



Hawkesbury Local Planning Panel

Date of meeting: 19 June 2025
Location: By audio-visual link
Time: 10:00 AM

BUSINESS PAPER

HAWKESBURY LOCAL PLANNING PANEL

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HAWKESBURY LOCAL PLANNING PANEL

1. PROCEDURAL MATTERS

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1. PROCEDURAL MATTERS

Welcome

The Chairperson will acknowledge the Indigenous Heritage and address the Hawkesbury Local Planning Panel meeting, mentioning:

- Recording of the Hawkesbury Local Planning Panel Meeting
- Statement regarding people addressing the Meeting

Attendance

Attending Panel members and Council staff members will be noted for the purposes of the Minutes.

Declaration of Interest

The Chairperson will ask for any Declaration of Interests from the attending Panel Members. These will then be addressed at the relevant item.

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2. REPORTS FOR DETERMINATION

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2. REPORTS FOR DETERMINATION

2.1.1. DA0075/25 - Proposed Digital Advertising Structure - No.9 Industry Road, VINEYARD

Directorate: City Planning

DEVELOPMENT INFORMATION

Development Application No.	DA0075/25
Date Received	04/03/2025
Proposal	Proposed Digital Advertising Structure
Estimated Cost	\$79,000.00
Legal Description	Lot 9 DP 1149340
Property Address	9 Industry Road, Vineyard NSW 2765
Area	1.227 Ha
Zoning	E3 – Productivity Support
Applicant	EI Media
Owner	Hawkesbury City Council
Exhibition Dates	17/03/2025 – 14/04/2025
Submissions	Nil
Recommendation	Approval subject to conditions

EXECUTIVE SUMMARY

1. Reason for Consideration by Local Planning Panel

In accordance with Section 9.1 Directions by the Minister of the Environmental Planning and Assessment Act 1979, the subject application is reported to the Hawkesbury Local Planning Panel for determination as proposed development is to be located on Council owned land.

2. Proposal

The subject Development Application seeks consent for the construction of a single digital advertising structure on land known as No.9 Industry Road, Vineyard. The proposed sign would be 5.2 metres in height and 18.26m² in display area and would face southbound traffic along Windsor Road.

The subject development site is land that is owned by Council and as such, the provisions contained in Council's Policy for Managing Council Related Development have been applied in the assessment which has been carried out by an independent planning consultant engaged by Council.

3. Permissibility

The proposed development is suitably defined as 'advertising structure.' An excerpt of the definition under the Environmental Planning and Assessment Act 1979 is provided as below:

***"Advertisement** means a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water".*

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Noting that the term 'advertisement' falls under the parent term of 'signage' the definition under the Hawkesbury Local Environmental Plan 2012 is provided as below:

"Signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following—

(a) an advertising structure,

(b) a building identification sign,

(c) a business identification sign,

but does not include a traffic sign or traffic control facilities".

It is considered that the proposed development is aligned with the above definition and is permitted with consent in the E3 zone.

4. Consultation

The proposal was placed on neighbour notification and advertised from 17 March to 14 April 2025, with no submissions received. All internal and external referrals, including Transport for NSW, raised no objections subject to conditions.

5. Conclusion

The subject site is zoned E3 Productivity Support under the Hawkesbury LEP 2012 and is located within an established industrial area. The proposal is permissible with consent and is consistent with the objectives of the zone. The application has been assessed against all relevant environmental planning instruments, including State Environmental Planning Policies and the Hawkesbury Development Control Plan 2002. The development does not result in significant environmental, visual, or amenity impacts and is considered to reduce visual clutter by consolidating signage in the locality.

Having regard to the relevant matters under Section 4.15 of the Environmental Planning and Assessment Act 1979, the application is supported on merit and is recommended for approval, subject to conditions.

RECOMMENDATION

Pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act, 1979:

A. **That** the Hawkesbury Local Planning Panel, exercising the function of the consent authority, grant development consent to DA0075/25 for the construction of digital advertising structure at Lot 9 DP 1149340, No.9 Industry Road, Vineyard for the following reasons:

1. The proposed signage meets the objectives of the zone and relevant controls under the Hawkesbury Local Environmental Plan 2012
2. The proposed development generally complies with controls under the Hawkesbury Development Control Plan 2012
3. For the reasons given above, approval of the application is in the public interest.

BACKGROUND

1. Detailed Description of Proposal

The proposed development seeks the approval for the construction of a single digital advertising structure measuring 5.2 metres in height above the existing ground level. The display area would have a total area of 8.3 metres x 2.2 metres (18.26m²) and would be oriented to face southbound traffic along Windsor Road.

2. Site and Locality Description

The subject site encompasses a total site area of 1.227 hectares.

The site runs in a generally north-south direction, parallel to both Windsor Road and Industry Road. It is located in an industrial precinct, with several large warehouse-style buildings and associated car parking areas immediately to the west.

The surrounding land use context is described as follows:

- To the **west**: Large-scale industrial or commercial buildings with associated parking and service areas.
- To the **east**: A mix of agricultural or rural land uses and a nursery operation, as indicated by greenhouses and planting beds.
- To the **north** and **south**: The site tapers off into additional undeveloped or industrial lands.

The site is predominantly vegetated, comprising a linear strip of established trees and shrubs that appears to function as a landscaped corridor. There are no buildings or significant built structures located within the identified site boundary.

It is noted that a similar digital advertising signage structure had been approved in DA0014/23 and is in operation to north of the site along Windsor Road.

To clarify the location of the application site and specifically that of the subject site, refer to the aerial image and photographs in figures 1-5 below.



Figure 1. Site location map. Source: Near maps



Figure 2. Bushfire & Biodiversity values map. Source: Planning Portal



Figure 3. Proposed site plan.

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2. REPORTS FOR DETERMINATION

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4. Referrals

Stakeholder	Comment
Infrastructures Services	Supported subject to the imposition of conditions.
Engineering	Supported subject to the imposition of conditions.
Building	Supported subject to the imposition of conditions.
	External Referrals
TFNSW	Supported subject to the imposition of conditions.
Ampol	No objection
Jemena	No objection

5. Environmental Planning Instruments

5.1 Overview

The instruments applicable to this application are:

- State Environmental Planning Policy – (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- State Environmental Planning Policy (Industry and Employment) 2021;
- Hawkesbury Local Environmental Plan 2012 (LEP 2012);
- Hawkesbury Development Control Plan 2002 (HDCP 2002); and
- Hawkesbury Council Flood Policy 2020

5.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021.

A portion of the site is marked under the biodiversity values map. It is noted however that the development site is located outside of this space and no trees have been sought for removal.

5.3 State Environmental Planning Policy (Resilience and Hazards) 2021

The requirements of the State Environmental Planning Policy (Resilience and Hazards) 2021 apply to the subject site. In accordance with Chapter 4 of the SEPP, Council must consider if the land is contaminated, if it is contaminated, is it suitable for the proposed use and if it is not suitable, can it be remediated to a standard such that it will be made suitable for the proposed use.

The site is not indicated in Council's records as being contaminated. A review of historical mapping has also revealed that the site has not been previously developed. In this regard, in accordance with clause 4.6 of the State Environmental Planning Policy (Resilience and Hazards) 2021, the land is considered to be suitable for the proposed development.

5.4. State Environmental Planning Policy (Transport and Infrastructure) 2021.

The relevant matters to be considered under Chapter 2 of State Environmental Planning Policy (Transport and Infrastructure) 2021 for the proposed development outlined below.

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Clause	Comment
Clause 2.48 – Electricity Infrastructure	The proposed development was referred to Endeavour Energy on 10 March 2025. Standard conditions were received.
Clause 2.98 – Development Adjacent to rail corridors	The proposed development does not adjoin in, around or on top of any rail corridors.
Clause 2.119 – Frontage to a classified road	The application has been referred to TFNSW who have provided conditions in support of the application.
Clause 2.120 – Impact of road noise or vibration on non-road development	N/A

5.5 State Environmental Planning Policy (Industry and Employment) 2021

The relevant matters to be considered under Schedule 5 assessment criteria of State Environmental Planning Policy (Industry and Employment) 2021 are considered in the table below:

	Character of the area
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage adjoins a local catchment of business & industrial sites. In this respect, Council does not consider the proposed signage to be out of character for locality.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	Several business identification signs are present on commercial premises within the locality. The site is also located in proximity to a recently approved digital advertising structure situated to the north of the subject development. In this context, the digital signage is not considered to detract from or disrupt the existing visual themes of the locality.
	Special Areas
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage is considered to be consistent with the immediate uses in the locality.
	Views & Vistas
Does the proposal obscure or compromise important views?	No significant views have been nominated on the site.
Does the proposal dominate the skyline and reduce the quality of vistas?	No.
Does the proposal respect the viewing rights of other advertisers?	The proposed advertising sign has an overall height of 5.2m and will not obscure building identification signs located on Industry Road.
	Streetscape, Setting or Landscape
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed structure and display area are sized appropriately for the development.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	Yes.

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	Character of the area
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	Yes. Several business identification signs are present on commercial premises within the locality. The site is also located in proximity to a recently approved digital advertising structure situated to the north of the subject development. In this context, the digital signage is not considered to detract from or disrupt the existing visual themes of the locality. Rather, it contributes to a more consolidated digital signage strategy by reducing the need for multiple individual signs, thereby minimising visual clutter.
Does the proposal screen unsightliness?	Yes.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No.
Does the proposal require ongoing vegetation management?	No.
	Site and building
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	Yes.
Does the proposal respect important features of the site or building, or both?	Yes.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	Yes.
	Associated devices and logos with advertisements and advertising structures
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The proposed digital sign is controlled via an accessible separate unit contained within the structure hidden from public view.
	Illumination
Would illumination result in unacceptable glare?	The proposed digital sign contains an adjustable ambient sensor.
Would illumination affect safety for pedestrians, vehicles, or aircraft?	An adjustable illumination sensor is equipped onto the sign. Further, TFNSW have reviewed the application and raise no objections on this ground.
Would illumination detract from the amenity of any residence or other form of accommodation?	An adjustable sensor would alleviate glare.
Can the intensity of the illumination be adjusted, if necessary?	Yes
Is the illumination subject to a curfew?	Ambient sensor would ensure unwarranted glare. In this regard, a trial period of 12 months will be imposed to which upon completion, the requirement of a curfew will be reviewed.
	Safety
Would the proposal reduce the safety for any public road?	Conditions from TFNSW are to address this.

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	Character of the area
Would the proposal reduce the safety for pedestrians or bicyclists?	No.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No.

6. Hawkesbury Local Environmental Plan 2012

The relevant matters considered under the HLEP 2012 for the proposed development are outlined below:

6.1. Clause 1.2 Aims of plan.

(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,

- to provide the mechanism for the management, orderly and economic development and conservation of land in Hawkesbury.*
- to provide appropriate land in area, location and quality for living, working and recreational activities and agricultural production,*
- to protect attractive landscapes and preserve places of natural beauty, including wetlands and waterways,*
- to protect and enhance the natural environment in Hawkesbury and to encourage ecologically sustainable development,*
- to conserve and enhance buildings, structures and sites of recognised significance that are part of the heritage of Hawkesbury for future generations,*
- to provide opportunities for the provision of secure, appropriate and affordable housing in a variety of types and tenures for all income groups in Hawkesbury,*
- to encourage tourism-related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.*

The proposed digital advertising structure is appropriately located within an established industrial area and supports the orderly and economic use of land. It consolidates signage within a single, modern digital format, reducing visual clutter and avoiding adverse impacts on the natural environment, heritage items, or scenic landscapes. The structure would not conflict with surrounding land uses and maintains compatibility with the locality's economic and employment functions. While not directly related to residential or tourism development, the sign indirectly supports these objectives by enhancing commercial visibility and contributing to the area's economic vitality.

6.2. Clause 2.3 Zone objectives and Land use table.

The site is zoned E3 Productivity Support under the Hawkesbury Local Environmental Plan 2012. The aims and objectives for the E3 zone in clause 2.3 zone objectives are as follows:

- To provide a range of facilities and services, light industries, warehouses, and offices.*

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- *To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.*
- *To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.*
- *To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.*
- *To provide opportunities for new and emerging light industries.*
- *To enable other land uses that provide facilities and services to meet the day-to-day needs of workers, to sell goods of a large size, weight of quantity or to sell goods manufactured on-site.*

The proposed development is suitably defined as ‘advertising structure.’ An excerpt of the definition under the Environmental Planning and Assessment Act 1979 is provided as below:

“Advertisement means a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water”.

Noting that the term ‘advertisement’ falls under the parent term of ‘signage’ the definition under the Hawkesbury Local Environmental Plan 2012 is provided as below:

“Signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following—

(a) an **advertising structure**,

(b) a building identification sign,

(c) a business identification sign,

but does not include a traffic sign or traffic control facilities”.

It is considered that the proposed development is aligned with the above definition and is permitted with consent in the E3 zone.

Clause	Comment
	Part 4 – Principal development standards
Clause 4.1 Minimum subdivision lot size	The proposed development does not seek any new subdivision onto the site.
Clause 4.2 Rural subdivision	The proposed development does not seek any new subdivision onto the site.
Clause 4.3 Height of buildings	<p>As no height control exists on the subject site, a merit approach has been undertaken. The development site is located within a primarily business/industrial section of Industry Road/Windsor Road.</p> <p>Several buildings within the locality exhibit a height of 12-24m. The proposed sign measures at 5.2m from the natural ground level and is not</p>

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Clause	Comment
	expected to obscure any views onto business located along Industry Road. It is also noted that a similar structure was recently approved north of the subject development within the same parcel of land. As such, the proposed height is considered to be appropriate for the locality.
Clause 4.6 Exceptions to development standards	The proposed development does not seek any variation to development standards.
	Part 5 – Miscellaneous provisions
5.1A Development on land intended to be acquired for public purposes	The deposited plans do not demonstrate that the site is or will be subject to future land acquisition.
5.10 Heritage conservation	The site is not considered to be a heritage item nor is it considered to be a heritage item.
5.21 Flood planning	The site is not considered to be subject to flood development controls.
	Part 6 – Additional local provisions
6.1 Acid sulphate soils	The site is considered to fall under class 5 acid sulphates. Suitable conditions of consent will be provided.
6.2 Earthworks	Council's development engineers have reviewed the proposed earthworks involved and support the application subject to the imposition of conditions.
6.6 Development in areas subject to aircraft noise	The site is not considered to fall within the vicinity of the RAAF base Richmond.

7. Hawkesbury Development Control Plan 2002

A consideration of Part C Chapter 3 of the Hawkesbury Development Control Plan 2002 is provided below.

Clause	Compliance
	Chapter 3 Signage
Clause 3.2 Signs in Commercial and Industrial zones	Yes, the proposed signage is generally compliant with this section.

8. Development Contributions

Pursuant to Council's adopted 7.12 contributions plan, as the development cost is less than \$100,000, a development contribution is not required.

9. Environmental Planning and Assessment Regulation 2021

Applicable regulation considerations for compliance with the Building Code of Australia, PCA appointment and notice of commencement of works, sign on work sites, critical stage inspections and records of inspection will be covered under the recommended conditions of consent.

10. The likely impacts of the development

The proposal has been assessed against the relevant planning controls and is considered to result in minimal visual and environmental impacts, while enhancing the efficiency and legibility of signage within the locality.

11. Suitability of the Site

The subject site is located within an established industrial area and is in proximity to a recently approved digital advertising structure to the north. Given the site's context and compatibility with surrounding land uses, it is considered suitable for the proposed development. Council raises no concerns regarding the siting of the advertising structure in this location

12. Public Consultation

The proposal was placed on neighbour notification and advertised from 17 March to 14 April 2025, with no submissions received in response to the proposal. All internal and external referrals, including Transport for NSW, raised no objections subject to conditions.

13. Public Interest

The proposed development is considered to have met the aims of a E3 Productivity Support zone and the relevant sections of Council's Development Control Plan. In this respect, Council does not raise concern with the proposed development being against the public interest.

14. Conclusion

The proposed development for the erection of a digital advertising structure has been assessed against the relevant provisions of the Environmental Planning and Assessment Act 1979, applicable State Environmental Planning Policies, the Hawkesbury Local Environmental Plan 2012, and the Hawkesbury Development Control Plan 2002.

The proposal is permissible within the E3 Productivity Support zone and satisfies the strategic and statutory objectives of the planning framework. It is appropriately sited within an existing industrial precinct, replaces a previously approved static sign, and presents a low-impact outcome that supports visual consolidation of signage within the locality. The proposal has been supported by all relevant internal and external referrals, and no objections were received during the public exhibition period.

On balance, the development is considered to represent an appropriate planning outcome for the site and is unlikely to result in any significant adverse environmental, visual, or amenity impacts. Accordingly, the application is recommended for approval, subject to conditions.

Attachments

AT - 1 Recommended Condition of Consent

AT - 2 Plans Used for Assessment

oooO END OF REPORT Oooo

Attachment 1 - Recommended Condition of Consent - 9 Industry Road VINEYARD**ATTACHMENT 1: RECOMMENDED CONDITIONS OF CONSENT**

That development application DA0075/25 for the construction of digital advertising structure at Lot 9 DP 1149340, No.9 Industry Road, Vineyard be approved, subject to the following conditions:

General Conditions**1. Approved Plans and Supporting Documentation**

The development must be carried out in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where amended in red on the plans and/or amended by other conditions of consent:

a) Plans Reference:

Drawing Reference No.	Drawing Description	Prepared by	Issue No.	Date
-	Site Plan	Eimedia	-	28/02/2025
-	Elevations	Eimedia	-	29/01/2024

b) Document Reference:

Document Title	Reference	Prepared By	Date
Waste Management Plan	-	Kevin Malouf	28/02/2025
Geotechnical Report	GG10730.001	Green Geotechnics	29/08/2022
Digital Signage Safety Assessment	23395, Version 2	The Transport Planning Partnership	30/10/2024

No works, other than those approved (including raising or lowering of ground levels on the site, or construction of retaining walls on any property boundary) are permitted by this consent.

Note: Details of the development shown in the approved plans and documents referenced are altered in the manner indicated by:

- (i) any amendments made by Council on the approved plans or documents;
- (ii) any notes, markings, or stamps on approved plans or documents; and
- (iii) any conditions contained in this consent.

2. Works Must Not Commence Until a Construction Certificate is Issued

Construction or preparatory work (including earthworks or tree and/or vegetation removal) must not commence until:

- a) a Construction Certificate is obtained from either Council or an Accredited Certifier;
- b) a Principal Certifier is appointed; and
- c) a Notice of Commencement is lodged with Council.

Note: If the Construction Certificate is issued by an Accredited Certifier that is not Council it will be necessary to lodge the Construction Certificate and other approved documents with Council within two days of such approval (a registration fee is payable upon lodgement).

3. Appointment of a Principal Certifier

No work shall commence until:

- a) A Principal Certifier is appointed for the building/engineering works and the following details relating to the carrying out of the works have been provided:
 - (i) name and licence number of the builder/contractor undertaking the construction works; or
 - (ii) name and permit number of the owner-builder (if relevant);
- b) The Principal Certifier has:
 - (i) provided a copy of the notice of its determination to the consent authority, and to Council (within two days after the date of the determination);
 - (ii) notified the person having benefit of the consent of any critical stage inspections and other inspections that it requires to be carried out in relation to the approved work;
 - (iii) notified Council of its appointment (not less than two days before commencement of building work);
- c) The person having benefit of the consent (if not carrying out work as an owner-builder) has:
 - (i) appointed a principal contractor who must hold a 'contractor licence' if any residential building work is involved;
 - (ii) notified the Principal Certifier of the appointment of the principal contractor;
 - (iii) notified the principal contractor of any critical stage inspections or any other inspections that are required to be carried out in relation to the approved work; and
- d) At least two days' notice are to be provided to Council of the date on which it is proposed to commence work associated with this development consent.

4. **Part 6 Certificates Required**

The accredited certifier must provide copies of all Part 6 Certificates issued under the *Environmental Planning and Assessment Act 1979* relevant to this development to Council within seven days of issuing the certificate.

Note: A registration fee applies.

5. **Occupation Certificate Required Prior to The Use Of The Building**

The building must not be occupied or used prior to the issuing of an Occupation Certificate by the Principal Certifier. Where a partial Occupation Certificate has been issued, only that part of the building to which the Certificate applies may be occupied or used.

A copy of any Occupation Certificate must be submitted to Council within two days of its issue.

6. **Commencement of the Use of the Land**

The approved use of the sign must not commence until all relevant conditions of this consent have been complied with and an Occupation Certificate/Compliance Certificate has been issued. Where an Interim Occupation Certificate has been issued, only that part of the building to which the Certificate applies may be occupied or used.

Note: Where a partial Occupation Certificate has been issued, only that part of the building to which the Certificate applies may be occupied or used.

7. **Works on Public Land - Not Permitted Without Approval**

No work can be undertaken within adjoining public lands (i.e. Parks, Reserves, Roads etc.) without the prior written consent of Council or other relevant authority. In this regard the person having benefit of the consent is to contact Council prior to the commencement of any design works or preparation of a Construction and Traffic Management Plan.

The developer must bear the cost of all works associated with the development that occurs on public land, including the restoration of any damaged areas.

8. **Protection of Existing Vegetation**

This consent does not authorise the removal or trimming of any existing vegetation on the site. Should vegetation removal or trimming be proposed, a separate application must be submitted to Council for assessment and approval.

9. **Excavation - No Material to be Removed**

No excavated material, including soil, is to be removed from the site.

10. **Prescribed Conditions - Compliance with National Construction Code**

All building works must be carried out in accordance with the requirements of the National Construction Code (Building Code of Australia).

11. Archaeology - Discovered During Excavation

As required by the *Heritage Act 1977*, in the event that items, relics, historical cultural fabric and/or deposits are encountered/discovered where they are not expected, works must cease immediately and Council and the NSW Government's Heritage Council must be notified of the discovery.

In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the *Heritage Act 1977* to obtain the necessary approvals/permits from the Heritage Council.

Note: The *Heritage Act 1977* imposes substantial penalty infringements and / or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site.

12. Excavation - Aboriginal Relics

If any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:

- a) all excavation or disturbance of the area must stop immediately in that area; and
- b) Heritage NSW must be advised of the discovery.

All necessary approvals from the Heritage NSW must be obtained and a copy provided to Council prior to works recommencing.

Note: If an Aboriginal object is discovered, an Aboriginal Heritage Impact Permit may be required under the *National Parks and Wildlife Act 1974*.

13. Protection of trees

No trees on the subject site are to be removed or trimmed without prior approval.

14. TfNSW Requirements

- a) The proposed signs design and operation shall be in accordance with the Transport Corridor Outdoor Advertising and Signage Guidelines 2017 requirements including a dwell time of 25 seconds.
- b) The images displayed on the sign should not contain or use:
 - Flashing or flickering lights or content.
 - Animated displays, moving parts or simulated movement.
 - Complex signage including text and information that hold a driver's attention beyond "glance appreciation".
 - Signage resembling traffic control devices by use of colour, shape or words that can be construed as giving instruction to traffic for example, red,

amber, or green circles, octagons, crosses, triangles, and words such as 'stop' or 'halt'.

- A method of illumination that distracts or dazzles; and
- Dominant use of colours red or green.

c) All buildings and structures (including signage), together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth), along the Windsor Road boundary and road proposal area.

d) A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre (TMC) for any works that may impact on traffic flows on Windsor Road during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

15. Endeavour Energy Requirements.

The approved development is to be carried out and operated in accordance with the email submission and associated documentation prepared by Cornelis Duba OBO Endeavour Energy dated 10/03/2025.

Prior to the Issue of Construction Certificate

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate. In many cases, the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate.

The Accredited Certifier may require a Compliance Certificate to address particular matters below.

16. Long Service Levy Payment

The payment of a long service levy as required under Part 5 of the *Building and Construction Industry Long Service Payments Act 1986* is required. Evidence that the levy has been paid, is to be submitted to the Principal Certifier prior to the issue of any Construction Certificate.

Note: All building and construction work costing \$250,000 and above are subject to the payment of a Long Service Levy at the rate of 0.25%. Payments can be made at Long Service Payments Corporation offices or most councils.

17. Traffic Management Plan

A detailed Traffic Management Plan must be submitted to the Accredited Certifier prior to the issue of the Construction Certificate indicating how construction vehicles will safely enter and exit the site in a practical manner whilst minimising any negative effects on the surrounding roads and community. The Traffic Management Plan must include the following:

- a) construction access to the site is to be solely from Industry Road;

- b) the proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site;
- c) all loaded vehicles entering or leaving the site must have their loads covered;
- d) the proposed method of access to and egress from the site for vehicles is to be safe and practical; and
- e) any associated Traffic Control Plans prepared by an appropriately qualified person in accordance with the Roads and Maritime Services publication 'Traffic Control at Worksites'.

Where the site adjoins a Roads and Maritime Service controlled road, the Traffic Management Plan is to be approved by Roads and Maritime Services before incorporation into the Construction Management Plan.

Details demonstrating compliance with these requirements are to be submitted to the Accredited Certifier prior to the issue of the Construction Certificate.

18. Public Safety - Clear Pedestrian Sight Lines

Clear pedestrian sight lines are to be provided at the driveway entry in accordance with Figure 3.3 of Australian Standard AS 2890.1 - 'Parking facilities - Off-street car parking'. This requires that there be no boundary/retaining wall, fence or landscaping higher than 900 millimetres within a 2.5 metres by 2 metres sight triangle at each side of the entryway to the site. Any walls/fences/landscaping are to be adjusted in order to comply with this requirement.

Details demonstrating compliance with these requirements are to be submitted to the Accredited Certifier prior to the issue of the Construction Certificate.

19. Traffic Control Plan

A Traffic Control Plan prepared in accordance with the Roads and Maritime Services publication 'Traffic Control at Worksites' is to be prepared by an appropriately qualified person and submitted to Council, prior to commencement of any works, for approval.

Where the site adjoins a Roads and Maritime Service controlled road, the Traffic Management Plan is to be approved by Roads and Maritime Services before submission to Council for approval.

Details demonstrating compliance with these requirements are to be submitted to the Accredited Certifier prior to the issue of the Construction Certificate.

20. External Lighting - Design and Installation

All external lighting associated with the development must be mounted, screened, and directed in such a manner so as not to create a nuisance to the surrounding environment, properties and roadways. The lighting must be the minimum level of illumination necessary and must comply with Australian Standard AS 4282 - 'Control of the Obtrusive Effects of Outdoor Lighting'.

No flashing, moving or intermittent lighting, visible from any public place may be installed on the premises or external sign associated with the development.

Details demonstrating compliance with the above must be provided to the Accredited Certifier prior to the issue of the Construction Certificate.

21. Flood Prone Land - Flood Compatible Construction

All structures must have flood compatible structural components up to and including the 100 year Average Recurrence Interval (ARI) flood level. The materials used in the construction must be consistent with any structural engineering certificate regarding the ability of the building/structure to withstand the forces of floodwater.

A written specification of the proposed materials to be used must be provided to the Accredited Certifier prior to the issue of a Construction Certificate.

Note: Advice on suitability of materials for use on flood liable land can be found in the publication 'Reducing Vulnerability of Buildings to Flood Damage' (Chapter 4.3 - Construction Materials).

22. Flood Prone Land - Engineers Certification

The 100 year Average Recurrence Interval (ARI) flood level for this site is RL 17.3 metres AHD (Australian Height Datum).

An engineer's certificate must be provided deeming compliance with the following requirements during a 100 year ARI flood event:

- a) Debris: Damage to the proposed structure/s sustained in a flood will not generate debris capable of causing damage to downstream buildings or property. This includes securing of utilities and equipment including tanks, A/C units and similar;
- b) Structural Soundness: Any part of the structure will be able to withstand the force of floodwaters (including lateral forces, buoyancy forces, unbalanced hydrostatic forces) and the impact of debris; and
- c) Foundations: The footing system must be structurally stable during flooding and must consider the soil properties when wet, possible erosion and scouring or liquefaction, subsidence or collapse due to saturation.

The Engineers Certificate must be submitted to the Accredited Certifier prior to issue of the Construction Certificate.

23. Structural Engineers Design - Concrete and Structural Steel

A qualified Structural Engineer's design for all reinforced concrete and structural steel must be provided to the Accredited Certifier prior to issue of Construction Certificate.

Prior to Any Works Commencing on Site

24. Principal Certifier - Details

The applicant must advise Council of the name, address and contact number of the Principal Certifier, in accordance with Section 6.6(2) of the *Environmental Planning and Assessment Act 1979*.

25. Toilet Facilities

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet must:

- a) be a standard flushing toilet connected to a public sewer;
- b) be attached to an approved on-site effluent disposal system;
- c) be a temporary chemical closet that is regularly maintained; and
- d) appropriate facilities for the disposal of sanitary items are to be provided within the toilet.

26. Notice of Commencement

No work shall commence until a notice of commencement has been provided to Council. This notice is to be provided not less than two days from the date on which it is proposed to commence work associated with this Development Consent. The notice must also contain:

- a) details of the appointment of a Principal Certifier (PCA) providing name, address and telephone number; and
- b) details of the name, address and licence details of the Builder.

27. Prescribed Conditions - Shoring and Adequacy of Adjoining Property

Development that involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- a) protect and support the building, structure or work from possible damage from the excavation; and
- b) where necessary, underpin the building, structure or work to prevent any such damage.

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

28. Principal Certifier Site Sign

A sign must be erected in a prominent position on any site on which building work,

subdivision work or demolition work is being carried out:

- a) showing the name, address and telephone number of the Principal Certifier for the work;
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
- c) stating that unauthorised entry to the work site is prohibited.

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

29. Safety Fencing

The site is to be secured by a fence, in accordance with Safework NSW requirements, to prevent unauthorised access during the period of all works.

30. Protection of Adjoining Public Land

The public land adjoining the site must not be affected by site works, construction materials stockpiles, waste, building products and debris, site sheds, spoil placement or the like.

No access for vehicles, machinery or goods to the site must be gained across public land (other than the road reserve) without a prior written approval from Council.

31. Construction Certificate - Required Prior to Commencement of Works

A Construction Certificate as specified in this consent is required prior to the commencement of work on the site.

32. Demolition - General

All demolition works must be carried out in accordance with the following:

- a) all demolition work must be carried out strictly in accordance with Australian Standard AS 2601 - 'The Demolition of Structures';
- b) demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current SafeWork NSW 'Demolition License' and an appropriate SafeWork NSW Asbestos License and comply with SafeWork NSW Code of Practice 'How to Safely Remove Asbestos';
- c) site safety/security fencing must be provided prior to commencement of any work on-site and must be removed only when all hazards, including site waste, have been removed. The site safety/security fencing must comply with the following Australian Standards:

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- (i) Demolition Sites - Australian Standard AS 2601 - 'Demolition of structures';
 - (ii) Construction Sites - Australian Standard AS 4687 - 'Temporary fencing and hoardings';
 - (iii) Ongoing Site Safety/Security - Australian Standard AS 1725 - 'Chain-link fabric security fencing and gates';
- d) demolition work must be carried out only between the hours of 7am to 6pm Mondays to Fridays and 8am to 4pm Saturdays. No work is to be carried out on Sundays or public holidays;
 - e) no trees must be removed from the site unless they are shown for removal on the approved plans, or separately approved by Council;
 - f) erosion and sediment control measures must be installed prior to any demolition works commencing and maintained in accordance with the requirements contained in the Hawkesbury Development Control Plan 2002;
 - g) all waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water;
 - h) public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council;
 - i) any materials stored on site must be stored away from any drainage path or easement, natural watercourse;
 - j) demolition activity must not cause damage to or adversely affect the structural integrity of adjoining buildings;
 - k) waste must be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation;
 - l) no material is to be burnt on site;
 - m) details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) must be kept on site as evidence of approved methods of disposal and recycling; and
 - n) the site must be grassed or otherwise rendered erosion resistant immediately upon completion of demolition.

33. **Restriction of Site Access to Prevent Unauthorised Material**

The property entry and exit points must be secured at all times to prevent the unauthorised entry of vehicles, and to ensure that the site manager can control and prevent dumping of waste and potentially contaminated material whilst fill material is

being imported or managed on site.

34. **Erosion and Sediment Control for Minor Development**

Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with Hawkesbury Council's publication *Guidelines for Erosion and Sediment control on a building site (2017)*.

35. **Sydney Water - Endorsement of Approved Plans**

The approved plans must be submitted to and endorsed by Sydney Water via the 'Sydney Water Tap-in' website to determine whether the development will affect Sydney Water's water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to Sydney Water's website.

Evidence of the building plan approval must be forwarded to the Principal Certifier prior to the commencement of works.

During Construction

36. **Out of Hours Work Permits**

Where it is necessary for works to occur outside the hours approved by this consent, an application must be made to Council for a temporary approval for extended hours. If approval is issued the development must be carried out in accordance with any requirements of that approval.

Note: For the continuation of extended hours, you will be required to lodge a modification application under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

37. **Construction Hours**

Clearing of land, running of machinery, excavation, and/or earthworks, building works and the delivery of building materials must be carried out between the following hours:

- a) between 7am and 6pm, Mondays to Fridays inclusive;
- b) between 8am and 4pm, Saturdays;
- c) no work on Sundays and public holidays; and
- d) works may be undertaken outside these hours where:
 - (i) the delivery of vehicles, plant or materials is required outside these hours by the Police or other authorities;
 - (ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; and
 - (iii) a variation is approved in advance in writing by Council.

38. Site Management During Construction

The following requirements relating to site management apply during and immediately following construction:

- a) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- b) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- c) Copies of receipts stating the following must be given to the Principal Certifier:
 - (i) the place to which waste materials were transported;
 - (ii) the name of the contractor transporting the materials; and
 - (iii) the quantity of materials transported off-site and recycled or disposed of.
- d) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
- e) During construction:
 - (i) all vehicles entering or leaving the site must have their loads covered;
 - (ii) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads; and
 - (iii) any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to the public.
- f) At the completion of the works, the work site must be left clear of waste and debris.

Note: In the event it is not possible to keep the footpath or road reserve clear during construction works written approval from Council must be obtained prior to any closing of the road reserve or footpath area. The closure must take place in accordance with Council's written approval. The area must be signposted and such signposting be maintained in a way that ensures public safety at all times.

39. Loading and Unloading During Construction

The following requirements relating to loading and unloading apply during construction:

- a) All loading and unloading associated with construction activity must be accommodated on site.

- b) If, during excavation, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- d) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate approval must be obtained from Council.

40. Critical Stage Inspections

Prior to the commencement of building work and at nominated stages during the construction of the building, a minimum of 48 hours' notice is required to be provided to allow the Principal Certifier to ensure that the critical stage inspections are undertaken.

Note: Critical stage inspections are required to be carried out in accordance with Clause 162A of the *Environmental Planning & Assessment Regulation 2000*.

41. Traffic Management - Installation of Devices

Traffic Management Devices must be installed and maintained for the duration of the proposed works in compliance with the approved Traffic Management Plan.

Prior to the commencement of Use

42. Engineers Structural Certification - Signage Structure

All structurally designed structures are to be certified on completion by a suitably qualified and experienced Structural Engineer. Certification is to be provided to the Accredited Certifier.

43. Ambient lighting

The approved sign is to be fitted with an ambient light sensor or other such monitoring device to ensure that drivers are not affected by unsightly glare.

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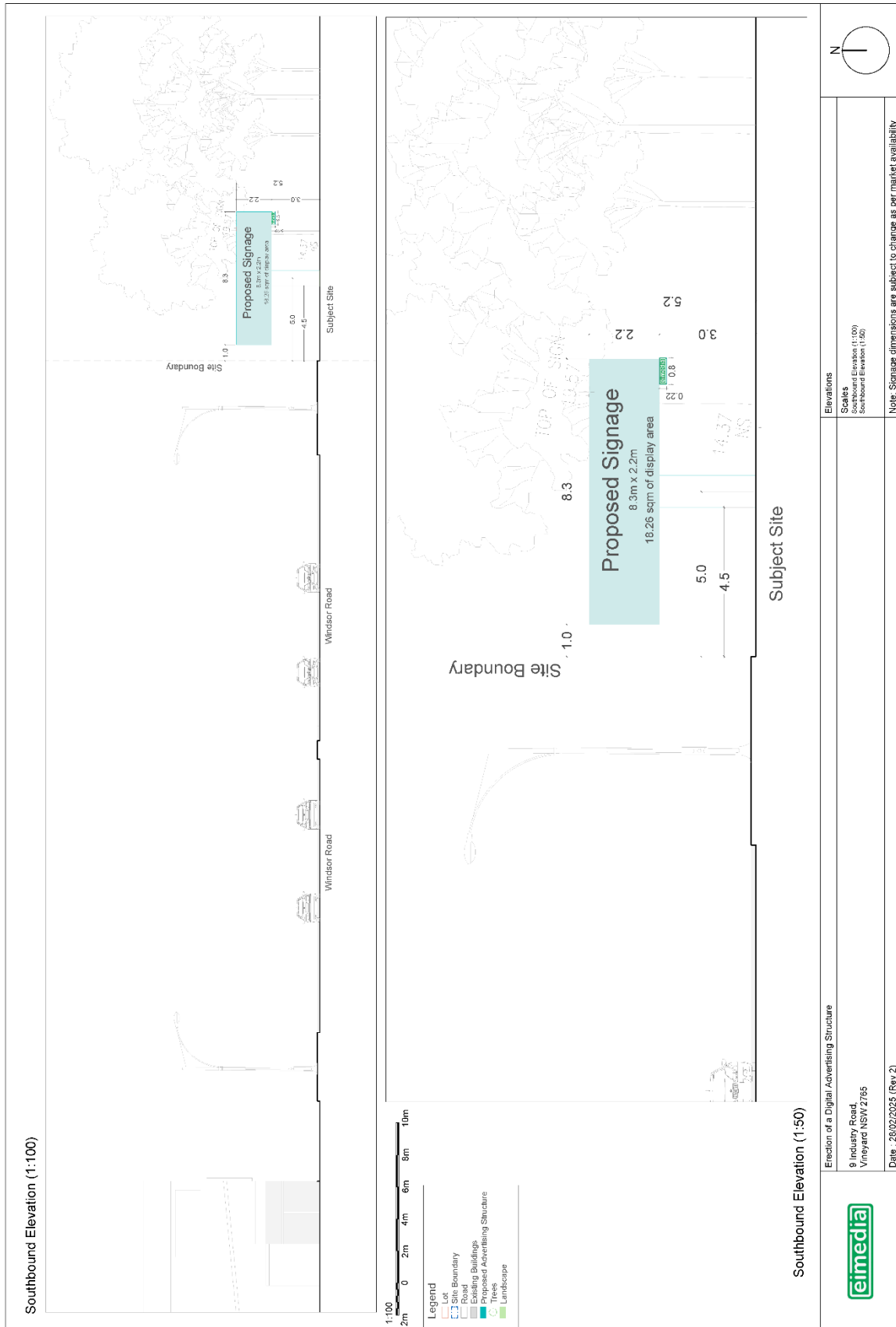
Attachment 2 - PLANS USED FOR ASSESSMENT



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2. REPORTS FOR DETERMINATION

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3. REPORTS FOR ADVICE

Meeting Date: 19 June 2025

3. REPORTS FOR ADVICE

Nil reports.



Hawkesbury Local Planning Panel Meeting

End of Business Paper

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