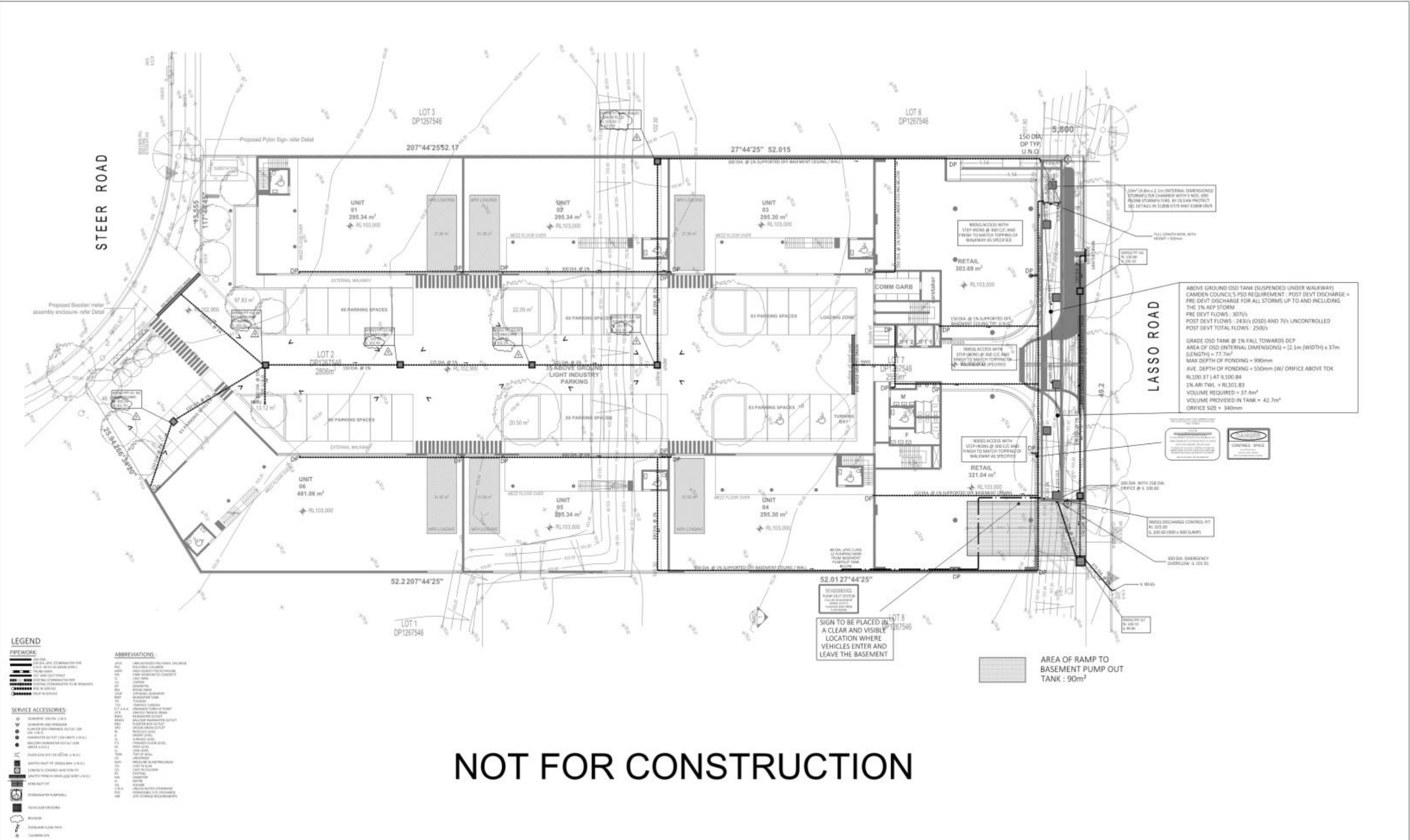
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			Checked By : N. Evans			At 6 Steer Road & 22 - 26 Lasso Road Gregory Hills NSW 2557	Date September 2024	Scale As Shown @ A1
B	Address Council's RFI of 16 Jan. 2025	3 Feb. 2025	Approved By : Kenneth T. NG <small>MR NG Kenneth T. NG APPC Engineer APPC (Reg. No. 2295752) NPQS NPET Regional Council (Hydraulic Engineering) Road &amp; Drainage and Stormwater (Reg. No. 8000827) Engineering Design Practitioner (Storage &amp; Civil Engineering) (Reg. No. 2410000002) &amp; Professional Engineer (Civil) (Reg. No. 2000000000) NSW Fair Trading</small>			Client	Project No. 542082024DA	Drawing & Sheet No./Issue 54208-02/9 / B
A	Development Application	25 Sept. 2024						
Issue	Description	Date of Drawing						







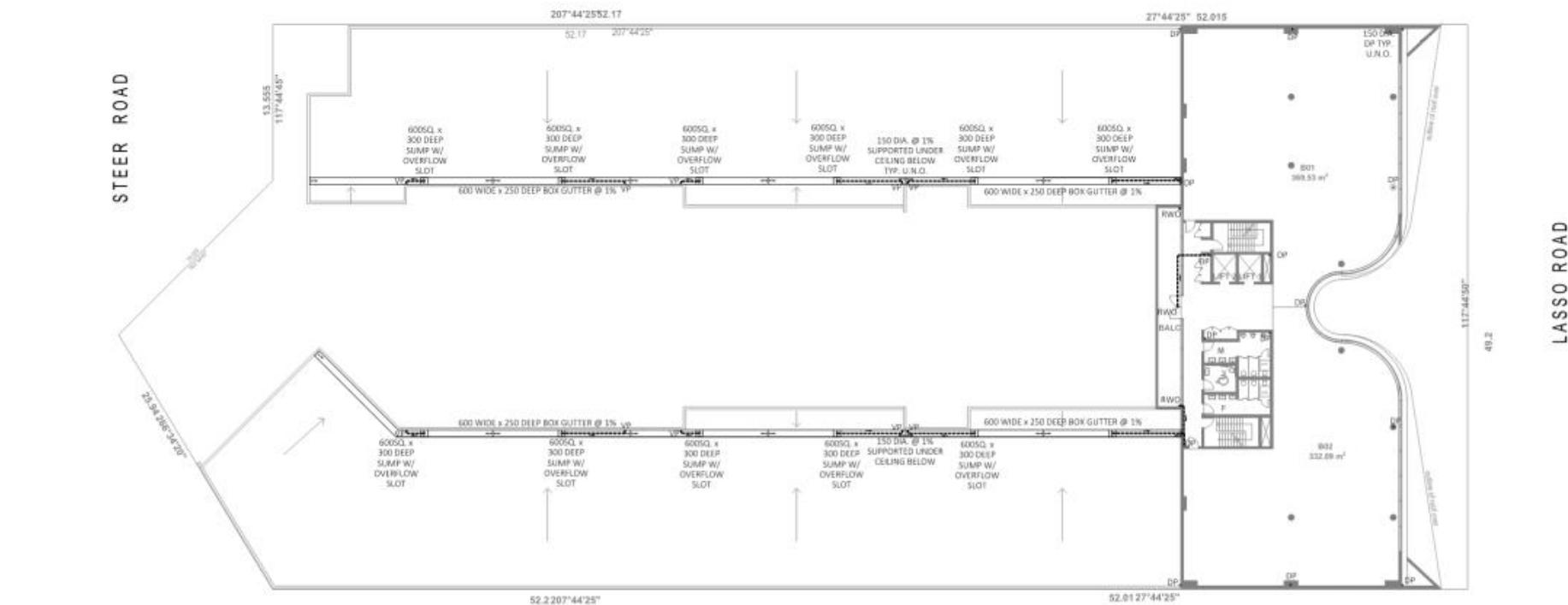
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			Checked By : N. Evans			At 6 Steer Road & 22 - 26 Lasso Road Gregory Hills NSW 2557	Date September 2024	Scale 1 : 200 @ A1
			Approved By : Kenneth T. NG <small>Hydraulic &amp; Civil / APC Engineer (NPS&amp;A)(Reg. No. 2208752) RP02, RP04 Registered Certified Hydraulic (contractor) Road &amp; Drainage and Stormwater (Reg. No. 800027) Registered Design Practitioner (Storage &amp; Civil Engineering) (Reg. No. 0619000002) &amp; Professional Engineer (Civil)(Reg. No. 0619000003) NSW Fair Trading</small> 			Client	Project No. 542082024DA	Drawing & Sheet No./Issue 54208-04/9 / B
B	Address Council's RFI of 16 Jan. 2025	3 Feb. 2025						
A	Development Application	25 Sept. 2024						
Issue	Description	Date of Drawing						





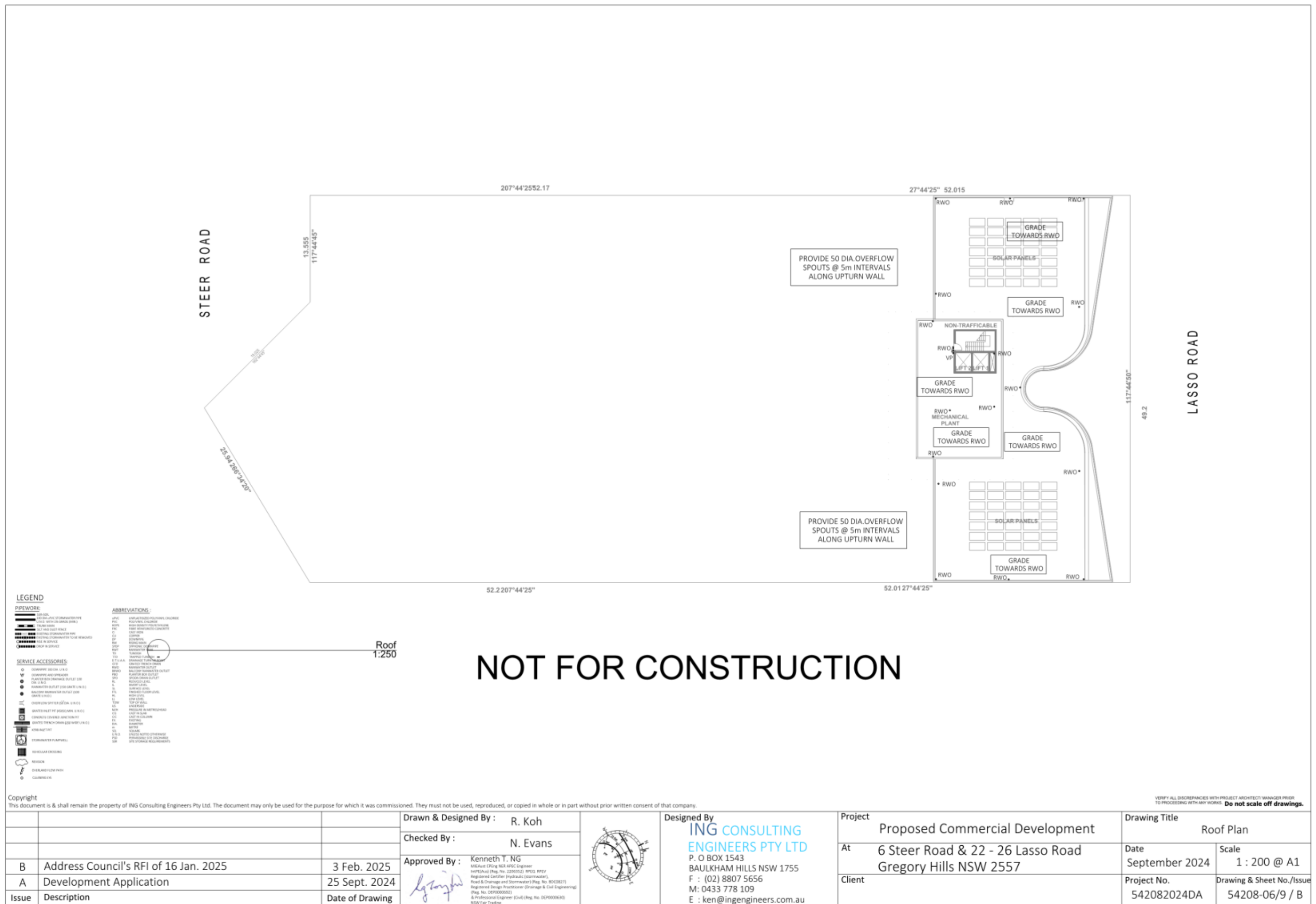
SCALE 1 : 250

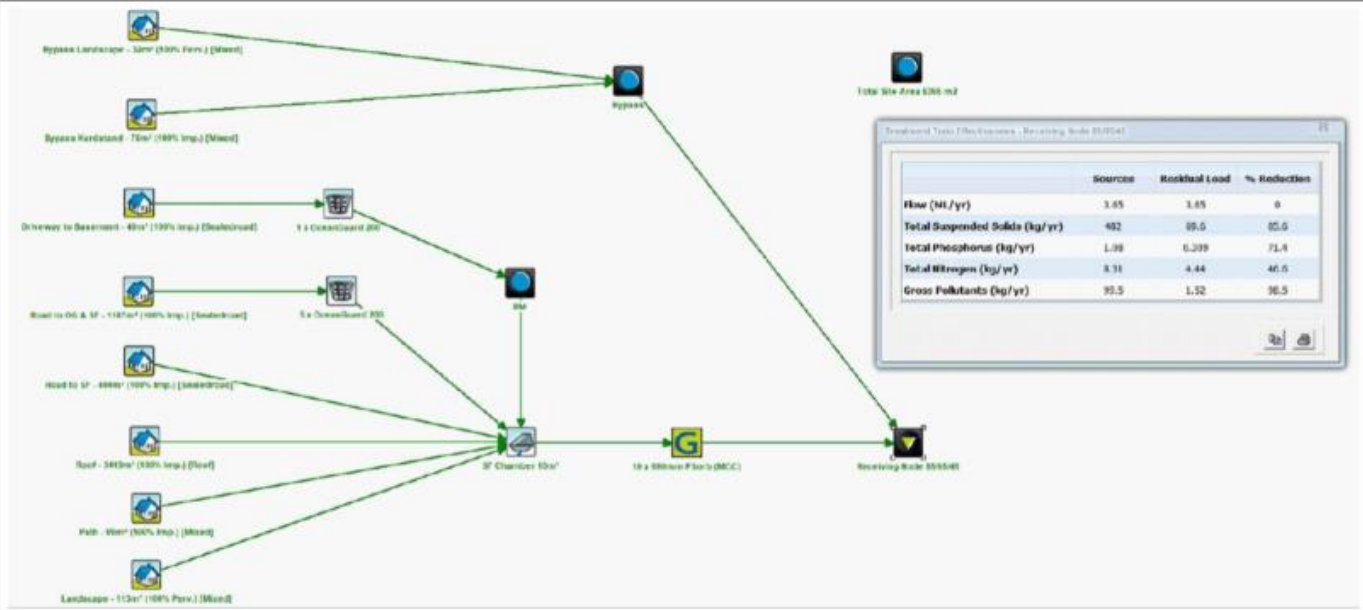


SCALE 1 : 250

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			Checked By : N. Evans			At 6 Steer Road & 22 - 26 Lasso Road Gregory Hills NSW 2557	Date September 2024	Scale As Shown @ A1
B	Address Council's RFI of 16 Jan. 2025	3 Feb. 2025	Approved By : Kenneth T. NG <small>MBAust CPong NGA APSC Engineer Hydraulic (Reg. No. 2205022) RPEQ RPEP Registered Certifier (hydraulic (stormwater), Road &amp; Drainage and Stormwater) (Reg. No. 8002871) Registered Design Practitioner (Storage &amp; Civil Engineering) (Reg. No. 06700000502) @Professional Engineer (Sivd) (Reg. No. 06700000030) R200/400/200/400</small>			Client	Project No. 542082024DA	Drawing & Sheet No./Issue 54208-05/9 / B
A	Development Application	25 Sept. 2024						
Issue	Description	Date of Drawing						





**MUSIC-link Report**

Project Details		Company Details	
Project:	17499-22-26 Lasso Rd GREGORY HILLS	Company:	ING Consulting Engineers
Report Export Date:	1/10/2024	Contact:	Ken Ng
Catchment Name:	17499 - 6 Steer Rd and 22 Lasso Rd Gregory Hills (Road)	Address:	
Catchment Area:	0.539ha	Phone:	0433 778 109
Impervious Area:	97.03%	Email:	ken@ingengineers.com.au
Rainfall Station:	67035 LIVERPOOL/WHITLAM		
Modeling Time-step:	6 Minutes		
Modeling Period:	10/1/1985 - 31/12/1994 11:54:00 PM		
Mean Annual Rainfall:	753mm		
Evapotranspiration:	1261mm		
MUSIC Version:	6.3.0		
MUSIC-link data Version:	6.34		
Study Area:	Camden City Council		
Scenario:	Camden City Council		

\* takes into account area from all source nodes that link to the chosen reporting node, excluding Import Data Nodes

Treatment Train Effectiveness		Treatment Nodes		Source Nodes	
Node: Receiving Node 855545	Reduction	Node Type	Number	Node Type	Number
Flow	0.0011%	Sedimentation Basin Node	1	Urban Source Node	8
TSS	85.4%	Generic Node	1		
TP	71.3%	QPT Node	2		
TN	46.6%				
GP	98.3%				

**Comments**

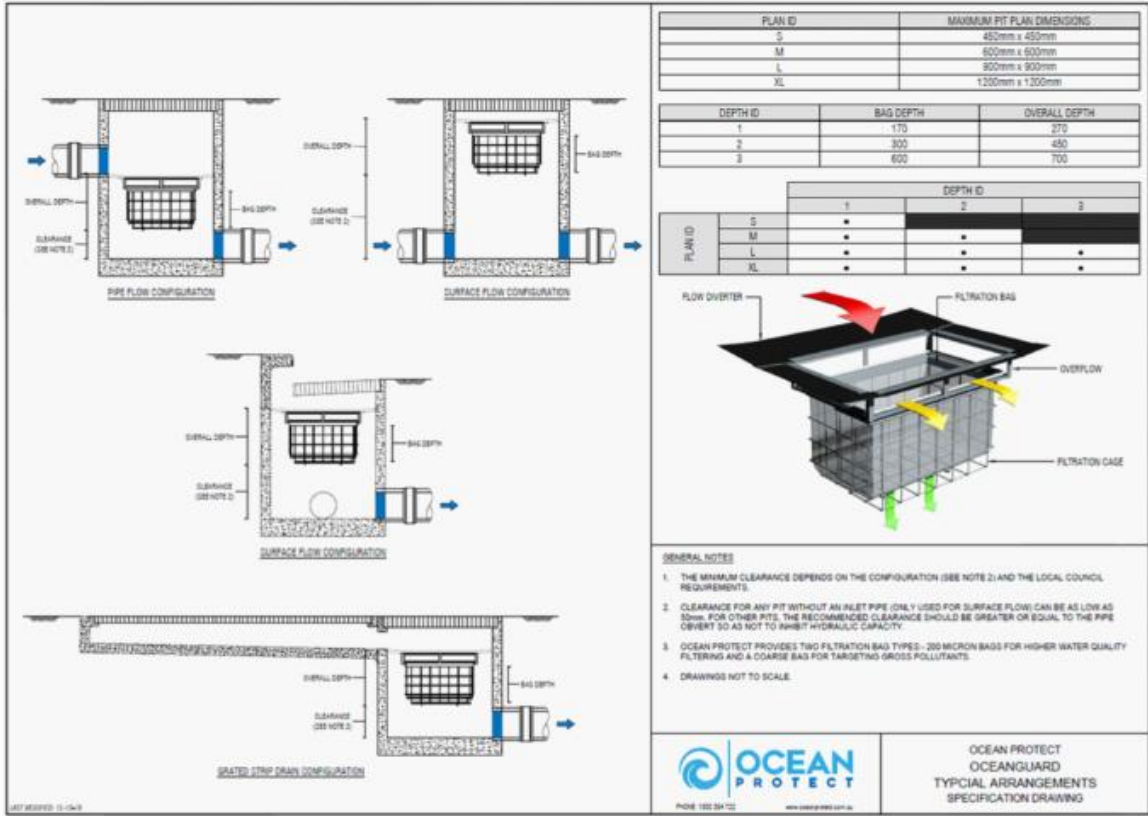
Model complies with Council targets.  
K values have been used in accordance to the Stormwater industry expectations.

**Passing Parameters**

Node Type	Node Name	Parameter	Min	Max	Actual
QPT	1 x OceanGuard 200	H-Flow bypass rate (sumbact)	None	99	0.02
QPT	5 x OceanGuard 200	H-Flow bypass rate (sumbact)	None	99	0.1
Receiving	Receiving Node 855545	% Load Reduction	None	None	0.0011
Receiving	Receiving Node 855545	GP % Load Reduction	99	None	98.5
Receiving	Receiving Node 855545	TN % Load Reduction	45	None	46.6
Receiving	Receiving Node 855545	TP % Load Reduction	65	None	71.3
Receiving	Receiving Node 855545	TSS % Load Reduction	85	None	85.4
Sedimentation	SF Chamber 10m	% Reuse Demand Met	None	None	0
Sedimentation	SF Chamber 10m	High Flow Bypass Out (M/yr)	None	None	0
Urban	Bypass Hardstand - 75m (100% Imp.)	Area Impervious (ha)	None	None	0.008
Urban	Bypass Hardstand - 75m (100% Imp.)	Area Porous (ha)	None	None	0
Urban	Bypass Hardstand - 75m (100% Imp.)	Total Area (ha)	None	None	0.008
Urban	Bypass Landscape - 32m (100% Per.)	Area Impervious (ha)	None	None	0
Urban	Bypass Landscape - 32m (100% Per.)	Area Porous (ha)	None	None	0.003
Urban	Bypass Landscape - 32m (100% Per.)	Total Area (ha)	None	None	0.003
Urban	Driveway to Basement - 40m (100% Imp.)	Area Impervious (ha)	None	None	0.004
Urban	Driveway to Basement - 40m (100% Imp.)	Area Porous (ha)	None	None	0
Urban	Driveway to Basement - 40m (100% Imp.)	Total Area (ha)	None	None	0.004
Urban	Landscape - 113m (100% Per.)	Area Impervious (ha)	None	None	0
Urban	Landscape - 113m (100% Per.)	Area Porous (ha)	None	None	0.013
Urban	Landscape - 113m (100% Per.)	Total Area (ha)	None	None	0.013
Urban	Path - 99m (100% Imp.)	Area Impervious (ha)	None	None	0.01
Urban	Path - 99m (100% Imp.)	Area Porous (ha)	None	None	0
Urban	Path - 99m (100% Imp.)	Total Area (ha)	None	None	0.01
Urban	Road to OG & SF - 1187m (100% Imp.)	Area Impervious (ha)	None	None	0.119
Urban	Road to OG & SF - 1187m (100% Imp.)	Area Porous (ha)	None	None	0
Urban	Road to OG & SF - 1187m (100% Imp.)	Total Area (ha)	None	None	0.119
Urban	Road to SF - 400m (100% Imp.)	Area Impervious (ha)	None	None	0.04
Urban	Road to SF - 400m (100% Imp.)	Area Porous (ha)	None	None	0
Urban	Road to SF - 400m (100% Imp.)	Total Area (ha)	None	None	0.04
Urban	Roof - 3419m (100% Imp.)	Area Impervious (ha)	None	None	0.342
Urban	Roof - 3419m (100% Imp.)	Area Porous (ha)	None	None	0
Urban	Roof - 3419m (100% Imp.)	Total Area (ha)	None	None	0.342

Only certain parameters are reported when they pass validation

NOT FOR CONSTRUCTION



**music-link**

**Falling Parameters**

Node Type	Node Name	Parameter	Min	Max	Actual
Sedimentation	SF Chamber 10m	Natural Detention Time (hrs)	8	12	0.153
Sedimentation	SF Chamber 10m	Total Nitrogen - 4 (mg/L)	500	500	1
Sedimentation	SF Chamber 10m	Total Phosphorus - 4 (mg/L)	6000	6000	1
Sedimentation	SF Chamber 10m	Total Suspended Solids - 4 (mg/L)	8000	8000	1


Only certain parameters are reported when they pass validation

NOTE: A successful self-validation check of your model does not constitute an approved model by Camden City Council. MUSIC-link uses a MUSIC 4p wrapper - loading software for modelling stormwater solutions.

3 of 3

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			Checked By : N. Evans		At 6 Steer Road & 22 - 26 Lasso Road Gregory Hills NSW 2557	Date September 2024	Scale As Shown @ A1
B	Address Council's RFI of 16 Jan. 2025	3 Feb. 2025	Approved By : Kenneth T. NG <small>MBAust OFeng NER APCC Engineer (MPE(SAus) (Reg. No. 2295032) RPES, RPES Registered Civil Engineer (Hydraulic Geomechanics), Road &amp; Drainage and Stormwater (Reg. No. EDC0827) Registered Design Practitioner (Storage &amp; Civil Engineering) (Reg. No. CPE00000001) &amp; Professional Engineer (Civil) (Reg. No. SEP00000003) NSW Fair Trading</small>		Client	Project No. 542082024DA	Drawing & Sheet No./Issue 54208-07/9 / B
A	Development Application	25 Sept. 2024					
Issue	Description	Date of Drawing					



GENERAL NOTES

1. THE CONTRACTOR MUST VERIFY ALL DIMENSIONS AND EXISTING LEVELS ON SITE PRIOR TO COMMENCEMENT OF WORKS.

2. ALL WORKS ARE TO BE CARRIED OUT TO THE DETAILS SHOWN ON THE DRAWINGS.

3. THESE PLANS ARE READ IN CONJUNCTION WITH APPROVED ARCHITECTURAL, STRUCTURAL, HYDRAULIC AND MECHANICAL DRAWINGS AND SPECIFICATIONS.

4. CARE IS TO BE TAKEN WHEN EXCAVATING NEAR SERVICES. NO MECHANICAL EXCAVATION ARE TO BE UNDERTAKEN OVER TELECOMMUNICATION OR ELECTRICAL SERVICES. HAND EXCAVATE IN THESE AREAS ONLY.

5. DIAL 1100 BEFORE YOU DIG FOR LOCATION OF UNDERGROUND SERVICES PRIOR TO ANY CONSTRUCTION WORKS.

6. SERVICES HAVE NOT BEEN SHOWN ON THIS PLAN. FIELD INVESTIGATIONS ARE TO BE CARRIED OUT SEPARATELY TO DETERMINE EXACT POSITIONS OF SERVICES OR INFORMATION IS TO BE PROVIDED BY THE PROPERTY PROPRIETOR. NOT WITHSTANDING THIS, ALL INFORMATION PROVIDED SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF CONSTRUCTION WORKS.

7. THESE DRAWINGS ARE ONLY APPROVED WHEN THEY ARE SIGNED WITH AN ORIGINAL SIGNATURE BY THE ENGINEER.

STORMWATER DRAINAGE

8. ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH AS 3500 AND THE REQUIREMENTS OF THE LOCAL COUNCIL'S POLICIES AND CODES.

9. ALL GUTTERS TO BE 100 x 75 MIN. AND DOWNPIPES TO BE 100 x 75 (76 DIA.) UNLESS OTHERWISE NOTED.

10. ALL PIPES TO BE 100mm uPVC SEWER GRADE UNLESS NOTED OTHERWISE.

11. ALL GRADIENTS FOR STORMWATER PIPES TO BE NOT LESS THAN 1.0% UNLESS NOTED OTHERWISE.

12. THE INVERTS OF ALL OUTLET PIPES ARE TO BE INSTALLED FLUSHED WITH THE BASE OF ALL STORMWATER/RAINWATER PIT.

13. ALL FENCES SHALL BE KEPT AT LEAST 100mm ABOVE THE GROUND LEVEL TO FACILITATE THE FREE PASSAGE FOR STORMWATER OVERLAND FLOW.

14. MANUFACTURER'S CERTIFICATE SHALL BE OBTAINED BY THE BUILDER FOR PIPES, PRE-CAST PITS AND GRATES FOR THE STRUCTURAL ADEQUACY RELATING TO ITS LOCATION.

15. AREAS SPREAD WITH BARK SHALL BE BARRICADED TO PREVENT BARK GETTING INTO THE PITS AND STORMWATER SYSTEMS.

16. MINIMUM SLOPE FOR PAVED AREAS SHALL BE 0.5%, FOR LANDSCAPED AREAS MINIMUM SLOPE SHALL BE 1% AND GRADED TOWARDS THE PITS.

17. ALL EXCAVATIONS WITHIN THE INFLUENCE OF BUILDINGS AND SERVICES SHALL BE UNDERTAKEN WITH THE KNOWLEDGE OF THE HYDRAULIC AND STRUCTURAL ENGINEER.

18. THE DETENTION AND DRAINAGE SYSTEM SHALL BE MAINTAINED AT REGULAR INTERVALS AND THE CONTRACTOR SHALL MAKE NECESSARY ARRANGEMENTS.

19. CONNECTION OF DISCHARGE PIPE TO EXISTING COUNCIL KERB AND GUTTER, PIPE OR KERB INLET PIT SHALL BE CARRIED OUT IN ACCORDANCE WITH COUNCIL'S REQUIREMENTS.

20. PROVIDE STEP-IRONS 'MASCOT 51:104' OR SIMILAR STAGGERED TO GIVE SPACING 300 VERTICAL AND 220 HORIZONTAL TO ALL PIT DEEPER THAN 1m.

21. SUITABLE AG-LINES SHALL BE PROVIDED AND CONNECTED TO STORMWATER SYSTEM OR AS INSTRUCTED BY THE ENGINEER ON SITE PRIOR TO BACKFILLING.

Specification code:  
R1008/C90 (brass grate, ABS lower body)  
R1009/C90 (nickel bronze grate, ABS lower body)  
R10054/C90 (polished 304 stainless steel, ABS lower body)  
R1005/C90 (satin 316 stainless steel grate, ABS lower body)

100mm Round

• Round grate available in nickel bronze, 304 & 316 stainless steel. Bronze non-stock option.

• ABS 90° Body and Reversible Membrane Clamp Collar with female 65mm BSP thread.

Height adjustment:  
Min. 20mm  
Max. 85mm

100mm Round

Wipe stop 3 x place

Signal passes into 150mm PVC or copper with s-sing connection, or connects to 150mm PVC/DPIPE with no-hub coupling.

RAINWATER OUTLET (RWO) (TERRACE AND COURTYARDS)

NOT TO SCALE

ITEM CODE : G01051

OPTIONAL 100mm HIGH GRAVEL GUARD FOR BUILT UP ROOFS (1000 & 150 TRUFLO ONLY)

MEMBRANE CLAMP FASTENERS TO BODY INDEPENDENTLY OF GRATE TO ALLOW ACCESS TO SUNP WITHOUT BREAKING MEMBRANE SEAL (100 & 150mm TRUFLO ONLY)

MEMBRANE

OPTIONAL CORPUS CONNECTION

INTEGRAL PUDDLE FLANGE WITH WEEP HOLES 4 x PLACES

SPS TRUFLO & SUPERFLO DOME GRATE RWO (2-PIECE DOME GRATE, MEMBRANE CLAMP)

SPECIALITY PLUMBING SUPPLIES PTY LTD

TEL: (02) 9418 8051 FAX: (02) 9418 7614 EMAIL: SP@SPECIALITYPLUMBING.COM.AU

ROOF RAINWATER WATER OUTLET (RWO) 100 TRUFLO

NOT TO SCALE

FLAT GRATE IN HEAVY DUTY, HOT-DIPPED GALVANISED MID-CARBON STEEL

INTEGRAL PUDDLE FLANGE WITH WEEP HOLES 4 x PLACES

OPTIONAL ROUFLING CONNECTION

SPS TRUFLO & SUPERFLO FLAT GRATE RWO (1-PIECE GRATE, NO MEMBRANE CLAMP)

SUGGESTED APPLICATIONS:  
CARPARK DECKS  
PLANT ROOMS  
PEDESTRIAN PRECINCTS

SPECIALITY PLUMBING SUPPLIES PTY LTD

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CARPARK TRUFLO (RWO)

NOT TO SCALE

1. PROVIDE LIGHT DUTY GRATES FOR NON VEHICULAR TRAFFICKED AREAS.

2. PROVIDE HEAVY DUTY GRATES FOR VEHICULAR TRAFFICKED AREAS.

3. PROVIDE 450 x 450 CLEAR OPENING FOR PIT DEPTHS UP TO 600mm U.N.O.

4. PROVIDE 600 x 600 CLEAR OPENING FOR PIT DEPTHS UP TO 900mm U.N.O.

5. PROVIDE 800 x 800 CLEAR OPENING FOR PIT DEPTHS GREATER THAN 900mm U.N.O.

6. ALL REINFORCED CONCRETE PIPES SHALL BE OF RUBBER RING JOINTS.

7. ALL DISCHARGE CONTROL PITS SHALL HAVE A MINIMUM OF 800 x 900 CLEAR OPENING U.N.O.

8. ALL GRATED TRENCH SHALL BE A MINIMUM OF 150(W) x 200(H) U.N.O.

PIT SCHEDULE

450SQ LIGHT DUTY / 600SQ & 900SQ MEDIUM DUTY / 1200SQ HEAVY DUTY GALVANISED MILD STEEL GRATE HINGED TO SURROUND AND PROVIDED WITH CHILD SAFE 'Y' LOCKS

CONCRETE SURROUND 300 WIDE

2 Y12 40mm COVER BTM

INTERNAL WALLS RENDERED

BRICK WALL (SEE TABLE)

CEMENT BENCHING

INLET

OUTLET

NOD CONCRETE BASE 100 THICK WITH F12 FABRIC CTR

TYPICAL INLET PIT DETAIL

NOT TO SCALE

PLAN

DEPTH

WALL THICKNESS

0.5m - 0.5m SINGLE SKIN BRICK

0.5m - 1.5m DOUBLE SKIN BRICK

> 1.5m TO STRUCTURAL DETAILS

PIT WALL DETAILS

PIPE TRENCH

NOT TO SCALE

COMPACTED EXCAVATED SPOIL

COMPACTED OVERLAY MATERIAL AS SELECTED

COMPACTED GRANULAR MATERIAL

TOP SOIL

COARSE SAND

75 DIA. AG-PIPE IN BLUE METAL OR AS SELECTED

AG-LINE TRENCH

NOT TO SCALE

CONCRETE DRIVEWAY

COMPACTED OVERLAY MATERIAL AS SELECTED

COMPACTED GRANULAR MATERIAL

PIPE TRENCH

NOT TO SCALE

100mm LIGHT DUTY / 300mm HEAVY DUTY GRATE

Y-12 300 'Y' BARS, 200 LESS, RY12

REFER TO STRUCTURAL ENGINEER'S DETAILS

GRATED DRAIN DETAIL

NOT TO SCALE

NOT FOR CONSTRUCTION

DANGER

CONFINED SPACE

NO ENTRY WITHOUT CONFINED SPACE TRAINING PRIOR TO COMMENCEMENT OF WORK

CONFINED SPACE SIGNAGE

NOT TO SCALE

THIS IS AN ON-SITE STORMWATER DETENTION SYSTEM

REQUIRED BY CAMDEN COUNCIL

IT IS AN OFFENCE TO REDUCE THE VOLUME OF THE TANK OR BASIN OR TO INTERFERE WITH THE ORIFICE PLATE THAT CONTROLS THE OUTFLOW

THE BASE OF THE OUTFLOW CONTROL PIT AND THE BARRIERS SCREEN MUST BE CLEANED OF DEBRIS AND SECURED ON A REGULAR BASIS BY THE OWNER

THIS PLATE MUST NOT BE REMOVED

OSD SIGNAGE

NOT TO SCALE

400 MM

300 MM

400 MM

300 MM

HOT DIPPED GALVANISED (YSAGHT) MESH TYPE RVS3030 SCREEN WITH HANDLE

TRASH SCREEN DETAIL

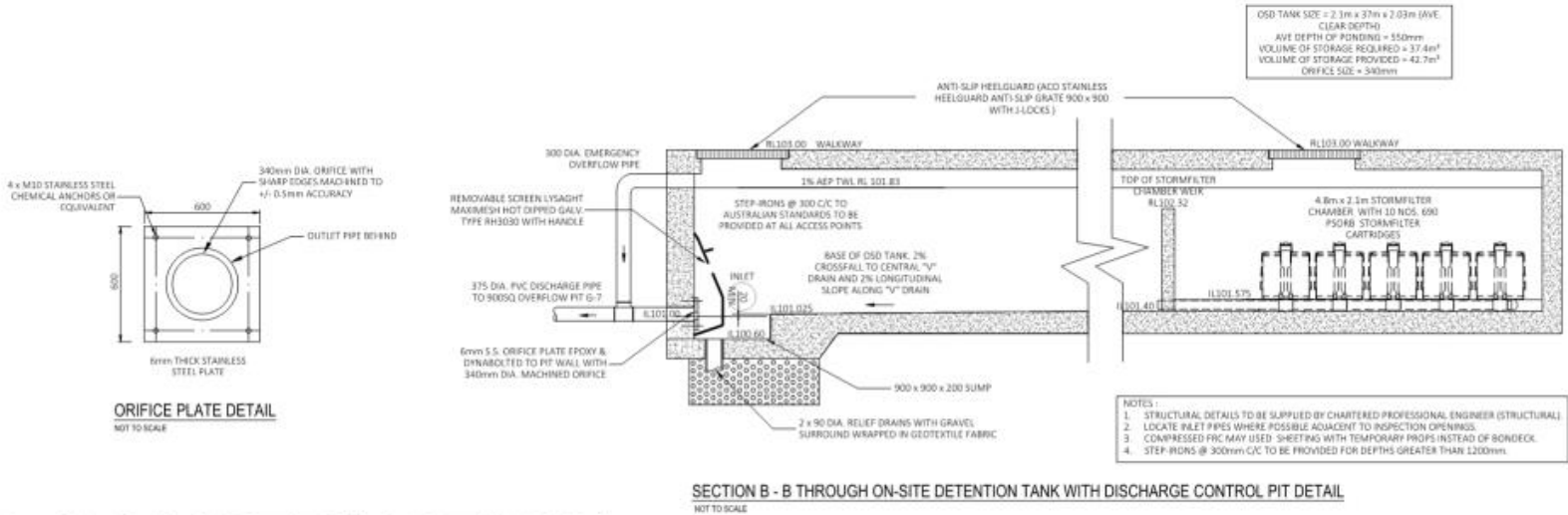
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			Checked By : N. Evans		At 6 Steer Road & 22 - 26 Lasso Road Gregory Hills NSW 2557	Date September 2024	Scale As Shown @ A1
B	Address Council's RFI of 16 Jan. 2025	3 Feb. 2025	Approved By : Kenneth T. NG <small>NRAust CEng NEA APC Engineer (NPL3456) (Reg. No. 2295752) NPQS RPEV Registered Civil Engineer (Hydraulic/Geotechnical) Road &amp; Drainage and Stormwater (Reg. No. B000827) Registered Design Practitioner (Storage &amp; Civil Engineering) (Reg. No. 2419000002) &amp; Professional Engineer (Civil) (Reg. No. 0010000043) NSW Fair Trading</small>		Client	Project No. 542082024DA	Drawing & Sheet No./Issue 54208-08/9 / B
A	Development Application	25 Sept. 2024					
Issue	Description	Date of Drawing					



NOT FOR CONSTRUCTION



STORMFILTER DESIGN TABLE

- STORMFILTER TREATMENT CAPACITY VARIES BY NUMBER OF FILTER CARTRIDGES INSTALLED.
- THE STANDARD CONFIGURATION IS SHOWN. ACTUAL CONFIGURATION OF THE SPECIFIED STRUCTURE(S) PER CERTIFYING ENGINEER WILL BE SHOWN ON SUBMITTAL DRAWING(S).
- FILTER CARTRIDGES SHALL BE MEDIA-FILLED, PASSIVE, SIPHON ACTUATED, RADIAL FLOW, AND SELF-CLEANING. RADIAL MEDIA DEPTH SHALL BE 150mm.

CARTRIDGE NAME / SIPHON HEIGHT (mm)	690	460	310
CARTRIDGE PHYSICAL HEIGHT (mm)	840	600	600
TYPICAL WEIR HEIGHT (H) (mm)	920	690	540
CARTRIDGE FLOW RATE FOR ZPG MEDIA (L/s)	1.6	1.1	0.7
CARTRIDGE FLOW RATE FOR PSORB MEDIA (L/s)	0.9	0.45	0.39

**SITE SPECIFIC DATA REQUIREMENTS**

STRUCTURE ID	
NUMBER OF CARTRIDGES REQ'D	
SIPHON HEIGHT (310 / 460 / 690)	
MEDIA TYPE (ZPG / PSORB)	
WATER QUALITY FLOW RATE (L/s)	
DIMENSION A	
DIMENSION B	

TOTAL CARTRIDGE BAY AREA (A x B) TO MATCH AREA REQUIRED BY MUSIC MODELLING OR COUNCIL SPECIFIC REQUIREMENTS

**PLAN LAYOUT**

**SECTION A**

**GENERAL NOTES**

- INLET AND OUTLET PIPES TO BE IN ACCORDANCE WITH APPROVED PLANS.
- A HIGH FLOW BYPASS ARRANGEMENT OR DISSIPATION STRUCTURE MAY BE REQUIRED TO MINIMISE RE-SUSPENSION OF SOLIDS OR ANY SIGNIFICANT INERTIAL FORCES ON THE CARTRIDGES.
- ALL WATER QUALITY TREATMENT DEVICES REQUIRE PERIODIC MAINTENANCE. REFER TO OPERATION AND MAINTENANCE MANUAL FOR GUIDELINES AND ACCESS REQUIREMENTS.
- SITE SPECIFIC PRODUCTION DRAWING WILL BE PROVIDED ON PLACEMENT OF ORDER.
- THE INVERT LEVEL OF THE INLET PIPE MUST BE GREATER THAN THE RL OF THE FALSE FLOOR WITHIN THE CARTRIDGE CHAMBER.
- CONCRETE STRUCTURE AND ACCESS COVERS DESIGNED AND PROVIDED BY OTHERS. ACCESS COVERS TO BE A MINIMUM 900 X 900 ABOVE CARTRIDGES. CH&S REGARDING ACCESS COVERS AND TANK ACCESS TO BE ASSESSED BY OTHERS ON SITE.
- THE STRUCTURE THICKNESSES SHOWN ARE FOR REPRESENTATIONAL PURPOSES.
- DRAWINGS NOT TO SCALE.

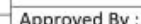
**INSTALLATION NOTES**

- UNDERDRAIN AND FALSE FLOOR INSTALLED BY OCEAN PROTECT.

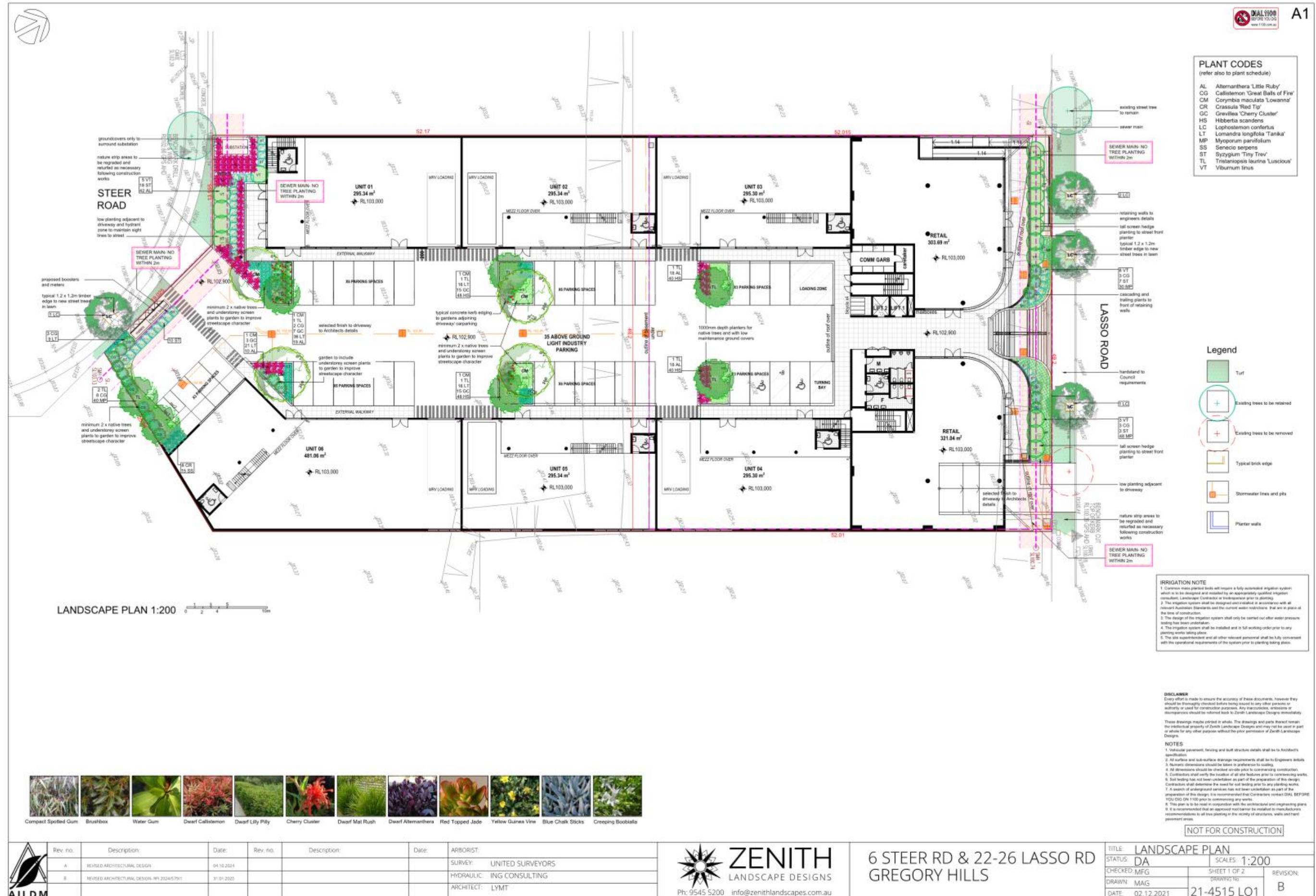
**OCEAN PROTECT**

STORMFILTER SYSTEM  
DETENTION TANK ARRANGEMENT  
SPECIFICATION DRAWING

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 70 Central Avenue  
Oran Park NSW 2570

 [mail@camden.nsw.gov.au](mailto:mail@camden.nsw.gov.au)

 PO Box 183  
Camden NSW 2570

 [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au)

 13 22 63

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