GAT & Associates Pty Ltd

Statement of Environmental Effects

March 2025

8 Frazer Street, Lakemba

Application for the Use of the Existing Building as a Warehouse for the Storage of Stone/Marble with Ancillary Administration Office, Including Alterations to Meet the National Construction Code/Fire Safety Related Upgrades.

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1. INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared in support of a Development Application (DA) for the use of the existing building as a warehouse for the storage of stone/marble with an ancillary administration office, including alterations to meet the National Construction Code (NCC)/fire safety-related upgrades at No. 8 Frazer Street, Lakemba.

This DA is a result of a recent Land and Environment Court matter under case numbers 2023/00134281 and 2024/00253384, which is yet to be determined. Subsequent to these proceedings and aligning with discussions held, the Applicant has prepared a DA for the following:

- Use of the building on No. 8 Frazer Street (subject site) as a warehouse for the storage of stone/marble with an ancillary administration office. This proposal has a link with the ongoing stone-manufacturing use carried out within the adjoining No. 492-494 Punchbowl Road and No. 78 Yerrick Road by transporting stone from No. 8 Frazer Street through an opening to No. 492-494 Punchbowl Road. It is noted that while the uses of the two sites are separate, due to the sites having an internal connection, under the classification of NCC, the two sites form a united building.
- Carrying out NCC/fire-safety upgrades, as noted in the Fire Protection Services prepared by Viscona Pty Ltd and the NCC Compliance Assessment Report prepared by Certified Building Specialists, also form part of this DA.

This DA also includes:

- The reduction in the size of the unauthorised awning that currently covers the car parking area of the site.
- The carrying out of rectification works to existing stormwater pipes, including the removal of redundant stormwater pipes.
- Reduction of car parking on the site from twenty-three to twenty-one, and removal of relevant concrete.
- The provision of additional landscaping to the frontage of the subject site.

As previously mentioned, the subject site forms part of a united building with No. 492-494 Punchbowl Road and No. 78 Yerrick Road. This DA, and specifically the NCC Compliance Assessment Report prepared by Certified Building Specialists, ensures that the united building complies or is capable of complying with the relevant requirements of the NCC. No works are proposed for No. 492-494 Punchbowl Road and No. 78 Yerrick Road as part of this DA, as there is a DA (1512/2024) for fire safety services upgrades for this aforementioned site under assessment with the Council. It is noted the NCC and fire upgrade works, as noted in the aforementioned reports for this DA at No. 8 Frazer Street, include the works required at No. 492-494 Punchbowl Road and No. 78 Yerrick Road to reinforce consistency between the two DAs.

GAT & Associates has been retained by the client, Deemah Stone, to prepare a SEE to accompany this development application for Canterbury-Bankstown Council's consideration.

This SEE is based on information and details shown on the following sets of architectural plans prepared by CD Architects, Job No. J25643D:

- Drawing No. DA 1001 Site Plan
- Drawing No. DA 1101 Existing Building Ground Floor Overall Plan
- Drawing No. DA 1102 Existing Building Level 1 Overall Floor Plan
- Drawing No. DA 1111 Existing Building Ground Floor (Car Parking Area)

- Drawing No. DA 2001 Existing Building Sections & Elevations
- Drawing No. DA 1111 Existing Building Ground Floor Proposed Landscape Area
- Drawing No. DA 5001 Notification Plan

This report has also been prepared with reference to the following documents:

- Survey Plan prepared by Geometra Consulting.
- Fire Protection Services prepared by Viscona Pty Ltd.
- NCC Compliance Assessment Report prepared by Certified Building Specialists.
- Stormwater Concept Plan prepared by C & S Engineering Services.

This SEE has been prepared in support of the proposed application. This report is based on the submitted plans, inspections of the site and general knowledge of the site and locality with the aim of:

- Assessing the proposal against the relevant statutory controls.
- Determining whether the proposal is acceptable within the existing and likely future context of the area.
- Considering whether the proposal is acceptable within the broader planning controls.
- Addressing any likely environmental and external impacts (positive or negative).

The proposed development has been assessed in relation to:

- Canterbury-Bankstown Local Environmental Plan 2023.
- Canterbury-Bankstown Development Control Plan 2023.
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- Section 4.15 Evaluation under the Environmental Planning and Assessment Act 1979.

2. SITE CONTEXT

The subject site is commonly known as No. 8 Frazer Street, Lakemba, and is legally defined as Lot 1 in Deposited Plan 623014. The site is an irregularly shaped allotment on the northern side of Frazer Street and the overall block by Punchbowl Road in the north, Yerrick Road in the east and Coxs Creek to the northwest.

The site has a curved frontage associated with the commencement of the cul-de-sac head with a total frontage of 54.99m and a total site area of 3,071m^2. The land is zoned for industrial uses and is occupied by a warehouse with front setback car parking.

It is noted that the subject site forms part of a united building, which is owned by the same operator (Deemah Stone). The united building occurs over the subject site, and No. 492-494 Punchbowl Road, and No. 78 Yerrick Road to the east. Refer to Figure 1 - Site Location Map, which illustrates the subject site and the over site that forms the 'united building' in its immediate context and Figure 2, which illustrates the added awning.

Figure 1: *Site Location Map*

The site is located centrally within a broader industrial precinct zoned IN2 Light Industrial. The land in the vicinity is improved by single and two-storey buildings including purpose-built warehouses and repurposed residential properties (the immediate east). Front setback areas are largely paved and serve as either car parking or loading areas, with some tree planting.

The site is well-serviced by public transport along Yerrick Road (200m walking distance) and Punchbowl Road (250-300m).

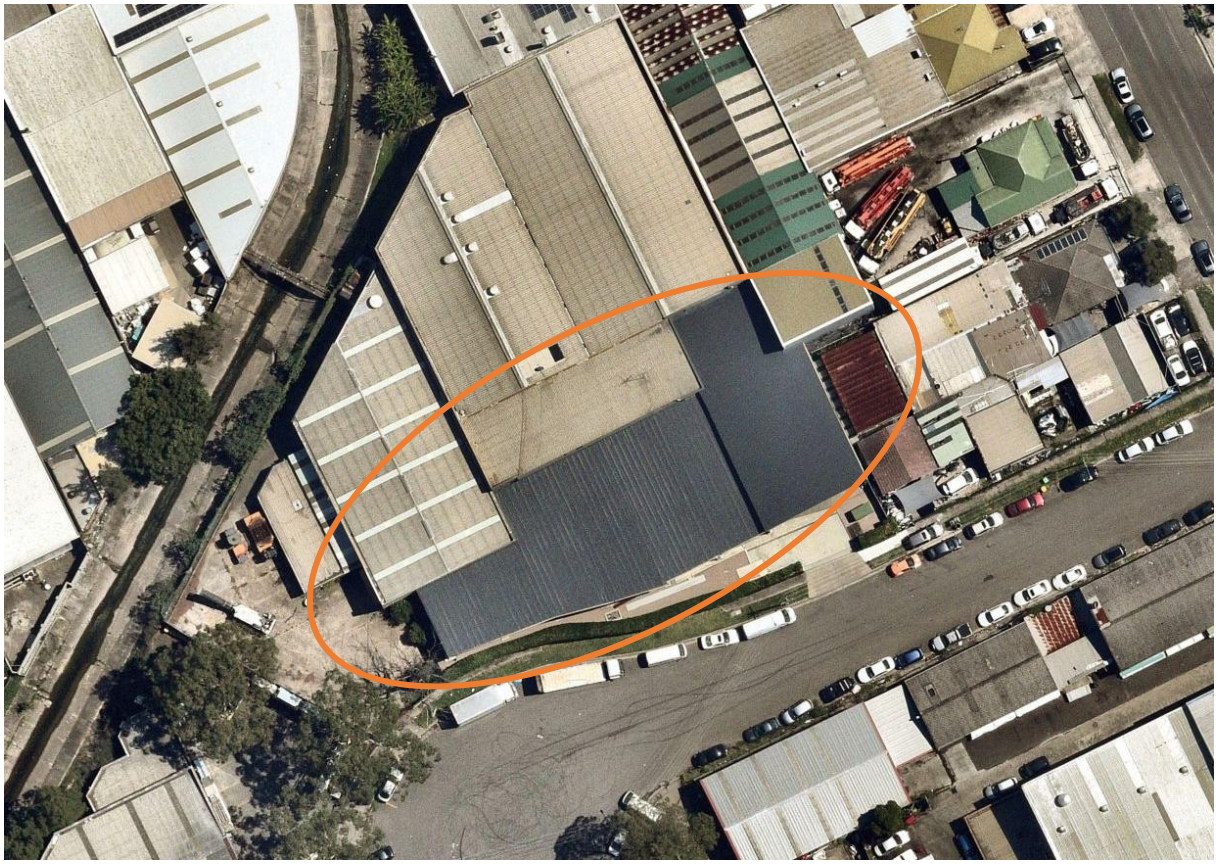

Figure 2: *Built Awning Image (Orange outline)*

3. PROPOSAL

This DA seeks the following:

Change of Use:

This DA seeks the use of the existing building (inclusive of the ground floor and first floor) at the subject site for the warehousing and storage of stone/marble. The subject site will store all stone/marble until it is sold, where it is either sent to other manufacturers/suppliers or transported to the other site that forms part of the 'united building' through a connection between the two buildings.

An ancillary administration office will be located on the ground floor of the warehouse, as indicated within the architectural plans prepared by CD Architects.

Alterations and Additions:

The following works are proposed to the subject site as part of this application:

- Reduction of car parking spaces within the existing car parking area from twenty-three spaces to twenty-one spaces and removal of concrete in the location of the removed car spaces, as shown in DA-1111 of the architectural plans prepared by CD Architects.
- Additional landscaping within the existing front setback area of the site, as per DA-1111 of the architectural plans prepared by CD Architects.
- Stormwater works to upgrade pipes which are currently damaged, as identified within a stormwater CCTV report prepared by Quron Pty Ltd, which formed part of a filed Joint Expert Report prepared in conjunction with recent Land and Environment Court Proceedings under 2023/00134281. Reference should be made to Appendix C, which illustrates this report. Stormwater works are also proposed, as noted in the stormwater concept plan prepared by C & S Engineering Services, to remove redundant stormwater pipes.
- Reduction in size of the existing awning structure over the car parking area, as shown in DA-1001 of the architectural plans prepared by CD Architects.

BCA, and Fire Safety Upgrades.

A number of BCA and fire safety upgrades are proposed, as noted in the fire protection services plan prepared by Viscona Pty Ltd and the NCC Compliance Assessment Report prepared by Certified Building Specialists.

Operational Details.

The following operational details are noted:

- Staff members:
  - Ten.
- Hours of Operation:
  - Monday to Saturday.
    - 6am to 7pm

4. SECTION 4.15 EVALUATION

The following section provides an assessment of the proposed development in accordance with the provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979.

(1) Matters for consideration – general

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

The provisions of:

4.1 Relevant State, Regional and Local Environmental Planning Instruments

4.1.1 State Environmental Planning Policy (Resilience and Hazards) 2021

4.1.1.(a) Chapter 4 Remediation of Land

Chapter 4 of the State Environmental Planning Policy (Resilience and Hazards) 2021 relates to the remediation of land. Section 4.6 states that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated and, if it is contaminated, the consent authority is satisfied that the land is suitable for the purpose. If the land requires remediation to be undertaken to make the land suitable for the proposed use, the Council must be satisfied that the land will be remediated before the land is used for that purpose.

The proposal involves minimal implications for the land and any assessment of contamination, as the land is currently used for and will remain for industrial purposes.

In accordance with State Environmental Planning Policy (Resilience and Hazards) 2021, the Council is able to conclude that no further assessment of contamination is necessary and that the industrial use of the site is suitable.

4.1.2 Canterbury-Bankstown Local Environmental Plan 2023

Refer to Appendix A for a table of compliance against the Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP23). Specific clauses requiring further discussion are provided below.

4.1.2.(a) Zoning, Permissibility and Objectives of the Zone

The subject site is zoned IN2 Light Industrial pursuant to the CBLEP23. Refer to the land zoning map below.

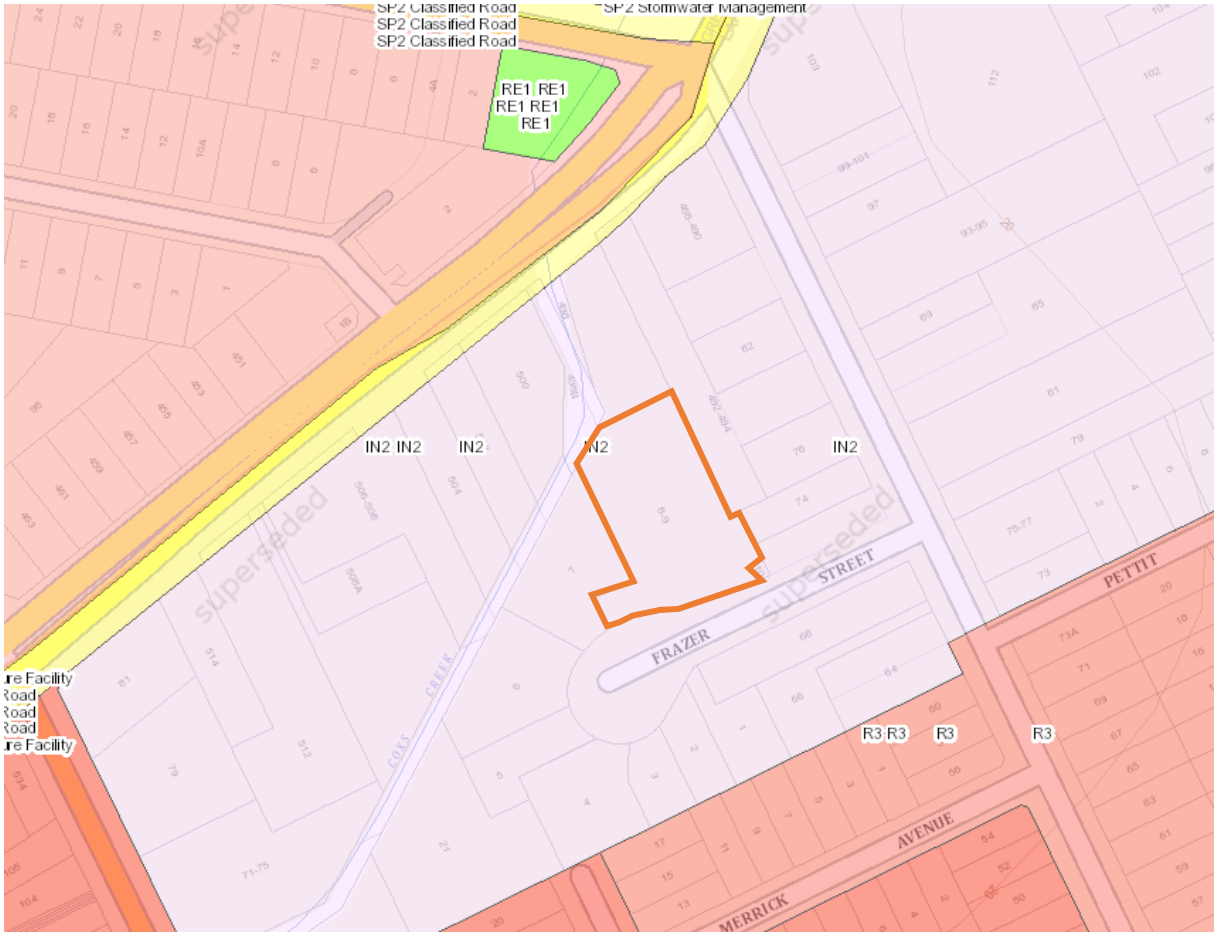

Figure 3: *Land Zoning Map (Source: NSW Planning Portal Digital EPI Viewer).*

The E1 Local Centre zone has the following Land Use Table.

> ***"2 Permitted without consent***
>
> *Nil*
>
> ***3 Permitted with consent***
>
> *Agricultural produce industries; Building identification signs; Business identification signs; Depots; Garden centres; Hardware and building supplies; Industrial training facilities; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Resource recovery facilities; Restaurants or cafes; Roads; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; **Warehouse or distribution centres**; Any other development not specified in item 2 or 4*
>
> ***4 Prohibited***
>
> *Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria; Early education and care facilities; Eco-tourist facilities; Educational establishments;*

Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Public administration buildings; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Sewerage systems; Sex services premises; Signage; Tourist and visitor accommodation; Transport depots; Truck depots; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities"

This DA is seeking the use of the subject site and building as a '*warehouse or distribution centre*', which is permitted with consent in the subject zone. The subject site is proposed to be used as a warehouse for stone/marble. It is noted that an office for the administration of the warehouse and use is also proposed on the ground floor, and is purely ancillary to the overall use of the site as a warehouse.

The proposed alterations and additions, as listed in Section 3.0 of this SEE, inclusive of the BCA and fire upgrades, are considered to be ancillary to the subject use of the site and therefore, permitted with consent.

In addition to the land use and proposed alterations and additions being permissible, the proposal adequately addresses the objectives of the IN2 Light Industrial zone as outlined below:

- *To provide a wide range of light industrial, warehouse and related land uses.*

Our Comment: The use of the subject site as a warehouse for the storing of stone/marble facilitates the operation of a local business, thus achieving this objective.

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

Our Comment: The use of the subject site as a warehouse will allow for the provision of employment opportunities to the local area, which will support the viability of the subject IN2 Light Industrial zone.

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

Our Comment: Land within the immediate area is zoned for industrial purposes. Therefore, there will be minimal impacts on other nearby land uses.

- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*

Our Comment: This DA will not impact any other land uses which provide facilities or services to meet day to day needs of workers in the area.

- *To support and protect industrial land for industrial uses.*

Our Comment: The proposal will allow the provision of industrial land uses in the locality.

- *To promote a high standard of urban design and local amenity.*

Our Comment: The subject DA seeks the continuaion of the subject land use and upgrades to the site to achieve current BCA and fire safety requirements. Additional works, such as the reduction

in the size of the awning as viewed from Frazer Street, the reduction in car parking spaces, and the addition of landscaping between the awning and adjacent boundaries, will ensure that the subject site promotes a high standard of urban design and preserves the local amenity of the area.

The proposed development, as demonstrated above, is considered to satisfy the objectives of the IN2 Light Industrial land zoning.

4.2 Draft Relevant State, Regional and Local Environmental Planning Instruments

4.2.1 Draft Amendments to the Canterbury-Bankstown Local Environmental Plan 2023

On 8 May 2025, Canterbury-Bankstown Council received a gateway determination from the Department of Planning, Housing, and Infrastructure for Changes to Business and Industrial Zones within the Canterbury-Bankstown Local Environmental Plan 2023.

The subject site will be impacted by the proposed changes to the CBLEP 2023 in that the subject zone, IN2 Light Industrial, will be changed to E4 General Industrial.

The proposed use continues to be permitted with the consent within the proposed E4 - General Industrial zone and will continue to be consistent with the objectives of that zone. The proposal has considered the draft changes to this Environmental Planning Instrument.

4.3 Development Control Plans

4.3.1 Canterbury-Bankstown Development Control Plan 2023

Refer to Appendix B for a table of compliance against the Canterbury-Bankstown Local Environmental Plan 2023 (CBDCP23). Specific controls requiring further discussion are provided below.

4.3.1.(a) Site Cover

C2.1 requires the sum of the total area of buildings(s) on the ground floor level must not exceed 70% of the site area.

Site coverage is not specifically defined in the CBDCP23. However, it is defined in the CBLEP23 as:

> ***"site coverage** means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage—*
>
> *(a) any basement,*
>
> *(b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,*
>
> *(c) any eaves,*
>
> *(d) unenclosed balconies, decks, pergolas and the like."*

Underline emphasis added.

Taking into regard the above definition of the CBLEP 2023, the subject site provides a site coverage (excluding the awning, which covers the car parking area) of approximately 53.70% or 1,650m².

4.3.1.(b) Setbacks

Front (Primary)

C2.3 requires the minimum front setback to the primary street frontage to be 5m. The built form is existing, but it is noted that the awning which covers the car parking area is yet to receive any formal approval, as such, comments on the awning in regard to its existing setbacks are made below.

The awning, which is proposed to be reduced in size, will have a front setback that ranges from 2.36m to 6.95m. A partial variation has resulted.

The extent of the variation is highlighted in the extract of the site plan below.

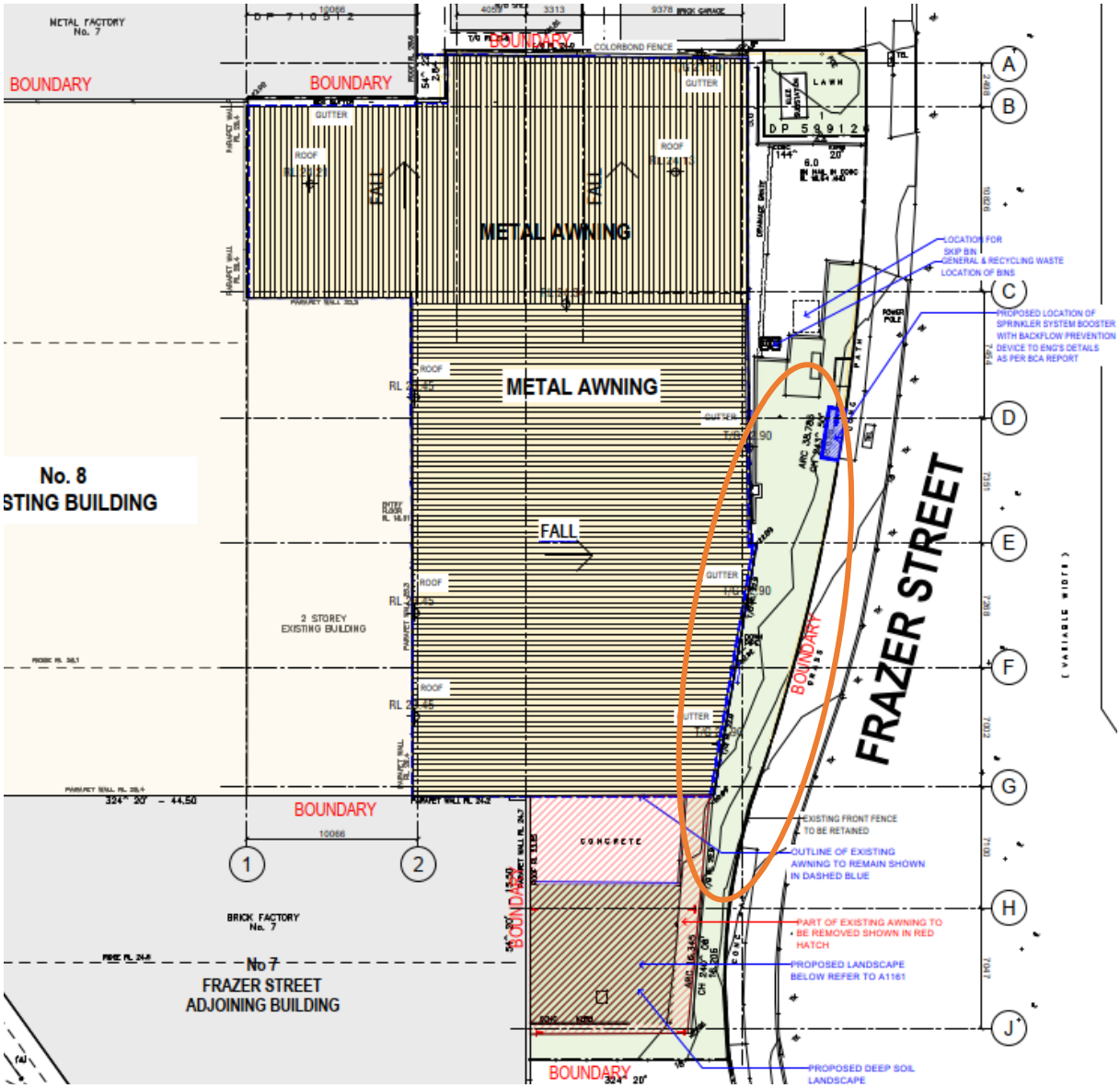

Figure 4: *Extract of Drawing No. DA1001 of the architectural plans prepared by CD Architects.*

It is noted that the setback variation only applies to a minor portion of an awning and support pillars. The awning remains open and is not read as an enclosed structure from the public domain. There is no specific objective to the setback controls. However, there are objectives to Section 2 – Building Form and Landscape in which the setback controls are situated. These objectives are detailed below, and a response is provided to each.

- *To achieve good design in terms of building form, bulk and landscape.*

  Our Comment: The awning is recessive in nature due to it being open at all but one side and as such, avoids a large structure so close to the front boundary. The awning is not located at a human scale and is elevated over 4m above ground level. As such, the perceived bulk of the development will be lesser than an enclosed structure and not be meaningfully different to what was previously on site (pre-awning). Moreover, the awning generally aligns with the built form fronting Frazer Street of the adjoining and opposite properties, No. 68 and 72 Yerrick Road, creating continuity in the building form in the streetscape. The existing vegetation generally screens the structure and it is proposed to add additional canopy trees.

- *To provide employee and visitor amenities in a pleasant environment.*

  Our Comment: There are no outdoor employee or visitor amenities currently located on the site. There is no change to the existing context.

- *To enhance ecological values.*

  Our Comment: There is no noteworthy impact on ecological values. The structural supports of the awning are in part located within the landscape setback; however, these have minimal consequence for the level of landscaping and the provision of a landscape buffer to the development as these supports remain behind that of the existing hedging and obscured from view.

  Additional tree plantings are proposed as per Drawing No. DA1111 of the architectural plans prepared by CD Architects, which will further screen the awning from the street.

  The awning itself is located above an approved car parking area and has not reduced the landscaped setback dimensionally.

- *To provide deep soil zones to manage urban heat and water, and to allow for and support healthy plant and tree growth.*

  Our Comment: There is no notable impact on the deep soil zone. The only impact is the structural supports introduced. The awning has otherwise provided substantial shading to the large, approved car parking area, which will manage urban heat. The drainage of the awning will be managed to address water aspects.

  New plantings are proposed as per Drawing No. DA1111 of the architectural plans prepared by CD Architects which will allow the site to provide for and support healthy plant and tree growth and thus meet the objective.

- *To ensure development is compatible with the prevailing suburban character and amenity of neighbouring residential areas.*

  Our Comment: Frazer Street and the western side of Yerrick Road, which serves as the character of the area, are dominated by paved areas within the front setback. The awning

setback is consistent with the setback of the built form along the northern and southern portions of Frazer Street, namely No. 68 and 72 Yerrick Road. Where setbacks at the cul-de-sac head may exceed that of the awning, these are dominated by open storage areas and are not functional buffers of development from the street. The prevailing form is, therefore, the use of the front setback.

As Figure 3 earlier in this SEE illustrated, there are no residential areas in the immediate locality to be affected.

Given the above, the awning, in terms of its use, is deemed sufficiently consistent with the objectives of the setback controls and can be supported on a merit basis.

Further to the above justification, the CBDCP23 allows for the minimum setback to vary in the following fashion.

"Despite clauses 2.2 and 2.3, Council may vary the minimum setback provided the development:

(a) complies with any statutory alignment that applies to the site; or

(b) provides adequate space to meet the vehicle access, car parking, loading and landscaping controls; or

(c) demonstrates compatibility with the building alignment of neighbouring development or the desired character of the area; or achieves an appropriate bulk and scale."

The following comments demonstrate consistency with the provisions outlined above. A variation to the numeric standard is therefore considered acceptable and appropriate in this context:

- No statutory alignment applies to the subject site. The required front setback requirement is located within a development control plan, which is not a statutory document.

- The front setback area, underneath the awning, provides appropriate space to facilitate car parking that meets the requirement of the CBDCP23, as assessed in Appendix B. Notwithstanding this, the car parking is existing. In addition, swept path diagrams have established that the structural pillars of the awning will not prevent vehicles from accessing these spaces.

  The landscaped front setback that existed prior to the construction of the awning has not been altered apart from minor encroachment from structural pillars. Notably, the pre-existing front landscape setback did not comply with the landscaping controls under Chapter 9, Section 2.10 of the CBDCP23. While the level of landscaping in the front setback was slightly reduced as part of the construction of the awning, the level of difference is negligible, and the development will remain appropriately screened by the existing landscaping and improved by additional landscaping.

  In addition, all loading and servicing occur within the existing warehouse and is unaffected by the awning.

- The as-built awning does not appear uncharacteristic in terms of building alignment of neighbouring development, due to the alignment of structures on the northern and southern side of Frazer Road. The two developments that have the largest frontages to Frazer Road, being No. 68, & 72 Yerrick Road, have a minimal setback. As such, the

provision of structures with a minimal front setback is not out of character with the immediate streetscape. In addition, the as-built awning is open to the Frazer Street frontage and does not emit a sense of excessive bulk and scale at a human scale.

It is therefore considered that the existing setbacks are appropriate.

4.3.1.(c) Open Space

The site area is between 2,000m^2 and 3,999m^2 and the site does not adjoin a state or regional road. Based on the table under control 2.10, the minimum width for a landscaped area to the primary street frontage is 6m.

The pre-awning landscape setback varied between 1.9m-5.5m and a partial provision of 11.5m at the western end of the site. As such, the proposal was non-compliant with this control prior to the erection of the awning. Strict compliance with the control is unfeasible for any change of use/alterations and additions to the site.

The awning has impacted the landscaped area marginally through the provision of six (6) support pillars within the setback.

Council's DCP states under 2.10

> *"Despite this clause, Council may vary the minimum setback provided the development complements a high quality landscaped image of neighbouring development or the desired future character of the area."*

The streetscape of Frazer Street and Yerrick Road, which serve as the locality, is dominated by hard-paved front setbacks. No property in the vicinity of the site provides a compliant 6m front setback of landscaping. Moreover, while some properties (particularly in Frazer Street) have canopy trees, they have no other landscaping which has negligible contribution to screening the built form.

Despite the non-compliance and the minimal encroachments of the supports, the site will maintain a landscape buffer between the street and car park and the built form that is otherwise absent in the streetscape. The existing hedge will otherwise be retained and continue to assist in screening the development. Additional tree plantings are proposed as per Drawing No. DA1111 of the architectural plans prepared by CD Architects, which will further screen the awning from the street, and further the greening of the site and well and truly exceed the level of landscaping exhibited in the locality.

Consequently, the site will continue to provide for landscaping over and above neighbouring developments.

4.4 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 planning agreement is relevant to this application.

4.5 Regulations

There are no prescribed matters which hinder the development.

4.6 Likely Impacts

Consideration must be made to the likely impacts of the development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality.

4.6.1 Impact on the Natural Environment

The proposed DA will not have an adverse or unreasonable impact on the natural environment. Additional landscaping will be provided on-site through the removal of two car spaces, and the provision of additional canopy trees will enhance the natural environment of the site. The extent of landscaping proposed is generally over and above the existing character of Frazer Street.

In regard to stormwater disposal of the site, a filed Joint Expert Report was prepared in conjunction with recent Land and Environment Court Proceedings under 2023/00134281. This Joint Expert Report demonstrated that additional stormwater collected by the unauthorised awning is adequately disposed of via a series of gutters and downpipes which drain to the existing grated surface stormwater pits. Remedial works to these stormwater pipes will occur as part of this DA to ensure adequate stormwater disposal will occur. Reference should be made to Appendix C, which contains a stormwater CCTV report illustrating the damaged pipes. Reference should also be made to the stormwater concept plan prepared by C & S Engineering Services, which outlines the removal of redundant stormwater pipes.

4.6.2 Impact on the Built Environment

The existing appearance of the built form, which has been unchanged since the erection of the awning, the proposed use of the site, and relevant alterations and additions will not have an adverse impact on the built environment. The existing built form continues the alignment of the built form further to the east of the subject site. The built form continues to be reflective of an industrial land use context.

The proposed NCC and fire safety upgrades will ensure that an existing building within the overall built environment is capable of complying with relevant standards.

4.6.3 Social and Economic Impacts on the Locality

The proposed continuation of the use and proposed NCC /fire safety upgrades will not create any adverse social or economic impact on the locality. The subject site will continue to provide an industrial use within an industrial locality, facilitating employment opportunities within the Lakemba locality.

4.7 Suitability of the Site

The land is appropriately zoned to permit the proposed development, and it meets the objectives of the IN2 Light Industrial zone within the CBLEP23.

4.8 Submissions made in accordance with this Act or the regulations

Not relevant.

4.9 The Public Interest

The public interest would be served by approval of this DA, as the continuation of the use of the site and proposed alterations and additions suitably achieve the controls and objectives of the CBDCP23 and CBLEP23.

It is considered that the development is conducive to Council's policies and does not result in any unreasonable impacts. Under the circumstances of the case, it is considered that the development is acceptable and should be supported.

5. CONCLUSION

This SEE has been prepared in support of a DA for the use of the existing building as a warehouse for the storage of stone/marble and alterations and additions, including National Construction Code (NCC)/fire safety-related upgrades at No. 8 Frazer Street, Lakemba.

The proposed development has made regard to the surrounding land uses. It is considered that all reasonable measures to mitigate any adverse environmental effects have been taken into consideration in relation to the proposal.

The proposal has been assessed in accordance with the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979 and found to be satisfactory. The proposal is permissible with the consent of the Council.

The beneficial effects of the proposal include:

- The use of an existing building will provide a valuable service to the broader community.
- The proposed works ensure the existing buildings on the site comply with the current NCC, and fire safety requirements.
- The revised awning size does not negatively impact the character of the area and achieves a consistent alignment along the northern and southern portions of Frazer Street, ensuring it will remain compatible with the locality.
- The existing car parking area will be reduced to enhance the landscape area of the site.
- The proposed development is compatible with the relevant objectives and Council's controls, which apply to the site and the desired future form of development.

The proposed development will have no ongoing impact on the air or water quality in the locality.

The proposed works do not result in any unreasonable impact on adjoining properties and are conducive to the Council's policies and accordingly, it is sought that Council approve the application.

Appendix A Canterbury-Bankstown Local Environmental Plan 2023

CLAUSE	DEVELOPMENT STANDARD/CONTROL	COMPLIANCE
Zoning	• Zone IN2 Light Industrial *"2 **Permitted without consent*** *Nil* ***3 Permitted with consent*** *Agricultural produce industries; Building identification signs; Business identification signs; Depots; Garden centres; Hardware and building supplies; Industrial training facilities; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Resource recovery facilities; Restaurants or cafes; Roads; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; **Warehouse or distribution centres**; Any other development not specified in item 2 or 4* ***4 Prohibited*** *Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria; Early education and care facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Public administration buildings; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Sewerage systems; Sex services premises; Signage; Tourist and visitor accommodation; Transport depots; Truck depots; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities"*	• Complies. The use of the subject site as a warehouse is permitted with consent. Refer to **Section 4.1.2.(a)** of this SEE.
Clause 4.3 Height of Buildings	• N/A. No Height of Building limit applies to the site.	• N/A.
Clause 4.4 Floor Space Ratio	• 1:1 • Site Area: 3,071m^2 • Maximum permitted GFA: 3,071m^2	• Complies.

CLAUSE	DEVELOPMENT STANDARD/CONTROL	COMPLIANCE
		No additional GFA is proposed as part of this application. The existing GFA of the subject site is approximately 1890m² or an FSR of 0.62:1.
Clause 5.10 Heritage Conservation	• The objectives of this clause are as follows: (a) to conserve the environmental heritage of Canterbury-Bankstown, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.	• N/A. The subject site has not been identified as a heritage item, nor is it located within a heritage conservation area.
Clause 5.21 Flood Planning	• Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development— (a) is compatible with the flood function and behaviour on the land, and (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and (d) incorporates appropriate measures to manage risk to life in the event of a flood, and (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.	• The site is not known to be flood-affected.
Clause 6.1 Acid Sulfate Soils	• Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.	• N/A. Not identified on the relevant map.
Clause 6.2 Earthworks	• Development consent is required for earthworks unless— (a) the earthworks are exempt development under this plan or another applicable environmental planning instrument, or (b) the earthworks are ancillary to— (i) development that is permitted without development consent under this plan, or (ii) development for which development consent has been granted.	• Any earthworks will be ancillary to the development associated with this application.

CLAUSE	DEVELOPMENT STANDARD/CONTROL	COMPLIANCE
Clause 6.3 Stormwater Management and Water Sensitive Design	• Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development— (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and (c) avoids significant adverse impacts of stormwater runoff on the land on which the development is carried out, adjoining properties and infrastructure, native bushland and receiving waters, or if the impact cannot be reasonably avoided, minimises and mitigates the impact, and (d) includes riparian, stormwater and flooding measures, and (e) is designed to incorporate the following water sensitive urban design principles— (i) protection and enhancement of water quality, by improving the quality of stormwater runoff from urban catchments, (ii) minimisation of harmful impacts of urban development on water balance and on surface and groundwater flow regimes, (iii) integration of stormwater management systems into the landscape in a way that provides multiple benefits, including water quality protection, stormwater retention and detention, public open space and recreational and visual amenity.	• Complies. In regard to stormwater drainage, a filed Joint Expert Report was prepared in conjunction with recent Land and Environment Court Proceedings under 2023/00134281. This Joint Expert Report demonstrated that additional stormwater collected by the unauthorised awning is adequately disposed of via a series of gutters and downpipes which drain to the existing grated surface stormwater pits. The Joint Expert Report identified damage within the existing stormwater pipe network, and it was agreed that remedial works could be undertaken to rectify these issues as part of this DA.

CLAUSE	DEVELOPMENT STANDARD/CONTROL	COMPLIANCE
		Reference should be made to Appendix C, which contains a stormwater CCTV report illustrating the damaged pipes. Reference should also be made to the stormwater concept plan prepared by C & S Engineering Services, which outlines the removal of redundant stormwater pipes.
Clause 6.9 Essential Services	• Development consent must not be granted to development unless the consent authority is satisfied that the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required— (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) waste management, (f) suitable vehicular access.	• Complies. It is considered that the list of services under (a)-(f) are available to the development currently. In regard to stormwater drainage, a filed Joint Expert Report was prepared in conjunction with recent Land and Environment Court Proceedings under 2023/00134281.

CLAUSE	DEVELOPMENT STANDARD/CONTROL	COMPLIANCE
		This Joint Expert Report demonstrated that additional stormwater collected by the unauthorised awning is adequately disposed of via a series of gutters and downpipes which drain to the existing grated surface stormwater pits. The Joint Expert Report identified damage within the existing stormwater pipe network, and it was agreed that remedial works could be undertaken to rectify these issues as part of this DA. Reference should be made to Appendix C, which contains a stormwater CCTV report illustrating the damaged pipes. Reference should also be made to the stormwater concept plan prepared by C & S Engineering

CLAUSE	DEVELOPMENT STANDARD/CONTROL	COMPLIANCE
		Services, which outlines the removal of redundant stormwater pipes. In regard to suitable vehicle access, a filed Joint Expert Report was prepared in conjunction with recent Land and Environment Court Proceedings under 2023/00134281. This Joint Expert Report demonstrates through swept path diagrams prepared by PDC Consultants, that suitable vehicle access will be available to all vehicles required to enter and exit the site. Reference should be made to the aforementioned swept path diagrams attached within Appendix D of this SEE. It is noted that the underlaid architectural plans slightly differ due to the deletion of the

CLAUSE	DEVELOPMENT STANDARD/CONTROL	COMPLIANCE
		two stacked car parking spaces. The remaining car parking area remains the same.

Appendix B Canterbury-Bankstown Development Control Plan 2023

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
CHAPTER 3 – GENERAL REQUIREMENTS		
3.1 DEVELOPMENT ENGINEERING STANDARDS		
Section 2 – Civil Engineering Requirements		
Vehicular footway crossing design and construction	• Development requiring vehicular access across the Council footpath area must provide a vehicular footway crossing (VFC) with maximum and minimum widths in accordance with the following table. Maximum size is dependent on providing at least a 6m separation between wings, at the kerb, to adjoining VFCs. Minimum widths will apply in areas with high on street parking demands, and where on street time restrictions are in place.	• The existing vehicle footway and crossing are not proposed to be altered as part of this application.
Internal Driveway Requirements	• The on-site driveway layout must be designed so that a car may be able to access and exit all required car spaces in one motion. In addition, a required car parking space must be located so as to be outside and clear of any vehicular manoeuvring area or right of carriage way. Austroads standard turning path templates are to be used to determine acceptability	• Complies. A filed Joint Expert Report was prepared in conjunction with recent Land and Environment Court Proceedings under 2023/00134281. This Joint Expert Report demonstrates through swept path diagrams prepared by PDC Consultants, that suitable vehicle access will be available to all vehicles required to enter and exit the

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
		site. Reference should be made to the aforementioned swept path diagrams attached within Appendix C of this SEE. It can be concluded that suitable vehicle access is available to the site.
Sight distance requirements	• Adequate sight distance must be provided for vehicles exiting driveways. Clear sight lines are to be provided at the street boundary to ensure adequate visibility between vehicles on the driveway and pedestrians on the footway and vehicles on the roadway. Refer to the Australian Standard AS 2890.1 for minimum sight distance requirements. If adequate sight distance for the access to any development cannot be achieved and considered a concern, the applicant may be required to install regulatory signs, at the boundary of the development, as agreed with Council.	• No proposed works will impede upon the slight lines from the existing driveway for the subject site.
Section 3 – Stormwater Drainage Systems		
Development impacted by stormwater systems	• Applicants must apply to Council for a Stormwater System Report (SSR), prior to DA submission, if the site is noted on Council's SSR register as affected by Council's stormwater drainage pipelines and/or affected by potential local stormwater flooding. The development must be designed to consider the recommendations of the SSR and satisfy the requirements of this DCP. It is the applicant's responsibility to locate and verify Council's stormwater drainage system as shown on the SSR or other information given by Council, including OLFPs where the stormwater system is located within the site. Development must be designed and constructed to make provision for overland flow from stormwater runoff generated by external upstream catchments.	• The stormwater disposal network for the subject site is existing. A filed Joint Expert Report was prepared in conjunction with recent Land and Environment Court Proceedings for the

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
		subject site under 2023/00134281. This Joint Expert Report demonstrated that additional stormwater collected by the unauthorised awning is adequately disposed of via a series of gutters and downpipes which drain to the existing grated surface stormwater pits. The Joint Expert Report identified damage within the existing stormwater pipe network, and it was agreed that remedial works could be undertaken to rectify these issues as part of this DA. Reference should be made to Appendix

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
		C, which contains a stormwater CCTV report illustrating the damaged pipes. Reference should also be made to the stormwater concept plan prepared by C & S Engineering Services, which outlines the removal of redundant stormwater pipes. It is considered that subject to the above remedial works, adequate drainage will be stormwater available to the site.
Disposal of stormwater runoff	• Site stormwater drainage systems should be designed to flow under gravity, and be connected to Council's stormwater drainage system at the nearest suitable location or CDL benefiting the site. Site drainage design should follow the natural fall of the catchment to a pipeline connection point that has been designed for the runoff. Catchment redirections may be permitted subject to compliance with requirements outlined below. A separate approval to connect to Council's stormwater drainage system must be obtained from Council. Permission to carry out the works must be obtained by applying for the relevant Work Permit. The final number of drainage outlets will be determined by Council through the WP process and the Storm Water Connection Plan Approval.	• Refer above.

<table>
<tr><th>CHAPTER/ PLANNING GUIDELINE</th><th>DEVELOPMENT STANDARD/CONTROL</th><th>COMPLY</th></tr>
<tr><td></td><td>Pipelines constructed across the footway must generally be confined to within the site frontage. In certain circumstances Council may consider allowing the pipeline to extend a maximum of 20m along the footway in front of adjoining site. The applicant must demonstrate that the development potential of the adjoining site, including construction of VFCs, will not be adversely affected.</td><td></td></tr>
<tr><td>Roof gutter design</td><td>• Roof, eave and/or box gutters and downpipes must be sized using the formulas and tables provided in accordance with the Australian Standard AS/NZS 3500 and Table 4b. In the case of OSD design, where overflow of the roof system cannot be directed to the OSD system, the roof stormwater drainage system must be designed for the 100-year ARI storm.</td><td>• Refer above. The drainage disposal network is existing.</td></tr>
<tr><td>Stormwater system ARI design criteria</td><td>• The following design ARIs should be applied to the relevant components of the stormwater drainage system:
Table 3b
<table><tr><th>Stormwater design element</th><th>Design average recurrence interval (years)</th></tr><tr><td>Site Piped Drainage (Residential)</td><td>10</td></tr><tr><td>Eave Gutters and Downpipes (Residential)</td><td>10</td></tr><tr><td>Site Piped Drainage (Commercial & Industrial)</td><td>20</td></tr><tr><td>Eave Gutters and Downpipes (Commercial & Industrial)</td><td>20</td></tr><tr><td>Box Gutters and Downpipes</td><td>100</td></tr><tr><td>Common Drainage Line (Residential) *</td><td>10</td></tr><tr><td>Common Drainage Line (Com & Ind)*</td><td>20</td></tr><tr><td>Inter-allotment Drainage no OLFP</td><td>100</td></tr><tr><td>Outlet to Natural Watercourse **</td><td>5</td></tr></table>* Where an OLFP for flows in excess of the pipe capacity has been provided.
** See Section 4
Council may vary the required ARI in instances where personal safety or the potential for property damage warrants such a variation.</td><td>• Refer above. The drainage disposal network is existing.</td></tr>
<tr><td>Overland flow paths for stormwater from</td><td>• Overland flow paths must be considered and designed where stormwater runoff, in excess of the design capacity of the pipelines for the upstream catchment, has the potential to flow through a site. Overland</td><td>• Refer above. The drainage disposal network is existing.</td></tr>
</table>

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
upstream catchments	flow paths must be considered and designed for the stormwater runoff developed from within the site as well. The applicant may be required to provide Council with a flood study to determine the OLFP requirements, for assessment with the DA plans. If a site has all of or part of a natural depression forming an OLFP within it, then Council may require an unobstructed OLFP, of adequate capacity, be maintained or constructed within the site. Often the natural depression coincides with a drainage easement, over a pipeline within the site. If the drainage easement is not coincidental to the natural depression where overland flow may occur, then Council may require a depression be created over the easement or an easement for overland flow be created over the natural depression area. In general, Council does not allow structures that will obstruct, block or adversely divert overland flow to be placed or constructed in the OLFP. Applicants should plan a development so OLFPs are directed along driveways, through common grassed areas and where fencing requirements are minimised or limited. OLFPs through courtyard areas are discouraged and should not be proposed on new sites. Redirection of OLFP is permitted within the site provided there is no adverse effect on adjacent sites.	
3.2 Car Parking		
SECTION 2–OFF-STREET PARKING RATES		
Off-street parking rates	• Development must use the Off-Street Parking Schedule to calculate the amount of car, bicycle and service vehicle parking spaces that are required on the site.	• Complies. The proposed use of the subject site is that of a warehouse with ancillary administration offices. As such, the site is subject to the relevant car parking

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL			COMPLY
	Warehouse or distribution centres	1 space per 300m² GFA or 1 space per 2 staff, whichever is the greater. Note 1: Where a retailing component is involved and provided this does not exceed 15% of the gross floor area (covering the retail component only), 1 car space per 100m² gross floor area is to be provided. Note 2: Where an office component is involved and provided this does not exceed 20% of the total gross floor area, 1 car space per 100m² gross floor area is to be provided. Any additional office space will be assessed at a rate of 1 car space per 40m² gross floor area.	1 space per 20 staff	rate shown in the table adjacent. Total GFA: Warehouse = Approximately 1,770m². Ancillary office = Approximately 120m². Car parking required: Warehouse = 5.9 spaces (rounded to 6 as per the DCP). Ancillary administration office = 0.83 (rounded to 1 as per the DCP). Total requirement = 7 spaces. Proposed: The subject site currently contains 23 spaces. This will be reduced to 21 spaces as part of this application.

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	• In calculating the total number of car parking spaces required for development, these must be: (a) rounded down if the fraction of the total calculation is less than half (0.5) a space; or (b) rounded up if the fraction of the total calculation is equal or more than half (0.5) space; and (c) must include a room that is capable of being converted to a bedroom. Development comprising more than one land use must provide the combined parking requirement based on the individual rates of parking for each land use identified in the Off-Street Parking Schedule.	• Noted.
	• Car parking (and associated space such as access aisles) in excess of the Off-Street Parking Schedule will be counted as gross floor area.	• Excess car parking is not located within a building enclosed by walls greater than 1.4m. As such, excess car parking cannot be counted as GFA.
	• Development not included in the Off-Street Parking Schedule must submit a parking study for Council's consideration. A qualified traffic consultant must prepare the parking study.	• N/A.
	• The Off-Street Parking Schedule does not apply to changes of uses to business premises, food and drink premises, medical centres, office premises, recreation facilities (indoor), shops and veterinary hospitals within Zones B1, B2 and B4 provided: (a) The new use does not result in an increase in the gross floor area of any building within which it is carried out. (b) The new use does not cause the contravention of any existing condition of the most recent development consent (other than a complying development certificate) that applies to the premises relating to car parking and vehicular movement.	• Noted. N/A.
Accessible off-street parking rates	• Accessible parking is required to be designed and constructed in accordance with the following rates:	• The subject site has greater than 10 car spaces. As such, the requirement of 1

<table>
<tr><th>CHAPTER/ PLANNING GUIDELINE</th><th>DEVELOPMENT STANDARD/CONTROL</th><th>COMPLY</th></tr>
<tr><td></td><td><table><tr><th>Development type</th><th>Accessible parking rates</th></tr><tr><td>Commercial and industrial premises (BCA Classes 5–8) where development contains 10 or more spaces</td><td>1 accessible parking space per 50 parking spaces for staff;

1 accessible parking space for visitors per 50 parking spaces where a car park has less than 500 spaces;

1 additional accessible parking space per 100 parking spaces above 500 spaces for visitors</td></tr></table></td><td>space per 50 parking spaces is provided. With 21 car parking spaces, an accessible parking requirement of 0.42 applies. In accordance with the rounding requirements as outlined in this section of the DCP, the above requirement rounds to nil. Therefore, no accessible spaces are provided.</td></tr>
<tr><td colspan="3">SECTION 3–DESIGN AND LAYOUT</td></tr>
<tr><td>Parking Location</td><td>• Development must not locate entries to car parking or delivery areas:
(a) close to intersections and signalised junctions;
(b) on crests or curves;
(c) where adequate sight distance is not available;
(d) opposite parking entries of other buildings that generate a large amount of traffic (unless separated by a raised median island);
(e) where right turning traffic entering may obstruct through traffic;
(f) where vehicles entering might interfere with operations of bus stops, taxi ranks, loading zones or pedestrian crossings; or
(g) where there are obstructions which may prevent drivers from having a clear view of pedestrians and vehicles.

• Parking areas for people with disabilities should be close to an entrance to development. Access from the parking area to the development should be by ramps or lifts where there are separate levels.</td><td>• The entry to the car parking area is existing and is not to be altered as part of this DA.

• N/A. No accessible spaces are provided.</td></tr>
</table>

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	• Where above ground parking is the only solution possible, locate to the rear of buildings.	• N/A.
Alternate parking arrangements	• Council may consider tandem parking in the following situations: (a) Industrial development where the users of the car parking will almost all be employees. (b) High density residential flat buildings, shop top housing and mixed use development if the parking users reside in the same dwelling or the employees work in the same premises. (c) Tandem parking for a maximum of two vehicles is permissible in dwelling houses, dual occupancies, attached dwellings, secondary dwellings, semi-detached dwellings, multi dwelling housing and multi dwelling housing (terraces) if the parking users reside in the same dwelling.	• Not proposed.
	• Tandem parking is not permitted where a high proportion of the users of the car park are visitors or customers.	• Not proposed.
	• Council may consider turn tables for non-residential development in Zones B2 and B4, subject to further assessment.	• Not proposed.
	• Mechanical parking devices, including car lifts, will not be supported.	• Not proposed.
Access driveway width and design	• The location of driveways to properties should allow the shortest, most direct access over the nature strip from the road.	• The location of the driveway is existing and has not been altered by the proposed DA.
	• The appropriate driveway width is dependent on the type of parking facility, whether entry and exit points are combined or separate, the frontage road type and the number of parking spaces served by the access facility.	• Refer above.
	• Driveway widths for existing dwellings and extensions to the existing properties are assessed on their merits.	• N/A.
	• For new residential development, necessary clear driveway widths are provided in the following table:	• N/A.

<table>
<tr><th>CHAPTER/ PLANNING GUIDELINE</th><th>DEVELOPMENT STANDARD/CONTROL</th><th>COMPLY</th></tr>
<tr><td></td><td><table><tr><th>Driveway width</th><th>Minimum clear width</th></tr><tr><td>One-way</td><td>3m</td></tr><tr><td>Two-way</td><td>5.5m</td></tr></table></td><td></td></tr>
<tr><td>Minimum headroom dimensions</td><td>• Clear headroom dimension is necessary to make sure that vehicles are clear of mechanical or service obstructions such as fire sprinklers, lighting fixtures and signs. Following minimum headroom dimension has to be maintained in all development.<table><tr><th>Minimum headroom</th><th>Dimension</th></tr><tr><td>Cars and light vans</td><td>2.4m</td></tr><tr><td>People with disabilities</td><td>2.3m</td></tr><tr><td>Small rigid vehicles</td><td>3.6m</td></tr></table></td><td>• The minimum headroom for the subject site is over 4m, which meets the required dimensions for all vehicles anticipated to access the site.</td></tr>
<tr><td>Loading and unloading facilities</td><td>• Mixed use development must provide appropriate loading/unloading or furniture pickup spaces. If no provision is made for the facilities, development applications must provide justification why they are not necessary.

• Where rear lane access is not available and the commercial/retail gross floor area of a building is greater than 500m2 , Council requires:
(a) at least one off-street parking space for delivery/service vehicles; and
(b) additional off-street parking spaces or a loading dock depending on the size, number, and frequency of delivery/service vehicles likely to visit the premises.</td><td>• N/A. Not a mixed use development.

• N/A. Not a commercial or retail use.</td></tr>
</table>

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	• The design of loading docks must: (a) be separate from parking circulation or exit lanes to ensure safe pedestrian movement and uninterrupted flow of other vehicles in the circulation roadways; (b) allow vehicles to enter and leave the site in a safe manner; and (c) have minimum dimensions of 4m by 7m per space. • Access to and from the service area is to be convenient with a lift or ramp provided. • Service vehicles are to enter and leave the site in a forward direction.	• All loading and servicing occurs internally to the existing warehouse. • As existing. • As existing.
Safety and security	• Sloping ramps from car parks, garages and other communal areas are to have at least one full car length of level driveway before they intersect pavements and carriageways.	• The existing parking area is level with the adjoining footpath.
Sight distance requirement	• For all development, adequate sight distance must be provided for vehicles exiting driveways. Clear sight lines are to be provided at the street boundary to ensure adequate visibility between vehicles on the driveway and pedestrians on the footway and vehicles on the roadway.	• No proposed works will impede upon the slight lines from the existing driveway for the subject site.
Pedestrian access	• Parking areas should be designed so that through-traffic is excluded, and pedestrian entrances and exits are separate from vehicular entrances and exits. • Lifts and stair lobbies should be prominently marked to help users find them and to increase personal security. • In split-level/multi-level car parks, a stairway should be located at the split-level, to provide pedestrian access between these levels and eliminate pedestrians having to use vehicular ramps.	• Complies. Pedestrian and vehicle entrances and exits are separate. • N/A. • N/A.
Bicycle parking	• For non-residential development that requires over ten staff bicycle parking spaces, provide one shower and change room per ten staff bicycle parking spaces. • Provide a mix of bicycle storage facilities to cater for short and long stay parking.	• Based on the proposed employee numbers as noted in Section 3.0 of this

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	• Bicycle racks or stands placed in open public areas that provide only means to lock one wheel of a bicycle to a fixture is not an acceptable secure arrangement. Devices requiring a wheel to be removed are also not acceptable. • Development must incorporate the following elements into the design and location of bicycle parking: (a) all facilities are clearly visible and as close as possible to the main entrances/exits to the street and within the building; (b) short-stay and visitor parking is at-grade and floor and wall-mounted rails are acceptable; (c) long-stay and resident parking is on the uppermost level of a basement car park; (d) a safe path of travel between bicycle parking and the main entrances/exits is clearly marked; (e) bicycle facilities are not to hinder vehicle and pedestrian movements, or contribute to the likelihood of injury to passing pedestrians; (f) access paths to bicycle parking are a minimum of 1.5m wide for oneway access path to allow the passage of a pedestrian pushing a bicycle; and (g) standardised information signs are to be used to give directions to bicycle parking areas. • Bicycle parking facilities are to be well lit to minimise theft, vandalism, reduce pedestrian hazard and to improve safety of the cyclists.	SEE, and at a rate of 1 space per 20 staff, 0.5 spaces are required. In accordance with the rounding requirements as outlined in this section of the DCP, the above requirement rounds to 1. The provision of this space can form a condition of consent.
Visitor parking	• Visitor spaces must not be located behind security grills and must be easily accessible. • Clearly mark and signpost visitor parking, and locate on the ground floor where possible, so that it is easy to find and access. • Visitor parking should be located near the main pedestrian entrance to the building and can be located in front of the building alignment, but not encroach upon the front setback areas.	• N/A. No visitor parking is proposed. Car parking is for staff only.
At-grade parking	• Screen or enclose at-grade parking with landscaping, structures or by wrapping the car park with retail or other active uses.	• Complies. The existing at-grade parking area is screened by the existing landscaped setback (hedge). Additional landscaping is proposed as per Drawing No. DA 1111 of the

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
		architectural plans prepared by CD Architects which will further screen the car parking area.
	• Avoid car parking areas and access driveways characterised by large expanses of bare concrete.	• Complies. The existing car parking area is covered with a large expense of bare concrete. The awning, which is sought to be amended and regularised as part of this DA, now shades this space, mitigating its visual and heat impact. Additional landscaping is proposed as per Drawing No. DA 1111 of the architectural plans prepared by CD Architects, which will screen the car parking area from the view of the public domain.

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	• Use a combination of different surface materials to delineate pedestrian thoroughfares, vehicular access and parking areas.	• Complies. Pedestrian thoroughfares are delineated from vehicular access and parking ways through marked hatching on the concrete.
	• Use perforated paving materials (for example, paving units with wide bands of gravel aggregates) that allow infiltration of stormwater.	• Complies. The at-grade car parking area is covered by the awning which is appropriately drained as explained in a filed Joint Expert Report that was prepared in conjunction with recent Land and Environment Court Proceedings under 2023/00134281.
	• Trees are to be planted at the ratio of one tree per five car park places allocated. Species are to be selected for their ability to thrive where compaction and deoxygenation are characteristic of the soils.	• Complies. Six trees are proposed as per the proposed landscaped plan within Drawing No. DA 1111 of the architectural plans prepared by CD

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
		Architects, which achieves the above requirement.
	• For proposed car parks of capacity 40 cars or more, raised landscape island beds of minimum dimensions 2m by 4m shall be provided to break up row of cars, spaced at every ten car places for placement of a canopy tree.	• N/A.
3.3 Waste Management		
SECTION 5 – INDUSTRIAL DEVELOPMENT		
All industrial development types	• Development must provide bin storage and separation facilities within each tenancy and within the communal bin room.	• Only one tenancy is proposed within the subject site. A bin storage area is located adjacent to the front fence for easy access to the collection point.
	• Development must provide an appropriate and efficient waste storage system that considers: (a) the type of business; (b) the volume of waste generated on-site; (c) the number of bins required for the development and their size; (d) additional recycling needs e.g. cardboard, pallets and milk crates; (e) waste and recycling collection frequencies.	• Refer to the Waste Management Plan submitted under separate cover.
	• Development is to consider potential future uses, particularly where separate waste containers may be required for industrial process type waste and bunding of bin storage areas.	• N/A.
	• Where development involves multiple tenancies, the design of development must ensure each tenancy will be able to obtain a Trade Waste Licence.	• N/A.

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	• Bin storage areas are to integrate with the overall design and functionality of development and are to be located within the building envelope to enable these areas to be screened from view from the public domain. • The design of the bin storage area must comply with the requirements of the applicable Waste Design for New Developments Guide. • An on-site collection point is to be nominated for development. The location of the collection point must allow collection vehicles to enter and exit the site in a forward direction and allow all vehicle movements to comply with the Australian Standard AS 2890.2. The location of the collection point must ensure waste servicing does not impact on any access points, internal roads and car parking areas. • Waste collection frequency is to be a minimum of once per week. Higher collection frequency may be required for development with larger waste generation rates and to ensure bin storage areas are kept clean, hygienic and free from odours. Higher collection frequencies must not impact on neighbouring residents in relation to noise, odour and traffic.	• A bin storage area is located adjacent to the front fence. • Refer to the Waste Management Plan submitted under separate cover. • Refer to the Waste Management Plan submitted under separate cover. • Refer to the Waste Management Plan submitted under separate cover.
3.7 LANDSCAPE		
SECTION 2 – LANDSCAPE DESIGN		
Existing vegetation and natural features	• New landscaping is to complement the existing street landscaping and improve the quality of the streetscape.	• Complies. Six trees are proposed as per the proposed landscaped plan within Drawing No. DA 1111 of the architectural plans prepared by CD Architects, which achieves the above requirement.

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	• Development, including alterations and additions, is to minimise earthworks (cut and fill) in order to conserve site soil. Where excavation is necessary, the reuse of excavated soil on site is encouraged.	• Not relevant.
Design and location of landscape	• The landscape design is to contribute to and take advantage of the site characteristics.	• Complies. Landscaping is proposed at the front of the site and to the south-western corner of the front setback area, which aims to screen development from the public domain.
	• The landscape design is to improve the quality of the streetscape and communal open spaces by: (a) providing appropriate shade from trees or structures; (b) defining accessible and attractive routes through the communal open space and between buildings; (c) providing screens and buffers that contribute to privacy, casual surveillance, urban design and environmental protection, where relevant; (d) improving the microclimate of communal open spaces and hard paved areas; (e) locating plants appropriately in relation to their size including mature size; (f) softening the visual and physical impact of hard paved areas and building mass with landscaping that is appropriate in scale; (g) including suitably sized trees, shrubs and groundcovers to aid climate control by providing shade in summer and sunlight in winter.	• Complies. The additional landscaping will provide for shade to the front of the site, combined with the weather protection provided by the awning. The proposed plantings will also screen and buffer the development from the street.
	• The landscape of setbacks and deep soil zones must: (a) provide sufficient depth of soil to enable the growth of mature trees; (b) use a combination of groundcovers, shrubs and trees; (c) use shrubs that do not obstruct sightlines between the site and the public domain; and	• Complies. Six trees are proposed as per the proposed landscaped plan within Drawing No.

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	(d) where buffer or screen planting is required, use continuous evergreen planting consisting of shrubs and trees to screen the structure, maintain privacy and function as an environmental buffer.	DA 1111 of the architectural plans prepared by CD Architects, which achieves the above requirement.
Trees	• Development must consider the retention of existing trees in the building design. • Development must plant at least one canopy tree for every 12m of front and rear boundary width and: (a) Canopy trees are to be of a minimum 75 litre pot size. (b) Use deciduous trees in small open spaces, such as courtyards, to improve solar access and control of microclimate. (c) Place evergreen trees well away from the building to allow the winter sun access. (d) Select trees that do not inhibit airflow. (e) Provide shade to large hard paved areas using tree species that are tolerant of compacted/deoxygenated soils. • Development must provide street trees that will contribute to the canopy where possible.	• No removal of trees is proposed. • Four trees are required to be planted for every 12m of the front boundary. The proposal provides six trees within the frontage of the subject site, with a minimum pot size of 75L. • Not proposed.
SECTION 2 – LANDSCAPE DESIGN		
Biodiversity	• Development must retain, protect and enhance indigenous/native vegetation and natural site features and incorporate it into the landscape design • Development must create a buffer zone to adjoining bushland and use indigenous planting in the buffer zone. • Development must manage habitat values by reinforcing biodiversity links. • The landscape design may consider using the following features to encourage native wildlife: 1 Trees and shrubs native to the area can provide nectar and seeds – an important food for native birds. 2 Prickly shrubs and dense hedges protect bird nests from predators such as cats.	• N/A.

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	3 Leaf litter and bark provide feeding areas for small animals such as frogs and lizards. 4 Hollow logs provide shelter for small marsupials and lizards. 5 Small caves and crevices serve as burrows and nesting sites for small animals. 6 Where structurally sound, tree hollows provide nesting holes essential for birds and possums. 7 Strong, healthy tree limbs provide habitat for tree dwellers and allow safe movement through the canopy. 8 Tree branches provide safe perching places for birds. 9 Rocks provide shelter, shade and sun bathing opportunities for small animals.	
CHAPTER 9 – INDUSTRIAL PRECINCTS		
Section 1 – Introduction		
Desired Character	• The Light Industrial Precinct will continue to support successful employment and economic activity as its primary role. This precinct is vital to Canterbury-Bankstown's position and future economic success in the Central River City, and will continue to offer residents jobs closer to home. The built form will be mostly contemporary light industries, warehouses and urban services within a safe and high quality environment. These uses would be 'light' in nature, meaning they would not cause nuisance or adversely affect the surrounding amenity by way of noise or emissions. Non-industrial development will be limited to land uses that are compatible with the primary employment role of the precinct.	• The proposed DA for the use of the premises for storage of stone/marble will not impact the desired future character of the area. The building is existing and will be upgraded to current NCC and fire safety standards.
Section 2 – Building Form and Landscape		
Site Cover	• The sum of the total area of building(s) on the ground floor level must not exceed 70% of the site area.	• Refer to **Part 4.3.1.(a)** of this SEE.
Street Setbacks	• This clause applies to land within the former Bankstown Local Government Area: (a) Where sites adjoin a state or regional road (refer to Appendix 1), the minimum setback to the primary and secondary street frontages is 15m. (b) Where sites do not adjoin a state or regional road, the minimum setback to: (i) the primary street frontage is 10m; and (ii) the secondary street frontage is 3m. 2. • This clause applies to land within the former Canterbury Local Government Area:	• N/A. Former Canterbury LGA.

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	(a) The minimum setback to the primary street frontage is 5m. (b) The minimum setback to the secondary street frontage is 2m.	• Refer to **Part 4.3.1.(b)** of this SEE.
	• Despite clauses 2.2 and 2.3, Council may vary the minimum setback provided the development: (a) complies with any statutory alignment that applies to the site; or (b) provides adequate space to meet the vehicle access, car parking, loading and landscaping controls; or (c) demonstrates compatibility with the building alignment of neighbouring development or the desired character of the area; or (d) achieves an appropriate bulk and scale.	• As above.
Side and Rear Setbacks	• Council may require minimum setbacks to the side and rear boundaries of the site: (a) to maintain reasonable solar access or visual privacy to neighbouring dwellings; or (b) to avoid an easement or tree dripline on the site or adjoining sites; or (c) to comply with any multi-level risk assessment undertaken for a development that ascertains the need for an appropriate setback or buffer zone between the development and any adjoining or neighbouring land within a residential zone. • The design of buildings must ensure that: (a) At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling. (b) A minimum 50% of the required private open space for a dwelling that adjoins a development receives at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected private open space.	• The side setbacks are existing. The existing awning, which is yet to be approved under any formal application, has a nil setback to the north-eastern boundary and a revised 15m setback to the south-western boundary. It is considered that a nil setback is appropriate, given it does not impact neighbouring dwellings, easements, or trees, nor does the matter require a multi-level risk assessment.

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
Development Adjacent to Residential Zones	• In determining a development application that relates to a site adjoining land in Zone R2, R3 or R4, Council must take into consideration the following matters: (a) whether any proposed building is compatible with the height, scale, siting and character of existing residential development within the adjoining residential zone; (b) whether any goods, plant, equipment and other material used in carrying out the proposed development will be stored or suitably screened from residential development; (c) whether the proposed development will maintain reasonable solar access to residential development between the hours of 8.00am and 4.00pm at the midwinter solstice; (d) whether noise generation from fixed sources or motor vehicles associated with the proposed development will be effectively insulated or otherwise minimised; (e) whether the proposed development will otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting, fumes, gases, smoke, dust or odours, or the like; and (f) whether any windows or balconies facing residential areas will be treated to avoid overlooking of private yard space or windows in residences.	• N/A. Not adjacent to a residential zone.
Setbacks to Riparian Corridors	• Development must achieve a minimum setback of 15m from a riparian corridor (measured from the top of the watercourse banks) and must revegetate the riparian corridor to Council's satisfaction.	• N/A. Not adjacent to a riparian corridor.
Development Adjacent to Channelled Watercourses	• Development must provide access to channelled watercourses for maintenance and repair.	• This DA does not result in a change to the existing access to Coxs Creek.
Open Space	• Development must provide a landscaped area along the primary and secondary street frontages of a site in accordance with the following minimum widths:	• Refer to **Part 4.3.1.(c)** of this SEE.

<table>
<tr><th>CHAPTER/ PLANNING GUIDELINE</th><th>DEVELOPMENT STANDARD/CONTROL</th><th>COMPLY</th></tr>
<tr><td></td><td>
<table>
<tr><th>Site area</th><th>Sites adjoining a state or regional road

Minimum width for landscaped area</th><th>Sites not adjoining a state or regional road

Minimum width for landscaped area to the primary street frontage</th><th>Sites not adjoining a state or regional road

Minimum width for landscaped area to secondary street frontage</th></tr>
<tr><td>Less than 600m^2</td><td>2.5m</td><td>2.5m</td><td>2.5m</td></tr>
<tr><td>600m^2–999m^2</td><td>3.5m</td><td>3.5m</td><td>3m</td></tr>
<tr><td>1,000m^2–1,999m^2</td><td>4.5m</td><td>4.5m</td><td>3m</td></tr>
<tr><td>2,000m^2–3,999m^2</td><td>6m</td><td>6m</td><td>3m</td></tr>
<tr><td>Greater than 4,000m^2</td><td>10m</td><td>10m</td><td>3m</td></tr>
</table>
Despite this clause, Council may vary the minimum setback provided the development complements a high quality landscaped image of neighbouring development or the desired future character of the area.

• Development must:
(a) retain and protect any existing trees identified by Council on the site and adjoining sites; and
(b) must not change the ground level (existing) within 3m of the base of the trunk or within the dripline, whichever is the greatest.

• Development must plant at least one street tree at 5m intervals along the length of the primary and secondary street frontages. Council may vary this requirement in response to proposed tree species, site constraints limit their inclusion or a street tree already exists in good condition.

• Development must plant trees in the landscaped area at a minimum rate of one canopy tree per 30m2 of the landscaped area. The canopy tree must be capable of achieving a mature height greater than 5m.
</td><td>
• This DA does not impact on existing trees.

• Trees have been planted within the front setback as per Chapter 3.7 of the DCP, as discussed previously in this appendix.

• As above.
</td></tr>
</table>

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	• Where development proposes an outdoor car park with 20 or more car parking spaces, the car park design must include at least one tree per 5 car parking spaces to the following specifications: (a) a tree must be a single trunk species to allow a minimum visibility clearance of 1.5m measured above the ground level (existing); and (b) a tree must be planted in an island bed that is a minimum 2m in width and 4m in length.	• Six trees are proposed adjacent to the car park area as per the proposed landscaped plan within Drawing No. DA 1111 of the architectural plans prepared by CD Architects, which achieves the above requirement.
Employee Amenities	• Development must provide an outdoor employee amenity area with a minimum area of 25m2 . This area should include a combination of grass, plantings, pavement, shade, and seating to allow employees to engage in a pleasant working environment. • Development must locate the employee amenity area away from sources of intrusive noise (such as loading and servicing, and heavy machinery), dust, vibration, heat, fumes, odour or other nuisances.	• No change to existing. The status quo of the site in regard to outdoor amenities is retained.
Section 3 – Building Design		
Façade Design	• Development must articulate the facades to achieve a unique and contemporary architectural appearance that: (a) unites the facades with the whole building form; (b) composes the facades with an appropriate scale and proportion that responds to the use of the building and the desired contextual character; (c) combines high quality materials and finishes; (d) considers the architectural elements shown in Figure 3a; and (e) considers any other architectural elements to Council's satisfaction. • Development may have predominantly glazed facades provided it does not cause significant glare nuisance.	• No change to the front façade is proposed from what is currently existing on the site. • No change.

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	• Industrial retail outlets must incorporate shopfront style windows with clear glazing so that people can see into the premises and vice versa. Council discourages the use of obscure or opaque glass, or other types of screening. • Where development proposes a portal frame or similar construction, Council does not allow the 'stepping' of the parapet to follow the line of the portal frame.	• No change. • No change.
Façade Design (Corner Sites)	• The street facade of development on a corner site must incorporate architectural corner features to add visual interest to the streetscape.	• N/A.
Façade Design (Materials)	• Development must use: (a) quality materials such as brick, glass, and steel to construct the facades to a development (Council does not permit the use of standard concrete block); and (b) masonry materials to construct a factory unit within a building, and all internal dividing walls separating the factory units. Despite this clause, Council may consider a small portion of the street facade to comprise metal sheet or other low maintenance material provided it complies with the Building Code of Australia.	• No change to the front façade is proposed from what is currently existing on the site.
Roof Design	• Development must incorporate an innovative roof design that: (a) achieves a unique and contemporary architectural appearance; and (b) combines high quality materials and finishes.	• No change to the roof design is proposed from what is currently existing on the site.
Safety and Security	• The front door to buildings should face the street. • The administration offices or industrial retail outlets must locate at the front of buildings. • Windows on the upper floors of a building must, where possible, overlook the street.	• Complies. The existing front door faces the street. • An administration office is located at the front of the existing building on the ground floor. • Complies. The existing awning

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
		does not preclude casual viewing of the street of first-floor windows.
	• Access to loading docks or other restricted areas in buildings must only be available to tenants via a large security door with an intercom, code or lock system.	• No change to existing site restrictions. The site is contained by security gates, doors, and roller doors.
	• Unless impractical, access to outdoor car parks must be closed to the public outside of business hours via a lockable gate.	• Complies. There is an existing lockable gate to the car park.
	• Development must provide lighting to the external entry paths, common lobbies, driveways and car parks using vandal resistant, high mounted light fixtures.	• Lighting is as existing.
	• Where the site shares a boundary with a railway corridor or an open stormwater drain, any building, solid fence, or car park on the site should, wherever practical, be setback a minimum 1.5m from that boundary. The setback distance must be: (a) treated with hedging or climbing vines to screen the building, solid fence, or car park when viewed from the railway corridor or open stormwater drain; and (b) the hedging or climbing vines must be planted prior to the completion of the development using a minimum 300mm pot size; and (c) the planter bed area must incorporate a commercial grade, sub-surface, automatic, self-timed irrigation system; and (d) the site must be fenced along the boundary using a minimum 2m high chain-wire fence; and (e) the fence provides an appropriate access point to maintain the landscaping within the setback area; and	• No change to the interface with the channelised Coxs Creek.

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	(f) where a car park adjoins the boundary, hedging or climbing vines must also be planted along the sides of any building or solid fence on the site that face the railway corridor or open stormwater drain. If a setback for landscaping under this clause is impractical, other means to avoid graffiti must be employed that satisfies Council's graffiti minimisation strategy.	
General	• Council must take into consideration the following matters for development in the industrial zones: (a) whether the proposed development will provide adequate off-street parking, relative to the demand for parking likely to be generated; (b) whether the site of the proposed development will be suitably landscaped, particularly between any buildings and the street alignment;	• Complies. The proposed use easily complies with the minimum car parking rate for warehouses, as discussed earlier in this appendix. • While the site does not comply with the landscape setback requirements of the DCP, the non-compliance is pre-existing. There is no meaningful impact on the level of landscaping and screening of the at-grade parking from the street. Notwithstanding this, additional landscaping is proposed as per Drawing No. DA

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
		1111 of the architectural plans prepared by CD Architects.
	(c) whether the proposed development will contribute to the maintenance or improvement of the character and appearance of the locality;	• The general appearance of the warehouse, as viewed from Frazer Street, will remain unchanged, except for the addition of new trees to further screen the car parking area and awning from the streetscape.
	(d) whether access to the proposed development will be available by means other than a residential street but, if no other means of practical access is available, the consent authority must have regard to a written statement that: (i) illustrates that no alternative access is available otherwise than by means of a residential street; and (ii) demonstrates that consideration has been given to the effect of traffic generated from the site and the likely impact on surrounding residential areas; and (iii) identifies appropriate traffic management schemes which would mitigate potential impacts of the traffic generated from the development on any residential environment;	• N/A.
	(e) whether goods, plant, equipment and other material used in carrying out the proposed development will be suitably stored or screened;	• Complies. All goods, plant, equipment, and any material will be stored within the warehouse.

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	(f) whether the proposed development will detract from the amenity of any residential area in the vicinity; and	• N/A. The site is located centrally within an industrial area.
	(g) whether the proposed development adopts energy efficiency and resource conservation measures related to its design, construction and operation.	• N/A.
Section 4 – Environmental Management		
Acoustic Privacy	• Development must: (a) consider the Noise Policy for Industry and the acoustic amenity of adjoining residential zoned land; and (b) may require adequate soundproofing to any machinery or activity that is considered to create a noise nuisance.	• N/A. No residential adjoining land.
Pollution Control	• Development must adequately control any fumes, odour emissions, and potential water pollutants in accordance with the requirements of the relevant public authority.	• N/A.
Section 5 – Site Facilities		
Storage Areas	• The storage and use of hazardous materials must comply with the requirements of WorkCover NSW and other relevant public authorities. • The storage and use of dangerous goods must comply with the Dangerous Goods (Road and Rail Transport) Act 2008 and its regulations, and any other requirements of WorkCover NSW.	• N/A. No storage area for dangerous goods is proposed.
Building Design (Utilities and Building Services)	• The location and design of utilities and building services (such as plant rooms, hydrants, equipment and the like) must be shown on the plans.	• Complies. All relevant utilities are notated on the submitted architectural plans.
	• Utilities and building services are to be integrated into the building design and concealed from public view.	• Noted. Where possible.
	• External lighting to industrial development must give consideration to the impact of glare on the amenity of adjoining residents.	• Noted. The site is not adjoining to residential areas.

CHAPTER/ PLANNING GUIDELINE	DEVELOPMENT STANDARD/CONTROL	COMPLY
	• Council may require development to include public domain improvements to an adjacent footpath in accordance with a design approved by Council's Landscape Architect.	• Noted.
Building Design (Substations)	• The location and design of substations must be shown on the plans. • Substations should locate underground. Where not possible, substations are to be integrated into the building design and concealed from public view. • Substations must not locate forward of the front building line.	• Not proposed.
Food Premises	• The design, construction, and operation of a food premises must comply with: (a) Food Act 2003; (b) Food Regulation 2010; (c) FSANZ Food Standards Code; and (d) Australian Standard AS 4674–2004, Design, construction and fitout of food premises.	• N/A.
Front Fences	• The maximum fence height for front fences is 1.8m. • The external appearance of front fences along the primary and secondary street frontages must ensure: (a) the section of the front fence that comprises solid construction (not including pillars) does not exceed a fence height of 1m above ground level (existing); and (b) the remaining height of the front fence comprises open style construction such as spaced timber pickets or wrought iron that enhance and unify the building design. • Council does not allow the following types of front fences: (a) chain wire, metal sheeting, brushwood, and electric fences; and (b) noise attenuation walls.	• No change to the existing metal front fence has occurred.

Appendix C Stormwater CCTV Report - Appendix 3 of the Stormwater Joint Expert Report for LEC Case 2023/00134281

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Project

Project name	8 FRAZER ST LAKEMBA
Project date	1/11/2023
Job End Date	3/11/2023

Client

Company	DEMAH STONE
Responsible person	ELIAS MELHEM
Street	
City	
Phone	
E-Mail	

Project remarks

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Table of Contents

Project name	Project number	Project date
8 FRAZER ST LAKEMBA		1/11/2023

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2A LAMROCK AVE, RUSSELL LEA
ADMIN@QURON.COM.AU

Project Information

Project name	Project number	Project date
8 FRAZER ST LAKEMBA		**1/11/2023**

Client

Company:	DEMAH STONE
Responsible person:	ELIAS MELHEM
Division:	
Street:	
City:	
Phone:	
Fax:	
Mobile:	
E-Mail:	

Contractor

Company:	QURON PTY LTD
Responsible person:	DEAN CLOGHER
Division:	
Street:	2A LAMROCK AVE
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Section Profile

Project name	Project number	Project date
8 FRAZER ST LAKEMBA		1/11/2023

Section No.	US MH	DS MH	Date of Inspection	Address/Location	Material	Inspected Length	Pipe Asset ID
7	PIT 5	PIT 4	3/11/2023	FRAZER ST	Vitrified clay	16.77	STORMWATER

1 x 150 = 16.77 Section Length [m] (16.77 Inspected Length)

Section No.	US MH	DS MH	Date of Inspection	Address/Location	Material	Inspected Length	Pipe Asset ID
2	PIT 3	PIT 4	1/11/2023	FRAZER ST	Vitrified clay	11.32	STORMWATER
3	PIT 4	PIT 1A	3/11/2023	FRAZER ST	Vitrified clay	10.10	STORMWATER
4	PIT 1A	PIT 1	1/11/2023	FRAZER ST	Vitrified clay	48.78	STORMWATER

3 x 225 = 126.53 Section Length [m] (126.53 Inspected Length)

Total: 4 = 165.09 Section Length [m] (86.96 Inspected Length)

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Section Inspection - 1/11/2023 - STORMWATER

Date of inspection	Time of inspection	Asset Owner	Pipe Asset ID	Nr.
1/11/2023	**7:34 AM**		**STORMWATER**	**1**
Project name	Contract No.	Coding Standard	Name of operator	Job Number
8 FRAZER ST LAKEMBA	.	**WSA 05-2008 2.2**	**Sean English**	**01**

Suburb	**LAKEMBA**	US MH	**PIT 2**	Conduit Unit Length [m]	
Address/Location	**FRAZER ST**	Direction of camera	**Downstream**	GIS length	
Location Type	**Easement**	DS MH	**PIT 1**	Inspected Length	
Operation of Conduit	**Storm water drain**	Use of Conduit	**Drain**	Year Layed	
Profile	**225mm**	Purpose of inspection	**Structural Condition Inspection**		
Lining Material		Method of inspection			
Lining Type		Precipitation			
Dia/Height [mm]	**225**	Cleaning			
Material	**Vitrified clay**	Flow control			

General comment

1:490	[m]	Code	Observation Text	MPEG	Photo	Grade
	0.00	STGP	Start node, grated inlet pit, Nodename:, PIT 2	00:00:00		
	1.00	S01 DES	Deposits in the invert, Fine sediments, sand or silt, Obstruction: 5-20% from 5 o'clock to 7 o'clock, Start #	00:00:15	STORMWATER_8745c273-6cb	
	1.92	BD	Breaking, all pieces are present but some of them are visibly displaced from position, at joint, length of break: 100mm from 10 o'clock to 4 o'clock	00:00:50	STORMWATER_c789743e-626	
	6.00	F01 DES	Deposits in the invert, Fine sediments, sand or silt, Obstruction: 5-20% from 5 o'clock to 7 o'clock, Finish #	00:01:52	STORMWATER_892e1201-7d5	
	20.40	JNGO	Junction open, good workmanship, height: 100mm at 12 o'clock	00:04:34		
	23.54	JNGO	Junction open, good workmanship, height: 150mm at 3 o'clock	00:05:25		
	34.79	JNGO	Junction open, good workmanship, height: 150mm at 2 o'clock	00:07:35		
	46.04	JNGO	Junction open, good workmanship, height: 150mm at 3 o'clock	00:09:57		
	55.69	JNGO	Junction open, good workmanship, height: 150mm at 3 o'clock	00:11:32		
	56.26	LL	The conduit curves to the left, length: 300mm	00:00:00		
	56.34	SAD	Inspection (survey) abandoned / 90 DEGREE BEND	00:13:27		

Construction Features					Miscellaneous Features				
Structural Defects					Service & Operational Defects				
STR No. Def	STR Peak	STR Mean	STR Total	STR Grade	SER No. Def	SER Peak	SER Mean	SER Total	SER Grade
1	50.0	0.9	50.0	4	1	150.0	2.7	150.0	3

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Section Pictures - 1/11/2023 - STORMWATER

Town	Address/Location	Date of inspection	Pipe Asset ID	Job Number
	FRAZER ST	**1/11/2023**	**STORMWATER**	**01**

STORMWATER_8745c273-6cb2-4580-b680-e23a2aa6dc82_20231101_073457_033.jpg, 00:00:15, 1.00
Deposits in the invert, Fine sediments, sand or silt, Obstruction: 5-20% from 5 o'clock to 7 o'clock, Start #

STORMWATER_c789743e-626d-418c-924a-e39a9dd4c111_20231101_073545_763.jpg, 00:00:50, 1.92
Breaking, all pieces are present but some of them are visibly displaced from position, at joint, length of break: 100mm from 10 o'clock to 4 o'clock

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Section Pictures - 1/11/2023 - STORMWATER

Town	Address/Location	Date of inspection	Pipe Asset ID	Job Number
	FRAZER ST	1/11/2023	STORMWATER	01

STORMWATER_892e1201-7d50-430b-8230-144224ce3dac_20231101_073649_434.jpg, 00:01:52, 6.00

Deposits in the invert, Fine sediments, sand or silt, Obstruction: 5-20% from 5 o'clock to 7 o'clock, Finish #

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Section Inspection - 1/11/2023 - STORMWATER

Date of inspection	Time of inspection	Asset Owner	Pipe Asset ID	Nr.
1/11/2023	**8:23 AM**		**STORMWATER**	**2**
Project name	Contract No.	Coding Standard	Name of operator	Job Number
8 FRAZER ST LAKEMBA	.	**WSA 05-2008 2.2**	**Sean English**	**01**

Suburb	**LAKEMBA**	US MH	**PIT 3**	Conduit Unit Length [m]	
Address/Location	**FRAZER ST**	Direction of camera	**Upstream**	GIS length	
Location Type	**Easement**	DS MH	**PIT 4**	Inspected Length	
Operation of Conduit	**Storm water drain**	Use of Conduit	**Drain**	Year Layed	
Profile	**225mm**	Purpose of inspection	**Structural Condition Inspection**		
Lining Material		Method of inspection			
Lining Type		Precipitation			
Dia/Height [mm]	**225**	Cleaning			
Material	**Vitrified clay**	Flow control			
General comment					

1:99	[m]	Code	Observation Text	MPEG	Photo	Grade
PIT 4						
	0.00	STGP	Start node, grated inlet pit, Nodename:, PIT 4	00:00:00		
	11.32	FHGP	Finish node, grated inlet pit, Nodename:, PIT 3	00:02:23		
PIT 3						

Construction Features					Miscellaneous Features				
Structural Defects					Service & Operational Defects				
STR No. Def	STR Peak	STR Mean	STR Total	STR Grade	SER No. Def	SER Peak	SER Mean	SER Total	SER Grade
0	0.0	0.0	0.0	1	0	0.0	0.0	0.0	1

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Section Inspection - 3/11/2023 - STORMWATER

Date of inspection	Time of inspection	Asset Owner	Pipe Asset ID	Nr.
3/11/2023	12:20 PM		STORMWATER	3
Project name	**Contract No.**	**Coding Standard**	**Name of operator**	**Job Number**
8 FRAZER ST LAKEMBA	.	WSA 05-2008 2.2	Sean English	01

Suburb	LAKEMBA	US MH	PIT 4	Conduit Unit Length [m]	
Address/Location	FRAZER ST	Direction of camera	Downstream	GIS length	
Location Type	Easement	DS MH	PIT 1A	Inspected Length	
Operation of Conduit	Storm water drain	Use of Conduit	Drain	Year Layed	
Profile	225mm	Purpose of inspection	Structural Condition Inspection		
Lining Material		Method of inspection			
Lining Type		Precipitation			
Dia/Height [mm]	225	Cleaning			
Material	Vitrified clay	Flow control			

General comment

1:88	[m]	Code	Observation Text	MPEG	Photo	Grade
PIT 4						
	0.00	STGP	Start node, grated inlet pit, Nodename:, PIT 4	00:00:00		
	5.11	BD	Breaking, all pieces are present but some of them are visibly displaced from position, at joint, length of break: 100mm from 10 o'clock to 12 o'clock	00:01:05	STORMWATER_4aced589-4a0	
	9.82	JNGO	Junction open, good workmanship, height: 150mm at 3 o'clock	00:02:07		
	10.10	FHMH	Finish node, maintenance hole, Nodename:, PIT 1A	00:02:23		
PIT 1A						

Construction Features					Miscellaneous Features				
Structural Defects					Service & Operational Defects				
STR No. Def	STR Peak	STR Mean	STR Total	STR Grade	SER No. Def	SER Peak	SER Mean	SER Total	SER Grade
1	50.0	5.0	50.0	4	0	0.0	0.0	0.0	1

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Section Pictures - 3/11/2023 - STORMWATER

Town	Address/Location	Date of inspection	Pipe Asset ID	Job Number
	FRAZER ST	**3/11/2023**	**STORMWATER**	**01**

STORMWATER_4aced589-4a0d-47e7-9539-5ba11b3b974d_20231103_122124_846.jpg, 00:01:05, 5.11
Breaking, all pieces are present but some of them are visibly displaced from position, at joint, length of break: 100mm from 10 o'clock to 12 o'clock

STORMWATER_855cdf65-ea47-471a-9e59-c4b55b503f8e_20231103_122141_386.jpg, 00:01:05, 5.11
Breaking, all pieces are present but some of them are visibly displaced from position, at joint, length of break: 100mm from 10 o'clock to 12 o'clock

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Section Inspection - 1/11/2023 - STORMWATER

Date of inspection	Time of inspection	Asset Owner	Pipe Asset ID	Nr.
1/11/2023	**8:38 AM**		**STORMWATER**	**4**
Project name	Contract No.	Coding Standard	Name of operator	Job Number
8 FRAZER ST LAKEMBA	.	**WSA 05-2008 2.2**	**Sean English**	**01**

Suburb	**LAKEMBA**	US MH	**PIT 1A**	Conduit Unit Length [m]
Address/Location	**FRAZER ST**	Direction of camera	**Downstream**	GIS length
Location Type	**Easement**	DS MH	**PIT 1**	Inspected Length
Operation of Conduit	**Storm water drain**	Use of Conduit	**Drain**	Year Layed
Profile	**225mm**	Purpose of inspection	**Structural Condition Inspection**	
Lining Material		Method of inspection		
Lining Type		Precipitation		
Dia/Height [mm]	**225**	Cleaning		
Material	**Vitrified clay**	Flow control		

General comment

1:425	[m]	Code	Observation Text	MPEG	Photo	Grade
PIT 1A						
	0.00	STMH	Start node, maintenance hole, Nodename:, PIT 1A	00:00:00		
	11.46	JNGO	Junction open, good workmanship, height: 150mm at 12 o'clock	00:01:39		
	33.81	JNGO	Junction open, good workmanship, height: 150mm at 12 o'clock	00:04:34		
	38.44	LR	The conduit curves to the right, length: 300mm	00:05:14		
	48.78	FHMH	Finish node, maintenance hole, Nodename:, PIT 1	00:07:36		
PIT 1						

Construction Features					Miscellaneous Features				
Structural Defects					Service & Operational Defects				
STR No. Def	STR Peak	STR Mean	STR Total	STR Grade	SER No. Def	SER Peak	SER Mean	SER Total	SER Grade
0	0.0	0.0	0.0	1	0	0.0	0.0	0.0	1

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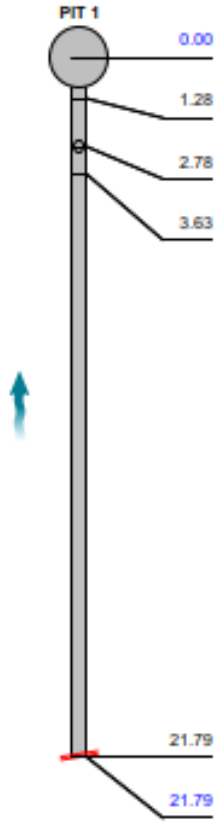
Section Inspection - 1/11/2023 - STORMWATER

Date of inspection	Time of inspection	Asset Owner	Pipe Asset ID	Nr.
1/11/2023	9:15 AM		STORMWATER	5
Project name	**Contract No.**	**Coding Standard**	**Name of operator**	**Job Number**
8 FRAZER ST LAKEMBA	.	WSA 05-2008 2.2	Sean English	01

Suburb	LAKEMBA	US MH	PIT 2	Conduit Unit Length [m]	
Address/Location	FRAZER ST	Direction of camera	Upstream	GIS length	
Location Type	Easement	DS MH	PIT 1	Inspected Length	
Operation of Conduit	Storm water drain	Use of Conduit	Drain	Year Layed	
Profile	300mm	Purpose of inspection	Structural Condition Inspection		
Lining Material		Method of inspection			
Lining Type		Precipitation			
Dia/Height [mm]	300	Cleaning			
Material	Vitrified clay	Flow control			

General comment



1:190	[m]	Code	Observation Text	MPEG	Photo	Grade
	0.00	STMH	Start node, maintenance hole, Nodename:, PIT 1	00:00:00		
	1.28	LR	The conduit curves to the right, length: 300mm	00:00:19		
	2.78	JNGO	Junction open, good workmanship, height: 225mm at 12 o'clock	00:00:46		
	3.63	SCC	Change of cross section, new shape circular, height: 225mm, width: 225mm	00:01:06		
	21.79	OBZ	Obstruction, some other object is lying in the invert, Obstruction: 5-20% from 8 o'clock to 10 o'clock	00:04:00	STORMWATER_d7c07ce0-8ae	
	21.79	SAOB	Inspection (survey) abandoned, obstruction / PLASTIC	00:04:02		

Construction Features					Miscellaneous Features				
Structural Defects					Service & Operational Defects				
STR No. Def	STR Peak	STR Mean	STR Total	STR Grade	SER No. Def	SER Peak	SER Mean	SER Total	SER Grade
0	0.0	0.0	0.0	1	1	30.0	1.4	30.0	3

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Section Pictures - 1/11/2023 - STORMWATER

Town	Address/Location	Date of inspection	Pipe Asset ID	Job Number
	FRAZER ST	**1/11/2023**	**STORMWATER**	**01**

STORMWATER_d7c07ce0-8ae2-4ed2-9811-59153b2f4883_20231101_092020_982.jpg, 00:04:00, 21.79

Obstruction, some other object is lying in the invert, Obstruction: 5-20% from 8 o'clock to 10 o'clock

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Section Inspection - 3/11/2023 - STORMWATER

Date of inspection	Time of inspection	Asset Owner	Pipe Asset ID	Nr.
3/11/2023	**11:32 AM**		**STORMWATER**	**7**
Project name	Contract No.	Coding Standard	Name of operator	Job Number
8 FRAZER ST LAKEMBA	.	**WSA 05-2008 2.2**	**Sean English**	**01**

Suburb	**LAKEMBA**	US MH	**PIT 5**	Conduit Unit Length [m]
Address/Location	**FRAZER ST**	Direction of camera	**Upstream**	GIS length
Location Type	**Easement**	DS MH	**PIT 4**	Inspected Length
Operation of Conduit	**Storm water drain**	Use of Conduit	**Drain**	Year Layed
Profile	**150mm**	Purpose of inspection	**Structural Condition Inspection**	
Lining Material		Method of inspection		
Lining Type		Precipitation		
Dia/Height [mm]	**150**	Cleaning		
Material	**Vitrified clay**	Flow control		

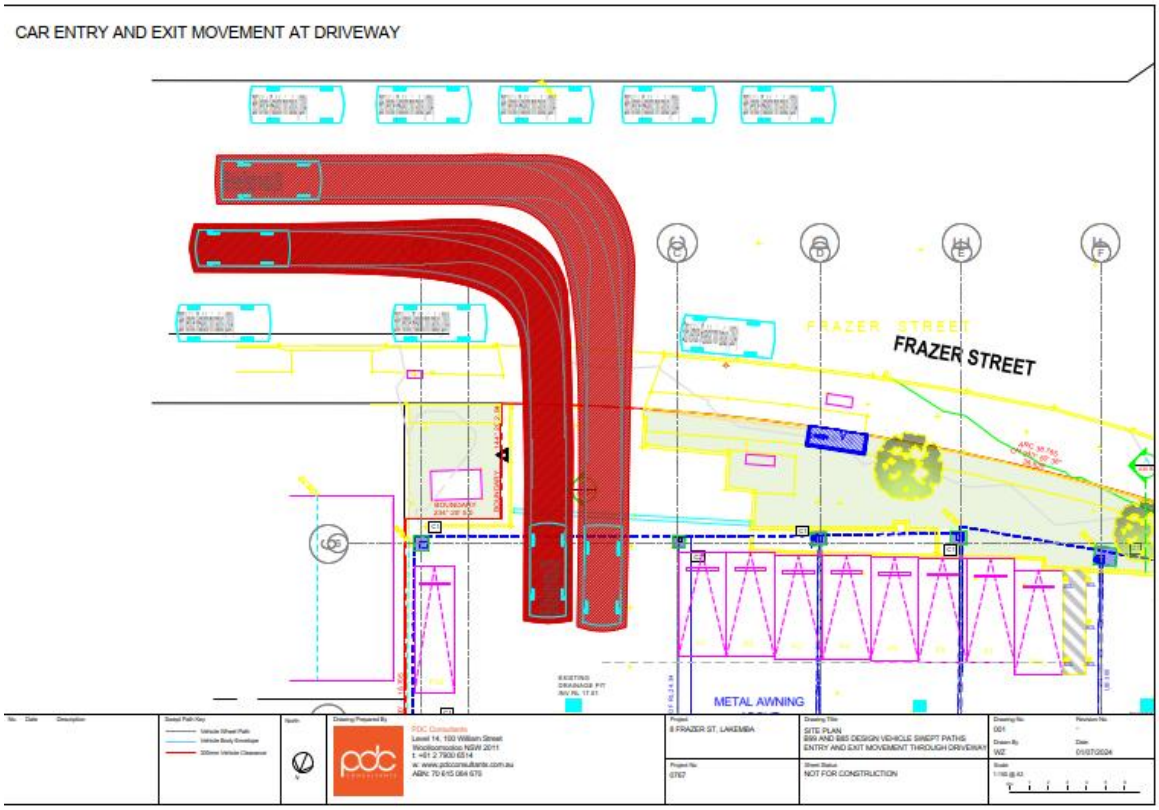
General comment

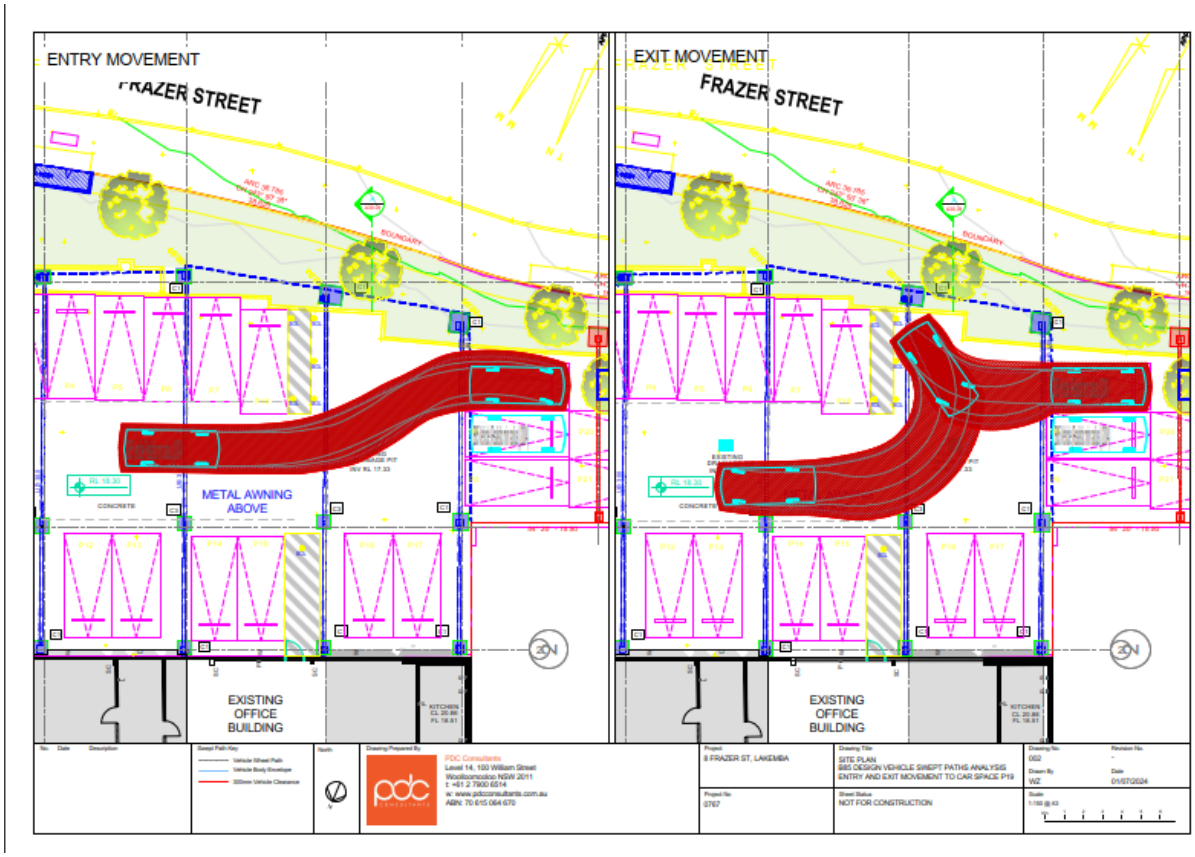
1:146	[m]	Code	Observation Text	MPEG	Photo	Grade
PIT 4						
	0.00	STGP	Start node, grated inlet pit, Nodename:, PIT 4	00:00:00		
	16.77	FHGP	Finish node, grated inlet pit, Nodename:, PIT 5	00:03:29		
PIT 5						

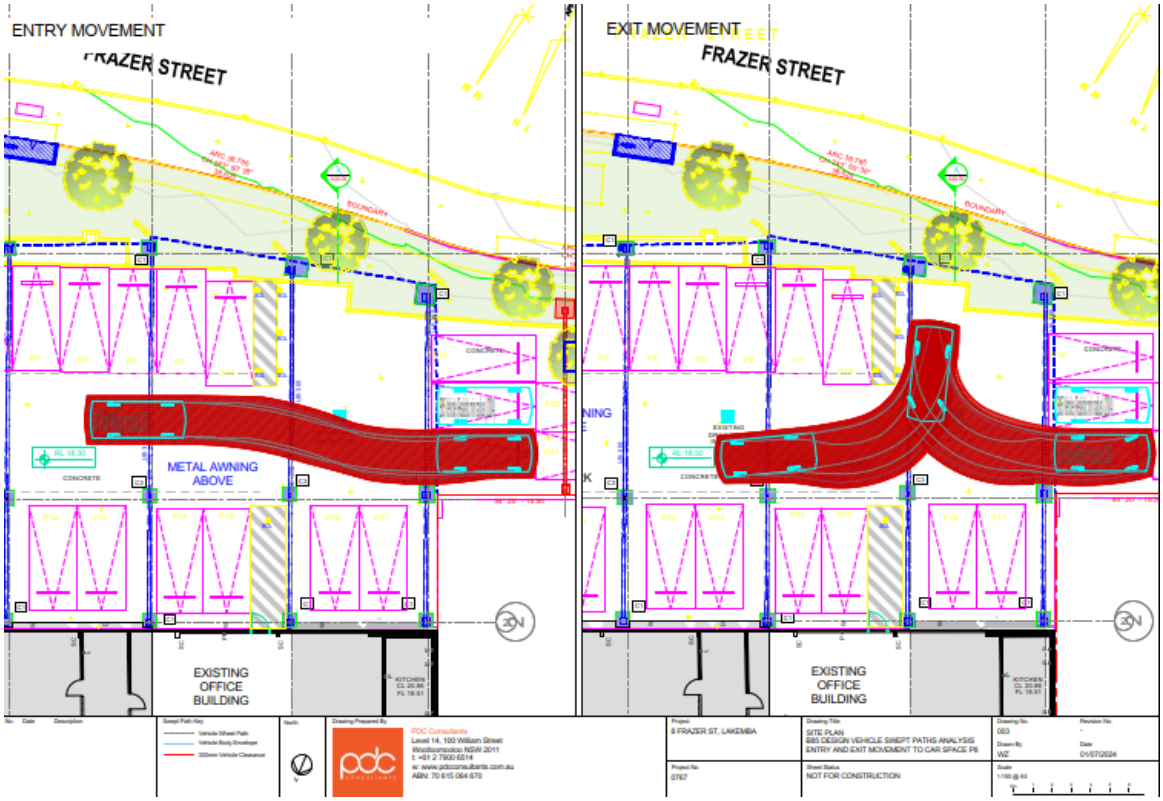
Construction Features					Miscellaneous Features				
Structural Defects					Service & Operational Defects				
STR No. Def	STR Peak	STR Mean	STR Total	STR Grade	SER No. Def	SER Peak	SER Mean	SER Total	SER Grade
0	0.0	0.0	0.0	1	0	0.0	0.0	0.0	1

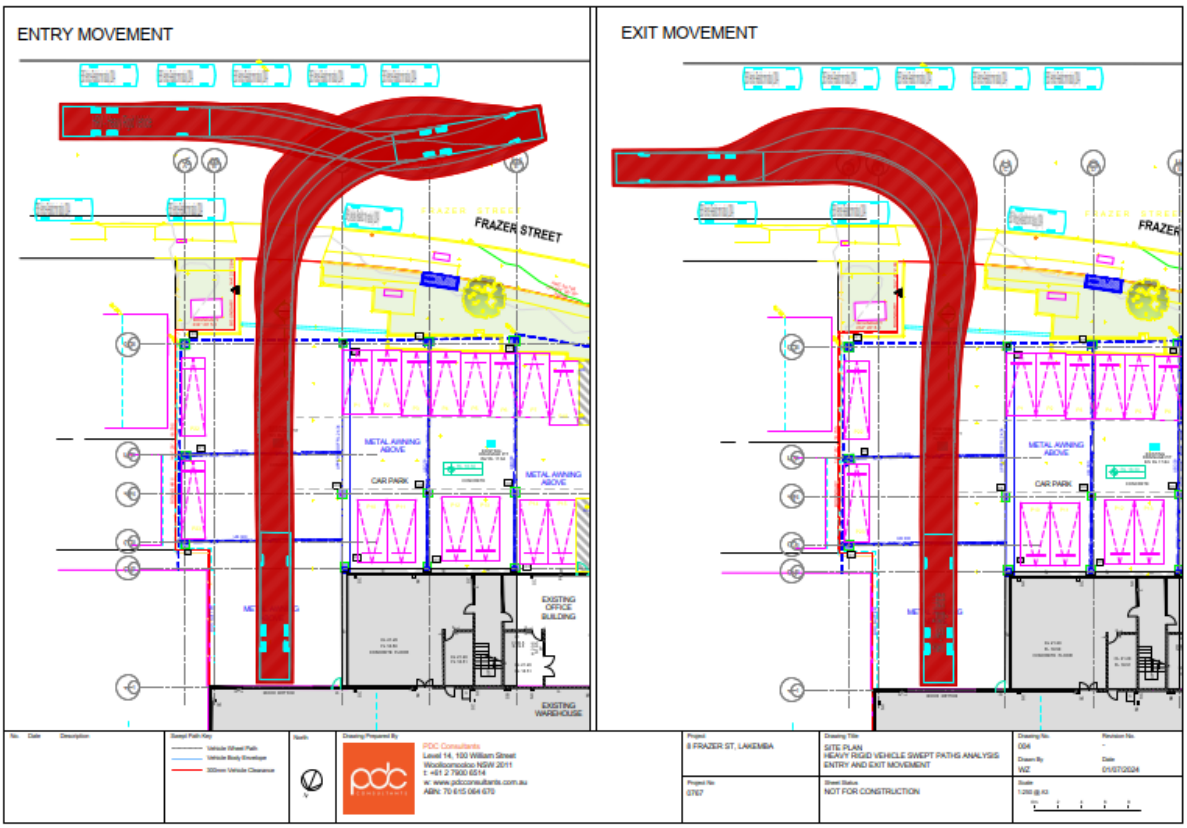
Appendix D Swept path diagrams - Annexure C of the Traffic Joint Expert Report for LEC Case 2023/00134281

CAR ENTRY AND EXIT MOVEMENT AT DRIVEWAY






ENTRY MOVEMENT
FRAZER STREET
METAL AWNING ABOVE
EXISTING OFFICE BUILDING
EXIT MOVEMENT
FRAZER STREET
EXISTING OFFICE BUILDING
PDC Consultants
Level 14, 100 William Street
Woolloomooloo NSW 2011
t: +61 2 7900 6514
w: www.pdcconsultants.com.au
ABN: 70 615 064 670
8 FRAZER ST, LAKEMBA
SITE PLAN
B85 DESIGN VEHICLE SWEPT PATHS ANALYSIS
ENTRY AND EXIT MOVEMENT TO CAR SPACE P8
NOT FOR CONSTRUCTION


ENTRY MOVEMENT
FRAZER STREET
METAL AWNING ABOVE
CAR PARK
METAL AWNING ABOVE
EXISTING OFFICE BUILDING
EXISTING WAREHOUSE
EXIT MOVEMENT
FRAZER
METAL AWNING ABOVE
CAR PARK
PDC Consultants
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w: www.pdcconsultants.com.au
ABN: 70 615 064 670
8 FRAZER ST, LAKEMBA
SITE PLAN
HEAVY RIGID VEHICLE SWEPT PATHS ANALYSIS
ENTRY AND EXIT MOVEMENT
NOT FOR CONSTRUCTION