Council Assessment Report

Panel Reference	PPSSWC-335
DA Number	1398/2023/DA-U
LGA	Campbelltown
Proposed Development	Change of use to a waste management facility for scrap metal and construction of storage domes
Street Address	Lot 25 DP 809258 8 Noonan Road, Ingleburn
Applicant/Owner	Planning Bricks / Mrs Caterina Severino
Date of DA lodgement	20 April 2023
Total number of Submissions Number of Unique Objections	Nil
Recommendation	Approval
Regional Development Criteria (Schedule 6 of the Planning Systems SEPP)	Particular designated development
List of all relevant s4.15(1)(a) matters	Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Regulation 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Precincts – Western Parkland City) 2021 Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015
List all documents submitted with this report for the Panel's consideration	Attachment 1 – Recommended Conditions of Consent Attachment 2 - Architectural Plans Attachment 3 – Stormwater Plans Attachment 4 – landscape Plan Attachment 5 – Environmental Impact Statement Attachment 6 - SEARs Attachment 7 - Plan of Management Attachment 8 - Fire Report Attachment 9 - Hazardous Materials Management Attachment 10 – Preliminary Hazard Analysis Attachment 11 – Preliminary Site Investigation Attachment 12 – Detailed Site Investigation Attachment 13 - Air Quality Assessment Attachment 14 – Noise Impact Assessment Attachment 15 – Traffic Impact Assessment Attachment 16 – Flood Risk Report Attachment 17 – Floodwater Contamination Statement Attachment 18 – Water Sensitive Urban Design Report
Clause 4.6 requests	N/A
Summary of key submissions	N/A
Report prepared by	Michelle Penna – Senior Town Planner
Report date	21 October 2024

Summary of S4.15 matters **Yes**

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

Legislative clauses requiring consent authority satisfaction **Yes**

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary

of the assessment report?

e.g. Clause 4.6 of Resilience and Hazards SEPP, Clause 4.6 of the relevant LEP

Clause 4.6 Exceptions to development standards If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	**N/A**
Special Infrastructure Contributions Does the DA require Special Infrastructure Contributions conditions (S7.24)? Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions	**No**
Conditions Have draft conditions been provided to the applicant for comment? Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report	**Yes**

1. Executive Summary

- Particular designated development is regionally significant development for which the Sydney Western City Planning Panel (the Panel) is the consent authority. As the proposed development is considered to be designated development in that a waste management facility is proposed within 100m of a natural waterbody, the Panel is the consent authority for this development application.

- The proposed development is integrated development and was required to be referred to the Department of Planning and Environment - Water for a controlled activity approval under the provisions of the Water Management Act 2000 given the proposal includes works within 40m of a waterway. A response was received which stated that a controlled activity approval was not required.

- The proposal was presented at the Sydney Western City Planning Panel (SWCPP) on 29 April 2024 for determination. The SWCPP resolved to defer the application for additional information to be submitted and assessed with regard to orderly staging of continued use, water-related impacts, land contamination and hazards.

- The subject development application is for the use of the site as a waste management facility for the collection, sorting, compacting and storing of scrap metal including the construction of storage domes. No demolition works are proposed.

- The subject site is zoned E4 General Industrial where waste management facilities are permissible within the zone under the provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021.

- The application is compliant with all of the State Environmental Planning Policies that apply to the proposed development.

- The application is compliant with the Campbelltown Local Environmental Plan 2015 (CLEP). The proposed development is compliant with Council's Sustainable City Development Control Plan 2015 (SCDCP) with conditions of consent.

- The application was publicly exhibited and notified to nearby and adjoining residents between 25 May 2023 and 30 June 2023. During this time, Council received no submissions.

- Based on an assessment of the application against section 4.15 of the *Environmental Planning and Assessment Act 1979* (*EP&A Act*), the application has been found to be satisfactory and is therefore recommended for approval.

2. Site and Surrounds

The subject site is legally described as Lot 26 in Deposited Plan 809258 also known as No.8 Noonan Road, Campbelltown. An aerial photo of the site is shown below:

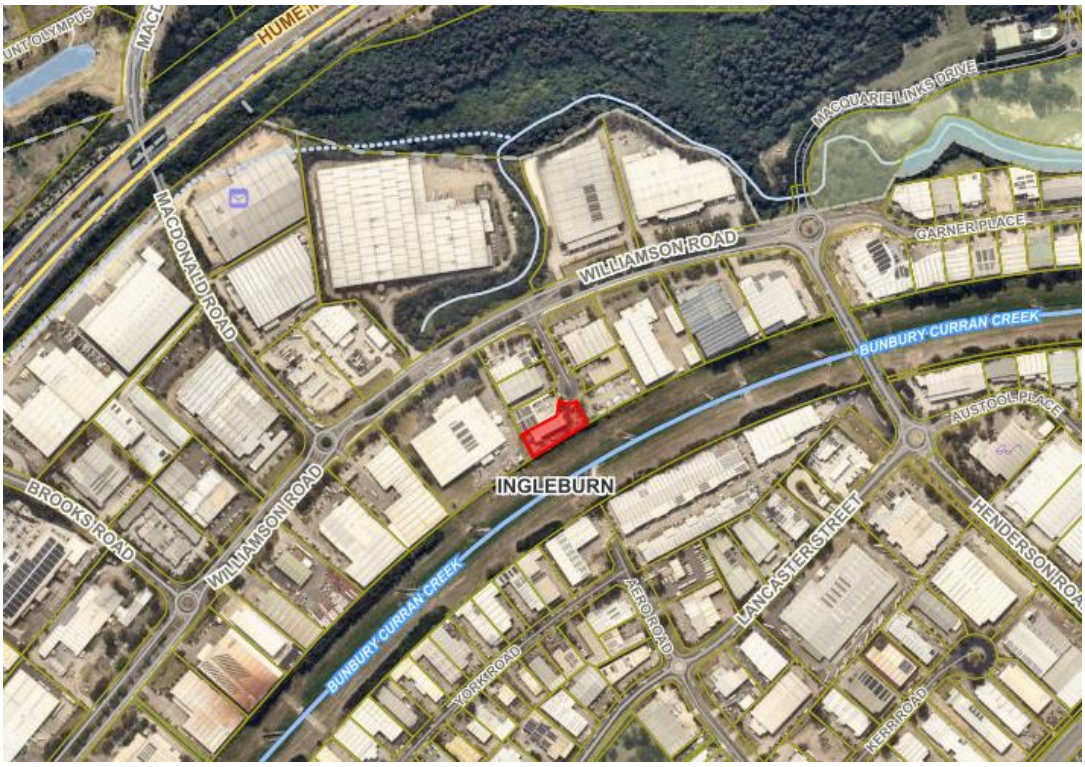

Figure 1: Locality map

The site is an irregular shaped allotment with an area of approximately 2765m^2 and is located at the end of a cul-de-sac. The site adjoins Bunbury Curran Creek to the rear and industrial buildings on either side. The site has a slope from the western corner towards the eastern corner.

The site currently contains an existing brick industrial building with a metal awning located to the rear. The building has an internal warehouse space of 430.87m^2 with an adjacent office area of 116.6m^2. There is a mezzanine level within the main warehouse area that contains two storage rooms and an office.

The site is currently being used as a scrap metal yard with majority of the site covered in scrap metal piles. There are no existing car parking spaces or loading/unloading areas located on the site. A site inspection on 27 September 2023 found vehicles parked on the road reserve area in front of the site and a truck reversed into the site for loading. The site inspection also determined that piles of scrap metal were located all over the site external to the existing building as shown below.

Figure 2: View from Noonan Road.

The surrounding locality consists of Ingleburn industrial area with the Hume Highway also in close proximity to the site. The residential suburbs of Bardia, Macquarie Links and Ingleburn are within the greater locality.

The property does not contain a heritage item and is not located within a heritage conservation area.

There is a 4m wide drainage easement located along the north eastern side boundary of the site that goes from Noonan Road to Bunbury Curran Creek.

Background and History

The site is currently being used as a scrap metal yard without consent.

There have been numerous development applications approved for the site for a range of industrial uses such as well as numerous orders to cease unauthorised uses including an order to cease the current unauthorised use. The most current approval for the site is for the use as a motor vehicle repair station and associated truck wash approved on 8 July 2010.

Two Pre-Development Applications (Pre-DA) were held on 5 August 2021 and 8 February 2023, prior to the lodgement of the current development application with the following information provided:

- The proposal is designated development and therefore the Secretary's Environmental Assessment Requirements (SEARs) are required prior to the lodgement of a development application.
- Specialist reports such as a Noise Impact Assessment Report, Preliminary Hazard Report, Phase 1 and 2 Contaminated Land Assessment Report and Traffic and Parking Assessment is required to be submitted with the development application.
- All relevant planning controls within CLEP and SCDCP are required to be addressed and

any variations justified.
- Any outdoor screening proposed shall be of high quality.
- Landscape plan is required detailing landscaping in the front setback area.
- Concerns are raised with vehicle access and manoeuvring on site with swept path plans required to demonstrate vehicles and trucks can enter and exit in a forward direction.
- A loading/unloading area is required to be shown given that no loading/unloading is permitted to occur from Noonan Road.
- A stormwater plan in accordance with Council's Engineering Design for Development is required.
- A Plan of Management is required to be submitted with the development application.
- The area of the drainage easement on the north eastern side is to be kept clear of all obstructions.

Following lodgement of the development application, Council issued a request for further information on 12 September 2023. The main issues included:

- Swept path plans and a driveway long section plan is required.
- The MUSICX model is required to be provided to demonstrate that the proposed treatment devices would achieve the reduction targets of different pollutants.
- A revised Water Sensitive Urban Design report is required.
- A landscape plan is required.
- Amended plans detailing the following:
    - The required number of car parking spaces.
    - Waste storage areas.
    - Compliance with outdoor storage area requirements given that Council will not support the external storage of used unregistered motor vehicles, vehicle parts, used building materials, scrap products or other industrial waste.
    - Relocation of the loading bay as it encroaches within the required swept path plans for truck manoeuvring.
- A revised Preliminary Hazard Analysis that is prepared in accordance with the Hazardous Industry Planning Advisory Paper No.6 – Guidelines for Hazard Analysis (DoP 2011) and Multi-Level Risk Assessment (DoP 2011).
- A Plan of Management is required.

An additional request for information was issued on 28 February 2024 raising an issue in regard to the proposal being prohibited in accordance with Clause 6.22 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 which states that waste or resource management facilities are prohibited on flood liable land. The applicant submitted legal advice that demonstrated that the proposed development is permissible and is discussed further in Section 5.1.6.

The proposed development was presented to the SWCPP on 29 April 2024 for determination. The Panel deferred the application to give the applicant an opportunity to discuss the following issues:

Water-related impacts

The proposed development is within the Georges River Catchment and an assessment against Part 6.2 of the Biodiversity and Conservation SEPP is required specifically in relation to:

- Water quality and quantity
- Aquatic ecology
- Flooding
- Recreation and public access
- Controls on land within 100m of a natural waterbody

- Controls on development for waste or resource management facilities.

Section 5.1.6 provides an assessment against the relevant requirements.

Land contamination

Contamination must be considered under chapter 4 of the Resilience and Hazards SEPP prior to determination therefore the applicant is required to submit the necessary information in relation to contamination.

The applicant submitted additional information on the 11 October 2024 consisting of a Preliminary Site Investigation and a Detailed Site Investigation which is discussed in Section 5.1.4.

Hazards

The proposed development may pose a hazard to people and land uses in the surrounding area. A Preliminary Hazards Analysis is to be submitted prior to determination and not as a result of a condition of consent.

The applicant submitted a Preliminary Hazard Analysis on 11 October 2024 which is discussed in Section 5.1.4.

Referrals

The application was referred to Council's Engineering, Environment, Flood Engineer and Building Officers. The application was also externally referred to Transport for New South Wales and Department of Planning & Environment - Water. Comments were provided from the relevant officers and additional information was required to be submitted.

3. Site Constraints Table

Site Constraints	Applicable to this site
Bushfire Prone Land	N
Flood Affected	Y
Overland flow affected	Y
Mine Subsidence	N
Noise Affected Property	N
Aboriginal Sensitivity Zone	N
Koala Habitat	N
Jemena Gas Line	N
Transgrid Electrical Easement	N
Easements	Y
Tree Removal	N
Biodiversity Impacts	N
Heritage Item	N

4. Proposal

This application proposes the use of the site as a waste management facility for the storage, sorting, compacting and distribution of scrap metal items with a capacity of up to 4,800 tonnes per year. The proposed use includes the following:

- Purchasing and/or gathering scrap metal from other companies and scrap yards as well

as drop offs from the public and storing on the site.

- Stripping any copper from the scrap metal items including stripping the copper from the PVC for copper cables.
- Sorting the copper into different grades.
- Compacting metal into bales for recycling and/or sale.
- Storage of metals for exporting overseas.

The use would operate Monday to Friday, 7 am – 5 pm and 7 am – 1 pm on Saturdays with no trade on Sundays of public holidays. There would be 10 staff employed as well as one contracted rigid truck driver.

Storage of scrap metals is proposed external to the building in a dome shelter structure. The dome shelter structure consists of concrete side walls and rear walls with a durable hard plastic cover in a dome shape as a roof. It is proposed to have six individual structures attached to each other along the southern boundary. The structures would be set behind the existing building and will not be visible from the street. The width of each individual structure is 6m with a length of 7m and a height of 9.2m.

The loading/unloading area is located along the north eastern side boundary. It is expected that up to 15 deliveries of scrap metal would be received each day with 90% expected to involve light vehicles and 10% to involve heavy vehicles (up to 8.8 m rigid truck). After sorting and processing on site, the scrap metal will be packed into containers or steel bins. The containers would be collected twice a week by a 19m semi-trailer with steel bins collected monthly by a 12.5 m rigid truck.

A Waste Management Plan was submitted as part of the development application. The waste management plan detailed that a 240L bin for recycling and a 1.5m^3 skip bin for general waste is required and will be collected by a commercial waste contractor.

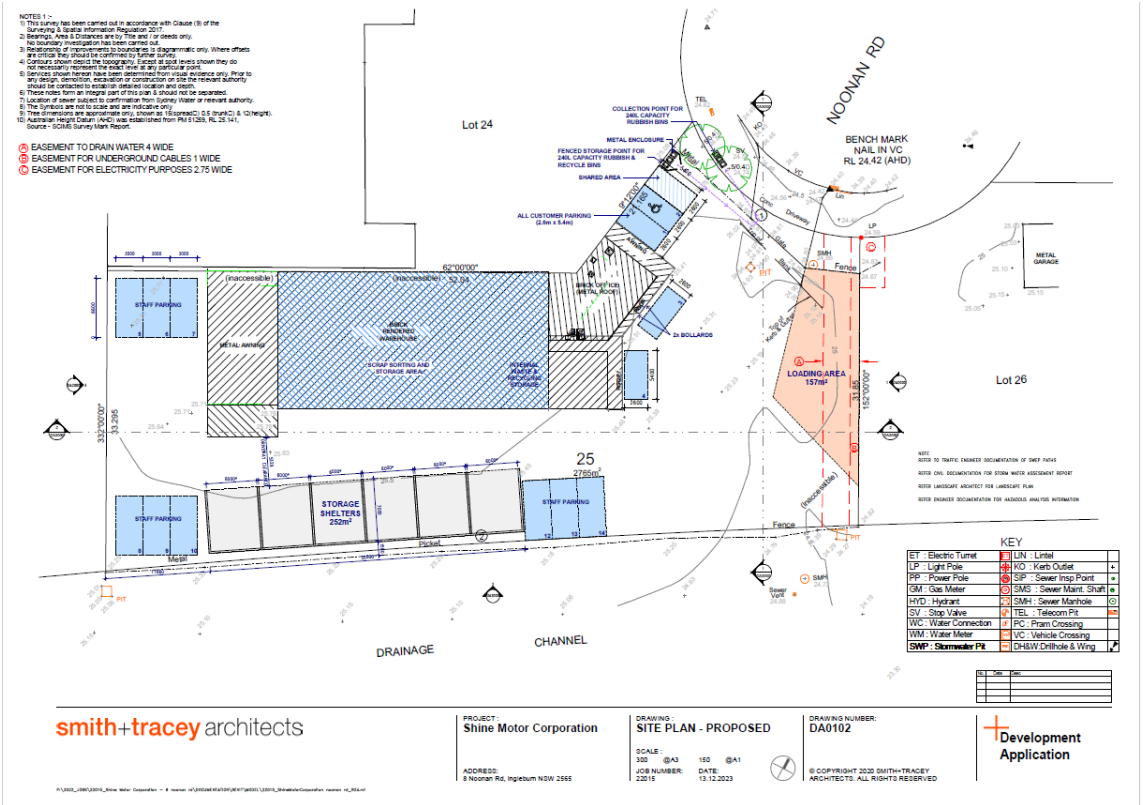

Figure 3: Proposed Site Plan

Figure 4: North Elevation

Vision

Campbelltown 2032

Campbelltown 2032 is the Community Strategic Plan for the City of Campbelltown. The Strategic Plan addresses 5 key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years.

The purpose of the CSP is to identify the community's main priorities and aspirations for the future and to plan an approach to achieve these goals. The CSP has been structured to address four key outcomes that Council and other stakeholders will work to achieve. These outcomes are:

- Outcome 1: Community and Belonging
- Outcome 2: Places for People
- Outcome 3: Enriched natural Environment
- Outcome 4: Economic Prosperity
- Outcome 5: Strong Leadership

Outcome 4 is the most relevant and the proposed development would assist in achieving this outcome. The proposed development provides for achieving this outcome through providing a use that would support the growth, productivity and diversity of the local economy.

5. Planning Assessment

The development has been assessed in accordance with the heads of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* and having regard to those matters are discussed below.

5.1 Section 4.15(1)(a)(i) The provisions of any environmental planning instrument

5.1.1 Environmental Planning and Assessment Act 1979

The proposed development is considered to be integrated development under the provisions of Clause 4.46 of the Environmental Planning and Assessment Act 1979. The subject site is within

100m of a waterway and therefore a controlled activity approval is required under Clause 91 of the Water Management Act 2000. The proposed development was referred to the Department of Planning and Environment – Water for approval. The Department concluded that a controlled activity was not required with no further comment provided.

5.1.2 Environmental Planning and Assessment Regulation 2021

Schedule 3 of the *Environmental Planning and Assessment Regulation 2021* includes development that can be considered to be designated development. Of relevance to this development application is Clause 45 Waste Management Facilities or Works. This clause sets out the criteria for designated development for waste management facilities or works. Of relevance to this proposal is Subclause 4 which states:

> *(4) Development for the purposes of a waste management facility or works is designated development if the facility or works are located—*
>
> *(a) in or within 100 metres of a natural waterbody, wetland, coastal dune field or environmentally sensitive area of State significance, or*
>
> *(b) in an area of high watertable, highly permeable soils, acid sulfate, sodic or saline soils, or*
>
> *(c) in a drinking water catchment, or*
>
> *(d) in a catchment of an estuary where the entrance to the sea is intermittently open, or*
>
> *(e) on a floodplain, or*
>
> *(f) within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the consent authority's opinion, considering topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood because of noise, visual impacts, vermin, traffic or air pollution, including odour, smoke, fumes or dust.*

The subject site is within 100m of a natural waterbody and is therefore considered to be designated development. The Department of Planning, Industry & Environment issued the Secretary's Environmental Assessment Requirements on 14 January 2022 which raised the following key issues:

- Strategic and statutory context.
- Suitability of the site.
- Waste management.
- Noise and vibration.
- Hazards and risk.
- Fire and incident management.
- Air quality and odour.
- Soil and water.
- Traffic and transport.
- Visual impacts.

Information in relation to the above key issues have been submitted as part of the development application and are considered to be satisfactory as detailed further in this report.

5.1.3 State Environmental Planning Policy (Planning Systems) 2021

Schedule 6 of the Planning Systems SEPP lists particulate designated development such as waste management facilities that meet the requirements for designated development under the provisions of the *Environmental Planning and Assessment Regulations 2021* as regionally significant development. As the proposed waste management facility is within 100 m of a natural waterbody, it is considered to be designated development. Pursuant to section 2.15 of the *Environmental Planning and Assessment Act 1979*, the Sydney Western City Planning Panel is the consent authority for regionally significant development and is therefore the consent authority for this development application.

5.1.4 State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) (RH SEPP) aims to provide a state-wide planning approach to the remediation of contaminated land. In particular the policy aims to promote the remediation of contaminated land in order to reduce the risk of harm to human health or any other aspect of the environment.

The RH SEPP requires the consent authority to consider whether the subject land of any development application is contaminated. An assessment of Clause 4.6 of the RH SEPP is provided below.

State Environmental Planning Policy (Resilience and Hazards) 2021

Requirement	Action	Response
Clause 4.6 1. Is the development for a **change of use** to a sensitive land use or for residential subdivision? **Sensitive land use** include residential, educational, recreational, childcare purposes or hospital.	a. Check if the DA proposes a new childcare centre, residential accommodation or residential subdivision. b. If the DA is for a dwelling (including dual occupanciesand secondary dwellings) on lots subdivided as part of a residential subdivision consent issued after 28/8/1998 then you should answer no to this question.	The proposal is for a use only and does not propose a childcare centre, residential accommodation or residential subdivision.
Clause 4.6 2. Is Council aware of any previous investigation or orders about contamination on the land?	a. Is there any property information for any evidence of contamination information?	A search of Council's records for evidence of potentially contaminating activities was undertaken. No information for any evidence of contamination was found.
	b. Check for contamination information and planning certificates linked to the property.	A search of planning certificates linked to the property was undertaken. No information for any evidence of contamination was found.
Clause 4.6 3. Do existing records held by Council show that a contaminating land activity has occurred on the land?	a. Check the approval for any potentially contaminating uses have been approved on the site.	A search of previous contaminated land uses approved on the site was undertaken. The current use could be a potentially contaminating land use.

Clause 4.6 4. Has the land previously been zoned for potentially contaminating uses?	a. Check if the land is currently zoned, or was zoned under the previous LEP, Rural, Industrial or Special Purposes for a contaminating use. NB: if the proposal is industrial then you should answer no to this question.	The Campbelltown (Urban Area) Local Environmental Plan 2002 was the previous EPI that applied to the land and the site was previously zoned 4(a) — General Industry.
Clause 4.6 5. Is the land currently being used for a potentially contaminating use or is there any evidence of a potentially contaminating use on site?	a. Conduct site inspection to check for any obvious signs on the site or adjoining land of an industrial use, underground storage tanks, land filling, agriculture, chemical storage, dumping or unregulated building demolition (especially fibro material).	The site could not be accessed to determine whether there were any signs of past or current contamination due to the current use as a scrap metal yard.

A Hazardous Materials Management Register (HMMR) prepared by JMB Environmental Consulting, dated 9 May 2022 was submitted as part of the development application. The HMMR submitted stated that the areas of the site that were accessible for review did not contain any hazardous materials in quantities that would be harmful to human health. Notwithstanding, there were several areas of the site that were inaccessible for review of any hazardous materials due to the scrap metal currently existing on the site. The SEARs that were issued requested that a preliminary screening completed in accordance with the RH SEPP was required and that should the preliminary screening indicate that the proposal is potentially hazardous, a Preliminary Hazard Analysis must be prepared in accordance with Hazardous Industry Planning Advisory Paper No.6 – Guidelines for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011).

A Preliminary Hazard Analysis (PHA) was also prepared and submitted to ensure that all potential hazards and risks from the proposed site are appropriately identified, managed and controlled. The proposed development will require minor volumes of chemicals and dangerous goods to be stored on the site for ancillary purposes. A preliminary risk screening has been undertaken in accordance with the relevant guidelines from the Department of Planning. The hazardous goods to be stored on the site include LPG and combustible materials such as metals and plastics. The PHA concluded that the proposed operations are not an offensive or hazardous industry and that the proposed use would meet all relevant safety requirements stipulated by the relevant guidelines.

A Preliminary Site Investigation (PSI) prepared by Benbow Environmental was submitted as a result of the SWCPP meeting which assesses the potential sources of contamination, contaminants of concern, potentially impacted media and exposure pathways for human and environmental receptors. The PSI highlighted that a potential for contamination exists due to the historical and current site activities with the following contaminants and risks:

- Moderate risk of surface water contamination from sediments stemming from external uncovered/unsorted scrap metal stockpiles and sawdust used to soak up vehicle oils entering the stormwater system;
- Low-moderate risk of contamination associated with decanting of oil in the mechanical building (this area requires bunding);
- Low-moderate risk of soil/groundwater contamination from oil spills seeping through compromised hardstand;
- Moderate risk of contamination from externally stored vehicles leaking oils that lead into the stormwater system during rain events;
- Moderate-high risk of contamination of oils into groundwater/soils through potentially

compromised underground pits beneath mechanical area;
- Medium risk of potential contamination of soils and groundwater, from historical site operations due to possible leaks from an underground fuel tank (location currently unknown); and
- Medium risk of an explosion from a potential disturbance of an underground tank containing fuel and or vapour.

The PSI determined that a Detailed Site Investigation (DSI) was required given the potential contamination issues due to the existence of an abandoned underground petroleum storage system (UPSS) and subterranean pits used to collect and hold waste oil. The DSI assessed the level and extent of potential soil contaminates as a result. The DSI has concluded that the level of contaminants present on the site do not pose a threat to human health or the environment. The soil contamination present is likely to be leakage from the UPSS and subterranean oil pits. The current hydrocarbon levels in the soil will naturally degrade with the levels of heavy metals in the soils being low. A risk does remain with the abandoned UPSS which poses a risk of explosion if punctured or residual vapour ignites.

In conclusion, the DSI recommended that the UPSS be decommissioned, with validation sampling and the results and associated environmental report submitted to Council for approval. Once the UPSS is decommissioned, the site would be considered suitable for the proposed use. Appropriate conditions of consent have been applied to ensure that the UPSS is decommissioned prior to the issue of a construction certificate. A time limit has been placed for this to occur to ensure that it is decommissioned within a timely matter.

5.1.5 State Environmental Planning Policy (Transport and Infrastructure) 2021

The aim of State Environmental Planning Policy (Transport and Infrastructure) 2021 (TI SEPP) is to facilitate the effective delivery of infrastructure across the site and applies to the subject site.

Clause 2.48 sets out provisions relating to development in proximity to electricity infrastructure, and in certain circumstances requires notice to be given to the relevant electricity supply authority. The proposal does not include undergrounding or relocation of existing electricity infrastructure and is not within the vicinity of electricity infrastructure and therefore this clause does not apply.

Clauses 2.98 and 2.99 require the consent authority to notify the rail authority and consider any responses received for works likely to impact on rail safety and involves ground penetration within 25m of a rail corridor. The subject site is not located near a rail corridor and therefore these clauses do not apply.

Clause 2.100 sets out provisions relating to the potential impact of rail noise or vibration on non-rail development, which apply to development for a residential use, place of public worship, hospital or an educational establishment or childcare centre. The proposal is for an industrial use and therefore this clause does not apply.

Clause 2.119 relates to development with frontage to a classified road. Noonan Road is not a classified Road and therefore this clause does not apply.

Clause 2.122 sets out provisions relating to traffic generating development, as defined within Schedule 3 of the TI SEPP. Development for the purpose of a waste or resource management facility of any size or capacity is defined as 'traffic generating development'. As the application is for a waste management facility, the proposal was referred to Transport for NSW (TfNSW), who reviewed the proposal and advised that there was no objection to the proposed development.

Division 23 Waste or resource management facilities states that development for the purpose of

waste or resource management facilities may be carried out with consent in a prescribed zone.

Clause 2.152 states that the E4 General Industrial zone is a prescribed zone and is therefore permissible with consent.

5.1.6 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in non-rural areas

Chapter 2 – Vegetation in non-rural areas applies to land within the Campbelltown Local Government Area and aims to protect the biodiversity values of trees and other vegetation and preserve the amenity of the non-rural areas through the preservation of trees and other vegetation.
This part states that clearing of vegetation must no occur without approval from the consent authority. The subject development application does not include the removal of any existing trees.

Chapter 4 - Koala Habitat protection

Chapter 4 (Koala habitat protection) of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to land within the Campbelltown LGA.

Chapter 4, Part 4.2, sub clause 4.8(2) requires the council's determination of the development application must be consistent with the approved koala plan of management that applies to the land.
The Campbelltown Comprehensive Koala Plan of Management 2018 has been adopted.

Part 6 of this plan applies to Development applications with part 6.1 detailing a list of exclusions. The proposal does not require the removal of vegetation and relates to the use of the site for a waste management facility. As such it is exempt from this part. No Vegetation Assessment Report (VAR) and Koala Activity Assessment Report is considered required.

Chapter 6 – Water Catchments

Chapter 6 - Water Catchments applies to the subject site as it falls within the Georges River Catchment area. This chapter aims to ensure that development has regard to minimising adverse impacts in regard to water quality and quantity, flooding, on-site domestic sewerage systems and stormwater management.

An issue regarding permissibility of the use on the site was raised given that Clause 6.22 states that development for the purposes of waste or resource management facilities is prohibited on flood liable land within the Georges River Catchment. The subject site is considered to be flood liable land.

Notwithstanding, the applicant obtained legal advice to the effect that the despite Clause 6.22, the proposed development is permissible as Clause 6.3 - Relationship with other environmental planning instruments of the BC SEPP states that Chapter 2 of the Transport and Infrastructure State Environmental Planning Policy prevails to the extent of any inconsistency with Chapter 6 of the BC SEPP. Council had the legal advice peer reviewed which determined that the use was permissible within the zone despite the site being flood liable land.

A table summarising the controls set out in chapter in 6 is provided below.

Division 2 Controls on development generally	
Section 6.6 Water quality and quantity	**Comment**
In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following:	
whether the development will have a neutral or beneficial effect on the quality of water entering a waterway	There site is adjacent to a waterway however will not adversely impact the quality of water entering the waterway given that the site will drain to existing pits that are connected to the existing drainage easement.
whether the development will have an adverse impact on water flow in a natural waterbody	There would be no increase to water flow on the waterbody.
whether the development will increase the amount of stormwater run-off from a site	Will be managed effectively.
whether the development will incorporate on-site stormwater retention, infiltration or reuse	No on-site stormwater retention proposed.
the impact of the development on the level and quality of the water table	No adverse impact.
the cumulative environmental impact of the development on the regulated catchment	No adverse impact.
whether the development makes adequate provision to protect the quality and quantity of ground water	Adequate provisions proposed.
Section 6.7 Aquatic ecology	**Comment**
Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied of the following:	
the direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation will be kept to the minimum necessary for the carrying out of the development	No impacts proposed. No existing vegetation is proposed to be removed as part of the development.
the development will not have a direct, indirect or cumulative adverse impact on aquatic reserves	Does not apply.
if a controlled activity approval under the Water Management Act 2000 or a permit under the Fisheries Management Act 1994 is required in relation to the clearing of riparian vegetation—the approval or permit has been obtained	A controlled activity approval is not required.
the erosion of land abutting a natural waterbody or the sedimentation of a natural waterbody will be minimised	The site will drain to several existing pits which then drain into the existing drainage easement meaning that water flow from the site is controlled through the easement.
the adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area will be minimised	Does not apply.
Section 6.8 Flooding	**Comment**
Development consent must not be granted to development on flood liable land in a regulated catchment unless the consent authority is satisfied the development will not— (a) if there is a flood, result in a release of pollutants that may have an adverse impact on the water quality of a natural waterbody, or (b) have an adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems.	Parts of the site are affected by flooding. Pollution prevention measures such as anchored storage containers ensure that there would be no release of pollutants during floods. The natural recession of floodwaters is maintained by the proposed design, which reduces the external storage area and enhances overland flow paths. The storage area shall be located outside of the 1% AEP overland flow path.
Section 6.9 Recreation and public access	**Comment**

Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied of the following:	
the development will maintain or improve public access to and from natural waterbodies for recreational purposes, including fishing, swimming and boating, without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation,	Does not apply.
new or existing points of public access between natural waterbodies and the site of the development will be stable and safe	Does not apply.
if land forming part of the foreshore of a natural waterbody will be made available for public access as a result of the development but is not in public ownership—public access to and use of the land will be safeguarded.	Does not apply.
Section 6.10 Total catchment management	**Comment**
In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consult with the council of each adjacent or downstream local government area on which the development is likely to have an adverse environmental impact.	The proposal has demonstrated that there would be no adverse environmental impact on adjacent or downstream local government area.
Division 3 Controls on development in specific areas	
Section 6.11 Land within 100m of a natural waterbody	**Comment**
In deciding whether to grant development consent to development on land within 100m of a natural waterbody in a regulated catchment, the consent authority must consider whether:	
the land uses proposed for land abutting the natural waterbody are water-dependent uses	The use is not a water dependent use.
conflicts between land uses are minimised.	The use is an industrial use within an industrial zoned area.

Chapter 13 - Strategic conservation planning

The chapter applies to land shown in the land application map and includes the subject site. The land is **not** mapped as avoided land, certified urban capable land or within a strategic conservation area and the provisions of Part 13.3-5 do not apply.

5.1.7 State Environmental Planning Policy (Precincts – Western Parkland City) 2021

State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (WPC SEPP) applies to all land in a growth centre. Pursuant to WPC SEPP, the subject site is located within the Greater Macarthur Growth Area and is therefore subject to the provisions of the WPC SEPP.

Pursuant to Part 3.4, Section 3.21(1) of the WPC SEPP, until provisions have been specified in a Precinct Plan or in Section 3.11 with respect to the development of the land, consent is not to be granted to the carrying out of development on land within a growth centre unless the consent authority has taken into consideration the following:

- *whether the proposed development will preclude the future urban and employment development land uses identified in the relevant growth centre structure plan,*
- *whether the extent of the investment in, and the operational and economic life of, the proposed development will result in the effective alienation of the land from those future land uses,*
- *whether the proposed development will result in further fragmentation of land holdings,*

- *whether the proposed development is incompatible with desired land uses in any draft environmental planning instrument that proposes to specify provisions in a Precinct Plan or in Section 3.11,*
- *whether the proposed development is consistent with the precinct planning strategies and principles set out in any publicly exhibited document that is relevant to the development,*
- *whether the proposed development will hinder the orderly and co-ordinated provision of infrastructure that is planned for the growth centre,*
- *in the case of transitional land—whether (in addition) the proposed development will protect areas of aboriginal heritage, ecological diversity or biological diversity as well as protecting the scenic amenity of the land.*

The proposal will contribute to the local economy within Campbelltown through employment as a result of the use and the proposed development is not considered to preclude the future industry and innovation land uses identified in the relevant growth centre structure plan.

As such, it is considered that the development is consistent with the provisions of Chapter 3, Section 3.21 (1) of the WPC SEPP.

5.1.8 Campbelltown Local Environmental Plan 2015

The site is zoned E4 General Industrial under the Campbelltown Local Environmental Plan 2015 as shown below.

Figure 5: Zoning map.

The zone provisions for E4 General Industrial are:

- *To provide a range of industrial, warehouse, logistics and related land uses.*
- *To ensure the efficient and viable use of land for industrial uses.*
- *To minimise any adverse effect of industry on other land uses.*
- *To encourage employment opportunities.*
- *To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.*
- *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.*
- *To maximise public transport patronage and encourage walking and cycling.*

It is a requirement of CLEP that the proposed development must have regard to the objectives of the zone. The proposed development would satisfy the need for a range of industrial land uses to be provided.

The proposed development is defined as a ***waste or resource transfer station*** which is defined as:

'***Waste or resource transfer station*** *means a building or place used for the collection and transfer of waste materials or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.'*

Waste or resource transfer stations are a type of waste or resource management facility which is prohibited in the E4 General Industrial zone. Notwithstanding, they are made a permissible use under the provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021.

Clause 4.3 Height of buildings

Clause 4.3 sets out the maximum building height in accordance with the Height of Buildings map. The subject site has a height limit of 19m. The proposed storage domes have a maximum height of 9.2m and as such complies with this development standard.

Clause 5.21 Flood Planning

This clause aims to minimise the flood risk to life and property associated with the use of the land, allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change, avoid adverse or cumulative impacts on flood behaviour and the environment and enable the safe occupation and efficient evacuation of people in the event of a flood. The subject site is affected by flooding with Council's Flood Engineer reviewing the proposal. Council's Flood Engineer stated that the current proposed levels were satisfactory with the building area not flood affected as the property driveway is the area impacted by flooding. In this regard, appropriate conditions have been applied to ensure that there would not be any adverse flooding impacts.

Clause 7.1 Earthworks

The objectives of this clause are to ensure that required earthworks will not have a detrimental impact on environmental functions and processes. Earthworks are not required as the proposal is for a use and construction of storage domes which does not involve any excavation works.

Clause 7.4 Salinity

Pursuant to Clause 7.4 of CLEP 2015, development consent must not be granted unless the consent authority is satisfied that the development:

a. the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or

b. if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or

c. if that impact cannot be minimised—the development will be managed to mitigate that impact.

The proposed development has been designed to minimise the disturbance to the existing ground levels, where possible. Additionally, a condition has been recommended that the design and construction of any structures within the site shall be in accordance with any geotechnical provisions.

Clause 7.10 Essential Services

This clause ensures that development consent is not granted to development unless the consent authority is satisfied that essential services such as the supply of water, the supply of electricity, the disposal and management of sewage, stormwater drainage or on-site conservation, suitable road and vehicular access, telecommunication services and the supply of natural gas are available. All required essential services are either existing or will be constructed for the proposed development and is therefore considered to be satisfactory.

5.1.9 Campbelltown (Sustainable City) Development Control Plan 2015

Campbelltown (Sustainable City) Development Control Plan 2015 applies to the subject land. The aims of the SCDCP are:

- *Ensure that the aims and objectives of the CLEP are complemented by the Plan;*
- *Ensure that the principles of ecological sustainability are incorporated into the design, construction and ongoing operation of development;*
- *Facilitate innovative development of high quality design and construction in the City of Campbelltown;*
- *Ensure that new development maintains or enhances the character and quality of the natural and built environment;*
- *Ensure that new development takes place on land that is capable of supporting development;*
- *Encourage the creation of safe, secure and liveable environments;*
- *Ensure that new development minimises the consumption of energy and other finite resources, to conserve environmental assets and to reduce greenhouse gas emissions; and*
- *Provide for the design requirements for a variety of housing within the City of Campbelltown.*

It is considered that the development is generally consistent with the relevant aims of the SCDCP as it would facilitate development on land that is capable of supporting the development.

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 below:

Campbelltown (Sustainable City) Development Control Plan 2015			
Part 2 Requirements Applying to all Types of Development			
Part	**Requirement**	**Proposed**	**Complies**

2.2 Site Analysis	a) A Site Analysis Plan shall be lodged with the development application for all development involving the construction of a building and the Torrens title subdivision of land.	A site analysis plan was submitted.	Yes
2.3 Views and Vistas	a) Development shall appropriately respond to Campbelltown's important views and vistas to and from public places.	The proposed development does not affect any important views and/or vistas.	Yes
	b) District views and existing significant view corridors as viewed to and from public places shall be protected	The proposed development does not affect important views and/or vistas.	Yes
	c) The opportunity to create new view/ vista corridors shall be taken wherever possible and appropriate.	The proposal does not create new view corridors.	Yes
2.4.1 Rainwater Tanks	a) In addition to satisfying BASIX, residential development is encouraged to provide a rainwater tank for new buildings.	Not residential development.	N/A
	b) A rainwater tank shall be provided for all new buildings containing a roof area greater than 100sqm for all development not specified by BASIX. The rainwater tank shall have a minimum capacity in accordance with Table 2.4.1.	Even though the proposal does not involve a new building, a 5L rainwater tank is proposed.	Yes
	c) 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.	Will comply.	Yes
	d) The rainwater tank incorporated in new commercial and industrial development exceeding 5,000sqm shall be connected to the plumbing in the building to provide water for toilets.	Even though the proposal does not involve a new building, a 5L rainwater tank is proposed for the collection of roof runoff.	Yes
	e) Where it is intended that the development be strata title subdivided, the tank shall be sited in a location to be common property.	No strata subdivision proposed.	N/A
	f) Above ground water tanks shall be located behind the primary or	The rainwater tank is located	Yes

	secondary building line.	behind the main building line.	
2.4.4 Light Pollution	a) Outdoor lighting shall be designed to minimise pollution from the unnecessary dispersion of light into the night sky and neighbouring properties.	No information on external lighting has been provided however a condition of consent has been applied to ensure appropriate lighting is provided.	Yes
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.	A landscape plan was provided however is required to be amended to provide grass only along the side boundary where the easement exists.	Yes
	b) Landscape design shall retain and enhance the existing native fora and fauna characteristics of a site wherever possible.	There are two existing trees in the north western corner of the site that are to be retained.	Yes
	c) Landscape design shall add value to the quality and character of the streetscape.	New landscaping has been proposed that will add positively to the streetscape.	Yes
	d) A Landscape Concept Plan is required to be submitted with a development application for industrial development.	A landscape plan was provided however is required to be amended to provide grass only along the side boundary where the easement exists.	Yes
	e) The Landscape Concept Plan shall illustrate mature height, spread of species, trees to be removed/retained and shall be prepared by a suitably qualified person.	All new landscaping species and details are provided on the landscaping plan.	Yes
	f) Landscaping shall maximise the use of locally indigenous and other drought tolerant native plants and avoid the use of invasive species.	Native species are proposed for new landscaping works.	Yes
2.7 Erosion and Sediment Control – Design Requirements	a) An Erosion and Sediment Control Plan shall be prepared and submitted with a development application proposing construction and/or activities involving the disturbance of the land surface.	An erosion and sediment control plan was submitted with appropriate conditions of consent applied.	Yes
	b) Site activities shall be planned and managed to minimise soil disturbance.	An erosion and sediment control plan was submitted with appropriate conditions of consent applied.	Yes
	c) Catch drains or diversion banks shall be designed and constructed to divert water around any area of soil disturbance.	N/A	N/A
	d) All stockpiles shall be located	No stockpiles are proposed within	

	within the sediment control zone and shall not be located within an overland flow path.	any sediment control areas or overland flow paths.	Yes
2.8 Cut, Fill and Floor Levels	a) A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	A cut and fill plan was not required as the proposal does not propose any cut and/or fill.	N/A
	b) For any dwellings within residential zones, the maximum level of cut shall not exceed 1.0 metre below the ground level (existing) and the maximum level of fill shall not exceed 1.0 metre above ground level (existing), when measured at any corner of the building platform.	N/A.	N/A
	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.	A cut and fill plan was not required as the proposal is for a use only.	N/A
	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 i2H: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.	A cut and fill plan was not required as the proposal is for a use only.	N/A
	e) All fill shall be 'Virgin Excavated Natural Material' (VENM).	A cut and fill plan was not required as the proposal is for a use only.	N/A
	f) No fill shall be deposited in the vicinity of native vegetation.	No fill is proposed.	N/A
	g) All basement excavation shall be setback a minimum of 900mm from the property boundaries.	No basement excavation proposed.	N/A
	h) Provisions of basements shall not result in non-compliance with deep soil planting controls contained within this plan.	No basement proposed.	N/A
2.8.2 Surface Water and Floor	a) Development shall not occur on land that is affected by the 100-	The site is flood prone land. Council's Flood Engineer	Yes

Levels	year ARI event unless the development is consistent with the NSW Floodplain Development Manual.	reviewed the proposal with no issues raised. Appropriate conditions of consent applied. No material is proposed to be stored along the flow path where the existing easement is.	
	b) All development on land affected by stormwater flow from mainstream, local creek or over land flow shall satisfy the relevant fill and floor level requirements as specified in Table 2.8.1.	The proposal is for a use only. The screen structures will be at the appropriate floor levels.	Yes
	c) All development shall have a ground surface level, at or above a minimum, equal to the 100-year 'average recurrence interval' (ARI) flood level.	Council's Flood Engineer has reviewed the proposal with all levels proposed considered to be satisfactory.	Yes
	d) For development on land not affected by an overland flow path the minimum height of the slab above finished ground level shall be 150 mm, except in sandy, well-drained areas where the minimum height shall be 100mm. These heights can be reduced locally to 50mm near adjoining paved areas that slope away from the building in accordance with AS 2870 (Residential Slabs and Footings Construction).	No new buildings proposed. Screening structures are considered to be at satisfactory levels as determined by Council's Flood Engineer.	N/A
	f) Any solid fence constructed across an overland flow path shall be a minimum 100mm above the finished surface level of the overland flow path.	No change to existing fencing proposed.	Yes
	g) Where underground car parking is proposed, measures shall be taken in design and construction to ensure escape routes, pump out drainage systems (which include backup systems) and location of service utilities (including power, phone, lifts) are appropriately located in relation to the 100 year ARI event, in accordance with Section 4.13.8 of Council's Engineering Design Guide for Development.	Underground parking is not proposed.	N/A
2.9 Demolition	a) A development application involving demolition shall be considered having regard to the following information: i) a detailed work plan prepared by	No demolition is proposed.	N/A

	a suitably qualified person, in accordance with AS2601-2001- The Demolition of Structures (as amended); ii) details of the licensed demolition contractor engaged to carry out the work (including name, address and building licence number); 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; iv) details of any asbestos or other hazardous substances to be removed from the site and/or damaged during demolition; and v) a dilapidation report where any demolition work is to be undertaken within the zone of influence of any other structure.		
	b) Where appropriate, demolished materials shall be recycled for reuse on site.	No demolition is proposed.	N/A
2.10.1 Water Cycle Management	a) A comprehensive Water Cycle Management Plan (WCMP) shall be prepared and submitted as part of a development application.	A WSUD report was submitted and reviewed by Council's Development Engineer where it was considered to be satisfactory.	Yes
2.10.2 Stormwater	a) All stormwater systems shall be sized to accommodate the 100-year ARI event (refer to Section 4 of Council's Engineering Design Guide for Development.	Council's Development Engineer has reviewed the proposal with no issues raised and conditions of consent applied.	Yes
	b) The design and certification of any stormwater system shall be undertaken by a suitably qualified person.	A suitably qualified engineer has prepared the stormwater plans.	Yes
	c) Water quality control structures shall be located generally offline to creek paths or other watercourses. Major detention storages shall not be located on areas of native vegetation or within riparian areas.	Water quality control measures are contained within the site.	Yes
	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.	The proposal does not impact on adjoining properties with the flow of water directed to the stormwater pits that connect to the existing drainage easement.	Yes

	e) Safe passage of the Probable Maximum Flood (PMF) shall be demonstrated for major systems.	A condition of consent has been applied requiring a flood evacuation plan to be submitted prior to the issue of the construction certificate.	Yes
	f) A treatment train approach to water quality shall be incorporated into the design and construction of major systems.	Council's Development Engineer has reviewed the proposal with no issues raised and conditions of consent applied.	Yes
	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 Council's Engineering Design Guide for Development available from Council's website at www.campbelltown.nsw.gov.au	Council's Development Engineer has reviewed the proposal with no issues raised and conditions of consent applied.	Yes
	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.	The proposed development drains to the existing pits within the site which then connect to the drainage easement for dispersal.	Yes
	i) All proposed drainage structures incorporated within new development shall be designed to maintain public safety at all times.	The proposed drainage infrastructure will not adversely impact on public safety.	Yes
	j) Development shall not result in water run-off causing flooding or erosion on adjacent properties.	The proposal will not cause adverse impacts on adjoining properties.	Yes
	k) Stormwater run-off shall be appropriately channelled into a stormwater drain in accordance with Council's Engineering Design Guide for Development available from Council's website at www.campbelltown.nsw.gov.au.	The stormwater run-off will be channelled into the existing drainage easement to be dispersed off via the Bunbury Curran Creek drainage channel to the rear of the site.	Yes
	l) Where applicable, the	The site has an existing drainage	Yes

	development shall incorporate the creation of an appropriate easement to manage stormwater in accordance with Council's Engineering Design Guide for Development available from Council's website at www.campbelltown.nsw. gov.au.	easement which will be utilized.	
2.10.3 Stormwater Drainage – Design requirements	a) A stormwater Drainage Concept Plan shall be prepared by a suitably qualified person, and submitted with all development applications, involving construction demonstrating to Council how the stormwater will be collected and discharged from the site.	A stormwater concept plan was submitted.	Yes
	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.	The submitted concept plan contains the relevant information.	Yes
2.12 Retaining Walls – Design requirements	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.	Retaining walls are not proposed.	N/A
	b) In the case of retaining walls constructed to support proposed fill on an allotment, the following design criteria shall apply: i) No filling shall be permitted within 2 metres of any property boundary unless sufficient details are submitted to Council illustrating how privacy, overshadowing, stormwater management and access issues have been addressed to Council's satisfaction.	Retaining walls are not proposed.	N/A
	c) In the case of retaining walls constructed to support proposed cut on an allotment, the following design criteria shall apply: i) The retaining wall shall be setback a minimum of 450mm from the rear and side boundary of the lot containing the cut.	Retaining walls are not proposed.	N/A

	d) Any retaining wall shall not adversely alter surface flows to adjoining private land.	Retaining walls are not proposed.	N/A
	e) Any retaining wall and associated structures shall be designed to be located wholly within the property boundary, except where written or legal agreements have been reached between relevant parties to Council's Satisfaction.	Retaining walls are not proposed.	N/A
	f) Any excavation within the zone of influence for anyother structure or building requires a Structural Engineering Report (prepared by a suitably qualified professional) demonstrating that adequate and appropriate measures are to be implemented to protect the integrity of any structure.	A dilapidation report is not required as construction is not proposed.	N/A
	g) Where retaining walls are proposed along the side boundary of the property, the side setback where the retaining wall is proposed shall be increased from 0.9m to 1.2m.	Retaining walls are not proposed.	N/A
	h) Any retaining wall requiring work on neighbouring properties shall require the consent of the adjoining owner/s.	Retaining walls are not proposed.	N/A
	i) Retaining walls higher than 900mm shall be designed by a structural engineer and made from appropriate material.	Retaining walls are not proposed.	N/A
	j) Any retaining wall(s) proposed on land designated as being bush fire prone must be constructed of non-combustible materials.	The site is not bushfire prone land.	N/A
2.13 Security – Design requirements	a) Development shall be designed to: i) maximise, where possible, casual surveillance opportunities to the street and surrounding public places; ii) minimise dead ends and other possible entrapment areas; iii) clearly identify and illuminate access points to buildings and designated public places; and iv) clearly differentiate between private and public space	The site is fenced and will have suitable measures in place for safety and security.	Yes

	b) External lighting shall be designed to: i) encourage the use of safe areas; ii) define safe corridors for movement of people; and iii) allow facial recognition of approaching pedestrians at 15 metres.	A condition of consent will be applied to ensure that external lighting will be provided.	Yes
	c) Development shall incorporate appropriate landscaping, fencing and security devices to assist in crime prevention	Suitable landscaping and fencing is provided for security.	Yes
	d) Commercial and industrial buildings that are not secured from public access after close of business shall have external finishes that are graffiti resistant.	Thie site will be secured outside of business hours.	Yes
	e) Development applications for multi dwelling housing, attached dwellings residential flat buildings, mixed-use development, boarding houses, shop top housing, commercial development, industrial development and large scale subdivision comprising more than 10 dwellings/units allotments or incorporating works to be dedicated to Council shall be accompanied by a crime prevention plan to be prepared by a suitably qualified person addressing how the development embraces the principles of Crime Prevention Through Environmental Design.	N/A.	N/A
2.15.1 Waste Management Plan – Design requirements	a) A detailed 'Waste Management Plan' (WMP) shall accompany development applications for certain types of development/land uses, as detailed in Table 2.15.1 and for any other development that in the opinion of Council a WMP is required.	A waste management plan was submitted with the application and is satisfactory.	Yes
	b) Plans submitted with a development application shall detail the following (as applicable): i) the size and location of waste and recycling storage areas; ii) routes for occupants to access waste and recycling areas; iii) collection point and/or access route for collection vehicles; iv) ventilation of waste and recycling 2.15 storage areas; v) location of garbage chute and	The plans demonstrate where the waste storage areas would be located as well as the collection point.	Yes

	service rooms; vi) bin and storage area washing facilities; and vii) occupants' disposal points for all waste streams		
2.15.2 Waste Management During Demolition and Construction	a) Waste and recyclable streams shall be stored separately on site.	Demolition is not proposed. Minimal waste would be produced during construction of the storage shelters.	Yes
	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	Demolition is not proposed. All waste will be stored on site until collection.	Yes
	c) Where material cannot be reused or recycled, it shall be disposed of at an appropriately licensed waste management or recycling facility. Details of disposal arrangements shall be specified in the WMP for each material type	Demolition is not proposed. All waste will be disposed of via a private contractor. All details are provided within the waste management plan.	Yes
	d) Convenient and safe heavy vehicular access to waste and recycling material storage areas shall be provided	Appropriate access is provided on site.	N/A
	e) The removal, handling and disposal of asbestos or other hazardous materials shall be carried out in accordance with WorkCover NSW, NSW Environment & Protection Authority (EPA), Office of Environment and Heritage and other regulatory authority guidelines and requirements.	The removal of the underground storage system has been detailed in the detailed site investigation and will be conditioned to comply with the relevant authority requirements.	Yes
2.15.3 On-going Waste Management	a) Provision shall be made for all waste and recycling storage containers to be located behind the primary and secondary building line and out of public view.	The waste storage area is located within the existing building.	Yes
	b) Any room(s) for storing garbage and recycling receptacles shall be located in a position that provides convenient access for residents, maintenance and waste collection staff. Bin storage rooms shall complement the development and not be visibly obtrusive when viewed from any public place.	The waste storage area will be constructed as required.	Yes
	c) A waste collection point shall be	The waste collection point has	Yes

	nominated demonstrating that waste- loading operations can occur on a level surface not adjacent to steep gradients, vehicle ramps and pedestrian access points.	been demonstrated on the plans.	
	d) The path for wheeling bins between waste storage area(s) and the collection vehicle shall be free of steps or kerbs and have a maximum gradient of 1V:8H.	Path of travel is free of steps and has an appropriate gradient.	Yes
	e) For safety and ease of manoeuvrability, the distance required for residents, building managers and caretakers to wheel bins to their collection point shall be the minimum achievable.	The distance and path of travel is acceptable.	Yes
	f) Where the bin-carting route from the storage area to the collection point exceeds the maximum distance or gradient, or a large number of bins need to be moved around the site, a dock leveller, bin lift or tow tug device may be used.	No applicable.	N/A
	g) Where any such device listed above is proposed to be used, details of the device and its proposed operation must be provided. This information must demonstrate that the device can be used safely by a nominated competent person, and that the use of the device will not conflict with other activities to be carried out on the site (such as vehicle access).	Not applicable.	N/A
	h) The maximum travel distance between any storage area/point and the collection point for all bins shall be 30 metres.	Travel distance is less than 30m.	Yes
	i) Where it is intended that collection vehicles are to drive onto private property to collect waste and recycling, the development shall be designed to provide for: i) the safe and efficient service of the development with minimal need to reverse; ii) adequate clearance to accommodate	Sufficient access and manoeuvring areas have been provided.	Yes
2.15.7 Vehicle Turning Circles	a) Turning circles and clearances to kerbs, existing buildings or other obstructionsshall be	Sufficient access and manoeuvring areas have been provided.	Yes

	designed to accommodate the largest collection vehicle that could service the property (heavy rigid class in most cases).		
	b) Any turning circle considerations shall also include allowances for driver steering error (manoeuvring clearance) and overhangs. Better practice design always requires vehicle entry and exit from a development with the vehicle travelling in a forward direction.	Sufficient access and manoeuvring areas have been provided.	Yes
	c) Where there is a requirement for collection vehicles to turn at a cul-de- sac head within a development, the design shall incorporate either a bowl, T- or Y-shaped arrangement.	Sufficient access and manoeuvring areas have been provided.	Yes
	d) Vehicles shall not be required to make more than a three-point turn.	Sufficient access and manoeuvring areas have been provided.	Yes
	e) Vehicle turning circles can be reduced from those in the Table 2.15.3 by using mechanical turntable (or similar) equipment (subject to Council approval).	Sufficient access and manoeuvring areas have been provided.	Yes
2.15.9 Bin Storage Areas	a) The design of the bin storage areas shall be considered early in the design process so that they can be successfully integrated into the overall design of the development and are convenient for all users.	Bins are to be stored in the waste storage room internally to the existing building.	Yes
	b) Sufficient areas/space shall be made available within the property boundary to store the range of bins for the quantity of waste recycling and organics (and other materials where appropriate) likely to be generated between collections.	Bins are to be stored in the waste storage room internally to the existing building.	Yes
2.17 Work On, Over or Near Public Land	a) Written approval shall be obtained from Council, prior to the commencement of any works, activities or occupancy upon public land, including roads, road related areas, stormwater connections, Council car parks, footpaths or nature strips.	No works are proposed on, over or near public land.	Yes
2.17.2 Working Near Public	a) Not withstanding clause 2.17.1 a) a hoarding or fence shall be	If hoarding or fencing is required, it will comply.	Yes

Land	erected between the work site and a public place where: i) the work involved in the development is likely to cause pedestrian or vehicle traffic in a public place to be obstructed or altered; and/or ii) the building involves the enclosure of a public place in accordance with Work Cover requirements		
2.19 Development Near or on Electricity Easements	a) Wherever possible electrical easements are to be located within open space corridors.	N/A.	N/A
	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.	Noted.	N/A
	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.	No electrical easements on the site.	N/A
	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.	No electrical easements on the site.	N/A
	e) Evidence of approval from the relevant utility provider shall be submitted with the DA.	No electrical easements on the site.	N/A

The proposal is generally consistent with Part 2 of the SCDCP 2015 and as such should be supported subject to conditions of consent.

Part 7 – Industrial Development

The following table is an assessment against the relevant controls within Part 7 of the Campbelltown (Sustainable City) Development Control Plan 2015.

Campbelltown (Sustainable City) Development Control Plan 2015			
Part 2 Requirements Applying to all Types of Development			
Part	**Requirement**	**Proposed**	**Complies**

7.2.3 Fences	a) Industrial fencing shall be a maximum 2.4 metres in height.	No change to existing front fencing is proposed.	Yes
	b) All fencing in industrial developments shall be of recessive colours, palisade design, or plastic coated and framed chain wire with a maximum height of2.4 metres, unless required as part of an acoustic solution.	No change to the existing fencing is proposed.	Yes
	c) The use of sheet metal fencing is not permitted unless required as part of acoustic solution and is appropriately screened with landscaping.	Colourbond is not proposed.	Yes
	d) All fencing in industrial developments shall be setback a minimum of 3.0 metres from	Fence is not setback 3m from the property boundary.	No
	e) Fencing on corner allotments shall not obstruct the sight distance of traffic entering or within an intersection or roundabout.	Site is not a corner site.	N/A
	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.	The proposal complies.	Yes
	g) Details for fencing shall be submitted with the development application.	Fencing details provided on the plans.	Yes
7.3 Car Parking & Access	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.	The car parking spaces will be designed to comply with AS2890.	Yes
	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.	Spaces required: 12 spaces Spaces proposed: 13 spaces	Yes
	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: i) a minimum of two (2) spaces	Spaces required: 12 spaces Spaces proposed: 13 spaces	Yes

	(per unit), plus ii)one space for every 100sqm of gross floor area for buildings up to 2000 square metres; plus iii) One space per 250sqm for that part of the building exceeding 2000 square metres in gross floor area.		
	d) Despite clause 7.3.1 c) ii), any proposed factory unit development (regardless of the overall combined floor area), shall provide parking at a rate of one space per 100 sqm.	N/A.	N/A
	e) In addition to clauses 7.3.1(b) & (c), one car parking space shall be provided for every 300sqm of outdoor storage space.	1 space for outdoor storage.	Yes
	f) Mezzanine areas that are exclusively used for storage purposes shall be excluded from the calculation of total gross floor area for the purpose of calculating the required number of car parking spaces, providing that the mezzanine areas: i) are not divided into smaller spaces by internal walls; and ii) have no external windows.	No mezzanine level proposed.	N/A
	g) In addition to clause 7.3.1(c), motor vehicle industries shall provide a minimum of three (3) car parking spaces per work bay/hoist.	The proposal is not for a motor vehicle industry.	N/A
	h) 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.	No vehicle will be required to make more than a three point turn.	Yes
	i) No car parking spaces shall be designed in a stacked configuration.	No stacked parking spaces proposed.	Yes
	j) No required car parking spaces shall be created as a separate strata or Torrens title allotment.	No strata or Torrens title subdivision proposed.	N/A
	k) Each site shall have a: i) maximum of one ingress and one egress for heavy vehicles (combined or separated). ii) each site may have an additional ingress/egress for cars (and other light vehicles).	One combined driveway proposed.	Yes

	l) 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.	One disabled space has been provided.	Yes
	m) Electric vehicle charging stations must be located behind the building line.	The proposal does not include EV stations.	N/A
7.3.2 Loading and Unloading	a) Each industrial factory/unit shall be provided with aloading bay.	One loading bay is proposed external to the existing building along the north and eastern side boundary.	Yes
	b) Provision shall be made for all loading and unloading to take place wholly within the designated loading area.	All loading/unloading can occur within the proposed loading/unloading area.	Yes
	c) No loading or unloading shall be carried out across parking spaces, landscaped areas, pedestrian aisles or on roadways.	No loading/unloading will take place within car park areas, roadways, pedestrian aisles or landscaped areas.	Yes
	d) Each industrial building/unit having a gross floor area: i) up to 400 square metres shall provide a loading area to allow for a small rigid vehicle to manoeuvre on site. ii) more than 400 square metres, but up to 1500 square metres shall provide a loading area to allow for a medium rigid vehicle to manoeuvre on site; and iii) more than 1500 square metres shall provide a loading area to allow for a heavy rigid vehicle to manoeuvre on site.	The proposal includes manoeuvring for heavy rigid vehicles with swept path plans provided.	Yes
	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.	Swept path plans have been provided.	Yes
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).	Can comply and will be conditioned.	Yes
7.4 Landscaping	a) A detailed landscape plan and report shall be prepared by a suitably qualified person and	A landscape submitted plan has been submitted.	Yes

	submitted with all development applications for the industrial development.		
	b) Landscaping shall be provided to a minimum depth of 50% of the following required setback area located: i) along the full width of each street frontage (other than vehicle driveways); and ii) along the full width of setbacks from adjoining open space, residential and/or commercial areas.	Landscaping has been provided to the front setback area.	Yes
	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: i) a minimum of two (2) metres in height with a minimum 400 litre pot size at the time of planting; ii) of native species; and iii) planted / placed every 10 metres.	Three canopy trees are proposed within the setback area.	Yes
	d) Side boundary landscaping of a minimum of one (1) metre width shall be provided between the street boundary and the building line	Landscaping is proposed along the north eastern side boundary.	Yes
7.5 Outdoor Storage Areas	a) No outdoor storage shall occur without development consent.	Development consent to be obtained as part of this development application.	Yes
	b) Outdoor storage areas shall not be located between the primary or secondary street boundary and any building on the allotment.	Outdoor storage is proposed behind the main building line.	Yes
	c) Outdoor storage areas shall be adequately screened from public view	The outdoor storage area is screened by domed structures that are located behind the main building line.	Yes
	d) Goods and materials stored shall not be stacked higher than an approved screening structure.	Storage of materials is not able to be stored higher than the storage domes.	Yes
	e) Screen fencing and structures shall be constructed of high quality materials that complement the buildings located on site.	Screen fencing is not proposed. Each dome structure is constructed of high quality materials.	Yes
	f) All outdoor storage areas shall be sealed and drained to the	Outdoor storage areas are located on existing hardstand	Yes

	stormwater system in accordance with any environmental management requirements.	areas.	
	g) Notwithstanding any other provision of this Plan, no external storage of used unregistered motor vehicles, vehicle parts, used building materials, scrap products or other industrial waste shall be permitted.	Proposal does include the outdoor storage of unregistered motor vehicles, vehicle parts, used building materials, scrap products or industrial waste.	No
	h) No above ground tanks or other storage facilities shall be erected within a required setback.	Above ground tanks are not proposed.	Yes
	i) Goods shall be stored above the flood planning level.	A condition has been applied to ensure that materials are stored above the flood planning level.	Yes
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.	A waste storage area is proposed in the existing building.	Yes
	b) Any industrial premises that generates more than 20% of total waste generated by the development or 50 litres or 50kg (whichever is the lesser) of meat/seafood product shall be collected daily or refrigerated awaiting collection.	N/A.	N/A
	c) Adequate provision shall be made for the screening and storage of all industrial waste behind the front building setback.	The location of the waste storage area cannot be seen from the front property boundary.	Yes
	d) All commercial premises shall produce evidence of a collection contract with a licensed garbage and recycling collection contractor.	Will comply via a condition of consent.	Yes
	e) Despite Clause 7.6. d) above, the design of the building shall provide for the collection system to be undertaken by Council at the time the development application is submitted to Council.	Waste can be serviced by Council if required.	Yes
7.7.1 Liquid Storage	a) The storage and handling of flammable and combustible liquids shall be in accordance with Australian Standard 1940 - The Storage and Handling of	Storage of flammable and/or combustible goods are not proposed.	N/A

	Flammable and Combustible Liquids and the Environment Protection Authority publication, "Bunding and Spill Management" (as amended).		
	b) All above ground liquid storage facilities, including waste shall be in a covered bunded area that is constructed of impervious materials.	Liquid waste storage is not proposed.	N/A
	c) Above ground tanks shall be contained in a bunded area that: i) is at least 110% of the volume of the tank or the largest tank, where a group of tanks are enclosed; and ii) walls shall be at least 250mm in height.	No above ground tanks proposed.	N/A
	d) The bunded area of drum storage facilities shall be able to contain 25% of the total volume of all drums and shall have a minimum capacity of at least 400L. Walls shall be at least 250mm in height.	No drum storage proposed.	N/A
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.	The proposed use would not generate any air emissions.	Yes
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.	A Noise Impact Assessment was submitted in support of the proposal detailing noise levels not to exceed the Industrial Noise Policy. In addition, all processing of material will occur within the building.	Yes
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.	Activities proposed would not have the potential to pollute the stormwater system.	Yes
	b) Liquid waste and wastewater shall either be: i) recycled on site;	Liquid waste or wastewater is not proposed.	N/A

	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.	Council's Development Engineer and Flood Engineer have reviewed the proposal with no issues raised and no impact on adjacent properties.	Yes
	d) Stormwater run-off shall be appropriately channelled into a stormwater drain in accordance with Council's Engineering Design Guide for Development available at Council's website at www.campbeltown.nsw.gov.au	Stormwater runoff will be managed on the site prior to disposal into Council's system.	Yes
	e) Where applicable, the development shall incorporate the creation of an appropriate easement to manage stormwater in accordancewith Council's Engineering Design Guide for Development available at Council's website at www.campbeltown.nsw.gov.a u.	Existing easement is proposed to be used.	Yes

The proposed development generally complies with Council's Sustainable City Development Control Plan 2015 with exception to the materials to be stored externally to the building. A variation is requested and detailed below.

<u>Outdoor storage of materials.</u>

The proposed development includes the external storage of unregistered motor vehicles, vehicle parts and scrap metal. The objectives of Council's external storage controls are:

- *To ensure that outdoor storage areas are appropriately accommodated on site.*
- *To reduce the visual impact of outdoor storage areas on the streetscape and surrounding areas.*

The proposed development includes storage domes to be constructed to contain the external storage of material within the structure as opposed to scrap metal piles on the site. These storage domes will ensure that material would not be viewed from the street and would contain all the material in the structures in the one place. The storage domes would ensure that the materials to be stored can be accommodated on the site as well as ensuring that the quantity of material to be stored on the site would not be more than the storage domes could contain. The storage domes would allow functional storage of the material in an orderly manner.

In the circumstances of this case, it is considered that the variation for the materials to be stored

externally to the building within storage domes be supported.

6. Planning Assessment

6.1 Section 4.15(1)(a)(iiia) The provisions of any Planning Agreement

The proposed development is not subject to the provisions of a planning agreement pursuant to Section 7.4 of the EP&A Act.

6.2 Section 4.15(1)(a)(iv) The provisions of the Regulations

The proposal does not contravene the *Environmental Planning and Assessment Regulation 2021*.

6.3 Section 4.15(1)(b) The likely impacts of the Development

Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979* requires Council to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

The key matters for consideration when considering the development's potential impact on the natural and built environment is as follows:

- Flooding
- Access and manoeuvring
- Environmental impacts
- Social and economic impacts

Flooding

Council's records indicate that the subject site is affected by the PMF. A portion of the external storage area is affected by the 1%AEP flooding event with waste stored in this area comprising of baled and pre-baled stainless steel, baled and pre-baled aluminium, car radiators, car wheels, wire insulation and air conditioning heat exchanges. These materials are considered low risk for contamination due to their resistance to corrosion. Given this, floodwater coming into contact with this waste material is unlikely to liberate significant amounts of dissolved or undissolved metals. In addition, the volume of floodwater in an event would be significant, which would result in low concentrations of contamination. Therefore, these materials are suitable to be stored externally. Any lead batteries and/or car parts with any oily residue would be required to be stored within the building and is conditioned accordingly.

Council's Flood Engineer has reviewed all the information submitted as part of the proposal and has raised no issues in regard to adverse flood impacts.

Access and manoeuvring

Swept path plans have been submitted as part of the application demonstrating that a heavy rigid vehicle can access the site and make no more than a three-point turn to leave in a forward direction. A Traffic Impact Assessment has been submitted in support of the application that concludes that vehicles can enter and leave the site in a forward direction, the number of car parking spaces provided is sufficient, the design of vehicle and parking areas is considered to be appropriate, and the proposed use would not have an adverse impact on the local traffic network. It was further concluded that the proposed use could be supported in this regard.

Environmental Impacts

A Noise Assessment Report and Air Quality Assessment was submitted in support of the

proposed use demonstrating that there would be no adverse noise or air pollution impacts as a result of the proposed development.

Social and economic impacts

Having regard to social and economic impacts generated by the development, the development will positively contribute to employment opportunities due to the construction of the buildings and would contribute to the economy through the proposed warehouse and distribution use.

6.4 Section 4.15(1)(c) The suitability of the development

Section 4.15(1)(c) of the EP&A Act requires Council to assess the suitability of the site for the proposed development.

It is considered that the proposed development is suitable for the subject site given the compliance with Council's LEP and SCDCP as well as the relevant State Planning Policies.

6.5 Section 4.158(1)(d) Any submissions

Section 4.15(1)(d) of the *Environmental Planning and Assessment Act 1979* requires Council to consider submissions.

The application was publicly exhibited and notified to nearby and adjoining residents between 25 May 2023 and 30 June 2023. During this time, Council received no submissions.

6.6 Section 4.15(1)(e) Public interest

The proposed development has addressed the requirements of the relevant planning instruments and development controls including the objectives of the zone and therefore is therefore considered to be in the public interest.

Referrals

Fire Safety Officer
The proposed development was referred to Council's Fire Safety Officer. Council's Fire Safety officer has provided conditions to be applied to the consent ensuring that the building is to be upgraded in accordance with the current fire safety provisions.

Development Engineer
The proposed development was referred to Council's Development Engineer, who reviewed the proposed development and recommended that the proposal be supported subject to conditions of consent.

Flood Engineer
The proposed development was referred to Council's Flood Engineer for review. No flood issues were raised with the proposal to be supported.

Transport for NSW
The application with referred to Transport for NSW for review and raised no objection to the proposal and provided no comments.

Department of Planning and Environment – Water
The application was referred to Department of Planning and Environment – Water for review. No issues were raised as the proposal does not involve carrying out a work, removing or depositing material on waterfront land, or carrying out an activity that would affect the quantity or flow of water in a water source.

7. Conclusion

The subject development application 1398/2023/DA-DE, which proposes approval for the use of the site as a waste or resource management facility at No.8 Noonan Road, Ingleburn has been assessed against the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979.*

In assessing the development application against the development standards and objectives, with appropriate conditions the proposal satisfies the matters for consideration under the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Officer's Recommendation

That 1398/2023/DA-DE, that proposes the use of the site as a waste or resource management facility at No.8 Noonan Road, Ingleburn be approved subject to conditions.