

**JOINT REGIONAL PLANNING PANEL
(Sydney West Region)**

JRPP No	2012SYW085
DA Number	752/2012
Local Government Area	Camden
Proposed Development	Erection and use of a staged bulky goods centre containing 19 tenancies, 665 car parking spaces, landscaping, associated site works and the display of 2 free-standing signs
Street Address	2–64 Steer Road, Gregory Hills
Applicant / Owner	Leffler Simes Architects / Dart West EP Pty Limited
Number of Submissions	1
Recommendation	Approve with conditions
Report by	Mairead O’ Connell, Acting Team Leader – Town Planning Assessments

PURPOSE OF REPORT

The purpose of this report is to seek the Joint Regional Planning Panel's (the Panel) determination of a development application (DA) for the erection and use of a staged bulky goods centre containing 19 tenancies, 665 car parking spaces, landscaping, associated site works and the display of 2 free-standing signs at 2-64 Steer Road, Gregory Hills.

The Panel is the determining authority for this DA as, pursuant to Part 4 of State Environmental Planning Policy (State and Regional Development) 2011 and Schedule 4A of the *Environmental Planning and Assessment Act 1979*, the capital investment value (CIV) of the proposed development is \$30 million which exceeds the CIV threshold of \$20 million for Council to determine the DA.

SUMMARY OF RECOMMENDATION

That the Panel determine DA 752/2012 for the erection and use of a staged bulky goods centre containing 19 tenancies, 665 car parking spaces, landscaping, associated site works and the display of 2 free-standing signs pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the erection of a staged bulky goods centre containing 19 tenancies, 665 car parking spaces, landscaping, associated site works and the display of 2 free-standing signs at 2-64 Steer Road, Gregory Hills.

The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, relevant Environmental Planning Instruments, Development Control Plans and policies. The outcome of this assessment is detailed further in this report.

The DA was publicly exhibited for a period of 14 days in accordance with Camden Development Control Plan 2011. 1 submission was received (objecting to the proposed development).

The issues raised in this submission relate to the amount of proposed bulky goods and retail floor space exceeding the requirements of State Environmental Planning Policy (Sydney Region Growth Centres) 2006, non-compliances with building and signage controls within the Turner Road Development Control Plan 2007 and Camden Development Control Plan 2011 and traffic implications. However, following discussions with both the submission writer and the applicant, the issues relating to bulky goods and retail floor space and building and signage non-compliances have subsequently been withdrawn. However, the issues relating to traffic implications remain.

The traffic issues raised relate to the potential creation of adverse traffic impacts on the operation of Gregory Hills Drive and Camden Valley Way intersections. Concerns were also raised by both the RMS and Council staff in relation to the traffic modelling undertaken, the cumulative impacts of this and other surrounding developments on the existing road network and the performance of the roundabout at the nearby intersection of Lasso Road and Bronco Lane due to its proximity to Camden Valley Way.

To resolve these issues, the applicant subsequently provided an amended traffic impact assessment which has been assessed by both the RMS and Council staff. The amended assessment concludes that there will be no adverse traffic impacts on the surrounding road network as a result of the proposed development. Additionally, both Council staff and the RMS have concurred with the findings of the report and raise no further issues with the proposed development and its use as a bulky goods centre.

However, the RMS has raised concerns regarding the saturation levels of Rodeo Road and its approach to its signalised intersection with Camden Valley Way. The RMS has clearly advised that this is not an issue for the proposed development however it is an issue that they will consider in the assessment of future DAs in this area.

Concerns were also raised by Council staff regarding the proposed design of the bulky goods centre and the fact that it did not comply with applicable DCP controls for buildings and signage in the Turner Road employment area. Concerns were also raised in relation to potential traffic impacts as a result of the proposed development. These concerns were discussed at the Panel briefing meeting held on 6 September 2012.

Following a meeting with the applicant, amended plans were submitted to Council which addressed these concerns. The design of the proposed development is now considered to be consistent with the controls for the Turner Road employment area. The built form has been re-designed to achieve the activation of key corner elements through the use of glazing and window boxes, introduction of additional pedestrian access points and provision of additional modulation and articulation (including a mix of colours, recessing and a varied building height) to the built form along Central Hills Drive.

In order to help soften the appearance of the building and help it better integrate into its surroundings, it is a recommended condition that earth mounding with additional landscaping be provided along the site's Central Hills Drive frontage (the proposed development's rear loading dock area).

The amended plans also show the provision of two 6m high free-standing signs. These signs will be located on the corner of Rodeo and Steer Roads and at one of the proposed development's vehicular entry points along Lasso Road. All other signage shown on the plans is indicative and will be subject to separate DAs.

The proposed development **fully complies** with all applicable planning controls.

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

AERIAL PHOTO



THE SITE

The site is commonly known as 2-64 Steer Road, Gregory Hills and is legally described as lot 601, DP 1157674.

The site has a frontage of approximately 301m to Steer Road, 346m to Lasso Road, 278m to Central Hills Drive and 144m to Rodeo Road. The site has a depth of 290m and an overall area of 6.3ha.

The site is currently vacant having undergone bulk earthworks following the approval of an industrial/commercial subdivision by Development Consent 985/2009. The site forms part of the Turner Road employment area and is a significant part of the developer's "Central Hills Business Park" estate. The site is located within the Turner Road Precinct of the South West Growth Centre.

The site is bounded by Central Hills Drive to the east, Rodeo Road to the south, Steer Road to the west and Lasso Road to the north. Further vacant land zoned for employment uses surrounds the site on the opposite side of each of these roads. The existing Masters Home Improvement Store and a McDonald's restaurant are located to the west of the site.

The Smeaton Grange industrial area lies to the south of this area whilst to the east exists the developing residential area of Gregory Hills. On the opposite side of Gregory Hills to the north lies additional developing employment land with the developing Gledswood Hills residential suburb further to the north across South Creek. To the west lies the developing residential suburb of Harrington Grove with the Oran Park town centre and residential suburb further to the north west.

HISTORY

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

Date	Development
9 March 2010	Creation of this lot approved by DA 985/2009

THE PROPOSAL

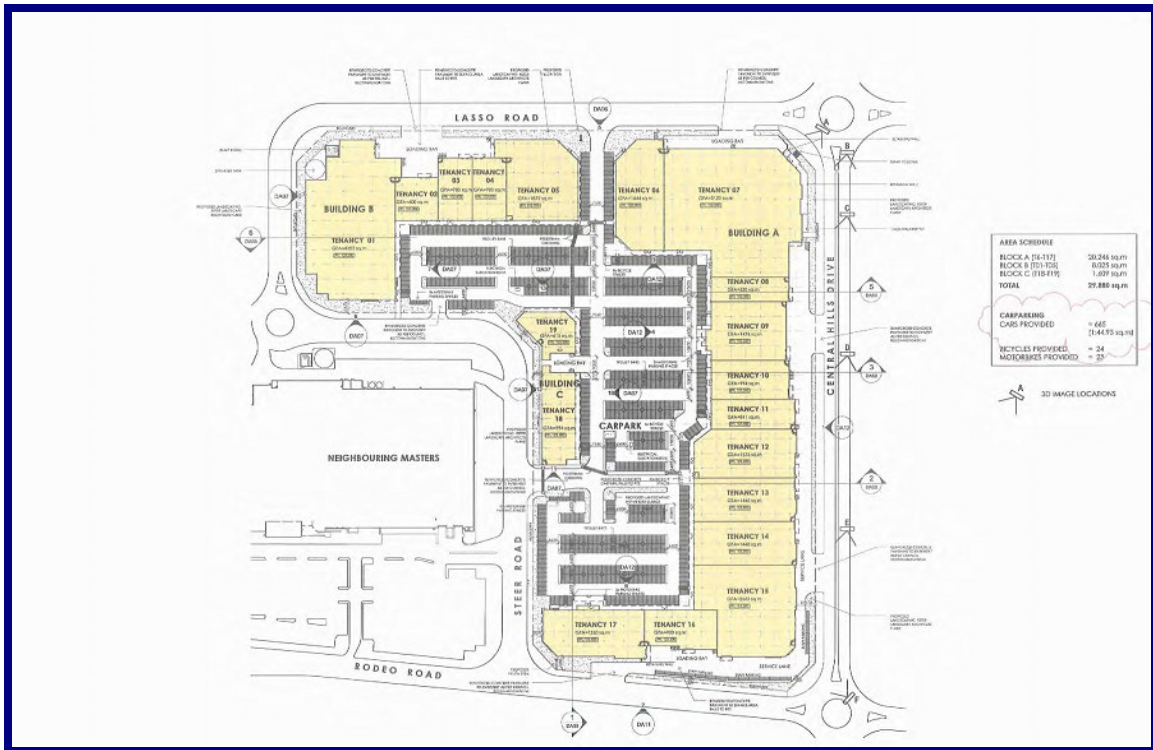
DA 752/2012 seeks approval for the erection and use of a staged bulky goods centre containing 19 tenancies, 665 car parking spaces, landscaping, associated site works and the display of 2 free standing signs.

Specifically the proposed development involves:

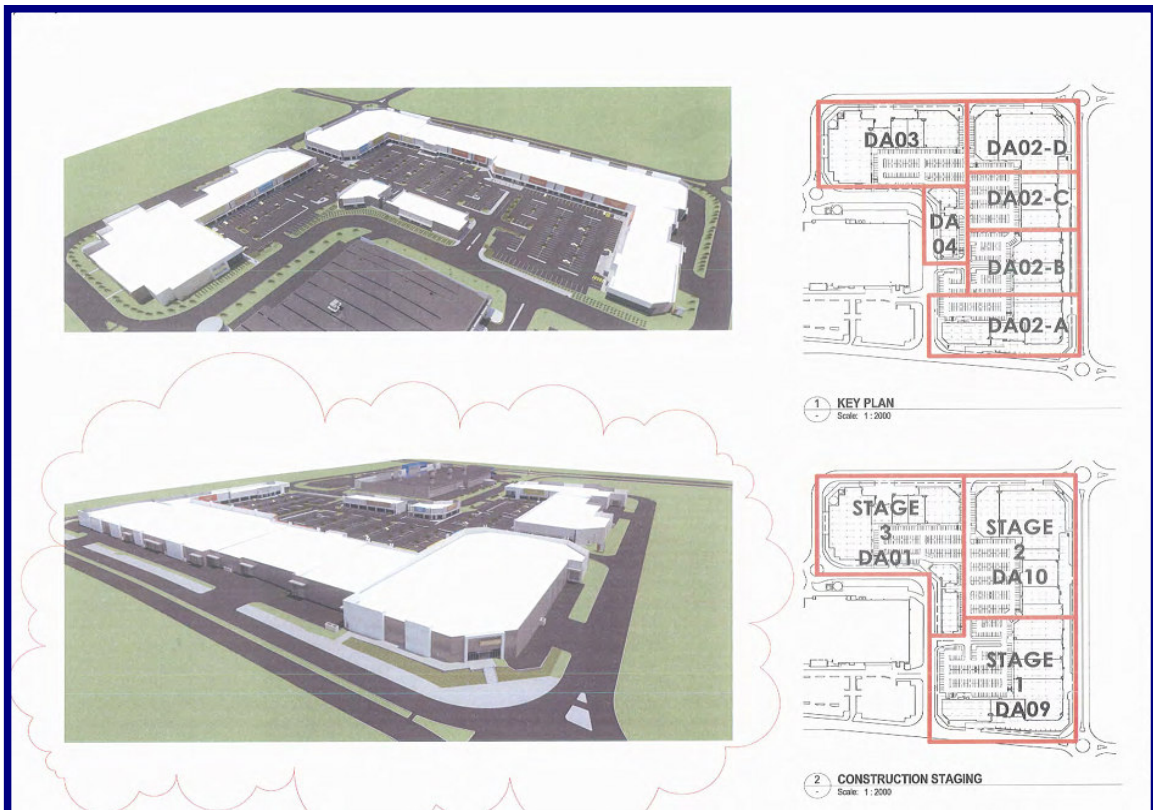
- the erection and use of a bulky goods centre comprising 19 separate tenancies with an overall area of 29,880m² in 3 separate stages. The building ranges in height from 7.75-10.25m in height, has a flat roof with decorative parapets around the perimeter. The building will be constructed predominantly of concrete panels and will utilise a mix of colours, glazing and articulation features including window boxes and recessing;
- stage 1 for the provision of tenancies 12–17 which have a combined area of 9,579m² and 237 car spaces;
- stage 2 for the provision of tenancies 6–11 which have a combined area of 10,667m² and 225 car parking spaces;
- stage 3 for the provision of tenancies 1-5 and 18-19 which have a combined area of 9,634m² and 203 car spaces;
- construction of associated landscaping, servicing and loading dock areas;
- provision of on-site detention and stormwater quality treatment devices;
- operating hours of 24 hours a day, seven days a week; and
- the display of 2 free-standing signs. The proposed free-standing signs will be 6m high and will be located on the corner of Rodeo and Steer Roads and at one of the proposed development's vehicular entry points along Lasso Road. It is proposed that both signs be internally illuminated. The signs will display the names of future tenancies within this development.

Whilst the proposed plans illustrate the location of signage along all elevations of the proposed development, this signage is indicative only. Signage for the individual tenancies will be subject to separate DAs and does not form part of this proposed development. Additionally, the use of each tenancy for any use other than bulky goods premises will also be subject to separate DAs.

SITE PLAN



3D PERSPECTIVES



3D PERSPECTIVE OF CORNER OF CENTRAL HILLS DRIVE AND LASSO ROAD



ASSESSMENT

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

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

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

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

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy No 55 – Remediation of Land
- State Environmental Planning Policy No 64 – Advertising and Signage
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006
- Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River

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

State Environmental Planning Policy (State and Regional Development) 2011 (SEPP)

Pursuant to Clauses 20 and 21 of the SEPP, the proposed development is included in Schedule 4A of the *Environmental Planning and Assessment Act 1979* and has a CIV of \$30 million. This exceeds the CIV threshold of \$20 million for Council to determine the DA and therefore it is referred to the Panel for determination.

State Environmental Planning Policy No 55 – Remediation of Land (SEPP)

The SEPP requires Council to be satisfied that the proposed site is suitable for its intended use (in terms of contamination) prior to granting consent.

In accordance with the SEPP, a phase 2 contamination assessment was submitted with the proposed development and identified that no areas of environmental concern were present on the site. This report was reviewed by Council staff who agree with its findings. It is therefore considered that the site is suitable for its intended commercial use.

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

The proposed development includes two 6m high free-standing signs located on the corner of Rodeo and Steer Roads and at one of the proposed development's vehicular entry points along Lasso Road.

Pursuant to Clause 4(1) of the SEPP, the proposed signs are considered to be "business identification signs" as opposed to "advertisements" in that they simply identify the business but do not include the general advertising of products, goods or services.

Both proposed signs have been assessed against the Schedule 1 assessment criteria of the SEPP. The signs are considered acceptable on the basis that:

- they are deemed compatible with the existing and desired future character of the area, being reflective of typical commercial area signage and complementary to the use of the site;
- the signs will not detract from any special areas such as residential or environmentally sensitive areas;
- the proposed signs will be 6m high and therefore it is not considered that they will dominate the local skyline or unacceptably detract from views into, out of or through the area;
- the proposed signs will provide some visual interest to the Rodeo, Steer and Lasso Roads streetscapes, are of an appropriate scale and form for this area and will not protrude significantly above buildings or significant landscape features in the area;
- the scale and proportions of the signs are considered acceptable, having regard to their identification functions, the proposed building for the site, the surrounding landform and landscape features;
- the proposed signs will be internally illuminated however it is not considered that they will cause any unreasonable light spillage or glare subject to a recommended condition requiring them to comply with AS 4282 – Control of Obtrusive Effects of Outdoor Lighting; and
- given their proposed locations and designs, it is not considered that the signs will reduce safety for passing pedestrians or motorists or that they will obscure any sight lines.

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

State Environmental Planning Policy (Infrastructure) 2007 (SEPP)

This development is classed as traffic generating development pursuant to Schedule 3 of the SEPP. Schedule 3 lists the criteria for types of development to be classed as traffic generating development and this includes commercial premises with a floor area of 10,000m² or greater proposing an access to any road. Clause 104 of the SEPP requires such DAs for such developments to be referred to the RMS for comment.

As the development proposes 29,880m² of floor area, the DA was referred to the RMS in accordance with Clause 104.

The RMS has raised no issues with the proposed development and its use as a bulky goods centre. However, the RMS has raised concerns regarding the saturation levels of Rodeo Road and its approach to its signalised intersection with Camden Valley Way. The RMS has clearly advised that this is not an issue for the proposed development however it is an issue that they will consider in the assessment of future DAs in this area.

Council staff are satisfied that the proposed development will not have any adverse traffic impacts on the surrounding road network.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Permissibility

The site is zoned B5 Business Development under the provisions of the SEPP. The proposed development is defined as a “bulky goods premises” which is a permissible land use in this zone.

Zone Objectives

The objectives of the B5 Business Development zone are as follows:

- To enable a mix of business and warehouse uses and specialised retail uses that require a large floor area, in locations that are close to, and that support the viability of, centres.

Officer comment:

The proposed development provides for a large business floor area to enable the provision of specialist bulky goods retailing close to the Gregory Hills and Oran Park town centres and therefore complies with this objective.

- To provide for a wide range of employment generating development.

Officer comment:

The development will generate new employment opportunities by allowing a significant number of new businesses to operate from the site.

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

Officer comment:

The proposed development allows for the provision of a range of ancillary uses which will be subject to separate DAs.

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

Officer comment:

This DA proposes a bulky goods development which is consistent with this objective.

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

Officer comment:

The proposed development has the ability to provide for recreational uses subject to future DAs and is therefore not inconsistent with this objective.

Relevant Clauses

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

Clause	Requirement	Provided	Compliance
6.1 Public Utility Infrastructure	Appropriate public utility infrastructure to service the development	The site is serviced by appropriate public utility infrastructure including sewer and water	Yes

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

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

There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development. A condition is recommended to provide water pollution control devices as part of the development.

(a)(ii) The Provisions of any Draft Environmental Planning Instrument (that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)).

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

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

Turner Road Development Control Plan 2007 (DCP)

The following is an assessment of the proposed development's compliance with the controls in the DCP.

Control	Requirement	Provided	Compliance
A2.1 Indicative Layout Plan	Development to be in accordance with the Turner Road Indicative Layout Plan (ILP)	This DA proposes the construction of a bulky goods centre within the Turner Road employment area which is consistent with the ILP	Yes
A2.2 Vision and Development Objectives	Ensure development achieves a height standard of urban and architectural design quality	The development incorporates a range of architectural design elements including building articulation such as activated street corners, a mix of materials and finishes, parapets and landscaping including various shrubs, groundcovers, on-site trees and street tree provision	Yes
	Maximise opportunities for local employment and business	The proposed development will provide 19 new tenancies to be operated by various bulky goods retailers. The new tenancies will provide employment and business opportunities for the local community	Yes
	Create vibrant, successful specialist business centres	The use of various architectural design elements together with the creation of nineteen new tenancies will encourage the creation of a vibrant and successful specialist business centre	Yes
A2.5 Hierarchy of Centres	Turner Road Business Development Area to provide a range of	The proposed development is for the construction of a bulky	Yes

Control	Requirement	Provided	Compliance
	business activities, including bulky goods retail, business premises, light industry, warehouses and distribution uses	goods centre within the Turner Road employment area and therefore complies with this control	
A6.2 Flooding and Watercycle Management	Development must comply with the environmental stormwater objectives	The stormwater management strategy submitted with the report complies with the DCP's environmental stormwater objectives	Yes
A6.3 Salinity and Soil Management	Sediment erosion controls to be installed prior to construction and a salinity report to be provided	Details of appropriate erosion and sedimentation controls measures have been provided. Additionally, the proposed development will be constructed to be salinity resistant in accordance with a previously approved salinity management plan for this subdivision	Yes
A6.8 Contamination Management	Developments in areas of environmental concern (AEC) as identified by Figure 23 require a Phase 2 Environmental Site Investigation	A phase 2 environmental contamination assessment was lodged as part of this DA. There are no AECs located on the site	Yes
A6.10 Acoustics	All industrial/commercial/employment development is to comply with Council's Environmental Noise Policy	The acoustic report submitted in support of the proposed development complies with Council's Environmental Noise Policy. The report does not make any recommendations regarding noise and this is therefore not considered to be an issue	Yes
A8.3 Stormwater and Construction Management	Stormwater concept plan to be lodged with the application	A stormwater concept plan was submitted with the DA. Council staff have assessed this plan and consider it to be acceptable	Yes
A8.4 Waste Management	Waste Management Plan (WMP) to be	A WMP was submitted with the DA. The WMP	Yes

Control	Requirement	Provided	Compliance
	lodged with application	outlines the type and volume of waste to be generated during the construction stages, the methods and appropriate locations for the collection and disposal of waste. Council staff have assessed the WMP and consider it to be acceptable	
A8.5 Site Facilities and Servicing	Garbage, mail structures, service meters and the like must be integrated into the overall design of the building and landscaping	Site facilities including a pump room, sprinkler tank and garbage area have been integrated into the service lane/'back of house' area of the proposed development. The proposed landscaping will soften and screen these services from public view	Yes
A8.7 Safety and Surveillance	Crime Prevention Through Environmental Design (CPTED) principles must be incorporated in the overall building design	The proposed use of lighting, CCTV, clear sight lines and landscaping will assists in achieving surveillance, access control, territorial reinforcement and space management. In addition, the DA was referred to the Camden Local Area Command (CLAC) for consideration and comment. The CLAC has given the development rating of 'low to medium crime risk' and recommended several conditions (including lighting and CCTV) which are recommended to be imposed	Yes
Part B3 2.1 Vision for Employment Area	Business Development Lands must incorporate a mix of uses including bulky good retailers which are highly active and must form an attractive streetscape	The proposed development is for a bulky goods retail centre which will provide a different land use to that of existing land uses within the business development lands. The	Yes

Control	Requirement	Provided	Compliance
		development incorporates active frontages through the use of glazing, street entry points and other architectural elements including window boxes and modulation. These elements aid in the provision of an active, attractive and vibrant streetscape	
Part B3 2.2 Key Development Objectives	Facilitate quality development within the employment area to provide a strong employment base	The development proposes 19 new tenancies which will generate many new employment opportunities for the local community within a quality environment	Yes
	Provide an active and vibrant employment area	The development proposes to incorporate several architectural design elements including articulation, colour, quality materials and stenciled finishes, glazing, and active frontages to ensure that the employment area is developed to be active and vibrant	Yes
	Ensure traffic can enter and move throughout the employment area easily and safely	The DA was accompanied by a transport impact assessment which concluded that the development will have minimal impact on the external road network and that traffic can maneuver through the area easily and safely. Both the RMS and Council are satisfied with the proposed development from a traffic perspective	Yes
	Ensure the operation of employment activities with minimal impact on	The operation of the proposed development will have minimal impact	Yes

Control	Requirement	Provided	Compliance
	adjoining lands	upon adjoining lands. The development provides sufficient car parking spaces, is not considered to cause adverse impacts upon the road network and will not result in negative noise emissions	
Part B3 3.1 Land Uses	Land uses to be generally in accordance with the preferred land use plan	The proposed bulky good retail centre is generally consistent with the land use plan which only notes "preferred" land uses. The proposed development is considered to be an appropriate use for this site as demonstrated throughout this report	Yes
	A local service hub to be provided in the form of a 'main-street type' configuration, along Central Hills Drive and at the corners of Central Hills Drive and Lasso Road	The development provides an activated frontage at the corner of Central Hills Drive and Lasso Road through glazing and a pedestrian entry point into tenancy 7. At the corner of Rodeo Road and Steer Road, the building is primarily glazed to display an open-style showroom of tenancy 17. This is framed by appropriate landscaping to provide softening and screening on this prominent corner	Yes
Part B3 3.4 Public Domain and Interface Areas	Streetscape to provide pedestrian safety, amenity and visual interest	Visual interest is generated by architectural elements including glazing, colour, building recesses and a varied roof height which will contribute to a high level of visual interest. Pedestrian amenity and safety is served by the existing street layout, pathways and lighting and the separation of loading dock areas from pedestrian and customer	Yes

Control	Requirement	Provided	Compliance
	The principles of CPTED must be incorporated into the design of the development	car traffic The proposed use of lighting, CCTV, clear sight lines and landscaping will assist in achieving surveillance, access control, territorial reinforcement and space management. In addition, the DA was referred to the Camden Local Area Command (CLAC) for consideration and comment. The CLAC have given the development rating of 'low to medium crime risk' and recommended several conditions (including Lighting and CCTV) which are recommended to be imposed should the development be approved	Yes
Part B3 3.5 Site Planning	A 7.5 setback from Central Hills Drive and 5 setback from all other street frontages is required	The development is setback 7.5m from Rodeo Road and Central Hills Drive and is setback 5m from Steer Road and Lasso Road	Yes
	Parking area to be broken up by landscaping. Provide convenient, safe and comfortable pedestrian access to the building entrance	The parking area incorporates the provision of on-site trees and landscaping islands which breaks up parking bays. Pedestrian crossings are provided within the parking area to the tenancy entrances which will allow for safe pedestrian movement through the site	Yes
	Blank walls must have a minimum 3m landscaped setback	Where less articulated external walls are proposed on Central Hills Drive, a minimum landscaped setback of 2 & 3 metres is proposed. It is however a recommended condition	Yes

Control	Requirement	Provided	Compliance
		<p>that this landscaped setback be widened to 3m a long its entire frontage to accommodate a landscape mound with a minimum height of 1.1m along the site's frontage to Central Hills Drive in order to better soften and screen the proposed loading dock area from public view. This widening will not impact upon heavy vehicles maneuvering in this area.</p> <p>This condition has been agreed to by the applicant.</p>	
	Provide on-site stormwater detention	On-site stormwater detention has been proposed as part of this development	Yes
Part B3 3.6 Building Design	Scale and massing of buildings should reinforce the desired urban design character of the precinct	The building ranges in height from 7.75-10.25m. The building is designed in an L-shape complementary to the shape of the subject site. The desired urban design of the precinct is achieved by the building by incorporating architectural elements including articulated facades through varied building heights, setbacks, a mix of colours and glazing. The landscaping proposed along street frontages will soften and screen the overall appearance of the building	Yes
	Facades are to include high proportions of glazing and be articulated using architectural elements	All building facades of the proposed building incorporate varied building heights and setbacks, colour and glazing (in high proportions where	Yes

Control	Requirement	Provided	Compliance
	Blank building facades facing the primary street frontage are not permitted	appropriate such as a long the site's Steer Road frontage) The primary street frontage of the proposed development is Steer Road. The facades which face Steer Road incorporate projected awnings, glazing, a mix of colours and varied building heights including the use of parapets. The remaining facades all comprise of a range of materials, finishes, heights and architectural features and so none are completely blank	Yes
	Glazing shall not exceed 20% reflectivity	All glazing is proposed to have a reflectivity less than 20%	Yes
	Development in the Business Lands must incorporate building design elements including effective sun-shading for west-facing windows, articulated roof forms, emphasis of customer entries, and the use of high quality materials and finishes	The design of the overall development includes projected awnings over pedestrian pathways along the west of the building and tenancy entrances. Good building design is also achieved through the varied building height, the use of glazing, a mix of suitable colours and finishes	Yes
Part B3 3.9 On-site Landscaping	Where parking is forward of the building line a minimum 2m landscaping strip must be provided	The landscaping setback proposed ranges from 2-3m wide	Yes
	Native plant species are to be utilised in all landscaped areas where possible	The landscaping proposed includes several native species to ensure that the overall landscaping responds to local climatic conditions and the overall employment area landscape character. The proposed plant species	Yes

Control	Requirement	Provided	Compliance
	A concept landscape plan must be submitted with the application	<p>have been assessed by Council staff and are considered to be appropriate for the proposed development and area</p> <p>A concept landscape plan was submitted with this DA and subject to the inclusion of the landscape mound along Central Hills Drive, it is considered that there is sufficient landscape to appropriately soften and screen the proposed development</p>	Yes

Camden Development Control Plan 2011 (DCP)

The following is an assessment of the proposed development's compliance with the controls in the DCP.

Control	Requirement	Provided	Compliance
B4.4 Advertising and Signage – Commercial and Mixed Use Zones	Maximum of one pylon sign per elevation not exceeding 6 metres above natural ground level	The 2 free-standing signs located on the corner of Steer and Rodeo Roads and Lasso Road are 6 metres high	Yes
B5 Off-street Car Parking rates and requirements	<p>Bulky goods premises require 1 car space per 50m² ground floor area (GFA)</p> <p>GFA = 29,880m² 29,880/50 = 597.6 Spaces required = 598</p> <p>1 bicycle space and 1 motorcycle space per 25 car parking spaces in excess of the first 25.</p> <p>Bicycle spaces required = 23</p> <p>Motorcycle spaces required = 23</p>	<p>The development proposes a total of 665 vehicle spaces which is 67 spaces in excess of what is required by the DCP</p> <p>24 bicycle spaces and 23 motorcycle spaces are provided</p>	Yes

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

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

(a)(iv) The Regulations

The Regulations prescribe several matters that are addressed in the conditions contained in this report.

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

As demonstrated by the above assessment, the proposed development is unlikely to have a significant impact on both the natural and built environments, and the social and economic conditions of the locality.

Traffic Impacts

The applicant has submitted an amended traffic report which has been assessed by both the RMS and Council staff. The RMS has raised no issues with the proposed development and its use as a bulky goods centre. However, the RMS has raised concerns regarding the saturation levels of Rodeo Road and its approach to its signalised intersection with Camden Valley Way. The RMS has clearly advised that this is not an issue for the proposed development however it is an issue that they will consider in the assessment of future DAs in this area.

It is therefore considered that there will be no adverse traffic impact on the surrounding road network as a result of the proposed development.

Noise Impacts

The applicant has submitted an acoustic report in support of this DA. The report has been assessed by Council staff and demonstrates that the noise generated from the operation of this development will not have any unreasonable impacts upon surrounding properties and existing/future land uses. The report does not make any recommendations for acoustic treatments for this development.

(c) The suitability of the site

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

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

The DA was publicly exhibited for a period of 14 days in accordance with the DCP. The exhibition period was 27 August to 10 September 2012. 1 submission was received (objecting to the proposed development).

The issues raised in this submission related to amount of proposed bulky goods and retail floor space exceeding the requirements of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and issues relating to non-compliances with building and signage controls within the Turner Road Development Control Plan

2007 and Camden Development Control Plan 2011 and traffic implications. However, following discussions with both the submission writer and the applicant, the issues relating to bulky goods, retail floor space, building non-compliances and signage have subsequently been withdrawn. The issues relating to traffic implications remain.

The following discussion addresses the traffic issues raised in the submission.

1. *The proposal should incorporate traffic impact analysis on the surrounding road network and indicate that there will be no adverse impact on the operation of Gregory Hills Drive and Camden Valley Way intersections.*

Officer comment:

The applicant has submitted an amended traffic report which has been assessed by both the RMS and Council staff. This amended report demonstrates that the increased traffic volumes generated by the proposed development can be accommodated by the surrounding street network which was approved as part of the original industrial/commercial subdivision of this land.

However, the RMS has raised concerns regarding the saturation levels of Rodeo Road and its approach to its signalised intersection with Camden Valley Way. The RMS has clearly advised that this is not an issue for the proposed development however it is an issue that they will consider in the assessment of future DAs in this area.

It is therefore considered that there will be no adverse traffic impacts on the intersection of Gregory Hills Drive and Camden Valley Way or surrounding road networks as a result of the proposed development.

(e) *The public interest*

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, Environmental Planning Instruments, Development Control Plans and policies. Based on the above assessment, the proposed development is consistent with the public interest.

EXTERNAL REFERRALS

Roads and Maritime Services (RMS)

The DA was referred to the RMS for assessment as this development is classed as traffic generating development pursuant to Clause 104 of the State Environmental Planning Policy (Infrastructure) 2007.

The RMS has raised no objections to the proposed development. However, the RMS has raised concerns regarding the saturation levels of Rodeo Road and its approach to its signalised intersection with Camden Valley Way. The RMS has clearly advised that this is not an issue for the proposed development however it is an issue that they will consider in the assessment of future DAs in this area.

Camden Local Area Command (CLAC)

The DA was referred to the CLAC for a “Safer by Design” evaluation. CLAC have identified the development as a low to medium crime risk and have recommended

several conditions, including lighting and the provision of CCTV, which are recommended as part of the overall conditions contained in this report.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 752/2012 is recommended for approval subject to the conditions contained in this report.

RECOMMENDED

That the Panel approve DA 752/2012 for the erection and use of a staged bulky goods centre containing 19 tenancies, 665 car parking spaces, landscaping, associated site works and the display of 2 free standing signs at 2-64 Steer Road, Gregory Hills subject to the conditions contained in this report.

Details of Conditions

1.0 - General Requirements

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

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

Plan / Development No.	Description	Prepared by	Dated
YN212003/10-0189	Civil Engineering Assessment	Cardno	August 2012
CES01245	Traffic Impact Assessment	Cardno	August 2012
DA SEE Rev. A	Landscaping Strategy	Distinctive Living Design	31 July 2012
53_12 Rev. C	Landscape Concept Plan Sheets 1 to 8	Distinctive Living Design	31 July 2012
20120275.1	Acoustic Assessment	Acoustic Logic	26 July 2012
-	Waste Management Plan	Development Planning Strategies	July 2012
DA00 Rev. B	Cover Sheet	Leffler Simes Pty Ltd	July 2012
DA01 Rev. H	Site Plan	Leffler Simes Pty	June 2012

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DA02A Rev. D	Floor Plan – Building A-A	Leffler Simes Pty Ltd	June 2012
DA02B Rev. D	Floor Plan – Building A-B	Leffler Simes Pty Ltd	July 2012
DA02C Rev. E	Floor Plan – Building A-C	Leffler Simes Pty Ltd	June 2012
DA02D Rev. F	Floor Plan – Building A-D	Leffler Simes Pty Ltd	July 2012
DA03 Rev. B	Floor Plan – Building B	Leffler Simes Pty Ltd	June 2012
DA04 Rev. C	Floor Plan – Building C	Leffler Simes Pty Ltd	July 2012
DA05A Rev. C	Roof Plan – Part 1	Leffler Simes Pty Ltd	July 2012
DA05B Rev. C	Roof Plan – Part 2	Leffler Simes Pty Ltd	July 2012
DA06 Rev. F	Elevations – Building A	Leffler Simes Pty Ltd	June 2012
DA07 Rev. D	Elevations – Building B & C	Leffler Simes Pty Ltd	June 2012
DA08 Rev. D	Sections	Leffler Simes Pty Ltd	June 2012
DA09 Rev. C	Site Plan – Stage One	Leffler Simes Pty Ltd	October 2012
DA10 Rev. C	Site Plan – Stage Two	Leffler Simes Pty Ltd	October 2012
DA11 Rev. A	Elevations – Stage One	Leffler Simes Pty Ltd	October 2012
DA12 Rev. B	Elevations – Stage Two	Leffler Simes Pty Ltd	October 2012
DA13 Rev B	Colored Elevations Building A	Leffler Simes Pty Ltd	June 2012
Image A	3D Elevation – Corner of Central Hills Drive and Lasso Road	Leffler Simes Pty Ltd	-
Image B	3D Elevation - Central Hills Drive	Leffler Simes Pty Ltd	-
Image C	3D Elevation - Central Hills Drive	Leffler Simes Pty Ltd	-
Image D	3D Elevation - Central Hills Drive	Leffler Simes Pty Ltd	-
Image E	3D Elevation - Central Hills Drive	Leffler Simes Pty Ltd	-
Image F	3D Elevation – Corner of Central Hills Drive and Rodeo Road	Leffler Simes Pty Ltd	-

212003-DA-001 Rev.2	Notes and Legends	Cardno	8 August 2012
212003-DA-002 Rev.3	General Arrangement Plan	Cardno	7 November 2012
212003-DA-010 Rev.3	Erosion and Sediment Control Plan Sheet 1	Cardno	7 November 2012
212003-DA-011 Rev.3	Erosion and Sediment Control Plan Sheet 2 and Details	Cardno	7 November 2012
212003-DA-020 Rev.4	Siteworks and Stormwater Drainage Plan Sheet 1	Cardno	25 January 2013
212003-DA-021 Rev.4	Siteworks and Stormwater Drainage Plan Sheet 2	Cardno	25 January 2013
212003-DA-022 Rev.4	Siteworks and Stormwater Drainage Plan Sheet 3	Cardno	25 January 2013
212003-DA-023 Rev.4	Siteworks and Stormwater Drainage Plan Sheet 4	Cardno	25 January 2013
212003-DA-024 Rev.4	Siteworks and Stormwater Drainage Plan Sheet 5	Cardno	25 January 2013
212003-DA-025 Rev.4	Siteworks and Stormwater Drainage Plan Sheet 6	Cardno	25 January 2013
212003-DA-040 Rev.2	Turning Path Plan Sheet 1	Cardno	8 August 2012
212003-DA-041 Rev.4	Turning Path Plan Sheet 2	Cardno	7 November 2012
212003-DA-042 Rev.3	Turning Path Plan Sheet 3	Cardno	7 November 2012
212003-DA-043 Rev.3	Turning Path Plan Sheet 4	Cardno	7 November 2012
212003-DA-044 Rev.2	Turning Path Plan Sheet 5	Cardno	8 August 2012

212003-DA-050 Rev.3	Catchment Plan	Cardno	7 November 2012
212003-DA-060 Rev.1	Siteworks and Stormwater Drainage Plan Stage 1	Cardno	7 November 2012
212003-DA-061 Rev.1	Siteworks and Stormwater Drainage Plan Stage 2	Cardno	7 November 2012
-	OSD Design Summary	-	-

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

- (2) **Additional Landscaping Requirement** - The submitted landscaping plans must be amended to clearly show the additional landscaping, detailed below. This landscaping must be included in addition to the proposed landscaping of the subject site (including Landscaping Plans: 53-12.00 to 53-12.07 inclusive, dated 31.07.2012, drawn by distinctive Living Design, Project No 53_12).

In particular, the additional landscaping amendments apply to Landscaping Plans Sheet 7 (No 53-12.06) and Sheet 8 (53-12.07) which details the interface area of landscaping fronting Central Hills Drive.

The additional landscaping required is located within the garden bed section along the entire interface area fronting Central Hills Drive.

The additional landscaping required:

- (a) Increase the width of the entire garden bed area to a minimum of 3 metres.
- (b) The entire garden bed area is to have raised mounding, using only appropriate growing media, to a minimum height of 1.1 metres.
- (c) In addition to the recommended planting, as detailed in the Landscaping Plans, the following plantings are also to be installed:
 - 25 Cupaniopsis anarcardiodes, sourced in minimum 45 litre containers.

- 80 Lomandra longifolia 'Katrinus', sourced in minimum 140 mm size.
- 30 Doryanthes excelsa, sourced in minimum 25 litre container size.
- 12 Pyrus Calleryana 'Chanticleer', sourced in minimum 45 litre container size.

All the above plantings must be evenly spaced or grouped in batches.

- (3) **Building Code Of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (4) **Individual Tenancies Use Application** - Approval is given for the construction and use of a bulky goods centre comprising of 19 individual tenancies. The use and occupation of the tenancies for any uses other than bulky goods premises use will require a separate development application to be lodged with, and approved by, the Consent Authority.
- (5) **Building Identification and Advertising Signs Application** - Outdoor building identification and advertising structures require prior development consent. A development application must be submitted and approval granted by the Consent Authority (i.e. Camden Council) prior to the erection of any signs not approved by this consent.
- (6) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The 12 month maintenance, repair and establishment period includes (but not limited to) the Applicant's responsibility for the establishment, care and repair of all landscaping elements including the 3 approved street tree re-locations.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, the 3 approved street tree re-locations and mulching.

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

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

At the completion of the maintenance, repair and establishment period, the landscaping works must comply with the approved Landscaping Plans. The approved plans are Landscaping Plans prepared by Distinctive Living Design, dated 31.07.2012, Revision B, Issue C, Project No 53_12, drawing Nos 1 of 8 to 8 of 8, prepared for Dart West Developments P/L.

- (7) **Damaged Assets** – Any work and public utility relocation within a public place must incur no cost to Council.
- (8) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with: -
 - (a) Camden Council's current Engineering Specifications, and
 - (b) Camden Council's Development Control Plan 2011

It should be noted that designs for line marking and regulatory signage associated with any proposed public road within this subdivision MUST be submitted to and approved by the Roads and Maritime Services, Camden Council prior to the issue of any Construction Certificate.

- (9) **Approved Free-Standing Signs** – The approved free-standing signs are only approved at a height of 6 metres.

The blank tenancy spaces on the approved signs may only display the business name, logos/graphics and tenancy numbers of bulky goods premises operating within the site (as approved under this development consent) or other uses operating under a separate development consent for the site. **ADDITIONAL CONDITION ON OTHER SIGNS**

- (10) **External Glass** - The reflectivity index for all glass used externally must not exceed 20%.
- (11) **Signage Illumination** - The illumination of the approved signs must comply with AS 4282 - Control of Obtrusive Effects of Outdoor Lighting.
- (12) **Roof Mounted Equipment** – All roof mounted equipment must be appropriately integrated into the design of the building, have a "gull grey" colour finish, and not visually dominate the surrounding skyline.
- (13) **B-Doubles Prohibited Sign** – A sign must be prominently displayed at all loading dock entry points to this site which clearly states that access to this site by B-Double vehicles is prohibited at all times.
- (14) **Staged Construction** – This DA approves the staged construction and operation of this development in three stages as shown on Drawing No DA00 Revision B dated July 2012.

2.0 - Construction Certificate Requirements

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

- (1) **Street Tree Protection Standards During all Development and Construction Works** - The protection of existing nature strip street trees must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites. The Consent Authority (i.e. Camden Council) must approve and authorise any works or impacts on any existing nature strip street tree prior to those works or impacts occurring.

The works and procedures involved with the protection of existing street trees are to be carried out by a suitable qualified and experienced Arborist or organisation. Minimum suitable qualifications for the Arborist are to be at a standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture.

Prior to the issue of the Construction Certificate, all initial procedures for the protection of existing trees as detailed in AS 4970-2009, must be installed. All procedures for the protection of existing street trees must be applied, functioning and appropriately maintained during any earthworks, demolition, excavation (including any access installation) and construction works applicable to this Consent.

- (2) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with the relevant Development Control Plan and Engineering Specifications and are to be submitted For Approval To The Principal Certifying Authority Prior To The Engineering Construction Certificate Being Issued.
 - (a) under the *Roads Act 1993*, only the Council can issue a Construction Certificate for works within an existing road reserve.
 - (b) under section 109E of the *Environmental Planning and Assessment Act 1997*, Council must be nominated as the Principal Certifying Authority for subdivision work and has the option of undertaking inspection of physical construction works.
- (3) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following:

- (a) all matters associated with Council's Erosion and Sediment Control Policy.
 - (b) all matters associated with Occupational Health and Safety.
 - (c) all matters associated with Traffic Management/Control.
 - (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (4) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, footpaths, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council prior to the issuing of the Construction Certificate.

The survey must include descriptions of each photo and the date when each individual photo was taken.

- (5) **Performance Bond** - Prior to the issue of the Construction Certificate a performance bond of \$50,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (6) **Geotechnical Report** - The developer must engage an approved geotechnical consultant to prepare a report to be submitted to the Certifying Authority for approval prior to a Construction Certificate being issued. The report must cover, but not be limited to:
- (a) extent and stability of proposed embankments (particularly those acting as retarding basins);
 - (b) recommended geotechnical testing requirements;
 - (c) required level of geotechnical supervision for each part of the works as defined under AS 3798 - Guidelines on Earthworks for Commercial and Residential Developments;
 - (d) compaction specification for all fill within private subdivisions;
 - (e) the level of risk to existing adjacent dwellings as a result of a construction contractor using vibratory rollers anywhere within the site the subject of these works. In the event that vibratory rollers could affect adjacent dwellings, high risk areas must be identified on a plan and the engineering plans must be amended to indicate that no vibratory roller,5 must be used within that zone;
 - (f) the impact of the installation of services on overall site stability and recommendations on short term drainage methods, shoring requirements and other remedial measures that may be appropriate during installation;
 - (g) the preferred treatment of any unstable areas within privately owned allotments;
 - (h) requirement for sub-surface drainage lines;

- (i) overall suitability of the engineering plans for the proposed development.
- (7) **Traffic Management Plan** – A construction traffic management plan is required in accordance with Camden Council's current Engineering Design Specifications.
- (8) **Public Risk Insurance Policy** - Prior to the issue of the Construction Certificate, the owner or contractor is to take out Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.
- (9) **Roads Act 1993 Consent** - Prior to the issue of a Construction Certificate, consent pursuant to s.138 of the *Roads Act 1993* must be obtained from the Roads Authority for the design and construction of all the proposed work in, on or over the road reserves adjacent to the subject site.

The design must include, but not be limited to, plans/documents associated with:

- (a) the construction of kerb and gutter, road shoulder and drainage
- (b) footway formation
- (c) public utility service adjustment or installation
- (d) an Environmental Site Management Plan.

Further all such plans and documents associated with the design must be certified by:

- (a) persons who are suitably accredited by a scheme approved by the NSW Department of Planning or where no scheme exists,
- (b) persons who are suitably qualified, are specialists and in that regard, currently practising in that specialist area, or
- (c) in the case of a Public Utility Authority, an appropriately delegated officer of that Authority or accredited person by that Authority,

and prepared in accordance with Camden Council's current Engineering Design Specifications.

- (10) **Civil Engineering Details** - The developer must submit details of all engineering works on engineering plans to the Certifying Authority for approval prior to a Construction Certificate being issued.
- (11) **Stormwater design** - The stormwater drainage system and associated stormwater detention must be provided generally in accordance with the concept plan/s lodged for development approval prepared by Cardno Ltd, reference 212003, revision 4, and dated 25/01/2012.

The stormwater management plan is to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified person.

Prior to the issue of a Construction Certificate the Certifying authority shall obtain a compliance certificate that ensures the stormwater drainage system has been designed in accordance with Camden Council Engineering Design and Construction Specification.

- (12) **Water Quality** - Stormwater runoff from parking, uncovered paved areas shall be directed to a stormwater pre-treatment system. The treatment devices shall be designed to remove expected pollutant loadings including hydrocarbons and heavy metals in accordance with Camden Councils Engineering Design and Construction Specifications.

Any Construction Certificate issued by the Principle Certifying Authority or Certifying Authority shall incorporate:

- a) Specification and Installation details of the stormwater pre-treatment system
- b) The approval of an operation and maintenance manual/schedule for the proposed device.

A copy of the approved operation and maintenance manual/schedule shall be submitted to Camden Council with notification of the Construction Certificate issue.

3.0 - Prior To Works Commencing

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

- (1) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water.
- (2) **Notice Of Commencement Of Work and Appointment of Principal Certifying Authority** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act 1979* and clauses 103 and 104 of the *Environmental Planning and Assessment Regulation 2000* must be lodged with Camden Council at least two (2) days prior to commencing works. The notice must include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building or subdivision works.
- (3) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of

the development consent comply with the specific requirements of *Building Code of Australia*. Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.

- (4) **Erection of Signs** – Erection of signs must be undertaken in accordance with Clause 98A of the *Environmental Planning and Assessment Regulation 2000*.
- (5) **Toilet Facilities** - Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
 - (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
 - (c) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (6) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

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

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

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

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

- (7) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with Camden Council's current Engineering Design Specifications.

- (8) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point

4.0 - During Construction

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

- (1) **Hours of Work** – The hours for all construction and demolition work are restricted to between:
- (a) 7.00am and 6.00pm, Monday to Friday (inclusive);
 - (b) 7.00am to 4.00pm on Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8.00am to 4.00pm;
 - (c) work on Sunday and Public Holidays is prohibited.
- (2) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
- (a) the delivery of material must only be carried out between the hours of 7.00am and 6.00pm, Monday to Friday, and between 8.00am and 4.00pm on Saturdays;
 - (b) stockpiles of topsoil, sand, aggregate, spoil or other material must be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and must have measures in place to prevent the movement of such material off the site;
 - (c) builder's operations such as brick cutting, washing tools, concreting and bricklaying must be confined to the building allotment. All pollutants from these activities must be contained on site and disposed of in an appropriate manner;
 - (d) waste must not be burnt or buried on site, nor should wind-blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot;
 - (e) a waste control container must be located on the development site.
- (3) **Site Management - No Nuisance Creation** - The developer must carry out work at all times in a manner which will not cause a nuisance by the generation of unreasonable noise dust or other activity, to owners and occupiers of adjacent properties.

- (4) **Protection of Public Places** – If the work involved in the erection or demolition of a building:

- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) building involves the enclosure of a public place,

a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

- (5) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be submitted to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must: -

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

*For "Virgin Excavated Natural Material (VENM)":-

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

- (iv) is suitable for its intended purpose and land use, and
- (v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes: -

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

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

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

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

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

- (6) **Unexpected Finds Contingency (General)** - Should any further suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material etc) be encountered during any stage of earth works/ site preparation/ construction, then such works must cease immediately until a qualified environmental consultant has been contacted and conducted a thorough assessment. In the event that contamination has been identified as a result of this assessment and remediation is required, site works must cease in the vicinity of the contamination and the Consent Authority must be notified immediately.

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

- (7) **Salinity Management Plan** - All proposed construction works that includes earthworks, imported fill, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the management strategies as contained within the report titled *Report on Salinity Management Plan Proposed Central Hills Business Park Gregory Hills Development*, Project 40741.14 Revision 2, dated January 2010, prepared by Douglas Partners.

- (8) **External Materials and Finishes** - The development must be completed in accordance with the approved schedule of external materials, colours and finishes.
- (9) **Compaction** - Any filling up to 1.0m on the site must be compacted in accordance with Camden Council's current Engineering Specifications.
- (10) **Vehicles Leaving the Site** - The contractor / demolisher / construction supervisor must ensure that:-
 - (a) all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
 - (b) the wheels of vehicles leaving the site:-
 - (i) do not track soil and other waste material onto any public road adjoining the site.
 - (ii) fully traverse the Stabilised Access Point (SAP).
- (11) **Footpath Levels** - The ground levels of the footpath area within the road reserve (between the boundary of the subject site to the kerb and gutter) must not be altered (by cut or fill) as a consequence of building design and/or construction.
- (12) **Excavation and Backfilling** – All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- (13) **Civil Engineering Inspections** - Where Council has been nominated as the Principal Certifying Authority, inspections by Council's Engineer are required to be carried out at the following Stages of construction:
 - (a) prior to installation of sediment and erosion control measures;
 - (b) prior to backfilling pipelines and subsoil drains;
 - (c) prior to casting of pits and other concrete structures, including kerb and gutter, roads, accessways, aprons, pathways and footways, vehicle crossings, dish crossings and pathway steps;
 - (d) proof roller test of subgrade and sub-base;
 - (e) roller test of completed pavement prior to placement of wearing course;
 - (f) prior to backfilling public utility crossings in road reserves;
 - (g) prior to placement of asphaltic concrete;
 - (h) final inspection after all works are completed and "Work As Executed" plans, including work on public land, have been submitted to Council.

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

- (14) **Fill Quality** – Any fill material brought in for the construction of the development must only contain uncontaminated soil, clay, shale or rock. No effluent, garbage or trade waste including building or demolition waste must be included in the fill. The extent and depth of filling must only occur in accordance with the approved plans and any other conditions of the development consent. Evidence of the certification of the fill as uncontaminated shall be provided to the Principal Certifying Authority.
- (15) **Construction Noise Levels** – Noise Levels emitted during construction works must be restricted to comply with the DECCW's Interim Noise Construction Guidelines dated July 2009.
- (16) **Compaction Testing** - All fill including existing fill must be compacted to 95% standard compaction and verified by the submission of test results for at least two (2) locations on each lot accompanied by a contoured depth of fill plan. Topsoil must be stockpiled and re-spread over the finished surface.

5.0 - Prior To Issue Of Occupation Certificate

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

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

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

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

- (2) **Fire Safety Certificates** – A Fire Safety Certificate is to be submitted to the Principal Certifying Authority (PCA) prior to the issue of an Occupation Certificate in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*. The Fire

Safety Certificate is to certify that each fire safety measure specified in the current fire safety schedule for the building to which it relates:

- (a) has been assessed by a properly qualified person; and
- (b) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

As soon as practicable after the Final Fire Safety Certificate has been issued, the owner of the building to which it relates:

- (a) must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of Fire & Rescue New South Wales, and
- (b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

(3) **Street Trees, their Tree Root Barrier Guards, Protective Guards and Bollards** - During any earthworks and development works relating to this Consent, the Applicant is advised:

- (a) That any nature strip street trees, their tree guards, protective bollards, garden bed surrounds or root barrier installation which are disturbed, relocated, removed, or damaged must be successfully restored at the time the damage or disturbance occurred.
- (b) Any repairs, relocations, reinstallations or replacements needed to the street trees, bollards, garden bed surrounds, tree guards or existing root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees carried out prior to the issue of the Occupation Certificate.

(4) **Installation of Closed-Circuit Television** – Closed-Circuit Television must be installed throughout the complex and must be capable of facial recognition at each tenancy entrance.

Sufficient lighting cover must be available to the whole development site to facilitate high level CCTV coverage.

(5) **Security Lighting** – Security lighting in and around the development must be established, particularly around entry/exit points to create an even distribution of lighting with no glare in accordance with AS 4282 and AS 1158.

- (6) **Lighting Maintenance Policy** – A lighting maintenance policy must be established prior to the occupation of the development. The policy must provide for regular maintenance of all lighting throughout the development.
- (7) **Alcohol Free Zone** – Signs must be erected on the site which stipulates that the site is an Alcohol Free Zone.
- (8) **Graffiti Management Plan** – A graffiti management plan must be established prior to the operation of the development. All graffiti must be removed within 48 hours of the offence occurring.
- (9) **Sign Dimensions and Location** - The proposed multi-tenancy pylon signs must not exceed 6 metres high by 3.6 metres wide and must be located as indicated on the approved plans.
- (10) **Survey Report (Completion)** - A survey report prepared by a registered land surveyor shall be provided upon completion of the building. The survey report shall be submitted to the Principal Certifying Authority (PCA) upon completion of the building and prior to the issue of an Occupation Certificate.
- (11) **Works As Executed Plan** - Prior to an Occupation Certificate being issued, a works-as-executed drawing must be submitted in accordance with Camden Council's current Engineering Construction Specifications to the Principal Certifying Authority.
- (12) **Stormwater Detention** - Prior to the issue of an Occupation Certificate, works-as-executed plans are to be prepared by a registered surveyor or the design engineer and submitted to the Principle Certifying Authority. If Camden Council is not the Principle Certifying Authority, a copy is to be submitted to the Council. The Certifying Authority shall obtain a compliance certificate that ensures:
 - a) on site detention system/s have been constructed in accordance with the approved Construction certificate and the requirements of this consent.
 - b) actual storage volume storage and orifice provided are referenced on any Works as Executed Plans.
 - c) the design intent is satisfied with regard to any Construction Certificate variations to the approved design.

Prior to the issue of an Occupation Certificate the developer must also prepare also a section 88B instrument for approval by the Principle Certifying Authority which incorporated the following easement and restriction as to user:

Restriction as to user indicating that the on-site detention facility must be maintained at all times to a level sufficient to ensure efficient operation of the facility, and that the Consent Authority (ie Camden

Council) must have the right to enter upon the burdened lot with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time and without notice in the case of an emergency) to:

- (a) view the state of repair of the facility;
 - (b) to execute any work required to remedy a breach of the terms of this covenant if the proprietor has not within fourteen (14) days of the date of receipt by the proprietor of written notice from the Council, requiring remedy of a breach of the terms of this covenant, taken steps to remedy the breach and without prejudice to the Council's other remedies the Council may recover as a liquidated debt the cost of such remedial work from the proprietor forthwith upon demand.
 - (c) restriction as to user indicating that the on-site detention basin must not be altered, or removed in part, or structures erected thereon without the prior consent of Council.
- (13) **Gutter/Footway Crossings** - The following works must be constructed prior to the issue of the Occupation Certificate and under the *Roads Act 1993* must be approved by Camden Council:
- (a) Provision of a heavy duty industrial gutter crossing at all points of ingress and egress.

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

6.0 - Operational Conditions

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

- (1) **Light Spillage** - The lighting of the premises must be directed so as not to cause nuisance to owners or occupiers of adjoining premises.
- (2) **Offensive Noise** - The use and occupation of the premises including all plant and equipment must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997*.
- (3) **Graffiti Removal** - All graffiti must be removed within 48 hours of the offence occurring.
- (4) **Restricted Access** – Access by the general public to the pump and meter rooms and the roof of all buildings must be restricted at all times.

- (5) **Maintenance** - The approved signs must be maintained in good order at all times.
- (6) **Loading/Unloading of Trucks** – The loading/unloading of trucks must only be undertaken within the development's loading areas at all times.
- (7) **B-Double Prohibited** - Access to this site via B-Double vehicles is prohibited.
- (8) **Approved Hours of Operation** - The approved hours of operation (including deliveries) for this development are 24 hours a day, seven days a week.