

SOUTH WEST PLANNING PANEL

JRPP No	2017SSW027
DA Number	259/2017/DA-C
Local Government Area	Campbelltown City Council
Proposed Development	Earthworks and construction of two warehouse buildings with ancillary offices and associated car parking and signage and for the use of the buildings for warehousing and distribution operating 24 hours, 7 days per week
Street Address	No. 41-45 Stennett Road, Ingleburn
Applicant/Owner	Stockland Development Pty Ltd/ The Trust Company Limited
Number of Submissions	No submissions received
Regional Development Criteria (Schedule 4A of the Act)	Development over \$20 million
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 • Environmental Protection & Biodiversity Conservation Act 1999 • Threatened Species Conservation Act 1995 • State Environmental Planning Policy 55- Remediation of Land • State Environmental Planning Policy (Infrastructure) 2007 • Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment • Campbelltown Local Environmental Plan 2015 • Campbelltown (Sustainable City) Development Control Plan 2015
Does the DA require Special Infrastructure Contributions conditions (s94EF)?	Not Applicable
List all documents submitted with this report for the panel's consideration	<ul style="list-style-type: none"> • Assessment report and conditions • Statement of Environmental Effects • Architectural Plans • Landscape Plans • Civil Report • Civil Plans • Preliminary Site Investigation • Geotechnical Report • Flora and Fauna Assessment Report • Arboricultural Impact Assessment • Traffic Report • Noise Emission Assessment • BCA Assessment Report • Design Certificate • Fire Engineering Brief • Rail Corridor Engineering • Rail Corridor Geotech • Waste Management Plan

Recommendation	Conditional approval
Report by	Ellise Mangion, Senior Development Planner
Report date	29 August 2017

PLANNING ASSESSMENT REPORT

Earthworks and construction of two warehouse buildings with ancillary offices and associated car parking and signage and for the use of the buildings for warehousing and distribution operating 24 hours

Reporting Officer

Ellise Mangion

Report

Property Description	41-45 Stennett Road, Ingleburn
Application No	259/2017/DA-I
Applicant	Stockland Development Pty Ltd
Owner	The Trust Company Limited
Statutory Provisions	Environmental Planning and Assessment Act 1979 Environmental Protection & Biodiversity Conservation Act 1999 Threatened Species Conservation Act 1995 State Environmental Planning Policy 55- Remediation of Land State Environmental Planning Policy (Infrastructure) 2007 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment Campbelltown Local Environmental Plan 2015
Other Provisions	Draft Glenfield to Macarthur Urban Renewal Corridor Strategy Campbelltown 2025- Looking Forward Campbelltown (Sustainable City) Development Control Plan 2015
Date Received	25 January 2017

Purpose

The purpose of this report is to assist in the Sydney South West Planning Panel's (the Panel) determination of the subject Development Application (DA) for earthworks and construction of two warehouse buildings with ancillary offices and associated car parking and signage and for the use of the buildings for warehousing and distribution operating 24 hours, 7 days per week at 41-45 Stennett Road, Ingleburn.

The Panel is the determining authority for this DA as, pursuant to Schedule 4A of the *Environmental Planning and Assessment Act 1979*, as the capital investment value (CIV) of the proposed development is \$28 million which exceeds the CIV threshold of \$20 million for General Development for Council to determine the DA.

Summary of Recommendation

That the Panel determine Development Application 259/2017/DA-I the earthworks and construction of two warehouse buildings with ancillary offices and associated car parking and signage and for the use of the buildings for warehousing and distribution operating 24 hours, 7 days per week 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

A Development Application (DA) has been received for earthworks and construction of two warehouse buildings with ancillary offices and associated car parking and signage and for the use of the buildings for warehousing and distribution operating 24 hours, 7 days per week at 41-45 Stennett Road, Ingleburn.

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 application was publicly exhibited and advertised in the local papers for a period of 14 days in accordance with Part 9 of the Campbelltown (Sustainable City) Development Control Plan 2015. No submissions were received in opposition to the proposed development.

Council officers briefed the Sydney South West Planning Panel regarding the proposal and the site was visited on 8 May 2017.

Site and Surrounding Locality



Figure 1: Locality map.

The site is identified as Lot 1 in DP 1092198, known as 41-45 Stennett Road, Ingleburn. The site is irregular in shape with a north (front) boundary measuring 889.475m, which is measured along Stennett Road, a north-east boundary measuring 181.635, an east (side) boundary measuring 414.79m, a south (rear) boundary measuring 882.755m and a west (side) boundary measuring 381.77m. The stage 2 development has frontage of 152.06m to Stennett Road. The site has a total site area of approximately 28 hectares and the site falls from the south-west towards the north-east by approximately 6.5m.

The site is currently occupied by an expansive hardstand and associated facilities for the purpose of car storage facility for Autocare Service Pty Ltd and a warehouse to the northeast of the proposed development (referred to as the Stage 1 development), which is nearing completion.

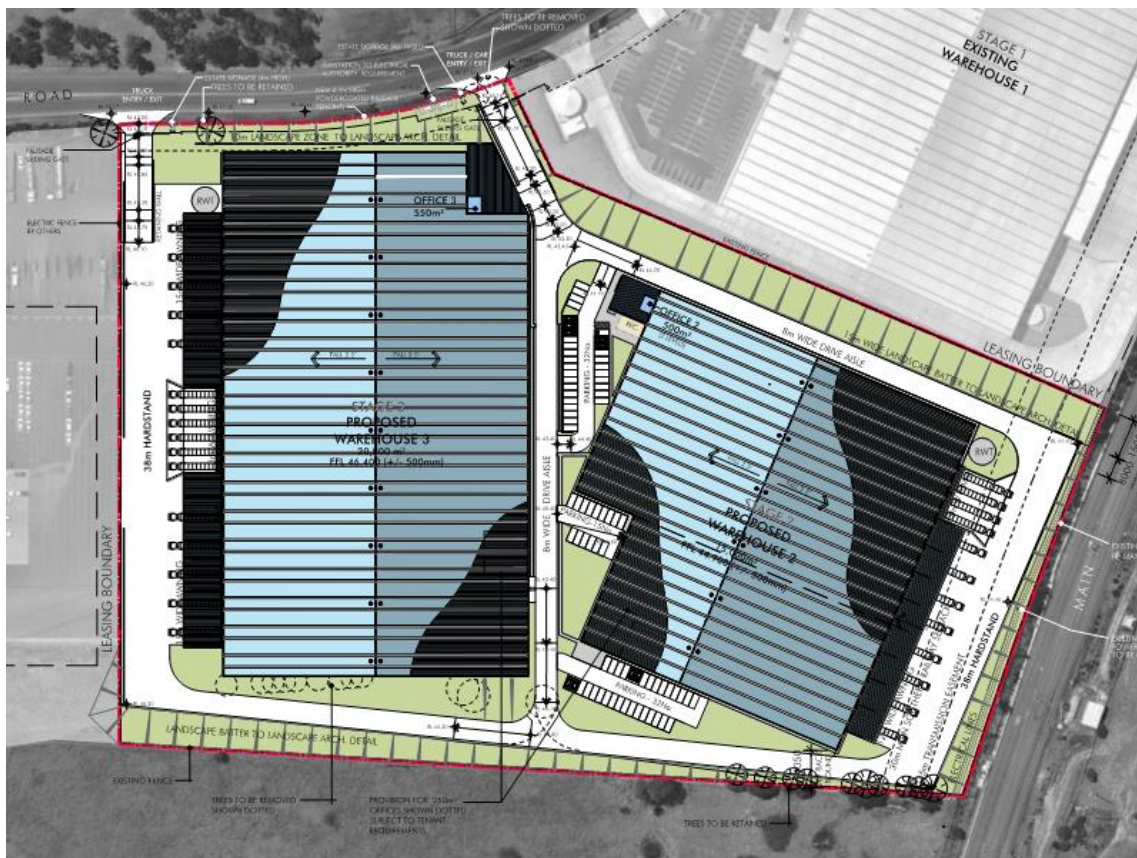


Figure 2: Site plan of of the proposed development, referred to as Stage 2 and warehouse 2 and warehouse 3.

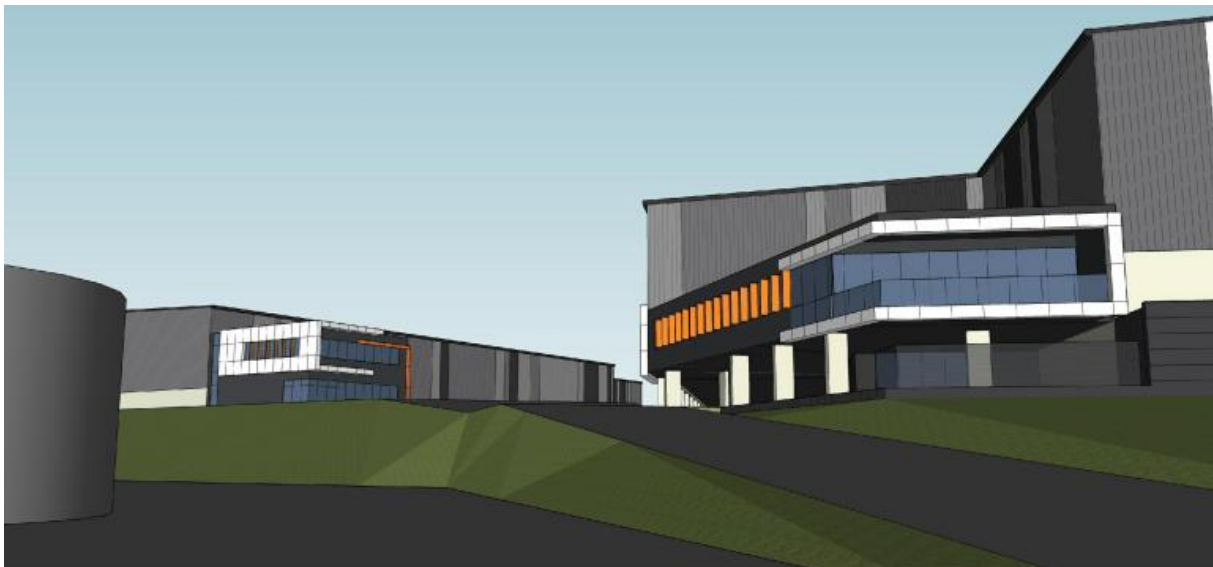


Figure 3: Street perspective of the proposed development, warehouse 2 to the left and warehouse 3 to the right.

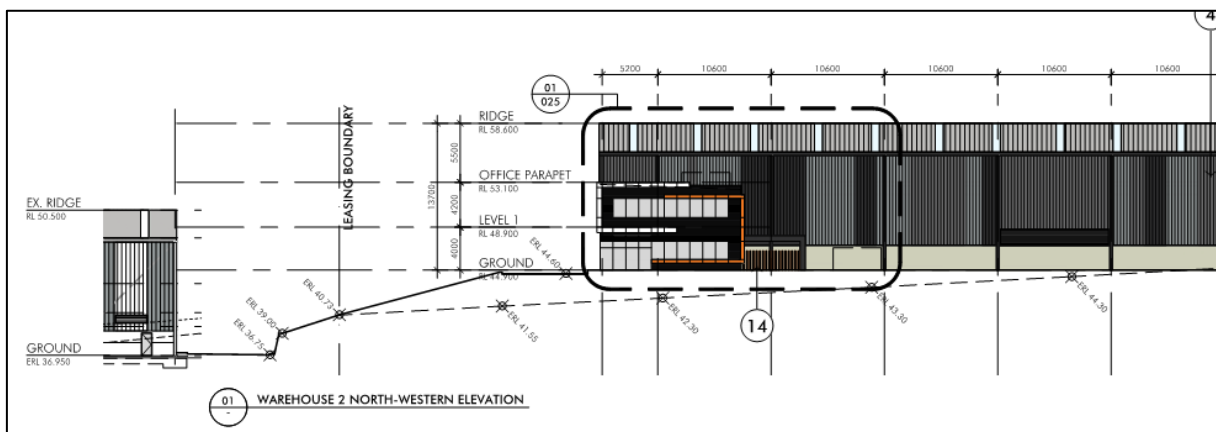


Figure 4: North-west elevation of warehouse 2 and the existing warehouse 1 to the left.

The portion of the site forming the precise location of this DA is referred to as 'the stage 2 site' and comprises an area of 71,056sqm, with a frontage to Stennett Road to the north. To the north-east the site is adjoined by the 'stage 1 site', to the east the Main Southern Railway, to the south Robin Hood Farm and to the west by the remainder of the broader site currently utilised for car storage by Autocare Service Pty Ltd. The existing structures on the stage 2 site are limited to hardstand and scattered vegetation adjacent to the north-eastern and southern boundaries. The eastern side of the development also includes an easement for transmission lines, which is 15m wide.

The subject site is surrounded by a range of industrial warehouse facilities to the north and west of the site. The wider locale includes residential development to the east and south and the Hume Highway to the west. Stage One of the site has been completed with the construction of a 28,800sqm warehouse. Future development for the remainder of the site is envisaged for three additional warehouses to the west of the proposed buildings.

The property is not listed as an item of Environmental Heritage, and is not located within a heritage conservation area. However, the subject site adjoins Robin Hood Farm to the south of the site, which is State Heritage listed and identified as item no I01387 under the Campbelltown Local Environmental Plan 2015.

Relevant History

2391/2014/DA-I

The application for the 'construction of a warehouse development' was approved by Council on 16 March 2015. This approval relates to the north-eastern portion of the site, referred to as stage 1, and includes two (2) attached warehouses with ancillary offices, loading, car parking and landscaping.

The development has been constructed and is nearing completion.

2391/2014/DA-I/A

A Section 96 modification application for 'modification to warehouse and associated works' was approved by Council on 22 January 2016. The modification related to the relocation of the warehouse by 9m to the south-west of the site, which resulted in amendments to the floor and roof levels and reconfiguration to the road access, car parking and landscaping.

2391/2014/DA-I/B

A Section 96 modification application for 'modification of an existing development consent to erect palisade fence' was approved by Council on 4 July 2016.

2885/2016/DA-A

A development application for three pylon signs was rejected by Council on 13 September 2016.

3797/2016/DA-A

A development application for the installation of three pylon signs was approved by Council on 15 June 2017.

Application History

A briefing meeting with Sydney South West Planning Panel was held on 8 May 2017.

The application was deferred for additional information on 22 May 2017 to address the following matters:

- 1. A verbal agreement exists between Council and the property owner Stockland regarding the construction of a link road between Minto and Ingleburn between Stennett Road and Essex Road. The proposed location of the road is required to be identified on the plans. The applicant is also required to ensure the road entrance does not conflict with the vehicular access to stage 2 of the development. The location of the proposed road is required to be shown on the plans, to ensure access to the proposed development is not compromised and the new road can be developed where required.*

To discuss this matter further please contact Kevin Lynch, Executive Manager Infrastructure on (02) 4645 4638.

2. *The elevation and section plans are required to be amended to clearly identify natural ground level on all plans.*
3. *The survey is insufficient in detail and is required to include boundary dimensions confirmed on site. In this regard, a land survey is required to be submitted for the proposal.*
4. *The height of the proposed development exceeds the height of building development standard. Whilst a Cl. 4.6 variation has been submitted, the height of the proposal has not been calculated in accordance with the definition for building height, i.e. from existing ground level to the highest point of the building. The Cl. 4.6 variation is required to be amended to address the true height of the development.*
5. *The landscaping to the front setback requires further consideration and shall be increased to replicate a similar presence and scale to the landscaping on sites to the north of Stennett Road. In this regard, the number of trees in the front setback shall be significantly increased in number.*
6. *The Panel have expressed that the proposal should demonstrate energy efficiency with the installation of solar panels to the proposed development. Therefore, the provision of solar panels shall be shown on plan.*
7. *Additional plans are required that show the proposed development with regard to the existing stage 1 warehouse. In addition, it is requested that the Relative Levels (RL) on the plans be converted to AHD to ensure the plans between stage one and two are consistent.*
8. *Details shall be provided with regard to screening of the rainwater tank in the front setback of warehouse 3. The plans shall be amended accordingly.*
9. *Section 7.2.1 of Council's Sustainable City Development Control Plan 2015 requires that 50% of the surface of the front elevation be constructed of masonry material. The proposal does not comply with this control. The northern elevation to warehouse 3 is required to incorporate at least 50% masonry materials, as the building has a direct frontage to Stennett Street and is visually prominent within the streetscape.*
10. *Consideration is required to be given to the appearance of the warehouse building from the State listed heritage item at the rear of the site.*

The applicant responded to the request for additional information on 9 June 2017 with the submission of additional information. The matter with regard to the road was resolved with Council and no longer affects the proposed development.

Proposal

The applicant has sought consent for the construction of two warehouses, referred to as warehouse 2 and warehouse 3. Warehouse two has a gross floor area of 15,000sqm and 500sqm of office area. Warehouse three has a gross floor area of 20,800sqm and an office area of 550sqm. Each warehouse is provided with loading dock facilities.

The proposal also includes bulk earthworks to create level building platforms, earth batters to retain the cut and fill between stages 1 and 2 and along the eastern and southern property boundaries. The proposal also includes hardstand car parking for 180 vehicles, access roads, estate signage and site landscaping.

The proposed use is envisaged as warehousing and distribution with 24 hour operation 7 days per week, which would potentially employ 180 people. Details regarding the specific use have not been provided as no tenant is finalised for occupancy. Additional approval for the fit out and use of the premises may be required, which would be obtained under separate approvals.

Campbelltown 2025- Looking Forward

'Campbelltown 2025- Looking Forward' is a statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- *responds to what Council understands people want the City of Campbelltown to look, feel and function like;*
- *recognises likely future government policies and social and economic trends; and*
- *sets down the foundations for a new town plan, that will help achieve that future.*

The document establishes a set of strategic directions to guide decision making and development outcomes.

The strategic directions relevant to this application are:

- *Protecting and enhancing the City's key environmental assets*
- *Creating education, employment and entrepreneurial opportunities*

The application is consistent with the above strategic directions as the proposal would provide employment opportunities within the construction industry, and would permit the construction of a large factory building, which would support the creation of employment opportunities as part of the operation of the business within the factory.

Draft Glenfield to Macarthur Urban Renewal Corridor Strategy

The draft Glenfield to Macarthur Urban Renewal Corridor Strategy does not encompass the subject site. The Strategy was exhibited by the NSW State Government until 14 September 2015.

Draft South West District Plan

The draft South West District Plan addresses planning in the South West region to deliver housing, employment and infrastructure to the region to provide a sustainable, liveable and productive region.

The proposed development is considered to be consistent with the productivity aims of the plan, by redeveloping industrial land to provide for a more intensive land use that would result in increased numbers of employment opportunities within the Campbelltown Local Government Area. The site is easily accessed from major transport routes including the Hume Motorway/M5, Williamson Road and Campbelltown Road.

Report

The development has been assessed in accordance with the matter of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, having regard to those matters, the following issues have been identified for further consideration.

1. Planning Provisions

1.1 Environment Protection and Biodiversity Conservation Act 1999

Council's 2013 mapping of Native Vegetation of the Sydney Metropolitan Area identifies the site as containing a pocket of vegetation, identified as being 'Urban Exotic/Native'. The Flors and Fauna Assessment Report prepared by Cumberland Ecology identifies the vegetation as a 0.15ha area of highly modified Cumberland Plain Woodland (CPW). The area is a collection of remnant trees and does not conform to the description of CPW under the EPBC Act 'A guide to identifying and protecting the nationally threatened ecological community Environment Protection and Biodiversity Conservation Act 1999' due to its small size of 0.15 hectares, which is less than the required 0.5ha. The community also has a low native groundcover density of less than 50%. Therefore referral to the Australian Government Minister for the Environment is not required.

1.2 Protection of the Environment and Operation Act 1997

Schedule 1 of the Protection of the Environment Operations Act 1979 (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an 'activity' for the purposes of the POEO Act is:

"an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal)."

The proposed use (as provided with the subject application) will not involve any activity that would require the issue of an Environmental Protection Licence.

1.3 Threatened Species Conservation Act 1995

The Threatened Species Conservation Act 1995 (TSC Act) aims to protect and encourage the recovery of threatened species, populations and communities that are listed under the Act through threat abatement and species recovery programs. The TSC Act requires the potential impacts of development to undergo an Assessment of Significance in order to determine whether threatened species, populations, communities or their habitat are likely to be significantly impacted.

The subject site includes a group of vegetation to the south of the site. The applicant has submitted an assessment of significance which addresses the pocket of vegetation, identified below on the map. The applicant has stated *"the Assessment of Significance conducted for the site found that the proposed development is not likely to result in a significant impact to the CPW community. Whilst the CPW trees are proposed to be removed, their current highly modified, low quality form and isolation, results in them being unlikely to regenerate and the long term viability of this vegetation community being highly doubtful."*



Figure 5: Map of vegetation on the site.

The Flora and Fauna Assessment report concludes that no significant impact on threatened species, populations or ecological communities to their habitats is expected to result from the proposed development. Therefore neither a Species Impact Statement or Commonwealth referral are required in this instance.

The applicant has sought to offset the removal of vegetation by providing a 0.399ha area between stages one and two as a Cumberland Plain Woodland area. The proposal seeks to plant a significant number of trees, shrubs, forbs and grasses, of Cumberland Plain Woodland species. The proposed offset area has a ratio of 2.66:1 to the area of vegetation being removed, which substantially replaces the proposed five trees identified for removal from the subject site.

It is noted that part of the proposed offset area is located over the Sydney Trains transmission easement. Sydney Trains have identified this in their referral and have stated that the planting of trees within the transmission easement is not permitted as the height of the trees will conflict with existing powerlines. Therefore, a condition of consent shall be imposed to ensure only proposed forbs and grass species identified on the landscape plan, are permitted to be planted within the easement.

1.4 State Environmental Planning Policy 55 - Remediation of Land

A phase 1 preliminary site investigation contamination assessment was prepared by JBS&G and submitted with the application, which was prepared in accordance with the *Managing Land Contamination Planning Guidelines SEPP 55 – Remediation of Land* document, as is required by SEPP 55.

The Statement of Environmental Effects notes:

Historical activities may have resulted in impacts to surface soils and the subsurface environment, the assessment and analysis undertaken informs the following conclusions:

- No evidence of widespread residual contamination at the site has been reported; and*
- The lack of visual or olfactory indicators of contamination and the assessment of available analytical data indicate that the site is suitable for the proposed commercial/industrial land use with limited access to soils.*

The preliminary assessment concludes that no further contamination assessment is required to be undertaken. Compliance with the recommendations of the document shall be enforced by a condition of consent.

1.5 State Environmental Planning Policy 64 – Advertising Signs

The proposal includes two signs with a maximum height of 4m, the signs will identify the estate, which are located in positions adjacent to the entry and exit driveways to Stennett Road.

Pursuant to Clause 8 of SEPP 64, a consent authority must not grant development consent to an application for signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and*
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*

The signage shall be assessed against Schedule 1 below:

Schedule 1 Assessment criteria

Criteria	Proposal Compliance
1 Character of the area	
<ul style="list-style-type: none">• Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is considered to be compatible with the industrial character of the surrounding area and consistent with the prevalent theme for outdoor advertising within the locale.
2 Special areas	
<ul style="list-style-type: none">• Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The location of the subject site is not within an environmentally sensitive area.
3 Views and vistas	
<ul style="list-style-type: none">• Does the proposal obscure or compromise important views?• Does the proposal dominate the skyline and reduce the quality of vistas?• Does the proposal respect the viewing rights of other advertisers?	The advertising structures do not obstruct views or dominate the skyline.

4 Streetscape, setting or landscape	
<ul style="list-style-type: none"> • Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? • Does the proposal contribute to the visual interest of the streetscape, setting or landscape? • Does the proposal reduce clutter by rationalising and simplifying existing advertising? • Does the proposal screen unsightliness? • Does the proposal protrude above buildings, structures or tree canopies in the area or locality? • Does the proposal require ongoing vegetation management? 	<p>The scale of the advertising structures are appropriate, given the scale of the proposed development and industrial development in the wider area.</p> <p>The signage is not considered to be unsightly and does not exceed the height of the buildings.</p>
5 Site and building	
<ul style="list-style-type: none"> • Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? • Does the proposal respect important features of the site or building, or both? • Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	<p>The size of the advertising signs are consistent with the scale of the development and the signage on the adjoining stage one development.</p>
6 Associated devices and logos with advertisements and advertising structures	
<ul style="list-style-type: none"> • Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed? 	<p>No additional devices form part of the signage.</p>
7 Illumination	
<ul style="list-style-type: none"> • Would illumination result in unacceptable glare? • Would illumination affect safety for pedestrians, vehicles or aircraft? • Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew? 	<p>The applicant has stated the signage may be illuminated to ensure effective identification for the 24 hours use of the premises. The illumination of the signage will be appropriately conditioned to ensure illumination does not affect traffic or surrounding properties.</p>
8 Safety	
<ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas 	<p>The proposed signage is not considered to affect the safety of public roads, pedestrians, cyclists or sightlines from public areas.</p>

The proposed signage is considered to be compliant with the assessment criteria, which is detailed above. Therefore, the proposed signage is supported, subject to the imposition of conditions of consent with regard to the illumination of signage.

1.6 State Environmental Planning Policy (Infrastructure) 2007

The purpose of the State Environmental Planning Policy (Infrastructure) 2007 is to facilitate the effective delivery of infrastructure across the state.

The eastern side of the site includes an easement for transmission lines. Clause 45 of the Infrastructure SEPP applies as the development is within an easement for transmission lines:

(1) This clause applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following:

(b) development carried out:

- (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or*
- (ii) immediately adjacent to an electricity substation, or*
- (iii) within 5m of an exposed overhead electricity power line*

(2) Before determining a development application for development to which this clause applies, the consent authority must:

(a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and

(b) take into consideration any response to the notice that is received within 21 days after the notice is given.

The proposed development includes works within the electrical transmissions easement including ground level changes due to filling of the site. The application was referred to Endeavour Energy, who requested information on the proximity of the proposed retaining walls to power poles. The applicant provided additional detail in this regard, and Endeavour Energy advised that the proposal is satisfactory, subject to conditions of consent.

Clause 85 of the Infrastructure SEPP applies to development on land that is in or immediately adjacent to a rail corridor, if the development:

(a) is likely to have an adverse effect on rail safety, or

(b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or

(c) involves the use of a crane in air space above any rail corridor.

(2) Before determining a development application for development to which this clause applies, the consent authority must:

(a) within 7 days after the application is made, give written notice of the application to the chief executive officer of the rail authority for the rail corridor, and

(b) take into consideration:

(i) any response to the notice that is received within 21 days after the notice is given, and

(ii) any guidelines that are issued by the Director-General for the purposes of this clause and published in the Gazette.

The application was referred to Sydney Trains, who granted concurrence to the proposal, subject to the recommended conditions of consent, which have been included within the recommendation.

Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007 provides for certain development identified as Traffic Generating Development, which is required to be referred to NSW Roads and Maritime Services (RMS) for concurrence.

104 Traffic-generating development

(1) This clause applies to development specified in Column 1 of the Table to Schedule 3 that involves:

(a) new premises of the relevant size or capacity, or

(b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.

(2) In this clause, relevant size or capacity means:

(a) in relation to development on a site that has direct vehicular or pedestrian access to any road—the size or capacity specified opposite that development in Column 2 of the Table to Schedule 3, or

(b) in relation to development on a site that has direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access

(measured along the alignment of the connecting road) is within 90m of the connection—the size or capacity specified opposite that development in Column 3 of the Table to Schedule 3.

The threshold for industry is 20,000sqm, the proposed warehouse buildings have a total area of 36,850sqm and therefore referral to RMS is required.

- (3) Before determining a development application for development to which this clause applies, the consent authority must:*
- (a) give written notice of the application to the RTA within 7 days after the application is made, and*
 - (b) take into consideration:*
 - (i) any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and*
 - (ii) the accessibility of the site concerned, including:*
 - (A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*
 - (iii) any potential traffic safety, road congestion or parking implications of the development.*

The application was referred to Roads and Maritime Services. The RMS provided the following advice:

1. Roads and Maritime previously provided comments on 4 November 2014 (attached) regarding the construction of warehouses for Stage 1. Roads and Maritime recommended that Council request the proponent to prepare a Masterplan for the whole industrial estate to identify the cumulative traffic impact on the road network. These comments are still applicable to the proposed development for Stage 2.

2. The submitted traffic report does not provide adequate information regarding likely light and heavy vehicle movements generated by the development, trip distribution, and the cumulative traffic impacts of the proposed development on surrounding major roads and intersections.

RMS comments dated 4 November 2014 from the Stage 1 development application are detailed below:

Roads and Maritime has reviewed the development application and raises no objection to the construction of warehouses and associated office.

However, it is noted that additional five warehouses are planned for Stockland Industrial Estate. Roads and Maritime recommends that a Masterplan for the whole industrial estate be developed to identify the cumulative traffic impact on the road network.

The concerns raised by the RMS were directed to the applicant, who responded accordingly:

- The development application (259/2017/DA-I) is for proposed earthworks and construction of two warehouse buildings with ancillary offices and associated car parking and signage at 41-45 Stennett Road, Ingleburn. This application is not for the whole of the lands owned by the Applicant or a staged development and the assessment should only be for the content of the development application.*
- The balance of the lands yet to be redeveloped are subject to a lease until 2024 and the tenant's and Applicant's intentions are unresolved at this time, whilst part of these lands have been requested to be reserved for future sale to Council for the Minto/Ingleburn Proposed Link Road. The exact form of the future development is unknown and therefore it would serve no purpose to prepare a masterplan as this would be subject to a degree of change based on future market requirements. Accordingly we should not have to subsequently identify the cumulative traffic impact on the road network of any future undefined developments proposed for the area. It is the role of strategic planning at*

Campbelltown City Council (Council) to consider such impacts in concert with RMS and the effect on the area.

- *Also, it is noted the land has historically being used for industrial purposes and as such has not been up-zoned to enable the Stage 1 development or the subject application currently under assessment with Council. The continued use of industrial lands on this basis does not warrant the investigations that are requested. It is considered that any future development application for the next stage of development on the residual land should be assessed on its merits, which would include the provision of detailed traffic modelling to examine intersection performance and the overall impacts on the surrounding road network.*

In addition to the above, the comments received from the RMS were raised with Council's City Works department who responded as follows:

The proposed development is an industrial development in an industrial area replacing another industrial development. As such we would consider that unless the proposed development had a higher than normal traffic generation expectation, the site is suitable for any industrial use. As such no additional traffic assessment should be required. i.e. zoned industrial land has already had consideration of the impacts of industrial traffic generation from these lands taken into account at rezoning stage. Council would expect additional traffic studies would be where industrial uses with higher than average traffic generation is expected; e.g. intermodal type facilities or other very high turnover type sites.

As such, for traffic generation reasons alone, Council do not agree with the RMS.

In light of the above, the efficiency of movement of people and freight to the site, as well as the parking implications of the development, are considered to be satisfactory. Therefore the proposed development is recommended for approval based upon the information submitted to Council.

(4) The consent authority must give the RTA a copy of the determination of the application within 7 days after the determination is made.

A copy of the development consent will be sent to Roads and Maritime Services.

1.7 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment

The proposal is within the Georges River Catchment and thus this policy applies. The general aims and objectives of this plan are as follows:

- a) to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment,*
- b) to protect and enhance the environmental quality of the Catchment for the benefit of all users through the management and use of the resources in the Catchment in an ecologically sustainable manner,*
- c) to ensure consistency with local environmental plans and also in the delivery of the principles of ecologically sustainable development in the assessment of development within the Catchment where there is potential to impact adversely on groundwater and on the water quality and river flows within the Georges River or its tributaries,*
- d) to establish a consistent and coordinated approach to environmental planning and assessment for land along the Georges River and its tributaries and to promote integrated catchment management policies and programs in the planning and management of the Catchment,*
- e) (Repealed)*
- f) to provide a mechanism that assists in achieving the water quality objectives and river flow objectives agreed under the Water Reform Package.*

The proposal does not conflict with any of the relevant provisions of the Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment, and is therefore considered acceptable in this regard.

1.4 Campbelltown Local Environmental Plan 2015

The subject site is zoned IN1 General Industrial in accordance with the Campbelltown Local Environmental Plan 2015. The proposed development is defined as a '**warehouse or distribution centre**' as follows:

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

The proposed development is considered to be consistent with the objectives of the General Industrial Zone:

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To provide for a range of facilities and services to meet the day-to-day needs of workers in the area.
- To enable non-industrial land uses that are compatible with and do not detract from industrial and warehouse uses or impact on the viability of existing centres.
- To ensure that any commercial, retail or other non-industrial development is not likely to adversely affect employment generating activities or opportunities.
- To facilitate diverse and sustainable means of access and movement.

The proposed warehouse buildings and use as a distribution centre are consistent with the zone objectives, as the development for the purpose of a warehouse will provide employment opportunities within the local government area. In addition, the proposed use is not considered to detract from the function of the businesses on the surrounding properties.

Provision	Compliance	Comment
Part 4 Principal Development Standards		
4.3 Height of Buildings 12m maximum	No	The proposed development has an overall height of 13.7m and a maximum building height of 16.96m as measured from natural ground level.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to Clause 4.6 of Campbelltown LEP 2015 to vary the height of building development standard. A detailed discussion of the variation to the development standard is presented below this table.
Part 5 Miscellaneous Provisions		
5.9 Preservation of trees or vegetation	Yes	The proposal includes the removal of 36 trees on the site, two of which are already dead. One tree is identified for retention as it is located on the adjoining property. The trees proposed for removal are a combination of native, indigenous and exotic species. The removal of trees is supported by Council's Environment officer as offset planting and landscaping is

		proposed to the subject site.
5.10 Heritage conservation	Yes	The subject site adjoins Robin Hood Farm to the south. The site is identified as a State Heritage Item. See discussion below.
5.11 Bushfire hazard reduction	N/A	A small portion of the site along the southern boundary is classified as Bush Fire Prone Land. As the proposal is not for residential development, notification to the RFS is not considered to be required for the proposal.
Part 7 Additional local provisions		
7.1 Earthworks	Yes	Due to the topography of the subject site and the level changes between stage 1 and the proposed stage 2 development, substantial earthworks are proposed in the form of earth batters and cut and fill works to the site. See discussion below.
7.10 Essential Services	Yes	The subject site shall be serviced by essential services as required by the clause, provision of such services will be required by way of condition.
7.18 Restriction on access to or from public roads	Yes	No restriction to road access onto Stennett Road applies to the subject site.

Exceptions to Development Standards

Clause 4.3 Height of buildings

The proposed warehouses have an overall building height of 13.7m and a maximum height of 16.96m to warehouse 2 and 16.365m to warehouse 3, which exceeds the height of buildings development standard of 12m prescribed under clause 4.3 of Campbelltown LEP 2015 by 4.96m or 41% to warehouse 2 and 4.365m or 36.3% to warehouse 3.

A written request pursuant to clause 4.6 of Campbelltown LEP 2015 has been made, seeking to vary the development standard. The justification presented in the written request is summarised as follows:

- *The height of the structures reflects the surrounding built form;*
- *The development will seamlessly integrate with surrounding development and the wider industrial area;*
- *The site is suitably distanced from residential development; and*
- *The development will significantly augment the employment-generating use of the site through the provision of high quality warehousing and distribution facilities to accommodate a range of related uses.*

In seeking a variation to the development standard an assessment against Clause 4.6 is detailed below:

4.6 Exceptions to development standards

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

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*

The proposal results in a minor departure from the controls as the maximum variation is only applies to a small portion of each building. The height of the warehouses as measured from natural ground level varies over the developments from 5.2m above natural ground level to 16.96m above natural ground level. Changes to the ground level with the cut and fill of the site will give an appearance of a general height of 13.7m to warehouse 2 and the southern and western elevations of warehouse 3. The development will have an increased appearance to the height of the building to the eastern

elevation of warehouse 3, however this will be obscured by the warehouse 2 development and generally will not be visible from areas outside of the subject site.

The appearance of the height of warehouse 3 to Stennett Road is amplified due to the ground level changes at the front of the site. The applicant has addressed in the design of the development with the provision of substantial landscaping in the front setback, which will reduce the appearance of the façade of the building. Additional conditions relating to the building materials, discussed elsewhere in this report will also improve the appearance of the warehouse to Stennett Road.

The non-compliance with the development standard, results in bulk and height resulting from filling to the site to provide the development with a level building platform, as required for industrial development. Given the type of development, flexibility in the application of the control is required. Stepping of the warehouse is not an option as it will impede the functionality of the use of the site. The height of the warehouse at 13.7m serves to facilitate greater potential for occupancy of the development, in line with the proposed use of the site.

Given a review of similar applications approved within the subject site, it is noted that the warehouse development previously approved on the site exceeds 12m in height. Other industrial developments across the LGA also exceed the 12m height control. The height of warehouse at 13.7m is designed to replicate the height of the adjoining stage 1 warehouse on the site, which was approved with minimum height of 13.7m. It is also consistent with larger scale warehouse developments located in industrial developments within the LGA. However, it is noted the approval for the stage 1 development was obtained prior to the gazettal of the CLEP 2015. The stage 1 development was approved under Council's previous development controls, which did not restrict the height of industrial development in metres, instead a storey control was imposed over industrial development, with which the developments complied. It is considered that flexibility in the application of the control is necessary in this case to ensure the development can service the proposed and future uses of the site.

Further, it is noted that the proposed development complies with the objectives of Clause 4.3 of the CLEP 2015.

Flexibility in the application of the height of building development standard is considered to be appropriate for the particular development. Overall, the proposal is generally compliant with the controls with regard to setbacks, built form, landscaping and car parking.

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

The variation to the development standard will result in a preferable design outcome with regard to the functionality of the proposed development. The proposal is not considered to detract from the existing streetscape and is considered to be consistent with the bulk and scale of the surrounding industrial development.

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

The Clause does not exclude the variation of Clause 4.3 of the CLEP 2015.

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

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

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

The proposed development seeks an maximum variation of 41% to the Height of Building development standard. Compliance with the clause will significantly alter the design and restrict the functionality of industrial development on the subject site, given the topography of the site. The

increased height of the building does not detract from the amenity of the surrounding residential development with regard to views or privacy, and the height of the structures does not affect the streetscape presentation of the building to Stennett Road. The proposed development demonstrates compliance with regard to built form, setbacks, landscaping and access. The compliance of the proposal with regard to the aforementioned controls demonstrates that variation to the Height of Building control is acceptable, given the circumstances of the proposal.

- (4) Development consent must not be granted for development that contravenes a development standard unless:*
- (a) the consent authority is satisfied that:*
- (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
- (b) the concurrence of the Secretary has been obtained.*

The proposed variation to the height of building development standard is considered to satisfy the objectives and is also considered to be in the public interest considering the circumstances of the case. The applicant's written request is considered to be satisfactory for the proposed development having regard to subclause (3). Variation to the development standard is considered to be acceptable given the proposal is consistent with the built form and scale of the surrounding industrial development. The proposed variation is considered to be acceptable and adequate justification is provided for contravention of the development standard. The proposal is consistent with the objectives of the height of building development standard and the IN1 zone, and is therefore supported for approval. The variation is recommended to be supported.

Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation %	Concurring authority
CLEP 2015	IN1 – General Industrial	Clause 4.3	The topography of the site necessitates part of the variation to the height of building, in addition the height of the development is consistent with the height of existing development in stage one and industrial development in the wider locality.	41%	Campbelltown City Council

Table 1: Clause 4.6 Summary Table

The following is a detailed discussion of the issues identified in the compliance table above in relation to the Campbelltown LEP 2015.

Earthworks

The proposed development includes bulk earthworks to facilitate the development of the site for warehousing include removal of trees, existing pavements, grass and other materials, and grading to accommodate the building footprint, drainage and more detailed level allowances.

Significant level changes are proposed between the warehouses due to the topography of the land. The constructed stage 1 warehouse was approved with a floor level of RL 36.35, the plans submitted show a FFL RL36.95. There is a steep batter between stages 1 and 2 and warehouse 2

has a FFL of RL44.9, which is significantly elevated above the Stage 1 warehouse. Warehouse 3 has a FFL of RL46.4, which is again elevated above the height of warehouse 2. The level changes between the warehouses are required to respond to the topography of the site and provide suitable grades required for industrial development.

Retaining walls are proposed adjacent to the northern boundary, eastern corner, south-eastern corner and western boundary of the site. The location and specifications for batters and retaining walls are provided within the Civil Plans, which are endorsed and consent documents.

It is considered, that the proposed development will not adversely affect drainage patterns within the locality and will not affect the future redevelopment of the land. The earthworks are not considered to effect the amenity of adjoining land and where an impact is anticipated the applicant has provided sufficient documentation in the form of geotechnical advice for earthworks in the vicinity of the rail corridor. The development employs appropriate measures to mitigate the impact of the proposed development. The proposal has been considered against the matters outlined within Clause 7.1 of the CLEP 2015 and is recommended for approval.

Heritage

The subject site is not listed as an Item of Environmental Heritage under the Campbelltown Local Environmental Plan 2015 and the site is not identified as a State Heritage Item under the *Heritage Act 1977*.

The subject site adjoins Robin Hood Farm to the south, which is identified as State Heritage Item (SHR No. 001387). The statement of significance is detailed below:

Robin Hood Farm has high significance as a surviving mid nineteenth century farm house. It has a distinctive layout and configuration not represented by other buildings in the area. Together with the surviving villas and farmhouses between Liverpool and Campbelltown, Robin Hood Farm demonstrates the variety of agricultural uses of the area and the use of the area as a rural retreat from the earliest days of white settlement. It provides evidence of the changing use and altered intensity of occupation of the area and particularly the shift from cereal cropping to dairying.

A 200m building separation is provided between the proposed warehouses on the subject site to the structures on the adjoining site. The topography of the site results in only the upper portion of the warehouses being visible at the property boundary. Therefore, the proposal is not considered to detract from the significance of the Robin Hood Farm.

1.5 Campbelltown (Sustainable City) Development Control Plan 2015

The purpose of Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP 2015) is to provide more detailed provisions to supplement the Campbelltown Local Environmental Plan 2015 (CLEP 2015).

Pursuant to Clause 79C (1) (a) (iii) Council is required to consider the relevant provisions of the applicable development control plan of the Campbelltown Local Government Area (LGA), being SCDCP 2015.

The following details the assessment of the proposal in accordance with the relevant requirements of the Campbelltown (Sustainable City) Development Control Plan 2015.

Part 2 - Requirements Applying to All Types of Development

The general provisions of Part 2 of the Plan apply to all types of development. Compliance with the relevant provisions of Part 2 of the Plan is discussed as follows:

Provision	Compliance	Comment
2.2 Site Analysis		
a) The development application for all development involving the construction of a building and the Torrens title subdivision of land.	Yes	The site analysis plan submitted is considered to be compliant with the requirements for a Site Analysis plan.

2.4 Sustainable Building Design		
2.4.1 Rainwater Tanks	Conditioned	A rainwater tank is provided to service each new warehouse building. Each rainwater tank is currently proposed at 40 kL. The proposed rainwater tanks are insufficient in size to meet the requirements of the controls. Given the size of each warehouse, 50kL and 100kL litre tanks are required for warehouse 2 and warehouse 3 respectively. A condition of consent shall be imposed to ensure compliance with Council's controls.
b) A rain water tank shall be provided for all new buildings containing a roof area greater than 100sqm for all development not specified by BASIX. The rain water tank shall have a minimum capacity in accordance with Table 2.4.1.		
c) All rainwater tanks shall comply with AS3500 (as amended) – <i>National Plumbing and Drainage Code Guidelines for Plumbing Associated with Rainwater Tanks in Urban Areas</i> and <i>Sydney Water's Guideline for Rainwater Tanks on Residential Properties</i> .	Yes	A condition of consent shall be imposed to ensure the installation of the rainwater tanks comply with c).
f) Above ground water tanks shall be located behind the primary or secondary building line.	Yes	The tanks are located aboveground, the tank to warehouse 3 is visible to Stennett Road. The applicant has amended the design to provide a timber composite screen around the water tank, to ensure the tank is not visible from Stennett Road.
2.5 Landscaping		
a) Landscape design shall enhance the visual character of the development and complement the design/use of spaces within and adjacent to the site.	Yes	The proposal includes landscaping to the property boundaries. Substantial planting is proposed to Stennett Road to add character to the streetscape.
b) Landscape design shall retain and enhance the existing native flora and fauna characteristics of a site wherever possible.	Yes	The landscaping design enhances the existing native flora and fauna with the provision of plants and trees selected from Council's Native Gardening Guide.
c) Landscape design shall add value to the quality and character of the streetscape.	Yes	The landscaping design is considered to contribute to the character of the streetscape with a range of plant and tree species of various heights.
2.7 Erosion and Sediment Control		
a) An Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted with a development application proposing construction and/or activities involving the disturbance of the land surface. For requirements relating to the preparation of an ESCP, refer to Appendix 5 of Volume 1 and <i>Council's Engineering Design Guide for Development</i> .	Yes	The applicant has submitted an Erosion and Sediment Control plan in support of the application. The proposed measures are considered to satisfy Council's controls and shall be implemented during construction.

b) Site activities shall be planned and managed to minimise soil disturbance.	Yes	Site activities shall be managed to minimise disturbance.
c) Catch drains or diversion banks shall be designed and constructed to divert water around any area of soil disturbance.	Yes	Suitable measures are included in the ESCP to maintain water quality.
d) All stockpiles shall be located within the sediment control zone and shall not be located within an overland flow path.	Conditioned	The location of stockpiles shall be conditioned to comply with the control.
2.8 Cut, fill and floor levels		
2.8.1 Cut and Fill		
a) A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	Conditioned	Details of the cut and fill to the site are included on the civil plans submitted to Council. However, to ensure compliance with the controls a condition of consent shall be imposed to require the provision of a CFMP prior to the issue of a Construction Certificate.
c) Any excavation within the zone of influence of any other structure requires a 'dilapidation report' (prepared by a suitably qualified person) demonstrating that adequate ameliorative measures are to be implemented to protect the integrity of any structure.	Conditioned	The applicant has submitted a geotechnical report for bulk earthworks with regard to filling, cutting and testing, prepared by Pells Sullivan Meynink. See discussion below. The proposed excavation is within proximity of an existing building on site. Given the level of excavation proposed, a condition of consent for a dilapidation report shall be included in the consent.
d) Development incorporating any cut or fill shall comply with the following requirements: i) minimum cross fall of 1% to any adjoining waterway; and ii) batters to be no steeper than 2H:1V ('H' stands for the term 'horizontal distance' and 'V' stands for the term 'Vertical distance'; iii) batters to be no steeper than 6H:1V for public areas.	No	The proposal includes earth batters 3H:1V between stage 1 and 2, 3H:1V on the eastern boundary to the Main Southern Railway, 1H:1V to the rear boundary and 3H:1V to the front boundary to Stennett Road. See discussion below.
e) All fill shall be 'Virgin Excavated Natural Material' (VENM).	Conditioned	The proposal includes fill to the eastern side of the property. The documentation submitted to Council has stated that fill will be certified 'virgin excavated material', which will be reiterated by the imposition of a condition of consent.
2.8.2 Surface Water and Floor Levels		
a) Development shall not occur on land that is affected by the 100-year ARI event unless consistent with the NSW Floodplain Development Manual.	Yes	The development was referred to Council's Engineer who has stated the site is not a flood control lot. Appropriate conditions of consent with regard to the floor level of the development have been applied to the consent.

2.9 Demolition

<p>a) A development application involving demolition shall be considered having regard to the following information:</p> <p>i) a detailed work plan prepared by a suitably qualified person, in accordance with AS2601-2001- The Demolition of Structures (as amended);</p> <p>ii) details of the licensed demolition contractor engaged to carry out the work (including name, address and building licence number);</p> <p>iii) a hazardous materials report that lists details of methods to prevent air, noise and water pollution and the escape of hazardous substances into the public domain;</p> <p>iv) details of any asbestos or other hazardous substances to be removed from the site and/or damaged during demolition; and</p> <p>v) a dilapidation report where any demolition work is to be undertaken within the zone of influence of any other structure.</p> <p>b) Where appropriate, demolished materials shall be recycled for reuse on site.</p>	Yes	The demolition of structures is supported. Appropriate conditions of consent will be imposed to ensure the demolition is carried out in accordance with the controls.
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2.10 Water Cycle Management

2.10.2 Stormwater		
<p>a) All stormwater systems shall be sized to accommodate the 100- year ARI event (refer to Section 4 of <i>Council's Engineering Design Guide for Development</i>.</p>	Conditioned	The stormwater management plan was designed in accordance with the Engineering Design Guide. The application was referred to Council's Development Engineer, who review the proposal and applied relevant conditions of consent.
<p>b) The design and certification of any stormwater system shall be undertaken by a suitably qualified person.</p>	Yes	The plan was prepared by a suitably qualified engineer.
<p>d) Development shall not impact on adjoining sites by way of overland flow of stormwater unless an easement is provided. All overland flow shall be directed to designated overland flow paths such as roads.</p>	Yes	The issues with regard to overland flow are addressed by Council's Engineer, where required.
<p>g) A major/minor approach to drainage is to be taken for stormwater flows. Generally the piped drainage system shall be sized to accommodate the difference between the 100-year ARI flow and the maximum safe overland flow, with minimum requirements as set out in section 4 of <i>Council's Engineering Design Guide for Development</i>.</p>		

h) Stormwater collected on a development site shall be disposed of (under gravity) directly to the street or to another Council drainage system/device. Where stormwater cannot be discharged directly to a public drainage facility, a drainage easement of a suitable width shall be created over a downstream property(s) allowing for the provision of a drainage pipe of suitable size to adequately drain the proposed development to a public drainage facility.	Yes	The proposal includes the disposal of stormwater via gravity to Stennett Road.
i) All proposed drainage structures incorporated within new development shall be designed to maintain public safety at all times.	Yes	The drainage structures are designed to maintain public safety.
j) Development shall not result in water run-off causing flooding or erosion on adjacent properties.	Yes	The run off from the proposed development is not considered to result in flooding to adjoining properties.
k) Stormwater run-off shall be appropriately channelled into a stormwater drain in accordance with <i>Council's Engineering Design Guide for Development</i> .	Yes	The stormwater runoff shall be channelled into Council's system.
2.10.3 Stormwater Drainage a) A stormwater Drainage Concept Plan shall be prepared by a suitably qualified person, and submitted with all development applications, involving construction (except for internal alterations/fitouts), demonstrating to Council how the stormwater will be collected and discharged from the site. b) The stormwater concept plan shall include the following information as a minimum: i) locations, layouts and sizes of stormwater pipes and pits; ii) minimum grades and capacity of stormwater pipes; and iii) existing and proposed easements, site contours and overland flow path/s.	Yes	The applicant has submitted a stormwater management plan prepared by a suitably qualified engineer. The SMP was referred to Council's Development Engineer for review and any outstanding matters have been addressed by way of condition.
2.12 Retaining Walls		
a) Any retaining wall that is not complying or exempt development as specified in the E&CDC shall be designed by a suitably qualified person.	Conditioned	The proposal includes retaining walls that are located within the property boundaries. The retaining walls will be used to retain cut and fill to the building footprints where required. A condition of consent shall be imposed to ensure the retaining walls are certified by a qualified engineer.

<p>2.15.2 Waste Management during demolition & construction</p> <p>a) All waste and recyclable streams shall be stored separately on site.</p> <p>b) All storage areas/containers for each waste and recycling stream shall be kept on the site at all times and shall be indicated on the site plans/drawings as part of the WMP.</p> <p>c) Where material cannot be reused or recycled, it shall be disposed of at an appropriately licensed waste management facility. Details of disposal arrangements shall be specified in the WMP.</p> <p>d) Convenient and safe vehicular access to waste and recycling material storage areas shall be provided.</p>	Yes	The submitted waste management plan (WMP) provides measures for waste disposal and recycling during the demolition and construction process. The WMP is endorsed as a consent document.
2.19 Development near or in electricity easements		
a) Wherever possible electrical easements are to be located within open space corridors.	N/A	The electrical easement is located over the subject property which is zoned for industrial development. The easement runs parallel to the Main southern railway.
b) Council may consider accepting dedication of land within the electrical easement where the subdivision is in accordance with an approved subdivision or layout/plan for the site.	N/A	The application does not include the subdivision of the subject site.
c) Restrictions apply to planting and erection of raised public domain elements (such as light poles) and are identified in the Mains Maintenance Instruction MMI 0015 - Management of Endeavour Energy's electrical easements (Endeavour Energy, 2011) or as revised for design requirements.	Conditioned	The application shall be appropriately conditioned to ensure trees and shrubs planted within the electrical easement do not exceed 3m in height, as requested by Endeavour Energy.
d) All proposed activities within electricity easements require approval from the relevant utility providers. Applicants shall consult with these agencies and obtain the relevant approvals prior to submitting a DA to Council.	Yes	The provision of filling and the construction of a vehicle hardstand is located within the transmission easement area has been referred to Endeavour Energy for comment. The comments are listed in detail, elsewhere within this report.
e) Evidence of approval from the relevant utility provider shall be submitted with the DA.	N/A	Consent of Endeavour Energy was sought during the development application process.

Part 7 – Industrial Development

The provisions of Part 7 of the Plan apply to industrial development. Compliance with the relevant provisions of Part 7 of the Plan is discussed as follows:

Provision	Compliance	Comment
7.2 Building Form and Character		
7.2.1 Building Design		
a) Building design shall incorporate the following features to assist in the reduction of the perceived bulk and mass of development:	Yes	The proposed building design includes vertical changes in the materials and colours at several intervals along the building to give the perception of articulation along the façade to Stennett Road.
i) provision of vertical and/or horizontal offsets in the wall surfaces at regular intervals, including columns, projections, and recesses;	Yes	
ii) articulate architectural details around doors, windows front facades, roofs and entrances;	Yes	The development include articulation to doors and front facades.
iii) articulate walls through the use of texture, colour, material changes, shadow lines and other facade treatments, at least every 15 metres; and	Yes	The materials includes a range of colours to articulate the design to each warehouse.
iv) at least 50% of the total surface area of the front elevation to be constructed of masonry material.	No	The front elevation is not considered to comply with the control. See discussion below.
c) Buildings shall be predominantly single storey (excluding basements, mezzanines and offices).	Yes	The buildings are single storey.
d) Mezzanines shall not comprise an area of more than 50% of the gross floor area of the ground floor of the respective unit.	Yes	Each warehouse is provided with a small mezzanine area that does not exceed 50% of the ground floor of the warehouse.
e) Offices shall not comprise more than 30% of the gross floor area of the respective unit.	Yes	The office areas to each warehouse do not exceed 30% of the floor area of the respective warehouse.
f) No building shall rely upon a required path of egress (as defined within the BCA) over adjoining private land.	Yes	The path of egress does not rely on adjoining private land. The proposal has been referred to Council's Building Surveyor for comment.
g) No building or structure shall be erected within a right of carriage way or easement.	Yes	No building or structure is proposed to be erected within a right of carriageway or easement. The proposal includes the construction of hardstand within the electrical transmission easement, which is discussed in detail elsewhere in this report.
h) A schedule of proposed colours, materials and finishes shall accompany all development applications for new industrial buildings.	Yes	A colour schedule has been submitted for the proposed development.
i) The main entry to the building shall be easily identifiable from the street and directly accessible from the front of the building or driveway in the case of a multi-unit complex.	Yes	The main entry to warehouse 3 is clearly identifiable from the street. Warehouse 2 is not highly visible from the street. However, the office and entry is visible from the brief frontage visible from Stennett Road.
See overleaf		

<p>7.2.2 Building Setbacks a) Industrial development shall be setback by: i) 30 metres to: – the main southern railway corridor,</p> <p>iii) 10 metres from any other public road. excluding any required road widening. c) Except as nominated above, buildings adjoining residential, commercial and/or open space zones shall be setback a minimum of 10 metres, the interface of which shall be complimentary to and not pose unreasonable impacts on the non-industrial development in terms of its built form and proposed used.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p>	<p>The property adjoins the Main Southern Railway to the east. Warehouse 2 shall be setback in excess of 30m to the warehouse and awning. The hardstand area is located within the required setback. The design is consistent with the Stage 1 warehouse to the north. Warehouse 3 is setback 10m from Stennett Road, which complies with the control.</p> <p>The building does not adjoin residential, commercial or open space zones.</p>
<p>7.2.3 Fences a) Industrial fencing shall be a maximum 2.4 metres in height. b) All fencing in industrial developments shall be of recessive colours, palisade design, or plastic coated and framed chain wire with a maximum height of 2.4 metres, unless required as part of an acoustic solution. d) All fencing in industrial developments shall be setback a minimum of 3.0 metres from property boundaries addressing a primary and/or secondary street. f) Fencing shall not obstruct power, water, sewer, gas or telephone services, drainage systems, (including overland flow paths) or any easements or rights of way. g) Details for fencing shall be submitted with the development application.</p>	<p>Yes</p> <p>Yes</p> <p>Conditioned</p> <p>Yes</p> <p>Yes</p>	<p>The plans specify a 2.1m high powerecoated palisade fence. The fencing is considered to be recessive in appearance and is appropriate for the subject site.</p> <p>The fencing location detail is not consistent amongst the plans submitted. Therefore, a condition of consent shall be imposed to ensure a 3m setback is provided.</p> <p>The fencing location on the landscape plan appears to be located behind the substations, to ensure access is not impeded.</p> <p>Details of the proposed fencing have been submitted with the development application.</p>
<p>7.3 Car Parking and Access</p>		
<p>7.3.1 General Requirements a) Off street parking and loading shall be designed in accordance with Australian Standard AS 2890.1 and 2 (as amended), except as otherwise provided by this Plan.</p>	<p>Yes</p>	<p>The design of the car parking shall be conditioned to ensure compliance with AS2890.1 and 2.</p>

<p>b) For that part of the gross floor area occupied by office areas, lunch rooms and any associated office storage areas, car parking shall be provided at a rate of one space per 35sqm.</p> <p>c) For that part of the gross floor area occupied by uses other than office areas, lunch rooms and any associated office storage areas, car parking rates shall be provided in accordance with the following:</p>	Yes	Office space, excluding stair voids, lifts and amenities total 975.7sqm. Therefore, 28 Car parking spaces required.
<p>i) a minimum of two (2) spaces (per unit), plus</p>	N/A	The development is for two warehouses, not units, therefore the control does not apply in this instance.
<p>ii) one space for every 100sqm of gross floor area for buildings up to 2000 square metres; plus</p> <p>iii) one space per 250sqm for that part of the building exceeding 2000 square metres in gross floor area.</p>	No	<p>Warehouse 2 requires: 20 spaces per 2000sqm 52 Spaces per 13000sqm Total 72 spaces for floor area in addition to the required office spaces above.</p> <p>Warehouse 3 requires: 20 spaces per 2000sqm 76 spaces per 18800sqm Total 96 spaces for floor area in addition to the required office spaces above.</p> <p>A total of 196 parking spaces required for the proposed development. The proposal includes the provision of 180 parking spaces. See discussion below.</p>
<p>g) Sufficient space shall be provided on site so that no vehicle shall be required to make more than a three-point movement to exit the site in a forward direction.</p>	Yes	Sufficient space is provided for vehicle manoeuvring.
<p>h) No car parking spaces shall be designed in a stacked configuration.</p>	Yes	No car parking is designed in a stacked configuration.
<p>i) No required car parking spaces shall be created as a separate strata or Torrens title allotment.</p>	Yes	No parking spaces are created as a separate title or allotment.
<p>j) Each site shall have a:</p> <p>i) maximum of one ingress and one egress for heavy vehicles (combined or separated).</p> <p>ii) each site may have an additional ingress/egress for cars (and other light vehicles).</p>	Yes	The site has a separate entrance and exit for all vehicles. Traffic movement is appropriately designed to separate trucks and vehicles.
<p>k) A minimum of 10% of the required car parking spaces, including disabled spaces, shall be located within close proximity to the main pedestrian entry to the building.</p>	Yes	Over 10% of the car parking spaces are located in close proximity to the main pedestrian entry to both warehouses.

<p>7.3.2 Loading and Unloading a) Each industrial factory/unit shall be provided with a loading bay. b) Provision shall be made for all loading and unloading to take place wholly within the designated loading area.</p> <p>c) No loading or unloading shall be carried out across parking spaces, landscaped areas, pedestrian aisles or on roadways. d) Each industrial building/unit having a gross floor area : iii) more than 1500 square metres shall provide a loading area to allow for a heavy rigid vehicle to manoeuvre on site. e) Heavy rigid vehicle swept turning paths shall be provided demonstrating that a heavy rigid vehicle can enter and exit the site in a forward direction for all industrial sites. f) Where it is proposed to service the site with articulated vehicles exceeding 12.5m in length, swept turning paths are to be provided for that vehicle type.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>Warehouse 2 is provided with eleven loading docks and warehouse 3 is provided with sixteen loading docks.</p> <p>The design includes a substantial number of loading docks. The consent shall be appropriately conditioned to ensure loading and unloading takes place within the designated loading area.</p> <p>No loading or unloading is proposed across parking spaces, landscaped areas or roadways.</p> <p>Each warehouse is provided with a loading area that provides sufficient space for heavy rigid vehicles to manoeuvre on the site.</p> <p>The roadway access layout to the site enables heavy rigid vehicles to enter and depart in a forward direction.</p> <p>The applicant has provided a report prepared by Colston Budd Rogers & Kafes Pty Ltd, which includes swept path diagrams for a 19m articulated vehicle.</p>
<p>7.3.3 Access for People with Disabilities a) Industrial development shall comply with the minimum access requirements contained within the BCA, the Disability (Access to Premises — Buildings) Standards 2010 and Australian Standard 1428 – Design for Access and Mobility (as amended).</p>	<p>Yes</p>	<p>The proposed development includes the provision of accessible parking and level access to the main entry. Provisions are made in the floor plan for a lift to warehouse 3 and a possible future lift to warehouse 2. Accessible bathroom facilities shall also be provided for each warehouse.</p>
<p>7.4 Landscaping</p>		
<p>a) A detailed landscape plan and report shall be prepared by a suitably qualified person and submitted with all development applications for the industrial development.</p> <p>b) Landscaping shall be provided to a minimum depth of 50% of the following required setback area located:</p> <p>c) The first three (3) metres of all required street front landscaped area (as measured from the street boundary) shall be planted of advanced canopy trees that are:</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>A detailed landscape plan, prepared by habit8 was submitted in support of the application.</p> <p>The landscape plan provides substantial tree and shrub planting in the front setback, which exceeds 50%.</p> <p>The front setback landscaping includes a large number of trees and shrubs which is considered to be sufficient to satisfy Council's controls.</p>

<p>i) a minimum of two (2) metres in height with a minimum 400 litre pot size at the time of planting;</p> <p>ii) of native species; and</p> <p>iii) planted /placed every 10 metres.</p> <p>d) Side boundary landscaping of a minimum of one (1) metre width shall be provided between the street boundary and the building line.</p>	Yes	The property boundaries are provided with landscape areas to provide a landscape visual barrier between the adjoining properties.
7.5 Outdoor Storage Areas		
a) No outdoor storage shall occur without development consent.	N/A	The proposal does not include the provision of outdoor storage. A condition of consent shall be applied to ensure outdoor storage is not permitted on site.
7.6 Industrial Waste Management		
a) Industrial development shall make provision for an enclosed on site waste and recycling facility that has adequate storage area to accommodate the waste generated from the development.	Yes	The proposed use as a warehouse and distribution centre is not expected to result in significant waste generation. The proposal does not include an enclosed onsite waste and recycling facility. A dedicated waste area is not detailed on the plans. However, an enclosed waste storage area shall be required for each warehouse as a condition of consent.
b) Any industrial premises that generates more than 20% of total waste generated by the development or 50 litres or 50 kg (whichever is the lesser) of meat/seafood product shall be collected daily or refrigerated awaiting collection.	N/A	The proposed use as a warehouse is not considered to generate food waste.
c) Adequate provision shall be made for the screening and storage of all industrial waste behind the front building setback.	Yes	Internal waste storage is required by way of condition.
d) All industrial premises shall hold evidence of a contract with a licensed collector for garbage and recycling collection.	Yes	A condition of consent for private waste collection is included in the recommendation.
7.7 Environmental Management		
7.7.1 Liquid Storage	N/A	The proposed development does not include liquid storage.
7.7.2 Air Quality a) Any development that is likely to or capable of generating levels of air emissions exceeding the requirements of the Protection of the Environment Operations Act 1997 shall demonstrate appropriate measures to mitigate against air pollution.	Yes	The proposed development and use of the premises is not considered to result in air pollution that would exceed the requirements of the PEO Act 1997.
See overleaf		

<p>7.7.3 Noise a) Any development that is likely to or capable of generating levels of noise exceeding the requirements of the Industrial Noise Policy (published by the Office of Environment and Heritage) shall demonstrate appropriate measures to mitigate against noise pollution.</p>	<p>Yes</p>	<p>The applicant has submitted an amended acoustic report for the proposed development.</p> <p>Substantial building separation is provided between the proposed development and the existing residential properties located on the eastern side of the Main Southern Railway.</p> <p>The design and location of the loading docks is consistent with the stage one development. The acoustic report considers the impact of internal and external noise emissions from the development. The acoustic assessment has been assessed in accordance with the noise assessment criteria including the EPA Industrial Noise Policy.</p>
<p>7.7.4 Stormwater and Drainage a) All activities with the potential to pollute the stormwater system from a system failure shall be carried out within a covered and bunded area sited, designed and constructed to Council's satisfaction. b) Liquid waste and waste water shall either be: i) recycled on site; ii) treated and discharged to the sewer in accordance with a trade waste licence issued by Sydney Water; or iii) collected, stored in a covered, bunded area and collected by the Office of Environment and Heritage; and iv) discharged to a licensed waste management facility. c) Development shall not result in water run-off causing flooding or erosion on adjacent properties. d) Stormwater run-off shall be appropriately channelled into a stormwater drain in accordance with Council's Engineering Design Guide for Development e) Where applicable, the development shall incorporate the creation of an appropriate easement to manage stormwater in accordance with Council's Engineering Design Guide for Development.</p>	<p>Yes</p>	<p>The application was referred to Council's Engineer for review, who has supported the proposal subject to the recommended conditions of consent.</p>
<p>7.8 Residential Interface</p>		
<p>a) Loading areas, driveways, waste storage areas and roof top equipment shall not be located adjacent to residential areas.</p>	<p>Yes</p>	<p>The subject site is not adjacent to a residential area. However, residential development is located on the opposite side of the main southern railway corridor. The</p>

<p>b) External and security lighting shall be positioned to avoid light spillage to adjacent residential development.</p> <p>c) An acoustic and/or a vibration report shall be prepared as part of a development application where the proposed development is adjacent to residential or other sensitive uses, such as religious establishments, educational establishments and child care centres.</p> <p>d) The interface shall be appropriately screened/vegetated so as to reduce the visual impact of the industrial development.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>loading docks/bays to warehouse 2 face residential development. Notwithstanding, a property separation of 70m exists between the subject site and the nearest residential property boundary.</p> <p>External lighting shall be appropriately conditioned to ensure light pollution does not affect residential properties to the east of the subject site.</p> <p>An acoustic report has been submitted by a suitably qualified person stating the impacts on the surrounding residential properties are in accordance with Council's controls and the requirements of the Industrial Noise Policy.</p> <p>The applicant proposes screen landscaping in the form of lili pili plants, planted along the length of the eastern boundary, to provide visual screening for residential properties.</p>
7.9 Industrial Units		
<p>a) Each industrial unit proposed on land zoned IN1 General Industrial under the CLEP shall have a minimum LFA of 400 square metres.</p>	<p>Yes</p>	<p>Each warehouse exceeds 400sqm, which complies with the control.</p>

Part 11 – Vegetation Management

The provisions of Part 11 of the Plan apply to Vegetation Management. Compliance with the relevant provisions of Part 11 of the Plan is discussed as follows:

11.2 Management of Native Vegetation and Wildlife Habitat		
<p>11.2.1 Management of Native Vegetation and Wildlife Habitat</p> <p>a) For sites containing native vegetation and/or fauna habitat:</p> <p>i) the development shall be sited, designed and managed to avoid any negative impact on biodiversity where possible;</p> <p>ii) where an impact on biodiversity cannot be avoided and no reasonable alternative is available the proposed development shall be sited, designed, constructed to minimise the impact on native biodiversity and maintains habitat connectivity as much as practicable;</p>	<p>No</p> <p>Yes</p>	<p>The proposed development necessitates the removal of 36 trees from the site, including a pocket vegetation deemed to be a highly modified patch of Cumberland Plain Woodland (CPW).</p> <p>The applicant has designed the proposal to provide an environmental offset.</p> <p>The size of the proposed planting area at 3315sqmm which is double the existing Cumberland Plain Woodland Group located on the property that is approximately 1500sqm in size.</p>

b) A Native Flora and Native Fauna Assessment Report prepared in accordance with the Office of Environment and Heritage's Threatened Species Survey and Assessment Guidelines and Field Survey Methods is required to be lodged with the development application	Yes	The applicant has submitted a Flora and Fauna assessment report in support of the proposed development. The report has been reviewed by Council's Environment Officer. It is considered that due to the quality of the existing pocket of 'highly modified CPW' vegetation, removal is considered to be acceptable and an offset area shall be provided.
<p>11.2.2 Protection of Hollow-bearing Trees and Hollow Logs</p> <p>a) All hollow-bearing trees shall be retained, where practical.</p> <p>b) Notwithstanding Section 11.3.1 Exemptions of this Part, in certain circumstances, Council may consent to the removal of a hollow-bearing tree providing that:</p> <p>i) The applicant can demonstrate to the satisfaction of Council that the development cannot be sited in a manner that would enable the hollow bearing tree to be retained.</p> <p>ii) Prior to granting consent for the removal of a hollow bearing tree the tree should be surveyed and a strategy for removal (timing and methodology) that minimises impacts on native wildlife must be prepared and submitted to Council for approval.</p> <p>c) Where Council approves the removal of a hollow-bearing tree:</p> <p>i) the removal of the hollow bearing trees shall be offset by the installation of nesting boxes. The size of the nest box is to reflect the size and dimensions of the hollow removed.</p>	<p>No</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposed development includes the removal of potential hollow bearing trees. The flora and fauna assessment report identifies trees 14 and 15 as potential hollows and tree 17 and 30 as suitable shelter and breeding habitat. Trees 14, 15 and 17 and substantially within the property boundary and are identified for removal.</p> <p>Due to the ground level changes required for the proposed development, the trees cannot be retained.</p> <p>A condition of consent is included to require a pre clearance survey of the abovementioned trees to ensure no impact upon fauna.</p> <p>Nesting boxes have been recommended by Council's Environment Officer, which will be required by way of condition.</p>
<p>11.3.5.1 Information Requirements for Development Applications for Vegetation Management</p> <p>a) A native Flora and native Fauna Assessment Report prepared in accordance with the Office of Environment and Heritage's Threatened Species Survey and Assessment Guidelines and Field Survey Methods is required to be lodged with the development application where:</p>	Yes	The applicant has submitted a Flora and Fauna Assessment Report in support of the application to assess the vegetation.

<p>i) there are proposed direct or indirect impacts on native vegetation or other native fauna habitats;</p> <p>ii) there is a potential impact on threatened species, populations ecological communities or their habitats either directly or indirectly.</p> <p>b) As part of the Native Flora and Native Fauna Assessment, an Assessment of Significance shall be undertaken for each threatened species, population and ecological community which is likely to be directly or indirectly impacted, by the proposal. All Assessments of Significance must be undertaken in accordance with the Threatened Species Guidelines – The Assessment of Significance (DECC 2007). These guidelines are available on the Office of Environment and Heritage’s website.</p>	<p>Yes</p> <p>Yes</p>	<p>No threatened flora species were identified on the site.</p> <p>No threatened fauna species were identified on the site. The report identifies some potential for Grey-headed flying fox passing through the site, but would not be dependent on the vegetation in the subject site.</p>
<p>11.3.5.2 Matters for Consideration when Determining Development applications for vegetation management</p> <p>a) Council shall consider (but not be limited to) the following matters when determining an application for a development application for Vegetation management under this Plan:</p> <p>i) Matter listed under Section 11.3.4.2 of this Part of the Plan;</p> <p>ii) The potential impact on the amenity of the surrounding built and natural environments by considering:</p> <p>iii) whether the application will have significant impacts upon threatened, species, populations or ecological communities;</p> <p>iv) whether the application involved the removal of hollow bearing trees;</p> <p>v) if the tree(s) have/has implications for biodiversity including the outcomes of any native flora and native fauna assessments and Assessments of Significance;</p> <p>– whether the vegetation forms part of threatened species, population or ecological community;</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposed tree removal has been considered against Section 11.3.4.2 of the SCDGP.</p> <p>The tree removal is not considered to significantly impact upon threatened species, in addition the loss of trees will be offset by the proposed CPW offset area located elsewhere on the site.</p> <p>The proposal includes the removal of potential hollow bearing trees, which is discussed elsewhere in this report. As stated in the submitted reports, given the highly modified nature of the vegetation, the vegetation is not considered to be a required to be retained, removal of the trees is supported by Council’s Environmental Officer.</p>

<p>11.3.6 Tree Replacement</p> <p>a) Council, depending on the circumstances of the vegetation management application, shall require the applicant to:</p> <p>i) pay a certain fee to enable Council to plant a replacement tree in an appropriate location in lieu of the removed tree; or</p> <p>ii) plant a replacement tree on site that is:</p> <ul style="list-style-type: none"> – of appropriate species; – of certain size/height at time of planting; and – at the cost of the applicant. <p>b) The species, size and height of the replacement tree shall be provided to applicants in writing as part of the condition of the development consent or permit.</p> <p>c) One replacement tree shall be planted on site within 28 days of the removal of the subject tree(s) for every tree removed. In this regard, applicants shall provide Council with:</p> <p>i) a letter or e-mail advising Council of the date of the planting of the replacement tree; and</p> <p>ii) a copy of the purchase invoice of the tree, illustrating the species, size and time of purchase.</p>	<p>Yes</p>	<p>The application involves the removal of a total of thirty-five trees from the subject site. Only tree 19 identified in arborist report dated 13 October 2016 is listed for retention.</p> <p>The trees identified for removal range in size and health.</p> <p>The proposed development includes landscaping to the site, which involves the planting of approximately 68 trees, most of which are native tree species. This tree planting is in addition to the CPW offset area proposed for the site. The number of the proposed replacement trees more than doubles the number of trees proposed for removal, which is supported.</p>
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Cut and fill

The proposal includes earth batters 3H:1V, which comply with the provisions of the SCDGP. The proposal also includes an earth batter of 1H:1V along the rear boundary, which does not comply with Council's controls. The applicant has submitted a civil engineering report prepared by Costin Roe Consulting a Geotechnical Report prepared by PSM for the development application, which addresses embankment stability measures for the proposed development. The location of the works and the batter is due to cut on the subject site, which is supported by documentation prepared by consulting engineers. The proposed earthworks are considered to be acceptable subject to compliance with the documentation provided to Council, which are endorsed as a consent documents.

Built Form

The applicant has submitted amended plans and has proposed that the provision of the masonry retaining wall and masonry dado wall to the northern elevation of warehouse 3 as sufficient to comply with control requiring 50% masonry finish to the front elevation.

The design submitted to Council is not considered to be appropriate to satisfy the control and presents as a development that is predominantly of a metal finish. Further, it is not considered to be appropriate to calculate the retaining wall as part of the masonry element to the front façade for the purpose of satisfying Council's controls.

The details to the façade are inconsistent with the masonry elements to the front façade to the stage 1 warehouse approved under development consent 2391/2014/DA-I, which will result in a noticeable inconsistency between the finish of the proposed development and the existing development on site. In addition, it is considered that given the height of the structure and the potential predominant appearance of the building within the streetscape, additional regard should be given to the finish of the front elevation to warehouse 3. Therefore, a condition of consent shall be included to require

50% of the elevation of the front façade of warehouse 3 to include masonry materials, which is exclusive of the masonry retaining walls.

3. Planning Assessment

Car parking

The proposed development provides 180 car parking spaces to service the two warehouse buildings. As detailed in the table above, to comply with Council's car parking requirements the provision of 196 car parking spaces is required for the proposed development.

The applicant has submitted a Traffic Report in support of the reduced car parking rate, which states the development requires 120 car parking spaces in accordance with the RMS guide parking rates.

Further, it should also be noted that the plans include provisions for an additional office space to each warehouse, each space is 250sqm. Should each space be converted into office space, each area would receive a credit each from the existing car parking and would require the provision of 14 additional car parking spaces. This would require a total of 210 car parking spaces. Calculation of the development in accordance with RMS car parking requirements, would not modify the number of car parking spaces above 120 spaces. It is considered that the proposed development significantly exceeds the number of car parking spaces required by the RMS.

Council considers the variation of the car parking required by the controls to be minor, as the variation is estimated at a 8% shortfall of the required parking and at maximum a 16% shortfall, should the additional office spaces be constructed. Given the expansive size of the warehouses a reduced rate of calculating the car parking is considered to be appropriate for the development, were Council to apply a reduced rate of 1/250sqm (plus office space), the development would require a total of 172 car parking spaces, which the development complies. Application of the potential future office spaces (14 spaces) would require a total of 186 spaces, which results in a shortfall of 6 spaces or 2.8% of the required car parking, which is considered to be a minor variation to the control and acceptable for the proposed development.

It is considered, the justification put forward in the applicants Traffic Report and Statement of Environmental Effects for calculation of car parking in accordance with the RMS requirements is considered to have merit and variation to the car parking rate at a reduced rate is considered to be appropriate for the subject site.

24 hour operation

The subject site is located within an industrial area, the proposed use of the premises as a warehouse and distribution facility on a 24 hour, 7 day per week basis, may result in increased amenity impacts upon the nearby residents, as the proposal is an intensification of the use of the site.

The subject site is within proximity of residential properties of Ingleburn, the applicant has submitted an acoustic report addressing the use of the premises as a warehouse with regard to additional acoustic impacts upon the residential properties, which is discussed elsewhere in this report.

The 24 hour operation of the premises is consistent with operating hours for industrial development across the Campbelltown Local Government Area, as no limitation is placed upon operating hours in the industrial zone within the SCDCP 2015. Therefore, the proposed hours of operation are considered to be appropriate for the subject site and shall be conditioned accordingly.

Flora and fauna

The proposed development includes the removal of several trees that are identified as Cumberland Plain Woodland. The application was referred to Council's Environment Officer for comment.

The application include the provision of substantial revegetation of the northern boundary between stage 1 and stage 2 of the development. The revegetation includes planting of substantial number of CPW species. The plans were reviewed by Council's Environment team who requested the plans be amended to detail the number of each plant species to be detailed on the plans and details of the exact number of tree hollows to be removed to be provided to Council.

The applicant provided additional information on 20 July 2017 to address the abovementioned issues with a revised landscape plan and additional information with regard to tree hollows.

Conditions of consent with regard to tree protection, pre-clearance surveys and a translocation protocol have been recommended as conditions of consent from Council's Environment team, which are included as recommended conditions of consent.

Comments within the recommendations with regard to requiring a landscape bond on private land cannot be endorsed by Council. Therefore, an additional condition requiring assurance the landscaping has been completed prior to the issue of an Occupation Certificate shall be included in the recommendation.

Rail corridor

The applicant has submitted a letter prepared by Costin Roe Consulting in support of the proposed development. The letter states that, as the building is setback 42m from the rail corridor, collision protection is not required for the building. The proposed earthworks comprise of predominantly filling operations only and the proposal does not seek to excavate or cut within 40m of the railway corridor.

The applicant has submitted a geotechnical report in support of the proposal that outlines details for the batters and retaining wall. The proposed earthworks are considered by the consulting engineer to be consistent with the *Development near Rail Corridors and Busy Roads, Interim Guideline, Part D: Construction Related Issues (December 2008)*.

The application has been referred to Sydney Trains for comment, a response was received with recommended conditions of consent, which will be imposed.

Electrical Easement

The proposed development includes significant level ground level changes within the transmission easement that runs along the eastern boundary of the site. The proposal includes filling between 1.5 and 5m within the transmission easement. The proposal was referred to Endeavour Energy for comment on 28 June 2017. A response was received from the Endeavour Energy stating no objection to the proposal, subject to the imposition of the recommended conditions of consent. The comments are listed in the referrals section of the report.

4. Public Participation

Part 9 of Campbelltown (Sustainable City) Development Control Plan 2015 outlines Council's public participation policy in regard to Council Strategic Planning Documents (CSPDs) and Development Applications (DAs).

The policy requires applications proposing specified land uses and construction on land adjoining allotments where residential development is permissible to be publicly notified and exhibited. The subject application proposes construction of two warehouses, 24 hour use and associated works and as such was required to undergo the public exhibition process.

The application was publicly exhibited on 11 April 2017 for a period of fourteen days. The property owners were provided a period of fourteen days to provide comments regarding the proposal. Additionally, a sign bearing a set of notification plans was required to be displayed on site for the duration of the assessment.

No submissions were received in relation to the proposed development.

5. Public Interest

Section 79C(1)(e) of the EP&A Act requires Council to consider the public interest when determining an application.

The public interest is an overarching assessment of the benefits or otherwise that a development may have for the immediate area and/or community in general.

Having regard to the above, the proposed development is considered to be in the public interest.

6. Referrals

Engineering

The proposed development was referred to Council's Development Engineer, who reviewed the proposed development and imposed conditions of consent.

Environment

The application was referred to Council's Environment Officer for comment, who recommended the imposition of conditions of consent with regard to landscape bonds, nesting boxes, tree protection, pre clearance surveys and translocation protocols.

Landscaping bonds cannot be required by Council for landscaping on private property. However, a condition relating to photographic evidence and compliance with landscaping plans is required prior to the issue of an Occupation Certificate. The provision of landscaping will be the responsibility of the Accredited Certifier to ensure the proposal complies with the approved plans.

The remaining issues will be addressed as conditions of consent.

Building

Council's Building Surveyor reviewed the BCA compatibility report prepared by Blackett Macguire and the Fire Engineering Brief submitted to FRNSW. Comments are as follows:

BCU raises no objections to the proposal subject to the imposition of standard condition requiring compliance with the BCA and DDA requirements.

Flood/ Landscape/ Traffic

Comments were received from Council's City Works team on 4 May 2017. Where required appropriate conditions of consent have been included in the recommendation to the Panel.

Sydney Trains

The application was referred to Sydney Trains for comment. A response was received from Sydney Trains on 9 May 2017 with recommended conditions of consent, which will be imposed. The conditions are listed in full within Attachment 1.

Roads and Maritime Service (RMS)

The application was referred to RMS, the comments are detailed elsewhere in this report.

Endeavour Energy

The application was referred to Endeavour Energy for comment on 28 June 2017, the referral body requested additional from the applicant on 25 July 2017 and the additional information was submitted to Endeavour on 28 July 2017. Comments were received from Endeavour on 1 August 2017 stating no objection to the proposal, subject to the recommended conditions of consent.

Based on the revised drawings and comments I can advise the proposal has received Conditional Approval to go ahead with the following:

- *Adherence to Endeavour Energy's 'General Restrictions' attached.*
- *Adherence to WorkSafe NSW (formerly WorkCover) guidelines for Working Near Overhead Power Lines.*
- *For all electrical emergency issues, please contact Endeavour Energy's emergency services on 131 003.*

The consent will be appropriately conditioned to include the recommended conditions of Endeavour Energy.

7. Conclusion

The development application 259/2017/DA-I proposes earthworks and construction of two warehouse buildings with ancillary offices and associated car parking and signage and for the use of the buildings for warehousing and distribution operating 24 hours, 7 days per week at 41-45 Stennett Road, Ingleburn. The proposal has been assessed under Section 79C of the Environmental Planning and Assessment Act 1979.

The proposed development includes a variation to Clause 4.3 of the Campbelltown Local Environmental Plan 2015. The Clause 4.6 submission submitted to Council includes a variation to the height control of 41% for warehouse 2 and 36.3% for warehouse 3.

No submissions were received to the application.

The proposal is largely compliant with the relevant development standards and controls, with the exception of some minor variations to the controls, which are addressed within this report and found to be acceptable on merit or have been addressed by way of condition. Therefore, the proposal is recommended for approval.

Officer's Recommendation

The application is recommended for approval to the Sydney South West Planning Panel.

Attachment 1: Recommended Conditions of Consent

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

1. Approved Development

The development shall be carried out in accordance with the approved plans and documents listed in the table below, and all associated documentation supporting this consent, except as modified in red by Council and / or any conditions within.

Plan/ Document No.	Version/ Revision	Prepared by	Date
10308_DA000 Cover Sheet		Nettletontribe	
10308_001 Masterplan	P3	Nettletontribe	16.12.2016
10308_002 Site Plan	P3	Nettletontribe	16.12.2016
10308_011 Lower Ground Floor Plan	P3	Nettletontribe	16.12.2016
10308_012 Upper Ground Floor Plan	P3	Nettletontribe	16.12.2016
10308_013 Roof Plan	P3	Nettletontribe	16.12.2016
10308_DA015 Office 2 Floor Plans	P3	Nettletontribe	16.12.2016
10308_016 Office 3 GA Plans	P3	Nettletontribe	16.12.2016
10308_DA_021 Warehouse 2 Elevations	P4	Nettletontribe	29.05.2017
4501_DA_022 Warehouse 2 Elevations	P4	Nettletontribe	29.05.2017
4501_DA_023 Warehouse 3 Elevations	P4	Nettletontribe	29.05.2017
4501_DA_024 Warehouse 3 Elevations	P4	Nettletontribe	29.05.2017
4501_DA_025 Office Elevations WH2	P3	Nettletontribe	16.12.2016
4501_DA_026 Office Elevations WH3	P3	Nettletontribe	16.12.2016
10308_031 Warehouse Section – Sheet 1	P3	Nettletontribe	29.05.2017
10308_032 Warehouse Section – Sheet 2	P3	Nettletontribe	29.05.2017
10308_DA041 Fencing & Signage Drawing	P1	Nettletontribe	16.12.2016
4501_DA_051 Perspectives	P3	Nettletontribe	16.12.2016
Drwg No. C012183.02-DA10 – Drawing List and General Notes	C	Costin Roe Consulting	19.01.2017
Drwg No. C012183.02 – DA20 – Erosion and Sediment Control Plan	C	Costin Roe Consulting	19.01.2017
Drwg No. C012183.02 – DA25 – Erosion and Sediment Control Details	C	Costin Roe Consulting	19.01.2017
Drwg No. C012183.02 – DA40 – Stormwater Treatment Catchment Plan	B	Costin Roe Consulting	19.01.2017
Drwg No. C012183.02 – DA41 – Concept Stormwater Plan – Sheet 1	D	Costin Roe Consulting	19.01.2017
Drwg No. C012183.02 – DA42 – Concept Stormwater Plan – Sheet 1	D	Costin Roe Consulting	19.01.2017
Drwg No. C012183.02 – DA45 – Concept Stormwater Details	C	Costin Roe Consulting	19.01.2017
Drwg No. C012183.02 – DA51 Finished Levels Plan – Sheet 1	D	Costin Roe Consulting	19.01.2017
Drwg No. C012183.02 – DA52 – Finished Levels Plan – Sheet 2	D	Costin Roe Consulting	19.01.2017
Drwg No. C012183.02 – DA53 - Typical Sections	C	Costin Roe Consulting	19.01.2017
Drwg No. C012183.02 – DA54 – Ramp Sections	B	Costin Roe Consulting	19.01.2017
H8-16045 L000 Site Plan	Rev D	Habit8	08.06.2017
H8-16045 L101 Landscape Plan 01	Rev E	Habit8	14.06.2017

H8-16045 L102 Landscape Plan 02	Rev D	Habit8	08.06.2017
H8-16045 L103 Plant Schedule & images	Rev D	Habit8	08.06.2017

- a. Civil Engineering Report prepared by Costin Roe Consulting Revision A;
- b. Environmental Site Assessment prepared by JBS&G 52340/106157 Revision 1;
- c. Bulk earthworks specification filling, cutting and tested prepared by PSM, PSM2450-007R Rev1 dated July 2016;
- d. Geotechnical Investigation prepared by PSM dated 20 July 2016;
- e. Flora and Fauna Assessment Report revision final, prepared by Cumberland Ecology, dated November 2016;
- f. Arboricultural Impact Assessment prepared by Australis Tree Management dated 15 December 2016;
- g. Arboricultural Impact Assessment prepared by Australis Tree Management dated 13 October 2016;
- h. Traffic Report ref 10366 prepared by Colston Budd Rogers & Kafes Pty Ltd, dated January 2017;
- i. BCA Assessment Report revision 0, prepared by Blackett Maguire & Goldsmith and dated 21 December 2016;
- j. Design Certificate prepared by Norman Disney & Young dated 14 December 2016;
- k. Civil Works adjacent to Rail Corridor dated 21 December 2016 and prepared by Costin Roe Consulting;
- l. Noise Emission Assessment prepared by Acoustic Logic and dated 26.07.2017;
- m. Geotechnical Advice Regarding Impact of the Proposed Earthworks on the Main Southern Railway Corridor dated 20 December 2016 and prepared by Pells Sullivan Meynink; and
- n. Waste Management Plan dated 20 January 2017.

2. Amended Plans

The development is to incorporate the following amendments and the amended plans are to be submitted to the Principal Certifying Authority, for approval, prior to the issuing of a Construction Certificate:

- a. The northern elevation of warehouse three shall be amended to provide 50% masonry materials. In this regard, it should be noted that the masonry retaining wall does not contribute the 50% masonry material required by the elevation.
- b. The size of the rainwater tanks to each warehouse shall be increased in size to the following:
 - o 50KL to warehouse 2 and 100KL to warehouse 3.
- c. The plans shall be amended to detail an internally located waste storage area to each warehouse, which shall be located within easy access of collection vehicles. The waste storage areas shall have separate receptacles for general waste and recycling.
- d. The proposed front fence shall be setback 3m from the front property boundary and shall not obstruct access from Stennett Road to the padmount substation.
- e. The design of the retaining walls shall be certified by a structural engineer and appropriate amendments to the plans shall be made where required.
- f. A Cut and Fill Management Plan shall be prepared in accordance with Appendix 6 of the Campbelltown (Sustainable City) Development Control Plan 2015.
- g. The landscape plans shall be amended to ensure no trees or shrubs with a mature height exceeding 3m are planted within the electrical easement along the eastern boundary of the property.

- h. Four nesting boxes shall be provided within the Cumberland Plain Woodland off-set area located between stage 1 and stage 2 on the site. The nesting boxes size and location shall comply with the requirements outlined within Part 11 of the Campbelltown (Sustainable City) Development Control Plan 2015.

3. Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

4. Works within the electrical easement

- a) The proposed works shall comply with all requirements outlined within the document prepare by Endeavour Energy titled *General Restriction for Overhead Power Lines*.
- b) All works shall comply with WorkSafe NSW guidelines for Working Near Overhead Power Lines; and
- c) For all electrical emergencies contact Endeavour Energy Emergency Services on 131 003.

5. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works.

6. Air Emissions

The use of the premises shall not give rise to air impurities in contravention of the Protection of the Environment Operations Act, 1997. No injury being caused to the amenity of the neighbourhood by the emission of noise, smoke, smell, vibration, gases, vapours, odours, dust, particulate matter, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health, the exposure to view of any unsightly matter or otherwise.

7. Liquid Storage

No consent is given or implied with regard to the storage or handling of flammable or combustible liquids, separate consent is required.

8. External Finishes

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

9. Driveway

The gradients of driveways and manoeuvring areas shall be designed in accordance with *Australian Standard AS 2890.1 and AS 2890.2 (as amended)*.

All driveways in excess of 20 metres in length shall be separated from the landscaped areas by the construction of a minimum 150mm high kerb, dwarf wall or barrier fencing.

10. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.
- b. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.

- c. All deliveries to the premises shall be made to the loading bay/s provided.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

11. Use of Building - Separate Approval Required

Separate consent is required for the use of the premises prior to the occupation of the building, whether by development application approval or approval of a complying development certificate.

12. Advertising Sign

- a. All signage is to be erected/supported in a safe and secure manner.
- b. At no time shall the intensity, period of intermittency and hours of illumination of the signage cause injury to the amenity of the neighbourhood.
- c. No signage on site shall flash, move or display electronic images.
- d. The advertising structure shall be maintained in a condition so as to not become unsightly so as to adversely affect the amenity of the surrounding area.
- e. The advertising sign/s and any associated structure must be removed and the building/site reinstated, within a period of three (3) years from the date of consent or on the termination of the subject lease of the premises whichever is the lesser. If the advertising sign is to be retained after this period, a new development application must be lodged before the expiration of the consent for Council's consideration.

13. Lighting

Illumination of the site is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of *Australian Standard 4282 (as amended)* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

14. Storage of Goods

All works, storage and display of goods, materials and any other item associated with the premises shall be contained wholly within the building/s.

15. Security Fencing

All security fencing shall be established behind the required landscape areas and not on the road alignments. No barbed wire style fencing is to be erected in a location that can be seen from a public place.

16. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

17. Unreasonable Noise, Dust and Vibration

The development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable noise, dust or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of a noise related issue arising during construction, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

18. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements set out in the *Campbelltown Engineering Design Guide (as amended)*.

19. Operating Hours

The use of the premises/business shall be limited to:

Monday to Sunday - 24 hours a day.

20. Retail Sales

The direct retail sale of goods from the premises is prohibited.

21. Car Parking Spaces

One hundred and eighty (180) car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended).

22. Rubbish/Recycling Bin Storage

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

23. Shoring and Adequacy of Adjoining Property

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

- a. Protect and support the adjoining premises from possible damage from the excavation, and
- b. Where necessary, underpin the adjoining premises to prevent any such damage.

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

24. Rain Water Tank(s)

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (eg the flushing of toilets), in accordance with the approved plans.

All rainwater tanks shall comply with *AS3500 (as amended) – National Plumbing and Drainage Code Guidelines for Plumbing Associated with Rainwater Tanks in Urban Areas* and *Sydney Water's Guideline for Rainwater Tanks on Residential Properties*.

25. Construction Certificate

Prior to the commencement of any works that require a construction certificate:

- a. the applicant shall obtain a construction certificate for the particular works;
- b. the applicant shall appoint a principal certifying authority; and
- c. the private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

26. Utility Servicing Provisions

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authorities water or sewer infrastructure.

27. Electrolysis Risk

Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

28. Rail Risk Assessment

Prior to the issue of a Construction Certificate a Risk Assessment/ Management Plan including any potential rail impacts for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on the rail corridor. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

29. Translocation Protocol

A Translocation Protocol is to be prepared to ensure that any native animals found on the development site are appropriately relocated. The document shall be prepared and submitted for the written approval of Council's Manager Development Services prior to the issue of a Construction Certificate.

30. Geotechnical Report

Prior to Council or an accredited certifier issuing a construction certificate, a geotechnical report prepared by a NATA registered lab shall be submitted which indicates that the land will not be subject to subsidence, slip, slope failure or erosion where excavation and/or filling exceeds 900mm in depth or identified as filled land.

31. Soil and Water Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted for approval.

32. Pollution Control

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall provide engineering details to Council for approval of a suitable gross pollutant trap(s) and/or water quality treatment in accordance with the relevant guidelines of the Department of Environment and Climate Change (DECC), Department of Water and Energy (DWE), and with the design requirements of the *Campbelltown Councils Engineering Design Guide for development (as amended)* for the stormwater drainage system prior to discharge from the site.

The submitted plans show that a number of Humes Jellyfish proprietary devices are proposed to satisfy water quality objectives. Testing by Queensland University of Technology and Bligh Tanner Consulting Engineers has shown that the performance of this proprietary device declines in the longer term. It will be necessary to amend the modelled performance characteristics of the Jellyfish in line with the following:
TSS 85%, TN 50%, TP 42%.

A maintenance schedule(s) for the pollution control facilities must be submitted to Councils Executive Manager Infrastructure for approval.

33. Waste Management – Private Collection

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit to Council details of the collection and disposal of internal waste generated by the occupants to be arranged through a licensed authorised contractor.

34. Stormwater Management Plan (Development)

Prior to Council or an accredited certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval. All proposals shall comply with the *Campbelltown Engineering Design Guide (as amended)*. The plan must be provided to address the following issues:

- a. The design must be generally in accordance with Drawing Numbers C012813.02-DA 40 issue B, C012813.02-DA 41 issue D, C012813.02-DA 42 issue D, and C012813.02-DA 45 issue D prepared by Costin Roe Consulting Pty Ltd and submitted to Council on 27/01/2017.
- b. Overland flow enters the site across its south southwestern boundary. Provision must be made to collect this overland flow and convey it to the site stormwater drainage system. Note that the submitted plans did not make provision for this overland flow and must be amended to address this issue.
- c. Rainfall in excess of the capacity of the site drainage system will result in internal overland flow being concentrated at the easternmost corner of the Stage 2 Development. Calculations must be provided demonstrating adequate provision to collect and contain overland flow in the stormwater drainage system at this location and in the overland flow path provided in the Stage 1 development.
- d. Overland flow and stormwater must not be diverted to the adjoining railway and privately owned lands.
- e. The site stormwater drainage system must discharge to the connection stubbs provided within the site.

The stormwater design must be certified by a qualified practicing civil engineer and be provided to the Principal Certifying Authority prior to the issue of a construction certificate.

35. Dilapidation Report

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit a dilapidation report for all buildings on lands that adjoin the subject works.

36. Work on Public Land

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain written approval from Council for any proposed work on public land. Inspection of this work shall be undertaken by Council at the applicants expense and a compliance certificate, approving the works, shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

37. Section 94A Developer Contribution - Community Facilities and Services

Prior to Council or an accredited certifier issuing a Complying Development Certificate or a Construction Certificate (or where a Construction Certificate is not required, a Subdivision Certificate), the applicant shall provide a receipt for the payment to Council of a community facilities and services contribution in accordance with the provisions of the *Campbelltown City Council Section 94A Development Contributions Plan*.

For the purposes of calculating the required S94A contribution, where the value of the total development cost exceeds \$100,000, the applicant is required to include with the application for the respective certificate, a report setting out a cost estimate of the proposed development in accordance with the following:

- where the value of the proposed development is \$500,000 or more, provide a detailed development cost report completed by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors (Quantity Surveyors Estimate Report Template 2). Payment of contribution fees will not be accepted unless the amount being paid is based on a Quantity Surveyors Estimate Report (QS Report) that has been issued within 90 days of the date of payment. Where the QS Report is older than 90 days, the applicant shall provide an updated QS Report that has been indexed in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 to ensure quarterly variations in the *Consumer Price Index All Group Index Number for Sydney* have been incorporated in the updated QS Report.

Copies of the Cost Summary Report - Template 1 and the Quantity Surveyors Estimate Report - Template 2 are located under "Developer Contributions" on Council's web site (www.campbelltown.nsw.gov.au) or can be collected from Council's Planning and Environment Division during normal business hours.

On calculation of the applicable contributions, all amounts payable will be confirmed by Council in writing.

Payment of Section 94A Developer Contributions will only be accepted by way of Cash, Credit Card or Bank Cheque issued by an Australian bank. Payment by any other means will not be accepted unless otherwise approved in writing by Council.

38. Design for Access and Mobility

Prior to Council or an accredited certifier issuing a Construction Certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility.

39. Telecommunications Infrastructure

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

40. Sydney Water

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the Principal Certifying Authority prior to Council or an accredited certifier issuing a construction certificate.

The Sydney Water Tap In service can be accessed at www.sydneywater.com.au.

41. Use of Cranes

Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

42. Vehicle turning movements

Prior to Council or an accredited certifier issuing a Construction Certificate, Vehicle turning movements (for the appropriate vehicle types that will enter, undertake internal manoeuvring, and exit the site) shall be assessed by an appropriately qualified person and a statement of compliance with all relevant standards, including AS/NZS 2890.1: 2004, AS 2890.2: 2002, and AS/NZS 2890.6: 2009, must be provided to the Principal Certifying Authority.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

43. Works near Main Southern Railway

- a. No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.
- b. Given the development site's location next to the rail corridor, drainage from the development must be adequately managed/ disposed of and not allowed to be discharged into the corridor (and its easements) unless prior approval has been obtained from Sydney Trains.
- c. Excess soil is not allowed to enter, be spread or stockpiled within the rail corridor (and its easement) and must be adequately managed/ disposed of.
- d. No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an Agreement has been entered into with Sydney Trains.

Where the Applicant proposes to enter the rail corridor, the Principal Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from Sydney Trains confirming that its approval has been granted.

44. Pre- Clearance Survey

A pre-clearance survey is to be carried out by a qualified ecologist prior to the commencement of works and if any native animals are located on the site, the animals shall be relocated. The results of the survey including information on the species, numbers, tree hollows, relocation method and receiving site, are to be report to Council's Manager Development Services.

45. Erosion and Sediment Control

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

46. Rail Corridor Requirements During Construction

- a. During all stages of the development, environmental legislation and regulations will be complied with.
- b. During all stages of the development extreme care shall be taken to prevent environmental harm within the railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
- c. During all stages of the development, extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.

47. Erection of Construction Sign

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

48. Toilet on Construction Site

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

49. Trade Waste

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

50. Vehicular Access during Construction

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

51. Footpath and Vehicular Crossing Levels

Prior to the commencement of any work, footpath and vehicular crossing levels are to be obtained from Council by lodging an application on the prescribed form.

52. Demolition Works

Demolition works shall be carried out in accordance with the following:

- a. Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- c. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.
- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifying authority attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.

53. Hoarding / Fence

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with *Work Cover* requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under Section 68 of the Local Government Act 1993 shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

54. Structural Engineer Details

Prior to the commencement of any works, the submission to the principal certifying authority of all details prepared by a practicing structural engineer.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

55. Construction Work Hours

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 5.00pm
Sunday and public holidays	No Work.

56. Erosion and Sediment Control

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – *Soils and Construction (2004) (Bluebook)*, the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

57. Work Zones

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic / pedestrian control measures, including relevant fees, shall be borne by the applicant.

58. Protection of Existing Trees

All trees that are to be retained are to be protected by fencing, firmly staked within the drip line/ canopy of the tree and maintained during the duration of the works. The area within the fencing must not be used for stockpiling of any material, nor for vehicle or pedestrian convenience.

The Tree Protection Zone plan and root zones impacted by Construction for tree 19 to be enacted as per the Arboricultural Impact Assessment prepared by Meredith Gibbs on 13 October 2016.

All useable trees and shrubs shall be salvaged for re-use, either in log form, or as woodchip mulch for erosion control or garden beds or site rehabilitation. Non-salvable materials such as roots and stumps shall be disposed of to a waste management centre or other approved form.

59. Excavation and Backfilling

All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- a. Must preserve and protect the building from damage; and

- b. If necessary, must underpin and support the building in an approved manner, and
- c. Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

60. Fill Compaction Requirements

Any filling carried out in accordance with this consent shall maintain a minimum requirement of 98% standard compaction.

Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test sites shall be located randomly across the fill site with 1 test per 500m² (minimum 1 test per 300mm layer) certified by a qualified geotechnical engineer.

61. Fill Contamination

Any landfill used on the site is to be validated in accordance with the *Environment Protection Authority's* guidelines for consultants reporting on contaminated sites. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

62. Dust Nuisance

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – *'Soils and Construction (2004) (Bluebook)*. Construction areas shall be treated/ regularly watered to the satisfaction of the principal certifying authority.

63. Certification of Location of Building during Construction

Prior to the positioning of wall panels/ bricks or block work, the applicant shall submit to the principal certifying authority a qualified practicing surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from the boundaries, and the dimensions of the building.

64. Certification of Levels of Building during Construction

Prior to the placement of walls, the applicant shall submit to the principal certifying authority a qualified practicing surveyor's certificate showing that the framework roof levels including the ridge level of the roof are in accordance with the approved plan.

65. Excess Material

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

66. Revegetation

Revegetation to the requirements of the manual – *'Soils and Construction (2004) (Bluebook)* shall be applied to all disturbed areas within seven days after completion of earthworks, and shall be fully established prior to release of the maintenance security bond.

67. Public Safety

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with AS 1742.3. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

68. Compliance with Council Specification

All design and construction work shall be in accordance with:

- a. Council's specification for Construction of Subdivisional Road and Drainage Works (as amended);
- b. *Campbelltown Engineering Design Guide as amended*;
- c. 'Soils and Construction (2004) (Bluebook); and
- d. Relevant Australian standards and State Government publications.

69. Footpath Kerb and Gutter

The applicant shall re-construct all damaged bays of concrete path paving and kerb and gutter, adjacent to the site, in Stennett Road. Areas not concreted shall be re-graded, topsoiled and turfed. All works shall be in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and with the design requirements of the *Campbelltown Engineering Design Guide (as amended)*.

70. Industrial / Commercial Driveway and Layback Crossing

The applicant shall provide a reinforced concrete driveway and layback crossing/s to Council's *Industrial/Commercial Vehicle Crossing Specification* and *Campbelltown Councils Engineering Design Guide for Development (as amended)*.

A separate application for this work, which will be subject to a crossing inspection fee, fixing of levels and inspections by Council, must be lodged with Council. Conduits must be provided to service authority requirements.

71. Associated Works

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

72. Redundant Laybacks

All redundant layback/s shall be reinstated to conventional kerb and gutter to Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and with the design requirements of the *Campbelltown Councils Engineering Design Guide for Development (as amended)*.

73. Completion of Construction Works

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within 12 months of the date of the notice of the intention to commence construction works under Section 81A of the Act.

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

74. Imported 'waste-derived' fill material

The only waste-derived fill material that may be received at the development site is:

- a) virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); and
- b) any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any waste-derived material the subject of resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

75. Location of Stockpiles

Stockpiles shall be located within the Sediment Control Zone and shall not be located within an overland flow path.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

Note: Under this subheading, for the purpose of issuing an occupation certificate, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

76. Structural Engineering Certificate

Prior to the principal certifying authority issuing an occupation certificate, the submission of a certificate from a practising structural engineer certifying that the building has been erected in compliance with the approved structural drawings and relevant *SAA Codes* and is structurally adequate.

77. Landscaping Sign Off

The Principal Certifying Authority shall not issue an Interim or Final Occupation Certificate unless all landscaping has been completed in accordance with the approved plans listed in Condition 1 and the installation of nesting boxes has been completed in accordance with Condition 2. In addition, photo evidence of the completed landscaping shall be provided to Council.

78. Completion of External Works Onsite

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

79. Restoration of Public Roads

Prior to the principal certifying authority issuing an occupation certificate, the restoration of public road and associated works required as a result of the development shall be carried out by Council and all costs shall be paid by the applicant.

80. Public Utilities

Prior to the principal certifying authority issuing an occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

81. Retaining

Prior to the principal certifying authority issuing an occupation certificate, all excavated and filled areas shall be battered to a slope of not greater than 1:2 or similarly be retained in accordance with the approved plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provisions for exempt development. Construction of retaining walls outside the scope of the State Environmental Planning Policy and not shown on the approved plans require lodgement of a separate development application.

82. Council Fees and Charges

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000.
- b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

Advice 2. Tree Preservation Order

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside three metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self supporting stems that are more than three metres or has a trunk diameter more than 150mm measured one metre above ground level, and excludes any tree declared under the Noxious Weeds Act (NSW).

Advice 3. Provision of Equitable Access

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA) & the Premises Standards. In this regard it is

the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

Advice 4. Retaining Walls

A separate development application shall be submitted and approved for any retaining walls that exceed 0.9 metres in height.

Advice 5. Covenants

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

Advice 6. Tenancy Fit Out

A separate development application is required to be submitted for the fit out of individual tenancies.

Advice 7. Inspection within Public Areas

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

Advice 8. Adjustment to Public Utilities

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

Advice 9. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within *Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended)*.

Advice 11. Smoke Free Environment Act

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Smoke Free Environment Act* 2000 (SFEA2000) or the *Smoke Free Environment Regulations* 2007 (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

Advice 12. Dial before you Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that

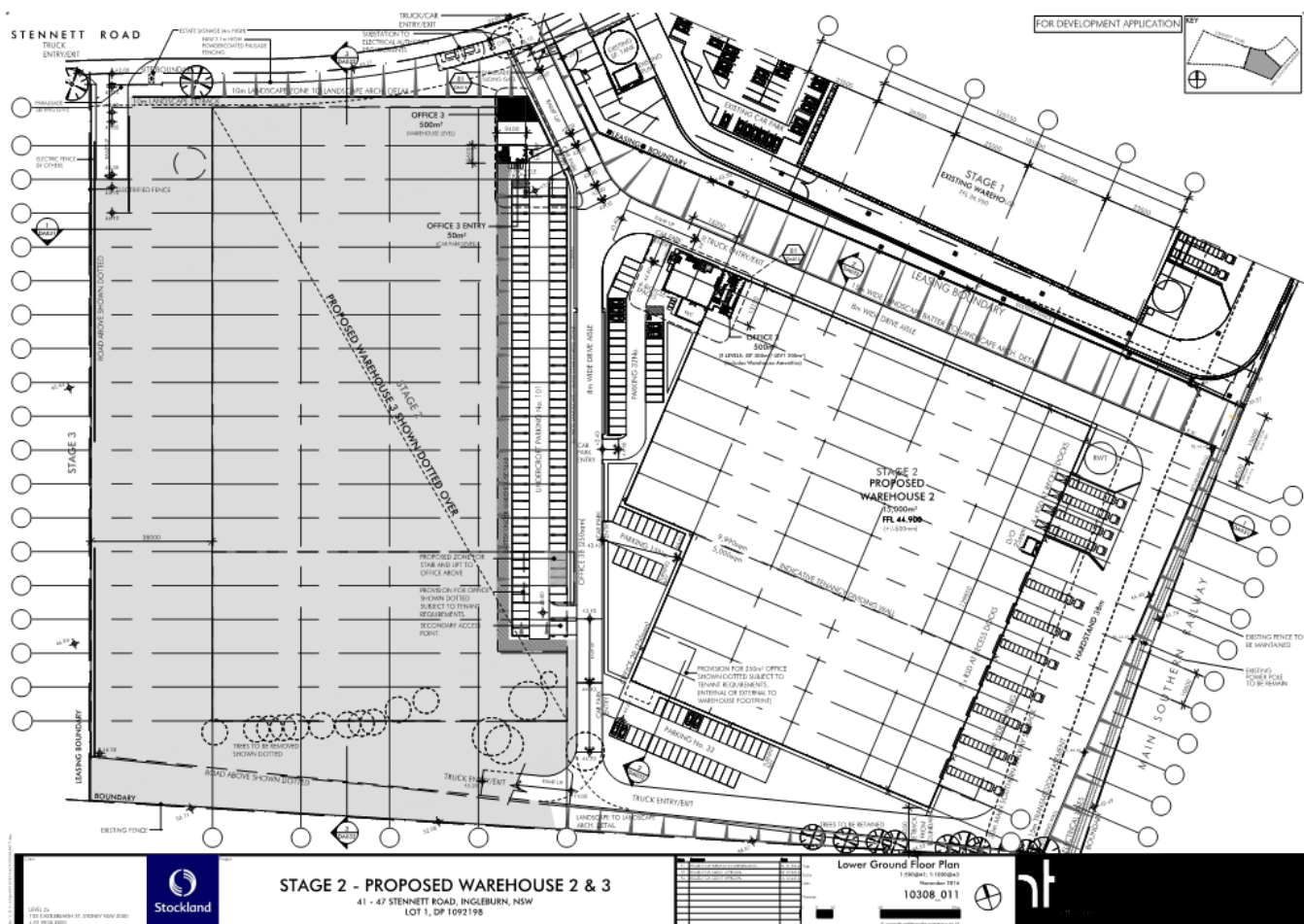
must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

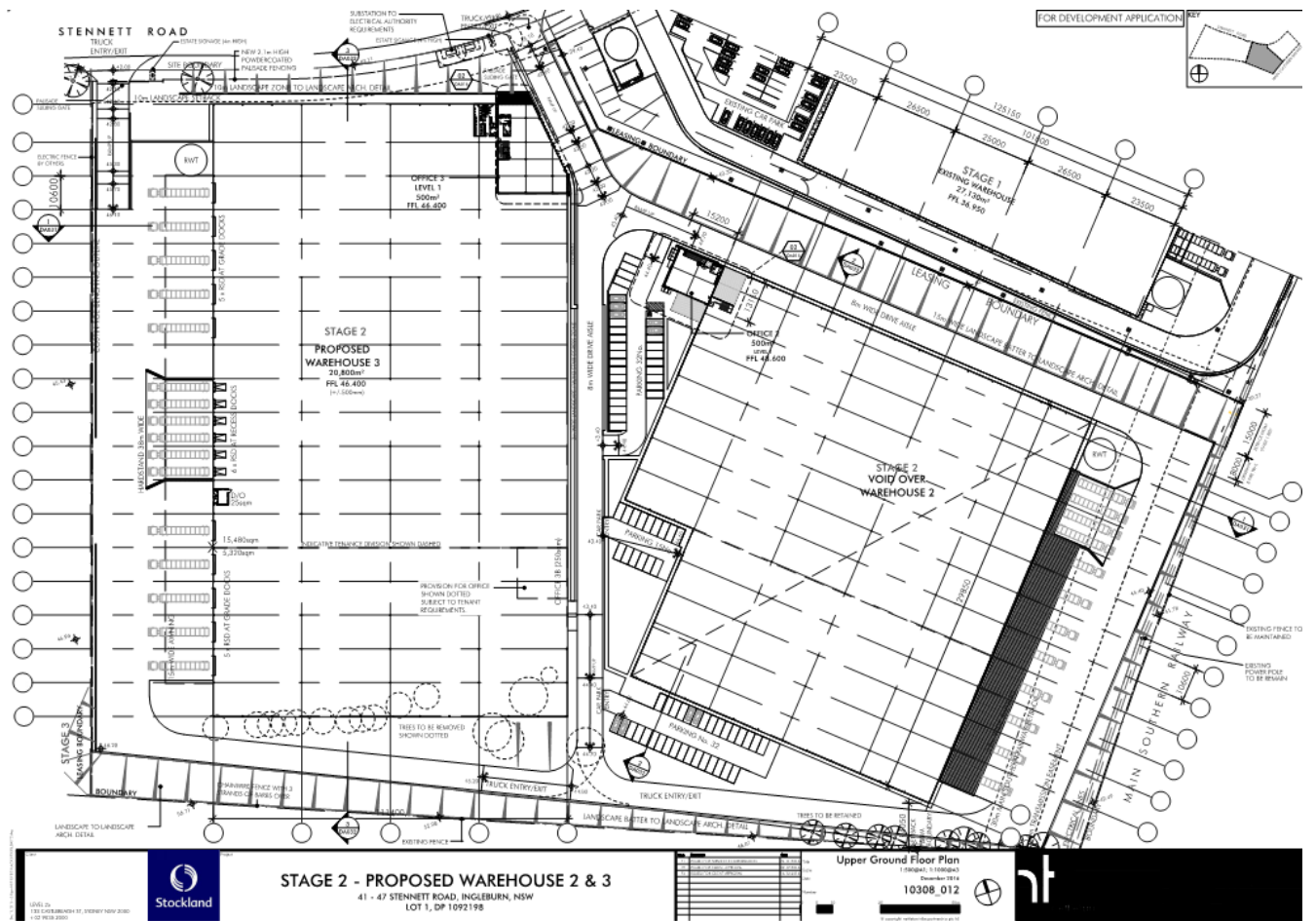
Advice 13. Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

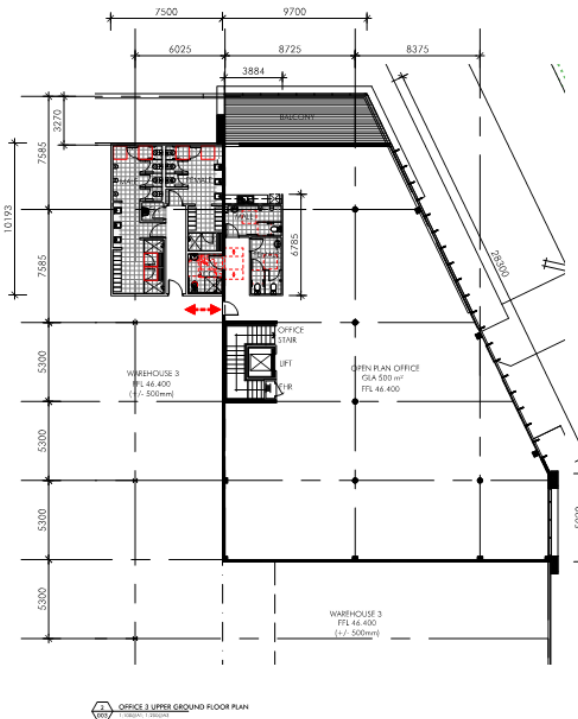
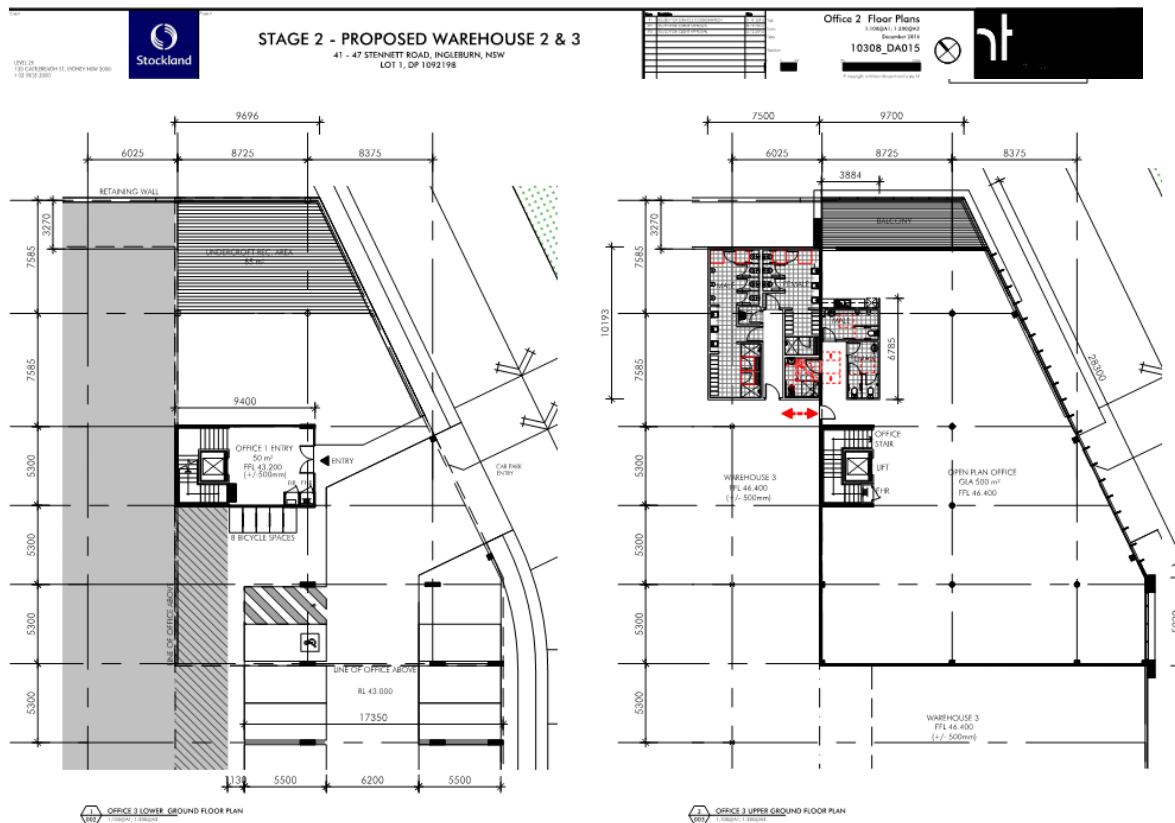
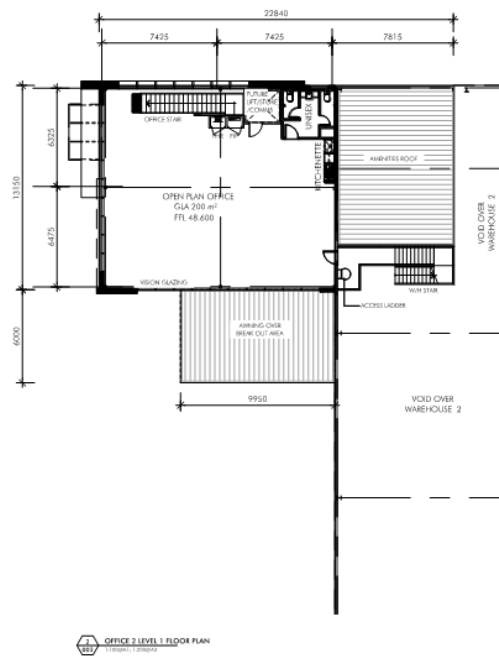
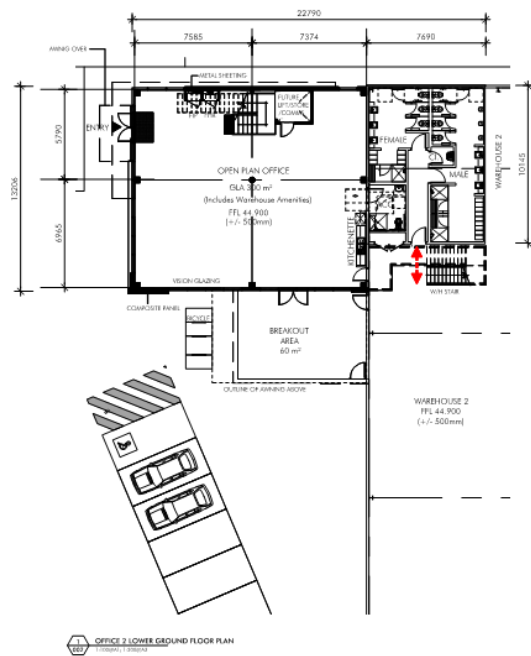
Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

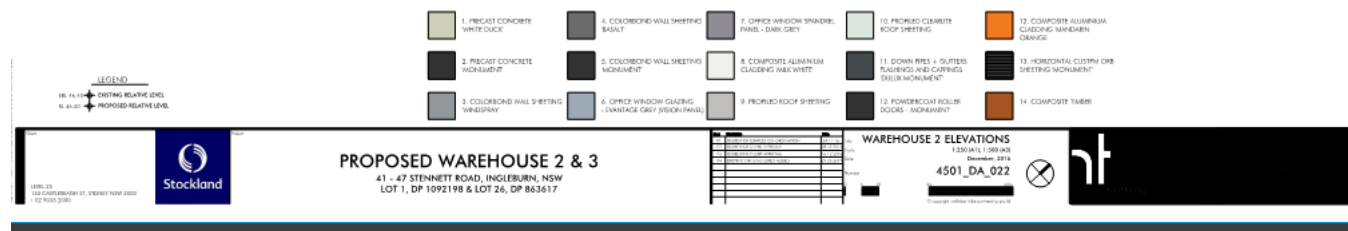
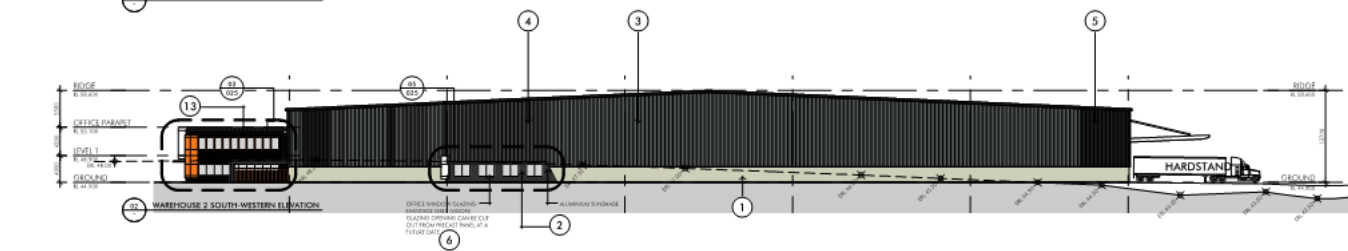
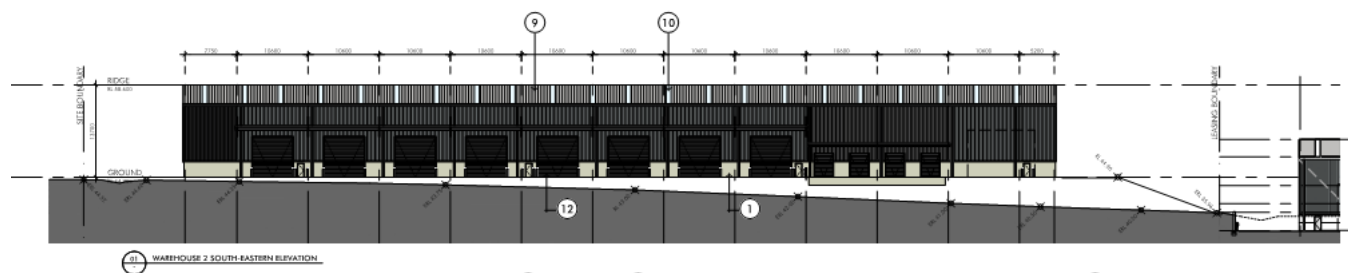
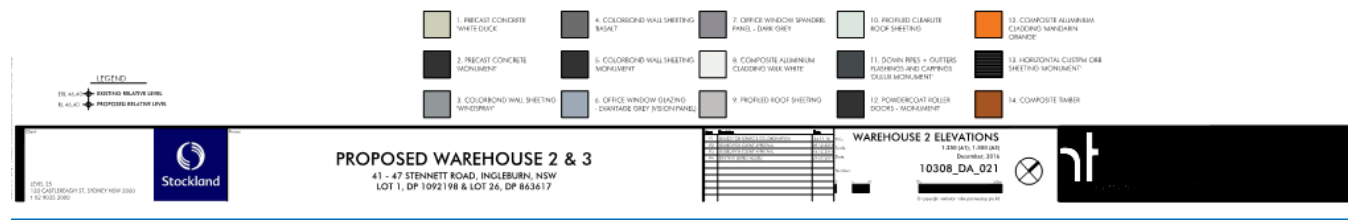
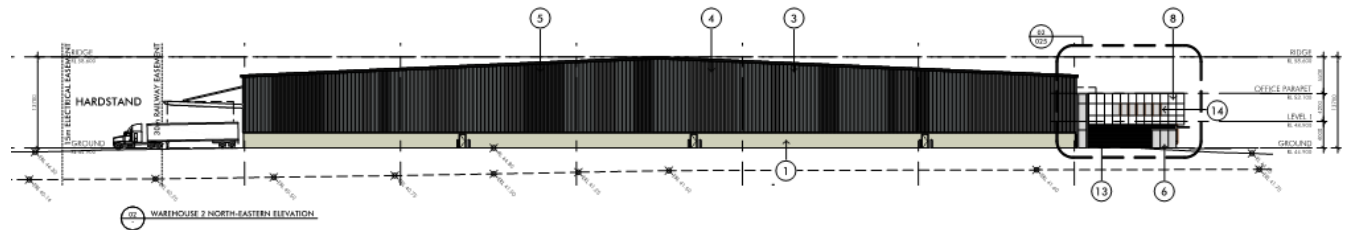
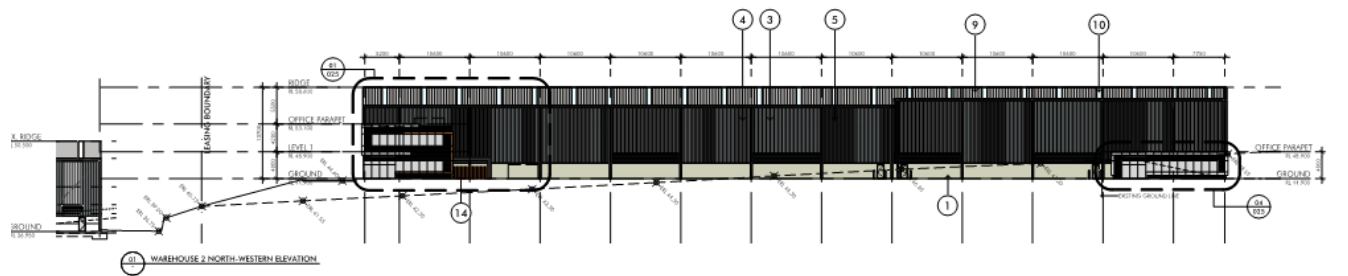
END OF CONDITIONS

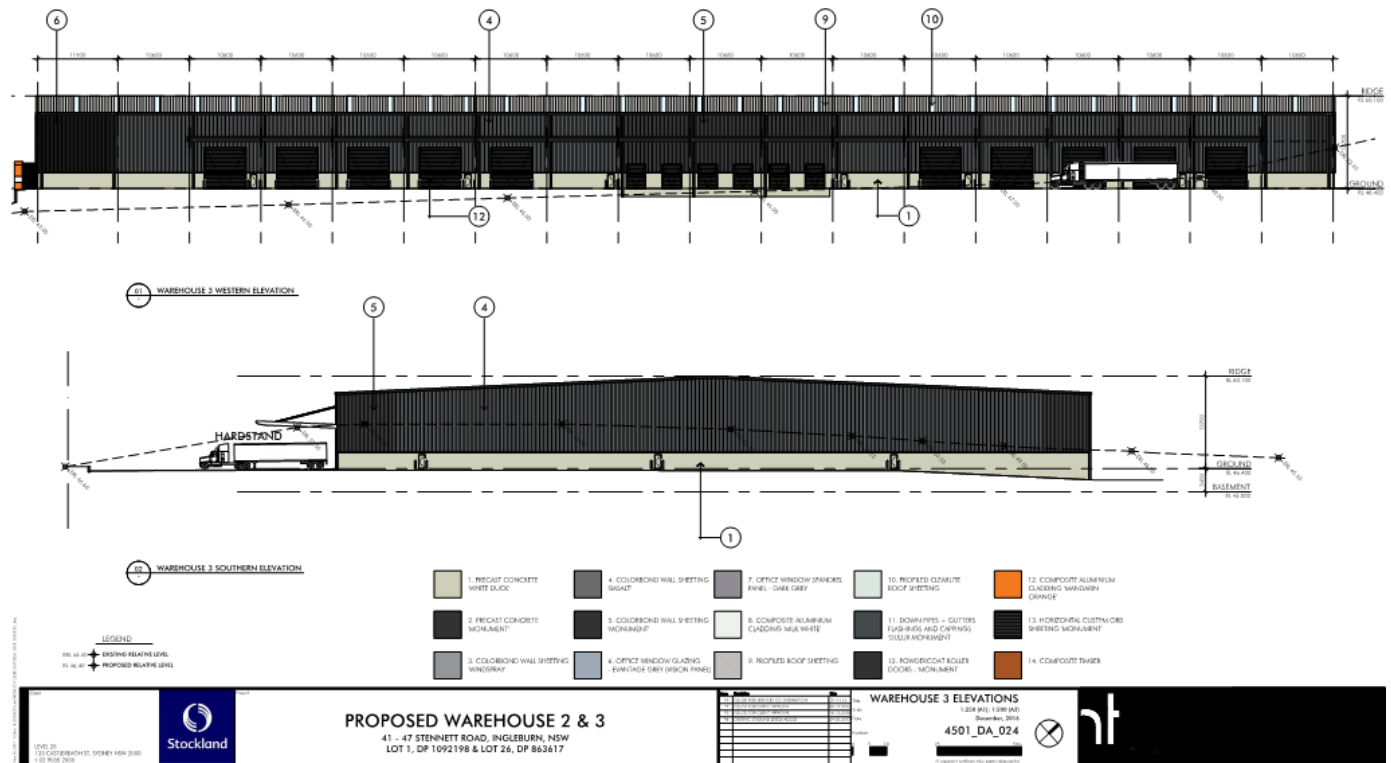
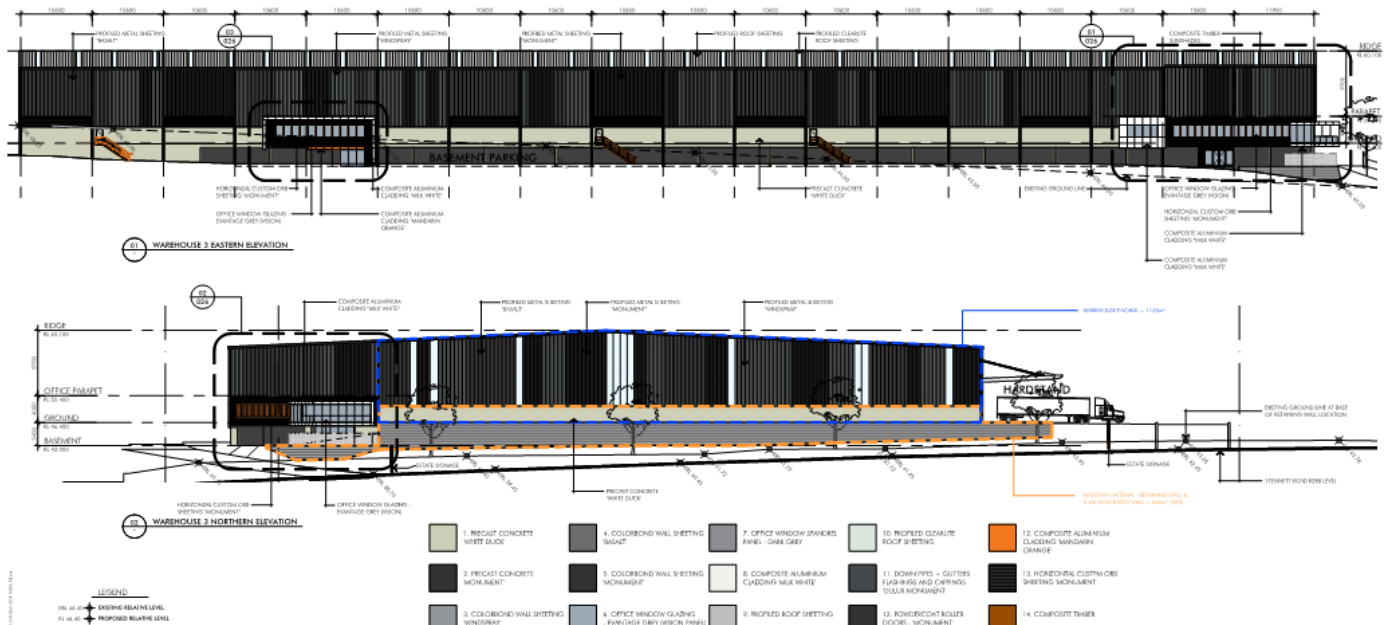


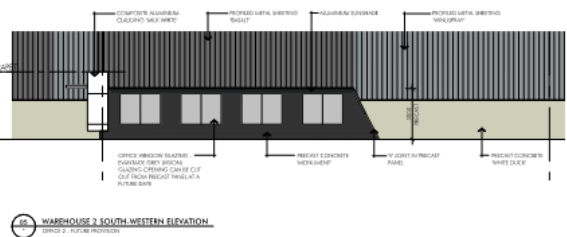
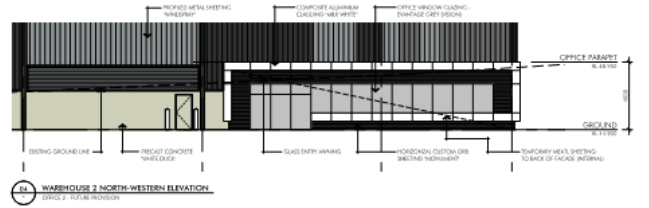
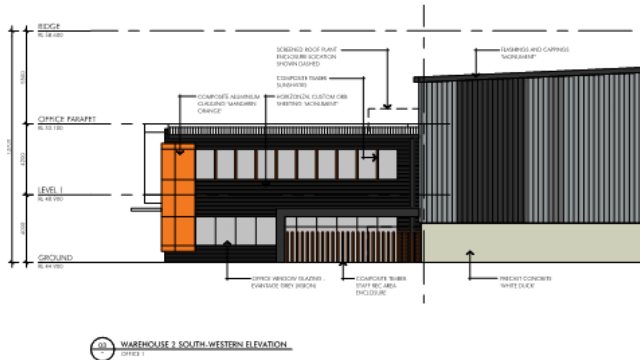
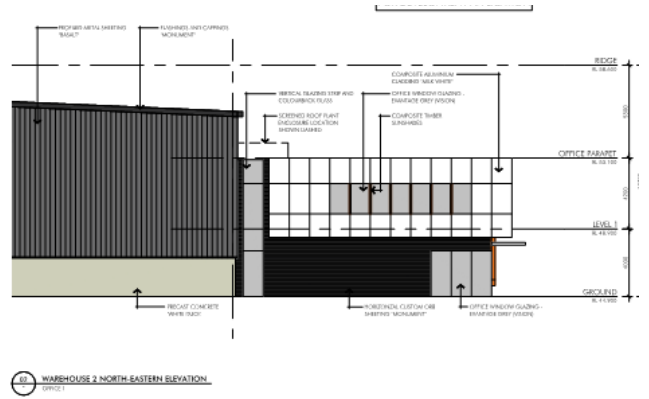
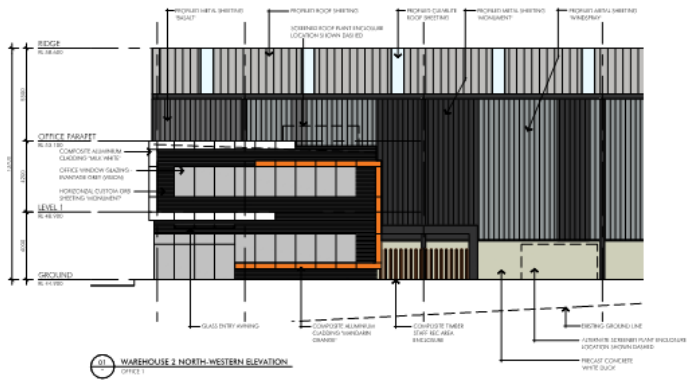


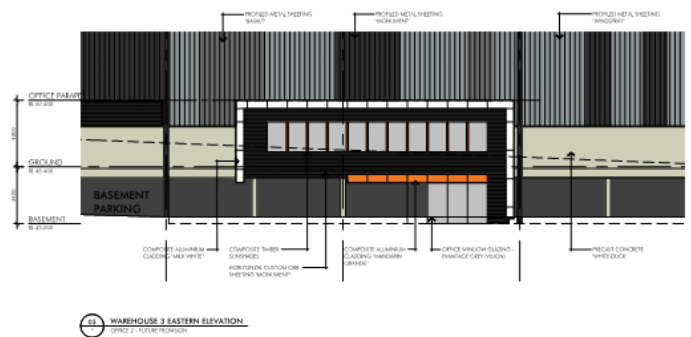
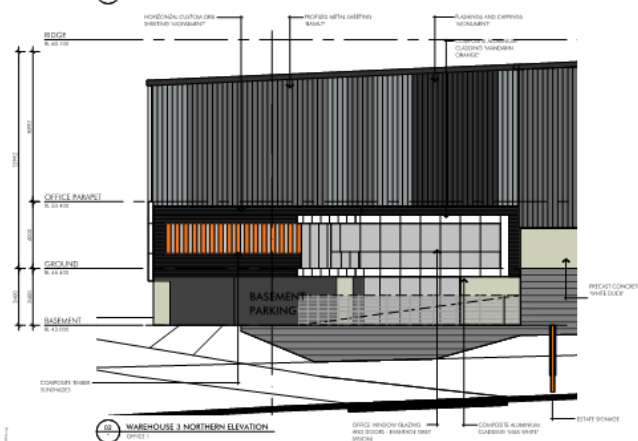
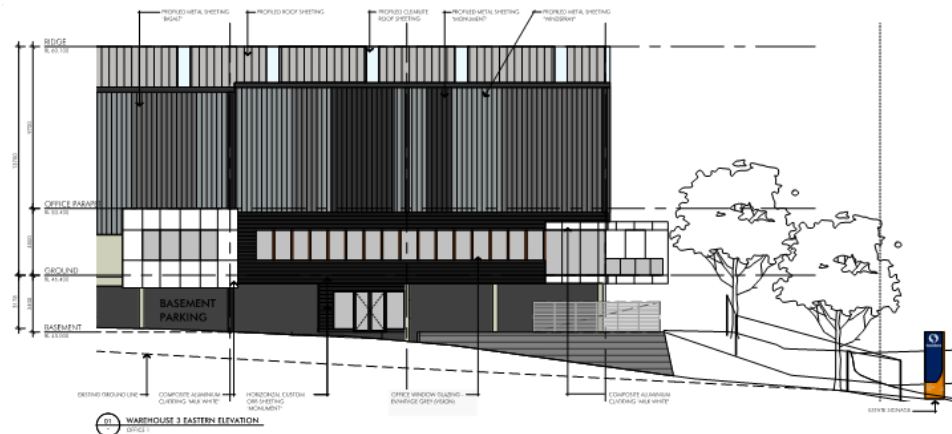


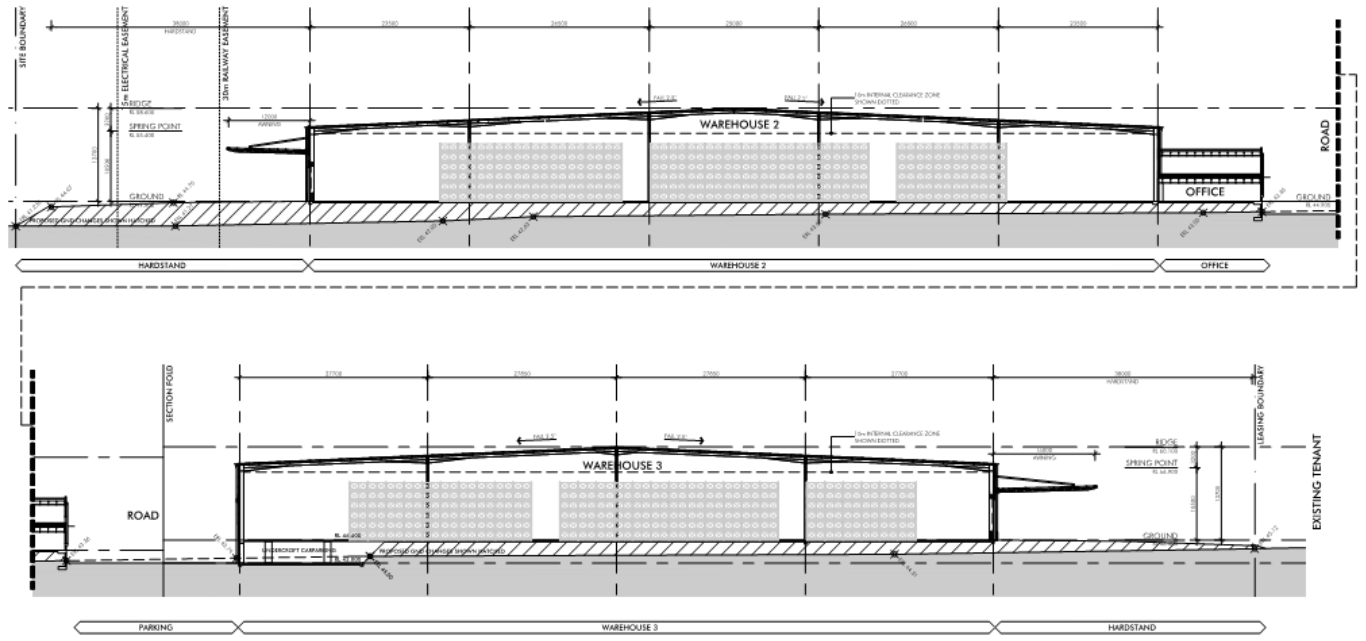


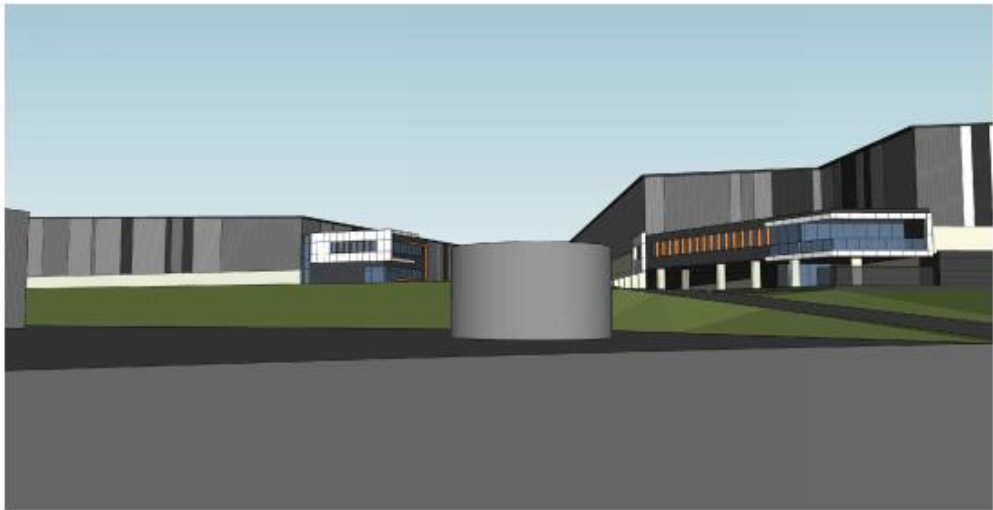












01 PERSPECTIVE 01
WAREHOUSE 2 & 3



02 PERSPECTIVE 02
WAREHOUSE 2 & 3

PROPOSED WAREHOUSE 2 & 3
41 - 47 STENNETT ROAD, INGLEBURN, NSW
LOT 1, DP 1092198 & LOT 26, DP 863617

NO.	REVISION	DATE	BY	CHKD.
1	ISSUED FOR DEVELOPMENT APP	10/10/2023	NT	NT

PERSPECTIVES
NO. 3819
4501_DA_051



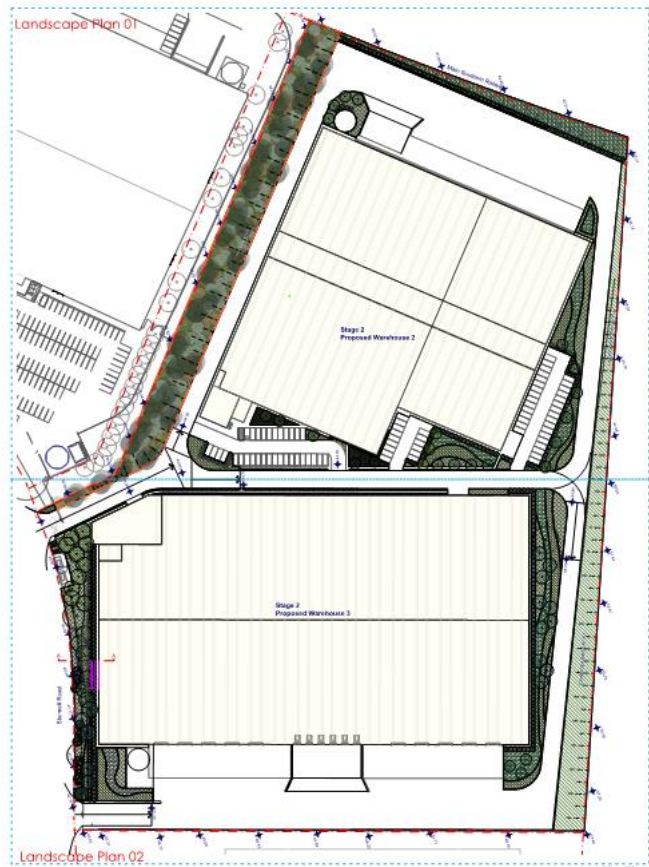
Attachment 3: Landscape Plans

PROJECT: Stage 2 - Proposed Warehouse 2&3

41-47 STENNETT ROAD INGLEBURN

DRAWING SHEETS:

- L000: Cover Sheet and Site Plan
- L101: Landscape Plan 01
- L102: Landscape Plan 02
- L103: Landscape Section, Plant Schedule and Images



REVISION	DATE	PURPOSE
A	03.12.16	Final Concept
B	13.12.16	Final Concept
C	21.12.16	See all for S&S
D	09.01.17	See all for S&S

Additional large trees added and tree pool sizes increased

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NEVER scale off drawings, use fixed dimensions only. Drawings indicate approximate positions and dimensions. These are not to be scaled.

CLIENT

STOCKLAND
Level 25
131 Corporation St
Sydney, NSW 2000



PROJECT

STAGE 2 - PROPOSED WAREHOUSE 2 & 3

41-47 STENNETT ROAD INGLEBURN

DRAWING TITLE

Cover Sheet and Site Plan

SCALE

1:750@A1 or 1:150@A3

DRAWN	CHECKED	PLOT DATE
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JZ	DV	08.05.17
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PROJECT NO.	DRAWING NO.	REVISION
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H8-16045 L000		D
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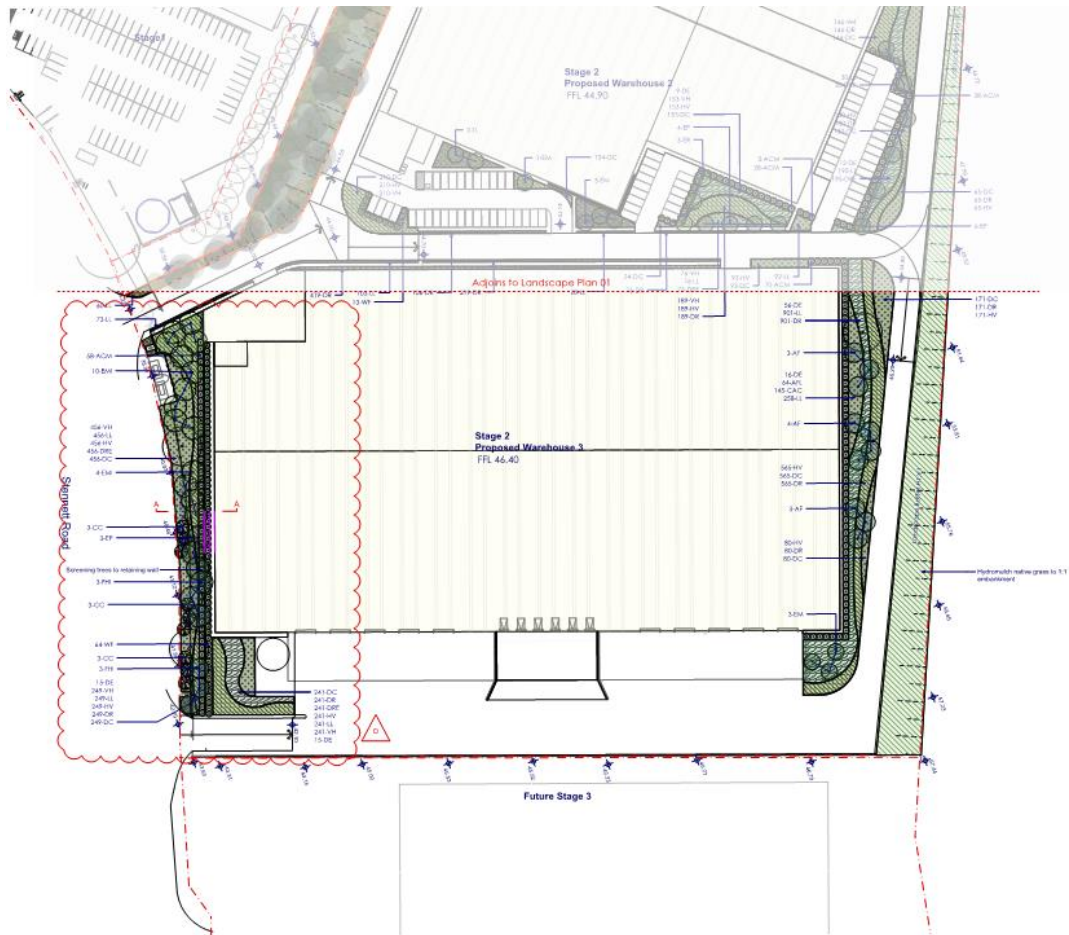
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ISSUE	REVISION	DATE	PURPOSE
A	07-12-16	07-12-16	Design
B	11-12-16	11-12-16	Design
C	21-12-16	21-12-16	Design
D	28-12-17	28-12-17	Design

LEGENDS	
	Outdoor Plant Woodland offset planting area
	Site Boundary
	Existing trees to be retained
	Proposed Trees
	Proposed Shrubs
	Proposed Groundcover/Mass Planting
	Proposed Turf
	Hydro-mulch on embankment
	Proposed Retaining Wall
	Retain to Hydro-mulch Covering
	Landscape Buffer

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Not to scale. All drawings, including dimensions, are for information only. Drawings indicate approximate locations and general ideas. They are not to be used as a guide.



STAGE 2 - PROPOSED WAREHOUSE 2 & 3
41-47 STENNETT ROAD, INGLEBURN

DRAWING TITLE			
Landscape Plan 02			
SCALE			
1:1000 (A1) 1:1000 (A2)			
DRAWN			
JT	BY	DATE	
		08-06-17	
PROJECT NO.			
H8-16045 L102			
REVISION			

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 Additions target down, add-on and first put sales increased

