

STRATHFIELD COUNCIL

ELECTRONIC MEETING MINUTES

Electronic meeting of the STRATHFIELD LOCAL PLANNING PANEL MEETING

Held on:

Thursday 16 March 2023

Commencing at 10:30am at CEO Community Meeting
Room at 65 Homebush Road, Strathfield



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(Number of Speakers: Applicant 3)	

The closed electronic meeting to determine DA2021.233- 626-628 Liverpool Road Strathfield South was held in the CEO Community Meeting Room, at 65 Homebush Road, Strathfield on Thursday 16 March 2023.

The meeting commenced at 10:30am and closed at 12:55pm.

PRESENT

Jan Murrell – Chair

Brian Kirk - Expert

Lindsay Fletcher - Expert

Geoff Markwell - Community Representative

ALSO PRESENT

Kandace Lindeberg, Manager, Planning & Development

Joseph Gillies, Senior Planner

Gary Choice, Planner

Lily Parker, Business Support, Landuse, Place and Development

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

NIL

Strathfield Local Planning Panel Electronic Meeting – 16 March 2023

SUBJECT: DA2021.233- 626-628 LIVERPOOL ROAD STRATHFIELD SOUTH
LOT: 231 DP: 844782

DA NO. DA2021.233

PROPOSAL: Demolition of the existing structures and tree removal, construction of building containing five (3) industrial units and a four (4) storey hotel with a pub on the ground floor above two (2) levels of basement (comprising a retail premises and parking) and installation of associated signage.

BACKGROUND

At the Strathfield Local Planning Panel (SLPP) Meeting of the 2 February 2023, The Panel resolved:

*This application be **DEFERRED** to provide the opportunity for the applicant to submit further information and amended plans to Council for assessment, via the NSW Planning Portal in accordance with the Environmental Planning and Assessment Regulation 2021. A revised Capital Investment Value (CIV) must be prepared to reflect the amended plans and this must be considered in order that the consent authority is correctly identified (whether this is a matter for the Strathfield Local Planning Panel or Sydney East Planning Panel). If the matter remains one for the SLPP, this Panel will then electronically determine the application as soon as practicable upon the completion of the Council Officer's assessment report.*

In the event that the CIV is below \$30M, this Panel requires the applicant to submit information including:

- A security lighting plan (particularly external lighting), wayfinding plan, and carpark allocation plan as part of comprehensive CPTED Report.*
- A supplementary traffic report to provide further details and evidence to support the proposed parking demand management strategies and to demonstrate the adequacy of the total quantum of parking. The allocation for the various land uses and staff is to be identified and separated if necessary.*
- An arborist report for the trees on the adjoining land of the western boundary to ensure the protection and ongoing viability.*
- An updated Geotechnical Report is to be submitted that correctly refers to the amended plans and provides information on the methodology, if required, to mitigate vibration and noise having regard to the sensitive land use as a school opposite.*
- An amended Statement of Environmental Effects to reflect the changes to the proposed development.*
- An amended set of plans to include: changes to the rear right of way access to factory units; loading and unloading facilities to be shared by all the factory units that allows for appropriate sized vehicles; and reduction in the height to be compliant and other consequential amendments as necessary.*

*In the event that the information required is not provided by the **20 February 2023**, the Panel may determine the matter on the information currently before the Panel.*

DETERMINATION

The Panel has considered the additional information and amended plans provided by the applicant from the deferral of the 2 February 2023 Meeting, and the Council Officer's reports that includes the original report and the supplementary report dated the 14 March 2023. The Panel has determined that there are no outstanding issues that would warrant refusal of the application and consent is granted subject to the conditions attached.

THE DECISION IS UNANIMOUS: Jan Murrell, Brian Kirk, Lindsay Fletcher, Geoff Markwell

AGAINST: NIL

REASON:

The Panel is satisfied with the additional information, amended plans and supporting documents address the reasons for deferral. The Panel notes that the development does not breach the building height with the removal of the 5th level and that the additional accommodation has been relocated to the rear portion of the site. Furthermore, the direct vehicular access to right of way (ROW) from the warehouse component has been deleted and there is now a central servicing bay for the development.

The Panel is also satisfied that the nil setback to the eastern boundary is not unreasonable for this zone, the 'B6 Enterprise Corridor Zone'. The Panel notes Council's Tree Management Officer raised no objection to the proposed tree removal on the site, subject to replacement planting. It is noted one tree on the adjoining eastern boundary was not identified in the arborist's assessment and a condition requires its assessment.

The Panel is satisfied that the information submitted by the applicant for the CPTED is adequate subject to the recommendations included in the CPTED report. As such, a suitable condition has been imposed.

With respect to the stormwater issue that has recently been raised by Council, the Panel is satisfied that the requirements of the relevant Council policies can be adequately addressed by the satisfaction of an operational condition that requires the final design to be signed off by a chartered engineer. The Panel recognises this is an important issue that needs to be addressed given that part of the land is in a flood liable area.

Endorsed Jan Murrell: 23 March 2023

CONDITIONS OF CONSENT

Site: 626-628 Liverpool Road, Strathfield South

Proposal: Demolition of the existing structures and tree removal, construction of building containing five (3) industrial units and a four (4) storey hotel with a pub on the ground floor above two (2) levels of basement (comprising a retail premises and parking) and installation of associated signage.

The following conditions of consent are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instrument and/or Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To protect the environment.
- (c) To ensure that there is no unacceptable impact on the amenity of the area, or to private and public property.
- (d) It is in the public interest.

DEVELOPMENT DETAILS

1. Approved Plans & Documentation

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

Description	Reference No.	Date	Revision	Prepared by
Demolition	DA-030	25 August 2021	A	Squillance
Basement Level 2 Plan	DA-098	14 February 2023	F	Squillance
Basement Level 1 Plan	DA-099	14 February 2023	F	Squillance
Ground Level Floor Plan	DA-100	14 February 2023	F	Squillance
Floor Plan Level 1	DA-101	14 February 2023	F	Squillance

Floor Plan Level 2	DA-103	14 February 2023	E	Squillance
Floor Plan Level 3	DA-104	14 February 2023	E	Squillance
Floor Plan Level 4 (Roof Plan)	DA-105	14 February 2023	E	Squillance
Hume/Liverpool Road Elevation	DA-201	14 February 2023	E	Squillance
East Elevation	DA-202	14 February 2023	E	Squillance
West Elevation	DA-203	14 February 2023	E	Squillance
South Elevation	DA-204	14 February 2023	E	Squillance
South Hotel Elevation	DA-205	14 February 2023	E	Squillance
Section A	DA-301	14 February 2023	E	Squillance
Section B	DA-302	14 February 2023	E	Squillance
Preliminary Lighting & Wayfinding Plan Basement Level 2 Plan	DA-098	14 February 2023	F	Squillance
Preliminary Lighting & Wayfinding Plan Basement Level 1 Plan	DA-099	14 February 2023	F	Squillance
Preliminary Lighting & Wayfinding Plan Ground Level	DA-100	14 February 2023	F	Squillance

Floor Plan				
Preliminary Lighting & Wayfinding Plan Floor Plan Level 2	DA-103	14 February 2023	E	Squillance
Preliminary Lighting & Wayfinding Plan Hume/Liverpool Road Elevation	DA-201	14 February 2023	E	Squillance
Preliminary Lighting & Wayfinding Plan East Elevation	DA-202	14 February 2023	E	Squillance
Preliminary Lighting & Wayfinding Plan West Elevation	DA-203	14 February 2023	E	Squillance
Preliminary Lighting & Wayfinding Plan South Elevation	DA-204	14 February 2023	E	Squillance
Preliminary Lighting & Wayfinding Plan South Hotel Elevation	DA-205	14 February 2023	E	Squillance
Document	Reference No.	Date	Revision	Prepared by
Site Survey	513707 001DT	7 April 2021	-	LTS
Geotechnical Investigation Report	GS8219-1E	20 February 2023	4	Aargus
Arboricultural Impact Assessment and Management Plan	-	Jul 2021	-	Botanics Tree Wise People Pty Ltd

DA Acoustic Assessment	210127	24 August 2021	2	Pulse White Noise Acoustics
Section J Report	-	26 August 2021	A	Outsource Ideas P/L
CPTED Assessment	P0043572	20 February	Final V2	Urbis

2. Building Height

The height of the building measured from Australian Height Datum (AHD) must not exceed Reduced Level (RL) 41.2 AHD to the rooftop plant barrier of the building.

3. Signage

A separate application shall be submitted to Council prior to the erection of any additional signage unless the proposed signage is 'exempt development' under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* or any other applicable environmental planning instrument.

4. Development Near Busy Roads

The Hotel construction shall comply with the concepts listed in NSW Department of Planning Development Near Rail Corridors and Busy Roads Interim Guideline.

SEPARATE APPROVALS REQUIRED UNDER OTHER LEGISLATION

5. Section 138 Roads Act 1993 and Section 68 Local Government Act 1993

Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the [Roads Act 1993](#) and/or Section 68 of the [Local Government Act 1993](#) for any of the following activities carried out in, on or over a public road (including the footpath) listed below.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.
- (b) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (c) Establishing a "works zone";

- (d) Placing or storing materials or equipment;
- (e) Placing or storing waste containers or skip bins;
- (f) Stormwater & ancillary to public infrastructure on private land
- (g) Erecting a structure or carrying out work

These separate activity approvals (a)-(g) must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.

- (h) Pumping water from the site into the public road;
- (i) Constructing a vehicular crossing or footpath;
- (j) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);
- (k) Stormwater & ancillary works in the road reserve; and
- (l) Pumping concrete from a public road;

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the activities commencing.

The relevant Application Forms for these activities can be downloaded from Council's website www.strathfield.nsw.gov.au. For further information, please contact Council's Customer Service Centre on (02) 9748 9999.

6. Vehicular Crossing – Major Development

The following vehicular crossing and road frontage works will be required to facilitate access to and from the proposed development site:

- (a) Construct a 1.5 metre wide footpath for the length of the rear thoroughfare of the site in accordance with Council's Specifications applying at the time construction approval is sought.
- (b) The thickness and design of the driveway shall be in accordance with Council's Specifications applying at the time construction approval is sought.
- (c) Any existing vehicular crossing and/or laybacks which are redundant must be removed. The kerb and gutter, any other footpath and turf areas shall be restored at the expense of the applicant. The work shall be carried out in accordance with Council's specification, applying at the time construction approval is sought.

Constructing a vehicular crossing and/or footpath requires separate approval under Section 138 of the [Roads Act 1993](#), prior to the commencement of those works.

To apply for approval, complete the *Works Permit Application Form* which can be downloaded from Strathfield Council's Website at www.strathfield.nsw.gov.au. Lodge the application form, together with the associated fees at Council's Customer Service Centre, during business hours. Refer to Civic & Urban Services Section in Council's adopted *Fees and Charges* for the administrative and inspection charges associated with *Works Permit* applications.

An approval for civil works will contain the approved access and/or alignment levels which will be required to construct the crossing and/or footpath. Once approved, all work shall be carried out in accordance with Council's specifications applicable at the time, prior to the issue of an Occupation Certificate.

7. Road Opening Permit

A Road Opening Permit must be obtained from Council, in the case of local or regional roads, or from TfNSW, in the case of State roads, for every opening of a public road reserve to access services including sewer, stormwater drains, water mains, gas mains, and telecommunications before the commencement of work in the road.

8. Building – Hoarding Application

Prior to demolition of the buildings on the site, or the commencement of work above ground level, a separate application for the erection of an 'A class' (fence type) or a 'B class' (overhead type) hoarding or 'C type' scaffold, in accordance with the requirements of SafeWork NSW, must be erected along that portion of the footways/roadway where the building is within 3 metres of the street boundary.

An application for this work under Section 68 of the [Local Government Act 1993](#) and the Roads Act 1993 must be submitted for approval to Council.

The following information is to be submitted with a Hoarding Application under Section 68 of the [Local Government Act 1993](#) and Section 138 of the [Roads Act 1993](#):

- (a) A site and location plan of the hoarding with detailed elevation, dimensions, setbacks, heights, entry and exit points to/from the site, vehicle access points, location of public utilities, electrical overhead wire protection, site management plan and builders sheds location; and
- (b) Hoarding plan and details that are certified by an appropriately qualified engineer; and
- (c) The payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges (available at www.strathfield.nsw.gov.au) before the commencement of work; and
- (d) A Public Risk Insurance Policy with a minimum cover of \$20 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained a copy provided to Council. The Policy is to note Council as an interested party.

9. Below Ground Anchors – Information to be Submitted with S68 Application under LGA 1993 and S138 Application under Roads Act 1993

In the event that the excavation associated with the basement carpark is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways, an application must be lodged with Council under Section 68 of the [Local Government Act 1993](#) and the [Roads Act 1993](#) for approval, prior to commencement of those works. The following details must be submitted.

- (a) That cable anchors will be stressed released when the building extends above ground level to the satisfaction of Council.
- (b) The applicant has indemnified Council from all public liability claims arising from the

proposed works, and provide adequate insurance cover to the satisfaction of council.

- (c) Documentary evidence of such insurance cover to the value of \$20 million.
- (d) The applicant must register a non-terminating bank guarantee in favour of Council for the amount of \$20,000.

The guarantee will be released when the cables are stress released. In this regard it will be necessary for a certificate to be submitted to Council from a structural engineer at that time verifying that the cables have been stress released.

- (e) That in the event of any works taking place on Council’s roadways/footways adjoining the property while the anchors are still stressed, all costs associated with overcoming the difficulties caused by the presence of the ‘live’ anchors will be borne by the applicant.

REQUIREMENTS OF CONCURRENCE, INTEGRATED & OTHER GOVERNMENT AUTHORITIES

10. General Terms of Approval

The development shall be carried out in accordance with the requirements of the General Terms of Approval (GTA) outlined below.

Approval Body	Date of GTA
<p>Ausgrid</p> <ul style="list-style-type: none"> i. Overhead Powerlines <p>Safe work NSW Document – Work Near Overhead Powerlines: Code of Practice, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process.</p> <p>It is a statutory requirement that these distances be maintained throughout construction. Special consideration should be given to the positioning and operating of cranes and the location of any scaffolding.</p> <p>The “as constructed” minimum clearances to the mains should also be considered. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website, www.ausgrid.com.au</p> <p>It remains the responsibility of the developer and relevant contractors to verify and maintain these clearances onsite.</p> <p>"Should the existing overhead mains require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost.</p> <p>It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all</p>	<p>9 May 2022</p>

types of vehicles that are expected be entering and leaving the site."

ii. Underground Cables

Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.

Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

A copy of the requirements of the approval Authority is attached to this consent.

11. **Trade Waste Agreements**

A Trade Waste Agreement with Sydney Water may be required. Details of any work required to comply with the agreement must be detailed on the plans lodged with the Construction Certificate. If no trade waste agreement or grease trap is required, a letter from Sydney Water to this effect must be submitted with the application for the Construction Certificate.

12. **Sydney Water – Tap in™**

The approved plans must be submitted to a Sydney Water Tap in™ to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately endorsed. For details please refer to 'Plumbing, building and developing' section of Sydney Water's web site at www.sydneywater.com.au then see 'Building', or telephone 13000 TAP IN (1300 082 746). The Certifying Authority must ensure that a Tap in™ agent has appropriately stamped the plans prior to the issue of the Construction Certificate.

13. **Notice of Requirements for a Section 73 Certificate**

A Notice of Requirements of what will eventually be required when issuing a Section 73 Compliance Certificate under the [Sydney Water Act 1994](http://www.sydwater.nsw.gov.au/legislation/act1994) must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the 'Plumbing, building and developing' section of the web site www.sydneywater.com.au then refer to 'Providers' under 'Developing' or telephone 13 20 92 for assistance.

Following application, a 'Notice of Requirements' will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, as it can take some time to build water/sewer pipes and this may impact on other services and building, driveway or landscape design.

The Notice of requirements must be submitted prior to the commencement of work. A Section 73 Compliance Certificate will be required at the completion of development in accordance with further conditions.

14. Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the [Sydney Water Act 1994](#) must be submitted to the Principal Certifier prior to the issue of the Occupation/Subdivision Certificate.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

15. Drainage design plans

All drainage and stormwater design plans and documentation are to be signed off by a Chartered Engineer specializing in hydraulics, stormwater and flood management prior to the issue of a construction certificate.

All works-as-executed plans and certification must be signed and forwarded to the Principal Certifier and Council, from a chartered engineer.

16. Fees to be Paid

The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment (available at www.strathfield.nsw.gov.au).

Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Please contact council prior to the payment of s7.11 Contributions to determine whether the amounts have been indexed from that indicated below in this consent and the form of payment that will be accepted by Council.

A summary of the fees to be paid are listed below:

Fee Type	Fee
GENERAL FEES	
Long Service Levy (to Long Service Corporation) Or, provide evidence of Payment direct to the Long Service Corporation. See https://portal.longservice.nsw.gov.au/bci/levy/	\$ 74,485.00
Security Damage Deposit	\$ 33,000.00
Administration Fee for Damage Deposit	\$ 130.00

DEVELOPMENT CONTRIBUTIONS	
Strathfield Section 94 Development Contributions – Local Open Space	\$ 393,357.63
Strathfield Section 94 Development Contributions – Major Open Space	\$ 86,781.28
Strathfield Section 94 Development Contributions – Administration	\$ 7,745.50
Total Section 94 Contributions:	\$ 487,884.41

General Fees

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

Development Contributions

The Section 7.11 contribution (s94) is imposed to ensure that the development makes adequate provision for the demand it generates for public amenities and public services within the area.

Indexation

The above contributions will be adjusted at the time of payment to reflect changes in the cost of delivering public amenities and public services, in accordance with the indices provided by the relevant Development Contributions Plan.

Timing of Payment

The contribution must be paid and receipted by Council prior to the release of the Construction Certificate.

Further Information

A copy of the *current Development Contributions Plans* may be inspected at Council's Customer Service Centre at 65 Homebush Road, Strathfield or on Council's website www.strathfield.nsw.gov.au.

17. Required Design Changes

The following changes are required to be made and shown on the Construction Certificate plans:

Amendments made in red on approved plans	All changes made in red on the approved plans shall be updated and shown on the Construction Certificate plans.
Keg Room	The Keg Room shall be amended to include a door so that the

	room can be accessed.
Signage	The following signs (see signage plan) shall be reduced to a 400mm diameter to comply with SCDCP 2005 controls: <ul style="list-style-type: none"> • Sign 3 - 'VIP' Circle sign; • Sign 4 - 'TAB' circle sign • Sign 5 - 'VIP circle sign
Crime Prevention Through Environmental Design	The development shall incorporate all recommendations of the CPTED Assessment prepared by Urbis (dated 20 February 2023) relating to relating to further amendments during the detailed design stage, and ongoing management of the development. The CPTED Assessment should be read in conjunction with the Preliminary Lighting and Wayfinding Plan(s) (DA-098 to DA-100 Issue F; DA-103 to DA-205 Issue E, dated 14 February 2023).
Rear loading area	A loading dock management plan be prepared to include a safe pedestrian pathway through the warehouse area.
Warehouse staff parking	The basement carpark shall be amended to show two (2) designated spaces for warehouse staff parking.
Waste Management Plan	A plan showing waste types and generation rates, location and specifications of waste room, onsite waste collection and access for collection vehicles, bulky waste room and garbage chute service room or any specialised waste equipment (when applied), as well as specifications for waste management and resource recovery. A WMP shall include drawings and images for proposed waste rooms, vehicle access path and collection areas.

18. Schedule of External Finishes

All external materials and colours shall be of low glare and reflectivity.

19. Damage Deposit – Major Works

In order to insure against damage to Council property the following is required:

- (a) Pay Council, before the issue of the Construction Certificate, a security damage deposit for the cost of making good any damage caused to any Council property as a result of the development: \$33,000.00
- (b) Pay Council, before the issue of the Construction Certificate, a non-refundable administration fee to enable assessment of any damage and repairs where required: \$130.00
- (c) Submit to Council, before the commencement of work, a dilapidation report of the condition of the Council nature strip, footpath and driveway crossing, or any area likely to be affected by the proposal.

At the completion of work Council will review the dilapidation report and the Works-As-Executed

Drawings (if applicable) and inspect the public works.

The damage deposit will be refunded in full upon completion of work where no damage occurs and where Council is satisfied with the completion of works. Alternatively, the damage deposit will be forfeited or partly refunded based on the damage incurred.

20. **Site Management Plan**

Major Development

A Site Management Plan must be submitted with the application for a Construction Certificate, and include the following:

- (a) location of protective site fencing;
- (b) location of site storage areas/sheds/equipment;
- (c) location of building materials for construction, e.g. stockpiles
- (d) provisions for public safety;
- (e) dust control measures;
- (f) method used to provide site access location and materials used;
- (g) details of methods of disposal of demolition materials, according to Waste Management Plan and which should be used or recycled wherever practicable;
- (h) method used to provide protective measures for tree preservation;
- (i) provisions for temporary sanitary facilities;
- (j) location and size of waste containers/skip bins, according to the Waste Management Plan and including resource recovery methods;
- (k) details of proposed sediment and erosion control measures;
- (l) method used to provide construction noise and vibration management;
- (m) construction and demolition traffic management details.

The site management measures are to be implemented prior to the commencement of any works including demolition and excavation. The site management measures are to be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity. A copy of the Site Management Plan must be kept on site and is to be made available upon request.

21. **Low Reflectivity Roof**

Roofing materials must be of a light to mid-tone and be of low glare and reflectivity. Details of finished external materials including colours and texture must be provided to the Certifying Authority.

22. **Erosion & Sedimentation Control**

Erosion and sediment controls must be provided to ensure:

- (a) Compliance with the approved Erosion & Sediment Control Plan
- (b)** Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval)
- (c) All clean water run-off is diverted around cleared or exposed areas
- (d) Silt fences, stabilised entry/exit points or other devices are installed to prevent sediment from entering drainage systems or waterways
- (e) All erosion and sediment controls are fully maintained for the duration of demolition, excavation and/or development works

- (f) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadway
- (g) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar
- (h) Compliance with [Managing Urban Stormwater – Soils and Construction \(Blue Book\) produced by Landcom 2004](#). These measures are to be implemented prior to the commencement of work (including demolition and excavation) and must remain until works are completed and all exposed surfaces are landscaped/sealed.

23. On Site Detention

The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system, prepared and designed by a chartered engineer specialising in hydraulic engineering, shall be submitted prior to the issuing of the Construction Certificate.

An on-site detention (OSD) facility designed by a chartered engineer who specialises in Hydraulic Engineering must be designed, approved and installed. The design must include the computations of the inlet and outlet hydrographs and stage/storage relationships of the proposed OSD using the following design parameters:

- (a) at Annual Recurrence Intervals of 2 years, 10 years and 100 years.

The OSD facility shall be designed to meet all legislated safety requirements and childproof safety fencing around the facility must be provided where the OSD facility is open or above ground when the design peak storage depth is greater than 300mm. A durable metal plate or similar sign is to be placed at the OSD facility and must bear the words:

"BEWARE: This is an on-site detention basin/tank for rainwater which could overflow during heavy storms."

Full details shall accompany the application for the Construction Certificate.

24. Detailed Stormwater Drainage Design

The submitted stormwater plan has been assessed as a concept plan only. A detailed drainage design is to be prepared supported by Council flood data mapping and drainage calculations (including a Hydraulic Grade Line Analysis) in accordance with Council's Stormwater Management Code and AS/NZS 3500.3: 2015 (as amended). The stormwater drainage plans shall be prepared and designed by a chartered engineer specialising in hydraulic engineering and shall be submitted prior to the issuing of the Construction Certificate.

Amended plans shall include (among other things):

- An on-site detention system is required to comply with section 4.2 of council's stormwater management code.

All stormwater plans, and documents associated with stormwater, flooding, etc are required to be signed off by a chartered engineer.

25. Stormwater Drainage Plan Details

Stormwater drainage plans including pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits prepared by a chartered engineering specialising in hydraulic engineering shall be submitted with the Construction Certificate application.

These plans shall be prepared in accordance with the Australian Institute of Engineers Australian Rainfall and Runoff (2019) and Council's Stormwater Management Code.

26. **Water Sustainability – Water Sensitive Urban Design**

Details of the Water Sensitive Urban Design (WSUD) components (stormwater treatment measures) shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. Details shall demonstrate compliance with the water conservation and stormwater quality targets set out under Sections 3.1 and 3.2 respectively under Part N of the SDCDP 2005 and be prepared by a suitably qualified chartered engineer.

27. **Drainage System – Maintenance of Existing System**

Where elements of the existing drainage system are to be utilised, the existing drainage system shall be overhauled and maintained clear of silt and accumulated debris. Silt and the like shall be removed, not flushed from the system.

A certificate shall be provided by a suitably qualified person (a registered plumber or a person of equivalent or greater experience or qualification) to the satisfaction of the Principal Certifying Authority, prior to the issue of any Occupation Certificate to confirm that the system is in good working order and adequate to accept additional flows having regard to any relevant standards and/or Sydney Water requirements.

28. **Fire Safety Measures**

Prior to the issue of a construction certificate a list of the existing and proposed essential fire safety measures that are to be provided in relation to the land and any building on the land as a consequence of the building work must accompany an application for a construction certificate, which is required to be submitted to either Council or a Principal Certifier. Such list must also specify the minimum standard of performance for each essential fire safety measure included in the list. The Council or Principal Certifier will then issue a Fire Safety Schedule for the building.

29. **Structural Details**

Engineer's details prepared by a practising Structural Engineer being used to construct all reinforced concrete work, structural beams, columns & other structural members. The details are to be submitted to the Principal Certifying Authority for approval prior to construction of the specified works.

A copy shall be forwarded to Council where Council is not the Principal Certifier.

30. **Engineer's Certificate**

A certificate from a professional Engineer specialising in structural engineering certifying the structural adequacy of the existing structure, to support all proposed additional superimposed loads shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

31. **Access for Persons with a Disability**

Access and sanitary facilities for persons with disabilities must be provided to the premises/building in accordance with the requirements of the Premises Standards, the Building Code of Australia, and AS 1428.1. Details must be submitted with the Construction Certificate Application for approval.

32. **Commonwealth Disability (Access to Premises) Standard**

The Commonwealth Disability (Access to Premises - Buildings) Standards 2010 (the Premises Standards) applies to all applications (i.e. Construction Certificate). This requires any new building, part of a building and the affected part of the existing building to comply with the Premises

Standards, the Building Code of Australia and AS 1428.

33. **Geotechnical Report**

Geotechnical Reports: The applicant must submit a Geotechnical Report, prepared by a professional engineer specialising in geotechnical engineering who holds the relevant Certificate of accreditation as required under the *Building Professionals Act 2005* in relation to dilapidation reports, all site works and construction. This is to be submitted before the issue of the Construction Certificate and is to include:

- (a) Investigations certifying the stability of the site and specifying the design constraints to be placed on the foundation, any earthworks/stabilization works and any excavations.
- (b) Dilapidation Reports on the adjoining properties including, but not limited to:
 - 622-624 Liverpool Road STRATHFIELD SOUTH;
 - 630-634 Liverpool Road STRATHFIELD SOUTH; and
 - 6-8 Braidwood Street STRATHFIELD SOUTH

prior to any excavation of site works. The Dilapidation Report is to include assessments on, but not limited to, the structures at those addresses and any external paths, grounds etc. This must be submitted to the Principal Certifier and the adjoining occupants as part of the application for the Construction Certificate. Adjoining occupants are to be provided with the report five (5) working days prior to any works on the site.

- (c) On-site guidance by a vibration specialist during the early part of excavation.
- (d) Measures to minimise vibration damage and loss of support to other buildings. Where possible any excavation into rock is to be carried out with tools such as rock saws which reduce vibration to adjoining buildings and associated structures. Where a hydraulic hammer is to be used within 30 metres of any building (other than a path or a fence) the report shall detail the maximum size of hammer to be used and provide all reasonable recommendations to manage impacts.
- (e) Sides of the excavation are to be piers prior to any excavation occurring to reinforce the walls of the excavation to prevent any subsidence to the required setbacks and neighbouring sites.

34. **Off Street Parking – Compliance with AS2890**

All driveways, access ramps, vehicular crossings and car parking spaces shall be designed and constructed in accordance with the current version of Australian Standards, AS 2890.1 (for car parking facilities), AS 2890.6 (parking for people with disabilities) and AS 2890.2 (for commercial vehicle facilities).

35. **Construction Traffic Management Plan**

A Construction Traffic Management Plan detailing:

- (a) construction vehicle routes;
- (b) anticipated number of trucks per day;
- (c) hours of construction;
- (d) Access arrangements; and
- (e) Proposed traffic measures to minimise impacts of construction vehicles

must be submitted for the approval of Council's Engineers. Council's Engineers must specify in writing that they are satisfied with the Traffic Management Plan prior to the issue of the Construction Certificate.

36. **Acoustic Requirements**

Compliance with submitted Acoustic Report

The Construction Certificate plans shall demonstrate compliance with the Acoustic Report submitted and approved by Council, titled *Ibis Budget Enfield, 626-628 Liverpool Road, Enfield – DA Acoustic Assessment* prepared by Pulse White Noise Acoustics (Project No. 210127; dated 24 August 2021).

37. **Wet Areas and Trade Waste Systems**

Details and specification of wet areas must be submitted with the Construction Certificate application for approval.

38. **Waste Management Plan**

An amended Waste Management Plan incorporating all requirements in respect of the provision of waste storage facilities, removal of all materials from the site that are the result of site clearing, extraction, and, or demolition works and the designated Waste Management Facility shall be submitted to the Certifying Authority prior to the issue of any Construction Certificate.

WMP should also indicate:

- The location of commercial garbage bins so as not to impact the turning/loading area and swept paths within the industrial warehouse area; and
- How waste education will be provided, in order to minimise waste disposal, contamination and to increase recycling. Educational signage is to be installed in waste rooms and commons areas.

[EPA's Better Practice Guide for Waste Management in Multi-unit Dwellings](#) and [Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities](#) should be used to inform design and waste management outcomes in new and existing development.

39. **Onsite Waste Collection**

Development for the purposes of mixed use and commercial developments must provide onsite underground or at-grade collection of waste, which must comply with the requirements contained within Part H of Strathfield Development Control Plan 2005 (DCP 2005).

Waste servicing and collection arrangements should be clearly depicted and annotated on architectural drawings, which should indicate adequate turning circles to allow collection vehicles to enter and exit the site in a forward direction.

40. **Commercial and Industrial Waste**

Appropriate waste and recycling containers and facilities will need to be provided according to Waste Management Plan for all specific end use businesses in accordance with the waste generation rates provided at Part H of Strathfield Council DCP 2005 – Appendix B.

WMP should also provide written evidence of valid contracts for the regular collection and disposal of waste and recyclables generated on the site. The private waste contractor must confirm the

frequency of the waste collections (general waste, recycling and bulky goods), and that the size and location of the storage room is suitable for the frequency of the waste collections.

The collection of commercial and industrial waste and recycling must only occur between 6.00am and 8.00pm weekdays and 9.00am and 5.00pm on weekends and public holidays, to avoid noise disruption to the surrounding area. All garbage and recyclable matter must be enclosed in the waste bins with lids completely closed at all times.

Waste education must be provided through signs in common areas indicating how to avoid, reduce, reuse and recycle waste.

Note: Refer to the EPA's [Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities](#)

41. **Arborist Report**

An amended Arboricultural Impact Assessment shall be prepared to address the following outstanding issues:

- i. The un-numbered tree located in the southwest corner shall be included in the amended tree table and SRZ and TPZ shall be provided.
- ii. Confirmation is required that the proposed building and excavation will not extend beyond the line of existing lower retaining wall.
- iii. A tree protection plan is required to protect T1 – T3 T1-3, (*Eucalyptus microcorys*) on 630-634 Liverpool Road throughout demolition and construction.
- iv. Evidence such as root mapping should be provided to establish the impact of proposed development on Tree 13. The design should be adjusted to accommodate outcomes of root mapping as required. Root mapping shall comply with requirements of *Strathfield DCP2005, Part O-Tree Management APPENDIX 4a*). a tree protection plan required to protect this tree throughout demolition and construction.
- v. The single *Callistemon viminalis* (not picked up in arborist's report) located close to site boundary at rear of 622-624 Liverpool Road has an estimated SRZ of 2.25m and TPZ of 4.8m and should be retained if possible with appropriate protection measures. An amended Arborist report shall assess the impact of the proposed development on this tree and in the event this tree cannot be retained then consent from owners will be required and a replacement planting shall be provided.

42. **Tree Removal/Pruning Prohibited**

This consent does not approve the removal or pruning (branches or roots) of any trees on the subject property, Council's public footway, public reserves or on neighbouring properties, that is not approved by this consent.

43. **Compliance with Submitted Arborist Report**

The recommendations outlined in the amended Arborist's Report titled must be implemented throughout the relevant stages of construction. Details of tree protection measures to be implemented must be detailed and lodged with the Construction Certificate application for approval and shall be in accordance with Section 4 - *Australian Standard AS 4970-2009: Protection of trees on development sites*.

The tree/s to be protected are listed in the table below.

Tree No.	Tree Species	Location of Tree	Tree Protection Zone (metres)
1	<i>Eucalyptus microcorys</i>	630-634 Liverpool Road	5m
2	<i>Eucalyptus microcorys</i>	630-634 Liverpool Road	4.8m
3	<i>Eucalyptus microcorys</i>	630-634 Liverpool Road	4.8m
2	<i>Eucalyptus microcorys</i>	630-634 Liverpool Road	4.8m
9	<i>Casuarina glauca</i>	Southern boundary of site	4m
10	<i>Casuarina glauca</i>	Southern boundary of site	4m
11	<i>Casuarina glauca</i>	Southern boundary of site	4m
12	<i>Casuarina glauca</i>	Southern boundary of site	4m
TBC	<i>Casuarina glauca</i>	Southern boundary of site	TBC
13	<i>Eucalyptus punctata</i>	6-8 Braidwood Street	9.6m
TBC	<i>Callistemon viminalis</i>	624 Liverpool Road	4.8m

General Tree Protection Measures

- (a) All trees to be retained shall be protected and maintained during demolition, excavation and construction of the site.
- (b) The tree protection measures must be undertaken in accordance *AS4970 -2009 Protection of trees on development sites*.
- (c) Details of the tree protection measures to be implemented must be provided with the application for a Construction Certificate by a suitably qualified Arborist (AQF Level 5 or above in Arboriculture).
- (d) The Arborist must be present on-site during the stages of construction when works are being undertaken that could impact on the tree canopy or root zone within the tree protection zone to implement the tree protection measures as required.
- (e) Unless otherwise specified in AS 4970-2009, a protective fence consisting of 1.8 metres high, fully supported chainmesh fence shall be erected around the base of the tree. The distance of the fence from the base of each tree is to be in accordance with the TPZ listed in the table above. A layer of organic mulch 100 millimetres thick shall be placed over the protected area and no soil or fill should be placed within the protection area.
- (f) No services shall be installed within the TPZ of the tree unless approved by Council. This

fence shall be kept in place during demolition, construction and also have a sign displaying 'Tree Protection Zone' attached to the fence and must also include the name and contact details of the Project Arborist.

Specific Street Tree Protection Measures

- (g) A sound protection barrier anchored firmly into the ground 1.8m in height x 2 metres clear of the base of the tree at any one point and that the fence is to extend up to the back of the kerb and to the edge of the footpath.

Excavation works near tree to be retained

- (h) Excavations around the trees to be retained on site or the adjoining properties shall be supervised by the Project Arborist to ensure that the root system will not adversely be affected.
- (i) Where the Tree Protection Zone (TPZ) of trees on site or adjoining sites become compromised by any excavation works, the Project arborist shall be consulted to establish the position of any major roots and determine the necessary measures to protect these roots. The recommendations of the Arborist shall be submitted to Council prior to any further demolition or construction works taking place.
- (j) Tree Protection Zone around the trees to be retained are not to have soil level changes or services installed in this area. Any structures proposed to be built in this area of the trees are to utilise pier and beam or cantilevered slab construction.

Details satisfying this condition shall be shown on the Construction Certificate plans.

44. Landscape Plan

A detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer, must be submitted prior to the issue of the Construction Certificate. The plan must include:

- (a) Location of existing and proposed structures, services and existing trees;
- (b) Details of earthworks including mounding and retaining walls and planter boxes;
- (c) Location of proposed plants and a plant schedule showing the plant symbol, botanical name/ common name; quantity; pot size/; and mature height x width.
- (d) Details of planting procedure and maintenance;
- (e) Landscape specification;
- (f) Details of drainage and watering systems;
- (g) Details of garden edging and turf; and
- (h) Any required fencing, retaining walls and other structures not shown on other approved architectural and engineering plans.
- (i) Replacement planting for the dead tree (Tree 8) as per the Arboricultural Impact Assessment Arboricultural Impact Assessment and Management Plan prepared by Botanic Tree Wise People (dated July 2021).
- (j) Replacement tree planting of four (4) trees that can grow to a minimum height of 8 metres to compensate for the loss of urban canopy.

- (k) Additional details for the proposed 'Green Roof' including structure, soil depths and proposed planting
- (l) All on slab soil depths and volumes to be nominated in accordance with Section 4P (Table 5) of the *Apartment Design Guide/ SEPP 65*.
- (m) Greater resolution of the atrium proposal is required and preferably with the input of a specialist consultant experienced in atrium and internal landscape areas to help ensure the success of the proposal. Details should include the following:
 - Soil depth and volume
 - Irrigation and washing of the plant foliage
 - Suitable ventilation and air movement to reduce pathogen risk.

45. **Landscape Plans**

All landscape works shall be carried out in accordance with the approved landscape plans. The landscaping shall be maintained in accordance with the approved plans for the life of the development.

Tree Removal & Replacement

Tree removal

Permission is granted for the removal of the following trees:

Tree No	Tree Species	Number of trees	Location
4	<i>Eucalyptus microcorys</i>	1	Rear of site carpark
5	<i>Eucalyptus microcorys</i>	1	Rear of site carpark
6	<i>Eucalyptus microcorys</i>	1	Rear of site carpark
7	<i>Eucalyptus microcorys</i>	1	Rear of site carpark
8	<i>Casuarina glauca (dead)</i>	1	Southern boundary of site

General Tree Removal Requirements

All tree removal shall be carried out by a certified Tree Surgeon/Arborist to ensure that removal is undertaken in a safe manner and complies with the AS 4373-2007 - Pruning of Amenity Trees and Amenity Tree Industry Code of Practice (Safework NSW, August 1998).

All trees permitted to be removed by this consent shall be replaced with tree species selected from Council's Recommended Tree List in accordance with approved landscape plans. Replacement trees shall be a minimum 75 litre container size. Trees are to conform to the *AS2303:2018 Tree Stock for Landscape Use*. Trees are to be true to type, healthy and vigorous at

time of delivery and planting, shall be pest and disease free, free from injury and wounds and self-supporting; and shall be maintained until maturity.

All trees are to be staked and tied with a minimum of three (3) hardwood stakes. Ties are to be hessian and fixed firmly to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.

Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths and driveways.

Soil conditioner/fertilizer/moisture retention additive/s are to be applied in accordance with manufacturer's recommendations, and mixed into the backfilling soil after planting tree/s. A minimum 75mm depth of organic mulch shall be placed within an area 0.5m from the base of the tree.

Details demonstrating compliance shall be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

PRIOR TO THE COMMENCEMENT OF WORK (INCLUDING DEMOLITION & EXCAVATION)

46. Demolition & Asbestos

The demolition work shall comply with the provisions of Australian Standard AS2601:2001 – Demolition of Structures, NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#). The work plans required by AS2601:2001 shall be accompanied by a written statement by a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the safety statement shall be submitted to the Principal Certifier prior to the commencement of works.

For demolition work which involves the removal of asbestos, the asbestos removal work must be carried out by a licensed asbestos removalist who is licensed to carry out the work in accordance with the NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#) unless specified in the Act and/or Regulation that a license is not required.

All demolition work including the removal of asbestos, shall be undertaken in accordance with the [Demolition Code of Practice](#) (NSW Work Cover July 2015)

Note: Copies of the Act, Regulation and Code of Practice can be downloaded free of charge from the SafeWork NSW website: www.SafeWork.nsw.gov.au.

47. Demolition Notification Requirements

The following notification requirements apply to this consent:

- (a) The developer /builder must notify adjoining residents five (5) working days prior to demolition. Such notification is to be a clearly written note giving the date demolition will commence, contact details of the developer/builder, licensed asbestos demolisher and the appropriate regulatory authority. Notification is to be placed in the letterbox of every premises (including every residential flat or unit, if any) either side and immediately at the rear of the demolition site.

- (b) Five (5) working days prior to demolition, the developer/builder is to provide written notification to Council advising of the demolition date, details of the SafeWork licensed asbestos demolisher and the list of residents advised of the demolition.
- (c) On demolition sites where buildings to be demolished contain asbestos, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position (from street frontage) on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.

48. Dial Before You Dig

The applicant shall contact "Dial Before You Dig on 1100" to obtain a Service Diagram prior to the issuing of the Construction Certificate. The sequence number obtained from "Dial Before You Dig" shall be forwarded to Council's Engineers for their records.

49. Registered Surveyors Report - During Development Work

A report must be submitted to the Principal Certifier at each of the following applicable stages of construction:

- (a) Set out before commencing excavation.
- (b) Floor slabs or foundation wall, before formwork or commencing brickwork.
- (c) Completion of Foundation Walls - Before any construction of flooring, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans.
- (d) Completion of Floor Slab Formwork - Before pouring of concrete/walls construction, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans. In multi-storey buildings a further survey must be provided at each subsequent storey including basement carpark levels.
- (e) Completion of any Roof Framing - Before roof covered detailing eaves/gutter setback from boundaries.
- (f) Completion of all Work - Detailing the location of the structure (including eaves/gutters) relative to adjacent boundaries and its height relative to the datum shown on the approved plans. A final Check Survey must indicate the reduced level of the main ridge.

Work must not proceed beyond each stage until the Principal Certifier is satisfied that the height and location of the building is proceeding in accordance with the approved plans.

50. Utility Arrangements

Arrangements are to be made with utility authorities in respect to the services supplied by those authorities to the development. The cost associated with the provision or adjustment of services within the road and footway areas is to be at the applicants expense.

51. Site Audit Report and Site Audit Statement

Prior to the commencement of any work, other than demolition or excavation in association with the remediation of the site, a Site Audit Report and Site Audit Statement are to be submitted to Council. These documents must clearly state that the site is suitable for the proposed use.

Note: The Applicant must comply with clauses 17 'Guidelines and notices: all remediation work' and clause 4.15 'Notice of completion of remediation work' under [State Environmental Planning Policy \(Resilience and Hazards\) 2021 - NSW Legislation](#).

Note: Words and expressions used in these conditions have the same meaning as in the [Contaminated Land Management Act 1997](#).

52. **Structural Engineers Details – Supporting Council Road/Footway**

Prior to the commencement of work in connection with the excavation of the site associated with the basement carpark, structural engineer's details relating to the method of supporting Council's roadways/footways must be submitted to the satisfaction of Council.

53. **Dust Control**

Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of a minimum 2 metres height of shade cloth or similar material secured to a chain wire fence of the like and shall be modified as required should it fail to adequately control any dust nuisance.

Major Works

The following measures must be implemented (in part or in total) to control the emission of dust:

- a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work.
- b) All dusty surfaces must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system.
- c) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
- d) All stockpiles of soil or other materials shall be placed away from drainage lines, gutters or stormwater pits or inlets.
- e) All stockpiles of soil or other materials likely to generate dust or odours shall be covered.
- f) All stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining more than 24 hours.

DURING CONSTRUCTION

54. **Hours of Construction for Demolition and Building Work**

Any work activity or activity associated with the development consent that requires the use of any tools (including hand tools) or any power operated plant and machinery that creates noise on or adjacent to the site shall not be performed, or permitted to be performed, except between the hours of 7.00 am to 5.00 pm, Monday to Friday and 8:00am to 1:00pm on Saturdays. No work or ancillary activity is permitted on Sundays, or Public Holidays.

Where the development involves the use of jack hammers/rock breakers and the like, or other heavy machinery, such equipment may only be used between the hours of 7:00am to 5:00pm Monday to Friday only.

Note: A penalty infringement notice may be issued for any offence.

55. **Ground Levels and Retaining Walls**

The ground levels of the site shall not be excavated, raised or filled, or retaining walls constructed on the allotment boundary, except where indicated on approved plans or approved by Council.

56. **Cost of Work to be Borne by the Applicant**

The applicant shall bear the cost of all works associated with the construction of the development that occurs on Council property. Care must be taken to protect Council's roads, including the made footway, kerbs, etc., and, where plant and vehicles enter the site, the footway shall be protected against damage by deep-sectioned timber members laid crosswise, held together by hoop iron straps and chamfered at their ends. This construction shall be maintained in a state of good repair and condition throughout the course of construction.

57. **Obstruction of Road or Footpath**

The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste or skip bins, or any other matter is not permitted unless separately approved by Council under Section 138 of the [Roads Act 1993](#) and/or under Section 68 of the [Local Government Act 1993](#). Penalty infringement Notices may be issued for any offences and severe penalties apply.

58. **Construction Management Plan**

The owner/applicant is to ensure that the approved Construction Traffic management Plan is to be strictly complied with and kept on site at all times during construction works.

59. **Tree Removal on Private Land**

The trees identified as 'to be removed/pruned' on the approved plans or by conditions of this consent shall be removed in accordance with *AS4373 -2007* and the *Amenity Tree Industry Code of Practice* (SafeWork NSW, August 1998).

60. **Excavation Works Near Tree to be Retained**

Excavation around the tree/s to be retained on site or the adjoining properties shall be supervised by the Project Arborist to ensure that the root system will not be adversely affected.

Where the Tree Protection Zone of trees on site or adjoining sites become compromised by any excavation works, the Project Arborist shall be consulted to establish the position of any major roots and determine the necessary measures to protect these roots. The recommendations of the Arborist shall be submitted to Council prior to any further demolition or construction works taking place.

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

61. Completion of Landscape Works

At the completion of all works, a certificate is to be submitted to the Principal Certifying Authority from a qualified Landscape and/or Arboricultural Consultant certifying that the work has been completed in accordance with the approved Landscape Plan and that a maintenance program has been established.

62. Major Development

Internal driveways and parking spaces are to be adequately paved with concrete or bitumen, or interlocking pavers to provide a dust-free surface. All car parking spaces are to be line marked in accordance with AS1742, 'Australian Standard Manual of Uniform Traffic Control Devices' and the relevant guidelines published by the RMS.

63. Cyclical Maintenance Plan

A cyclical maintenance plan specifying frequency and methodologies to conduct building inspections and maintenance works to building elements and services must be submitted to and approved by Council's Heritage Advisor prior to Occupational Certificate/ registration of heritage floor space. The maintenance plan is to be prepared by a suitably qualified heritage consultant and endorsed by the building owner.

64. Restriction to User and Positive Covenant for On-Site Detention Facility

Prior to the issue of any Occupation Certificate, the applicant shall register a Positive Covenant and a Restriction as to User under section 88E and or section 88B of the Conveyancing Act as appropriate in favour of Council, ensuring the ongoing retention, maintenance and operation of the stormwater facility (on-site detention, pump-out, charged lines, water sensitive urban design, surface flow path, finished pavement and ground levels etc.).

Where any drainage line or service conduit is to traverse any property other than that which it serves, an appropriate easement will be required. In this case, the applicant shall register an easement no less than 1200mm wide over the proposed drainage line or service concurrently with any subdivision registration.

The wording on the 88E and or 88B Instrument is to make reference to the Council file where the Construction plans and the Work As Executed (as built), plans are held. Typical wording can be obtained from Council's Specification for the Management of Stormwater document.

65. Maintenance Schedule – On-site Stormwater Management

A Maintenance Schedule for the proposed on-site stormwater management measures is to be prepared and submitted to Council. The Maintenance Schedule shall outline the required maintenance works, how and when these will be done and who will be carrying out these maintenance works.

66. Works as Executed and Certification of Stormwater Works

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that the stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards. A works-as-executed drainage plan and certification must be forwarded to the Principal Certifier and Council, from a chartered engineer specialising in hydraulic engineering.

This Plan and Certification shall confirm that the design and construction of the stormwater drainage

system satisfies the conditions of development consent and the Construction Certificate stormwater design details approved by the Principal Certifier.

The works-as-executed drainage plan must be prepared by a chartered engineer specialising in hydraulic engineering in conjunction with a Registered Surveyor and must include the following details (as applicable):

- (a) The location of any detention basin/s with finished surface levels;
- (b) Finished site contours at 0.2 metre intervals (if applicable)
- (c) Volume of storage available in any detention areas;
- (d) The location, diameter, gradient and material (i.e. PVC, RC etc.) of all stormwater pipes;
- (e) The orifice size/s (if applicable);
- (f) Details of any infiltration/absorption systems; and (if applicable);
- (g) Details of any pumping systems installed (including wet well volumes) (if applicable).

67. Requirements Prior to the Issue of the Occupation Certificate

The following shall be completed and or submitted to the Principal Certifier prior to the issue of the Occupation Certificate:

- (a) All the stormwater/drainage works shall be completed in accordance with the approved Construction Certificate plans prior to the issue of the Occupation Certificate.
- (b) The internal driveway construction works, together with the provision for all services (conduits and pipes laid) shall be completed in accordance with the approved Construction Certificate plans prior to the issue of the Occupation Certificate.
- (c) Construct any new vehicle crossings required.
- (d) Replace all redundant vehicle crossing laybacks with kerb and guttering, and replace redundant concrete with turf.
- (e) A Section 73 (Sydney Water) Compliance Certificate for the Subdivision shall be issued and submitted to the Principal Certifier prior to the issue of the Occupation Certificate.
- (f) Work as Executed Plans prepared by a Professional Engineer or a Registered Surveyor when all the site engineering works are complete shall be submitted to the Principal Certifier prior to the issue of the Occupation Certificate.

68. Vehicular Crossing & Frontage Work – Major Development

The following rear vehicle access works shall be constructed in accordance with Council's Specification for Vehicular Crossings and Associated Works together with the Vehicular Crossing Approval issued by Council's Engineering Services Division:

- (a) Construct the vehicular crossing in accordance with Council's Specifications for vehicular crossings.
- (b) Construct a new gutter in accordance with Council's Specifications for kerb and guttering.

- (c) Any existing vehicular crossing and/or laybacks which are redundant must be removed. The kerb and gutter, any other footpath and turf areas shall be restored at the expense of the applicant and in accordance with Council's Specification for Vehicular Crossings and Associated Works.

A private contractor shall carry out the above work, at the expense of the applicant and in accordance with Council's Specification for Vehicular Crossings and Associated Works.

The driveway works are to be completed before the issue of the Occupation Certificate.

69. **Completion of Major Works**

Prior to the issue of a Final Occupation Certificate, the following works must be completed at the applicant's expense to the satisfaction of Council's Engineering Services section:

- (a) Stormwater pipes, pits and connections to public stormwater systems within the road related area;
- (b) Driveways and vehicular crossings within the road related area;
- (c) Removal of redundant driveways and vehicular crossings;
- (d) New footpaths within the road related area;
- (e) Relocation of existing power/light pole
- (f) Relocation/provision of street signs
- (g) New or replacement street trees;
- (h) New footway verges, where a grass verge exists, the balance of the area between the footpath and the kerb or site boundary over the full frontage of the proposed development must be turfed. The grass verge must be constructed to contain a uniform minimum 75mm of friable growing medium and have a total cover of turf predominant within the street.
- (i) New or reinstated kerb and guttering within the road related area; and
- (j) New or reinstated road surface pavement within the road.

Council's Engineering Services Section must advise in writing that the works have been completed to their satisfaction prior to the issue of the Occupation Certificate. [Note: The damage deposit paid to Council will not be released until the works have been completed to Council's satisfaction.]

70. **Stormwater Drainage Works – Works As Executed**

Prior to the issue of the Occupation Certificate, stormwater drainage works are to be certified by a chartered engineer specialising in hydraulic engineering, with Works-As-Executed drawings supplied to Council detailing:

- (a) Compliance with conditions of development consent relating to stormwater;
- (b) The structural adequacy of the On-Site Detention system (OSD);
- (c) That the works have been constructed in accordance with the approved design and will provide the detention storage volume and attenuation in accordance with the submitted calculations;
- (d) Pipe invert levels and surface levels to Australian Height Datum;
- (e) Contours indicating the direction in which water will flow over land should the capacity of the pit be exceeded in a storm event exceeding design limits.

Council's Engineering Services section must advise in writing that they are satisfied with the Works-As-Executed prior to the issue of an Occupation Certificate.

71. Fire Safety Certificate before Occupation or Use

In accordance with Clause 41 of the [Environmental Planning and Assessment \(Development Certification and Fire Safety\) Regulation 2021 - NSW Legislation](#), on completion of building works and prior to the issue of an Occupation Certificate, the owner must cause the issue of a Final Fire Safety Certificate in accordance with Clause 83 of the aforesaid Regulation. The Fire Safety Certificate must be in the form or to the effect of Clause 86 of the [Environmental Planning and Assessment \(Development Certification and Fire Safety\) Regulation 2021 - NSW Legislation](#). In addition, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated, such a Certificate is to state:

- (a) That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so.

A copy of the certificate is to be given by the applicant to the Commissioner of Fire & Rescue NSW and a further copy is to be displayed in a frame and fixed to a wall inside the building's main entrance.

72. Slip Resistance

At completion of work an in-situ (on-site) test, in wet and dry conditions, must be carried out on the pedestrian floor surfaces used in the foyers, public corridors/hallways, stairs and ramps as well as the floor surfaces in wet rooms in any commercial/retail/residential units to ascertain the actual slip resistance of such surfaces taking into consideration the effects of grout, the gradients of the surface and changes from one material to another. The in-situ test must be carried out in accordance with AS/NZS 4663:2002. Proof of compliance must be submitted with the application for the Occupation Certificate for approval.

73. Maximum Number of Seating

A sign must be displayed in a prominent position in the building stating that the maximum number of seating for persons that are permitted in the building and the outdoor seating area shall not exceed 294 persons (**subject to recalculation in accordance with BCA requirements – see Condition 75**).

74. Maximum Number of Persons

A revised BCA Compliance Assessment Report shall be prepared to determine the maximum number of persons permitted for each level/ section of the development. The report shall be approved by the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Pursuant to clause 73(2) of the [Environmental Planning and Assessment Regulation 2021 - NSW Legislation](#), a sign must be displayed in a prominent position in the building stating that the maximum number of persons that are permitted in the building. The sign must not exceed the capacity as calculated in accordance with the Building Code of Australia.

The manager on duty shall ensure that the approved capacity is not exceeded and checked by either ticket sale, counting machine, invitation schedule or other approved method. On request by an authorized officer such as the Council, Police or Fire Brigade, the duty manager shall provide evidence of the number of person's occupying each scheduled area.

75. **Acoustic Compliance**

Prior to the issue of any Occupation Certificate, a report prepared by a suitably qualified acoustic consultant must be submitted to the Principal Certifier certifying that the construction has incorporated the recommendations in the DA Acoustic Report titled *Ibis Budget Enfield, 626-628 Liverpool Road, Enfield – DA Acoustic Assessment* prepared by Pulse White Noise Acoustics (Project No. 210127; dated 24 August 2021).

76. **Acoustic Compliance – General Operation of Premises**

The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the [Protection of the Environment Operations Act 1997](#) (as amended) and [Regulations](#).

A suitably qualified person shall certify that the operation of the plant equipment shall not give rise to sound pressure level at any affected premises that exceeds the background LA90, 15 min noise level, measured in the absence of the noise sources under consideration by more than 5dB. The source noise level shall be assessed as an LAeq, 15 min in accordance with the [NSW Environment Protection Authority's "NSW industrial Noise Policy"](#).

Certification must be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

OPERATIONAL CONDITIONS (ON-GOING)

77. **Hours of Operation**

The approved hours of operation shall be restricted to the following:

Hotel

Monday to Sunday: 24 hours

Pub

Monday to Saturday: 7:00am to 12.00am midnight

Sunday: 10:00am to 10:00pm

Bottle shop

Monday to Saturday: 9:00am to 12.00am midnight

Sunday: 10.00am to 10.00pm

Warehouses

Monday to Saturday: 7.00am to 7.00pm

Sunday: Closed

Separate applications for any liquor license(s) shall be lodged with - and assessed by - Liquor and Gaming NSW (or relevant authority at the time of application).

Should the applicant intend to continue operating over the extended hours of operation, the consent is to be modified by an application under Section 4.55 of the [Environmental Planning and Assessment Act 1979](#). The assessment of this application will be based on the operation of the use over the nominated trial period.

Where a Section 4.55 application is not received before the trial period ends, the hours of operation will revert back to the standard hours of operation nominated within this condition.

78. Variable Maximum Patron Capacity

The hours of operation are approved as follows:

- (a) The maximum patron capacity within the premises shall be limited to the maximum capacity requirements (**as per Condition 75**) persons at any time.
- (b) Any review of the maximum patron capacity as applied for by way of a Section 4.55 Modification Application to Council. Council's assessment of any such application will be based on, among other things, the performance of the operator in relation to the compliance with the development consent conditions, any substantiated complaints received and any views expressed during public consultation or from other stakeholders including the Police.
- (c) Following a review, Council may allow the use to continue to operate with a maximum patron capacity as specified in (b) above, require the use to revert to the maximum patron capacity specified in (a) above or otherwise modify the condition as considered appropriate.
- (d) The purpose of the reviewable condition is to allow ongoing assessment of the hours of operation in relation to neighbourhood amenity, public safety and operational performance and allow management to demonstrate successful practices in relation to the above.

79. Maintenance of Landscaping

All trees and plants forming part of the landscaping must be maintained for the life of the development. Maintenance includes watering, weeding, removal of rubbish from tree bases, fertilizing, pest and disease control, replacement of dead or dying plants and any other operations required to maintain healthy trees, plants and turfed areas.

80. Noise Control

The use of the premises must not give rise to the transmission of offensive noise to any place of different occupancy. Offensive noise is defined in the [Protection of the Environment Operations Act 1997](#) (as amended).

81. Food Premises – Adequate Waste Receptacles (Restaurants, takeaway/cafe)

Appropriate waste and recycling containers must be provided for waste generation rates of 0.3 to 0.6 square metres per 100 meals, plus up to 0.15 cubic metres of beverage containers per 100 meals. All waste and recycling containers shall be stored in the approved waste storage area that is large enough to store the required number of bins and must be adequately serviced by waste collection vehicles.

82. Food Premises – Maintenance of Food Premises

The food premises must be maintained in accordance with the [Food Act 2003](#) (as amended), [Food Regulation 2015](#) (as amended); the Food Standards Code as published by Food Standards Australia & New Zealand and Australian Standard AS 4674-2004: *Construction and fit out of food premises (as amended)*.

83. Food Premises – Garbage Odour

A waste contractor shall be engaged to remove all waste from the garbage storage area on a regular basis so that no overflow of rubbish will occur. Practical measures are also to be taken to ensure that odour emission from the garbage storage area does not cause offensive odour as defined under the provision of the [Protection of the Environment Operations Act, 1997](#) (as amended).

84. Food Premises – Storage of Waste – Used Cooking Oil

Used oil shall be contained in a leak proof container and stored in a covered and bunded area prior to off-site disposal. Copies of receipts for the disposal of used cooking oil shall be kept on-site and made available to Council Officers upon request.

85. Outdoor Gaming/Smoking Area – Smoke Free Compliance

The subject development consent issued by Council does not imply or otherwise verify compliance with the [Smoke-Free Environment Act 2000](#) and/or the [Smoke-Free Environment Regulation 2016](#). The applicant and/or owner of the premises should seek their own legal advice as to compliance with Act and/or Regulation if proprietors of the premises intend allowing smoking in any area of the premises, including that area subject of this consent.

86. Outdoor Gaming/Smoking Area– Amplified Music

There is to be no entertainment in the form of amplified music on any part of the outdoor gaming/smoking area at any time.

87. Licensed Premises – Noise Levels (7.00am to 12midnight)

The L_{A10} noise level emitted from the premises, measured between the hours of 7am and 12 midnight, is not to exceed the background noise level in any octave band frequency (centred on 31.5Hz to 8 kHz inclusive) by more than 5 dB, when measured at the boundary of any adjoining residence.

88. Licensed Premises – Noise Levels (12 midnight to 7.00am)

The L_{A10} noise level emitted from the premises, measured between the hours of midnight and 7am, is not to exceed the background noise level in any octave band frequency (centred on 31.5Hz to 8 kHz inclusive), when measured at the boundary of any adjoining residence.

89. Annual Fire Safety Statement

The owner of the building premises must ensure the Council is given an annual fire safety statement in relation to each essential fire safety measure implemented in the building. The annual fire safety statement must be given:

- (a) Within 12 months after the date on which the fire safety certificate was received.
- (b) Subsequent annual fire safety statements are to be given within 12 months after the last such statement was given.
- (c) An annual fire safety statement is to be given in or to the effect of Clause 92 of the [Environmental Planning and Assessment \(Development Certification and Fire Safety\) Regulation 2021 – NSW Legislation](#).
- (d) A copy of the statement is to be given to the Commissioner of Fire & Rescue NSW, and a further copy is to be prominently displayed in the building.

90. **Requirement for a Construction Certificate**

The erection of a building must not commence until a Construction Certificate has been issued.

91. **Appointment of a Principal Certifier**

Building and/or demolition works must not commence until the applicant has:

- (a) appointed a Principal Certifier for the building work; and
- (b) if relevant, advised the PCA that the work will be undertaken as an Owner –Builder.

If the work is not going to be undertaken by an Owner – Builder, the applicant must:

- (c) appoint a Principal Contractor to undertake the building work. If residential building work (within the meaning of the [Home Building Act 1989](#)) is to be undertaken, the Principal Contractor must be a holder of a contractor licence; and
- (d) notify the Principal Certifier of the details of any such appointment; and
- (e) notify the Principal Contractor of any critical stage inspections or other inspections that are required to be carried out in respect of the building work.

92. **Notification of Critical Stage Inspections**

No later than two days before the building work commences, the Principal Certifier must notify:

- (a) the consent authority and the Council (if not the consent authority) of his or her appointment; and
- (b) the applicant of the critical stage inspections and other inspections that are to be carried out with respect to the building work.

93. **Notice of Commencement**

The applicant must give at least two days notice to the Council and the Principal Certifier of their intention to commence the erection or demolition of a building.

94. **Critical Stage Inspections**

The last critical stage inspection must be undertaken by the Principal Certifier. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Clause 61 of the [Environmental Planning and Assessment \(Development Certification and Fire Safety\) Regulation 2021 – NSW Legislation](#).

95. **Notice to be Given Prior to Critical Stage Inspections**

The principal contractor for a building site, or the owner-builder, must notify the Principal Certifier at least 48 hours before each required inspection needs to be carried out.

96. **Occupation Certificate**

A person must not commence occupation or use of the whole or any part of a new building unless an Occupation Certificate has been issued in relation to the building or part.

PRESCRIBED CONDITIONS

97. **Clause 69 – Building Code of Australia**

Requires all building work to be carried out in accordance with the Building Code of Australia.

98. **Clause 70 – Erection of Signs**

Requires the erection of signs on site and outlines the details which are to be included on the sign. The sign must be displayed in a prominent position on site and include the name and contact details of the Principal Certifier and the Principal Contractor.

99. **Clause 73 – Erection of sign for maximum number of persons**

This prescribed condition applies to entertainment venues, function centres, pubs, registered clubs and restaurants. This condition requires the erection of a sign which states the maximum number of persons (as specified in the consent) that are permitted in the building.

100. **Clause 74 – Protection & Support of Adjoining Premises**

If the development involves excavation that extends below the level of the base of the footings of a building on adjoining land, this prescribed condition requires the person who benefits from the development consent to protect and support the adjoining premises and where necessary underpin the adjoining premises to prevent any damage.

END CONDITIONS

ADVISORY NOTES

i. **Review of Determination**

Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.

Note: review provisions do not apply to Complying Development, Designated Development, State Significant Development, Integrated Development or any application determined by the Sydney East Planning Panel or the Land & Environment Court.

ii. **Appeal Rights**

Division 8.3 (Reviews and appeals) Part 8 of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.

iii. **Lapsing of Consent**

This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.

iv. **Long Service Levy**

The Long Service Corporation administers a scheme which provides a portable long service benefit for eligible workers in the building and construction industry in NSW. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. More information about the scheme and the levy amount you are required to pay to satisfy a condition of your consent can be found at <http://www.longservice.nsw.gov.au>.

The required Long Service Levy payment can be direct to the Long Service Corporation via their web site <https://online.longservice.nsw.gov.au/bci/levy>. Payments can only be processed on-line for the full levy owing and where the value of work is between \$25,000 and \$6,000,000. Payments will be accepted for amounts up to \$21,000, using either MasterCard or Visa.

v. **Disability Discrimination Act**

This application has been assessed in accordance with the [Environmental Planning and Assessment Act 1979](#). No guarantee is given that the proposal complies with the [Disability Discrimination Act 1992](#). The applicant is responsible to ensure compliance with this and other anti-discrimination legislation. The [Disability Discrimination Act 1992](#) covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which refers to AS1428.1- Design for Access and Mobility.

vi. **Stormwater & Ancillary Works – Applications under Section 138 Roads Act and/or Section 68 Local Government Act 1993**

To apply for approval under Section 138 of the [Roads Act 1993](#):

- (a) Complete the Works Permit Application Form which can be downloaded from Strathfield Council's Website at www.strathfield.nsw.gov.au.
- (b) In the Application Form, quote the Development Consent No. (DA 2021/233) and reference this condition number (Advisory Note vi.)
- (c) Lodge the application form, together with the associated fees at Council's Customer Service Centre, during business hours. Refer to Council's adopted Fees and Charges for the administrative and inspection charges associated with Works Permit applications.

An approval for a new or modified vehicular crossing will contain the approved access and/or alignment levels which will be required to construct the crossing and/or footpath. Once approved, all work shall be carried out by a private contractor in accordance with Council's specifications prior to the issue of an Occupation Certificate.

The developer must meet all costs of the extension, relocation or reconstruction of any part of Council's drainage system (including design drawings and easements) required to carry out the approved development.

vii. **Site Safety Fencing**

Site fencing must be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the demolition and/or construction work, except in the case of alterations to an occupied dwelling. The fencing must be erected before the commencement of any work and maintained throughout any demolition and construction work.

A demolition licence and/or a high risk work license may be required from SafeWork NSW (see www.SafeWork.nsw.gov.au).

viii. **Food Premises**

Information on Australian Standards can be obtained from www.standards.com.au

Guidelines and Food Safety Standards may be obtained by contacting the Food Standards Australia New Zealand Authority at foodstandards.gov.au or the NSW Food Authority on 1300 552 406, email: contact@foodauthority.nsw.gov.au or by visiting the website www.foodauthority.nsw.gov.au

Notification of Food Business under Section 100 of the [Food Act 2003](#) requires the proprietor of a food business to give written notice, in the approved form, before conducting a food business. Penalties apply for failure to comply.

ix. **Noise**

Council will generally enforce noise related conditions in accordance with the *Noise Guide for Local Government* (<http://www.environment.nsw.gov.au/noise/nglg.htm>) and the *Industrial Noise Guidelines* (<http://www.environment.nsw.gov.au/noise/industrial.htm>) publish by the Department of Environment and Conservation. Other state government authorities also regulate the [Protection of the Environment Operations Act 1997](#).

Useful links relating to Noise:

- (a) Community Justice Centres—free mediation service provided by the NSW Government (www.cjc.nsw.gov.au).
- (b) Department of Environment and Conservation NSW, Noise Policy Section web page (www.environment.nsw.gov.au/noise).
- (c) New South Wales Government Legislation home page for access to all NSW legislation, including the *Protection of the Environment Operations Act 1997* and the Protection of the Environment Noise Control Regulation 2000 (www.legislation.nsw.gov.au).
- (d) Australian Acoustical Society—professional society of noise-related professionals (www.acoustics.asn.au/index.php).
- (e) Association of Australian Acoustical Consultants—professional society of noise related professionals (www.aaac.org.au).
- (f) Department of Gaming and Racing – (www.dgr.nsw.gov.au).

x. **Electricity Supply**

This development may need a connection to the Ausgrid network which may require the network to be extended or its capacity augmented. You are advised to contact Ausgrid on 13 13 65 or

www.ausgrid.com.au (Business and Commercial Services) for further details and information on lodging your application to connect to the network.

**** End Minutes - Report No. 1****