

ADDENDUM SLPP REPORT

Property:	30-32 Courallie Avenue, Homebush West DA 2023/81
Proposal:	Demolition of existing structures, tree removal and construction of a four-storey building for residential accommodation comprising of 40 co-living rooms with basement carparking
Applicant:	Enhance Group Project Pty Ltd
Owner:	Homebush Housing Investment Pty Limited
Date of lodgement:	17 July 2023
Date of SLPP Meeting:	8 February 2024
Notification period:	25 July 2023 to 15 August 2023
Submissions received:	1
Assessment officer:	W van Wyk
Estimated cost of works:	\$4,861,648.00
Zoning:	R3 Medium Density Residential - SLEP 2012
Heritage:	No
Flood affected:	No
Is a Clause 4.6 Variation Proposed:	Yes – Building Height (9.7%) Building Separation (50%) Setback (100%) Landscaped Area (16.3%)
RECOMMENDATION OF OFFICER:	Approval



Figure 1: Aerial view of the subject site (outlined in yellow)

BACKGROUND

The application was considered by the Strathfield Local Planning Panel (SLPP) on **8 February 2024**. At this meeting the Panel resolved the following:

1. The Panel determined to defer the determination of the development application to allow the applicant to submit detailed information and plans to satisfy the requirements of Clause 6.4(e) of the Strathfield Local Environmental Plan 2012 how stormwater from the upstream property and the subject property can be discharged in the existing easement which burdens the subject property.
2. The applicant shall submit the necessary information and plans required by 1 above within 28 days.
3. Upon compliance with 2 above the development application with all necessary amendments in relation to stormwater disposal shall be submitted to the Panel as constituted on 8 February 2024 for 'electronic' determination.
4. The Panel notes that soil retention along the rear boundary may be necessary to accommodate ground level changes. These changes (if any) must be reflected in any amended architectural drawings.

The SLPP also saw the deferred determination as an opportunity to make other minor design changes which would otherwise have been imposed as conditions of consent. These include:

- The northern ground floor outdoor area shall be designed to include a small seating area;
- The southern communal open space terrace should include furniture;
- Direct access to the garden from unit G10 should be provided;
- An outdoor laundry drying area should be provided;
- The proposed exotic species shall be deleted from the species list and replaced with suitable locally indigenous trees and shrubs;
- The southern entry steps and gate shall be deleted and replaced with soft landscaping and extended front fence.
- An open form fence/gate shall be provided to the southern landscape area in line with the front of the building line;
- The 1.8 metre Colorbond fence proposed along the rear and front private terraces shall be deleted and replaced with an open form fence, no greater than 1.5 metres;
- All acoustic barrier fencing to communal open space areas shall be deleted;
- The Plan of Management shall be amended to allow communal open space to be used until 8.30pm and the responsible consumption of alcohol within the indoor and outdoor communal areas.
- A Tree Protection Plan is to be prepared by an AQF 5 or higher qualified arborist. The Plan shall cover both street trees at the front of the site and address the depth limitations on driveway construction arising from the results of the root mapping investigation to ensure no significant structural roots are severed.

On **24 and 26 February 2024**, the following additional information was lodged on the NSW Planning Portal which incorporated each of the design changes requested above:

- Amended Architectural Plans (dated 19/02/2024)
- Structural Concept Plan (dated 21/02/2024) for proposed retaining wall over rear and side planter box
- Amended Landscape Plan and schedule (dated 23/02/2024)
- Amended Plan of Management (dated February 2024)

The amendments to the application to satisfy the issues raised by SLPP did not require re-notification.

The only change not made was the provision of a Tree Protection Plan and this condition has been retained in the amended recommended conditions of consent. The SLPP deemed the recommendations of the Acoustic Report (such as acoustic fencing) unnecessary. To avoid confusion, this report has been removed from the approved documents. It is still referred to in Condition 69. The conditions that have changed from the SLPP agenda are as follows:

- **Condition 3** – amended to reflect revised and additional plans
- **Condition 19** – amended to include Tree Protection Plan

A full list of recommended conditions of consent is attached.

The Applicant also provided a copy of the as-built plans from the adjoining property which provides details on the stormwater pipe location. This document does not form part of the application package but is included for the benefit of the SLPP.

ASSESSMENT

In my assessment, the revised material has adequately addressed all the matters raised by the SLPP. As only minor amendments were made to the design the subject of the SLPP meeting, a full re-assessment against the matters for consideration under Section 4.15 of the Environmental Planning and Assessment (EP&A) Act 1979 is not required. Instead, only where there has been a change is a brief assessment provided. There will be no change to the development contributions and no need for renofication.

Strathfield Local Environmental Plan (SLEP) 2012

Clause 6.4(e) of SLEP 2012 requires that, inter alia, stormwater drainage services essential for the development are provided. The SLPP requested confirmation on how stormwater from the upstream property and the subject property can be discharged in the existing easement which burdens the subject property. This has been achieved in the revised design through the raising of the floor level around the pipe to ensure it remains below the surface level (see **Figure 2**).

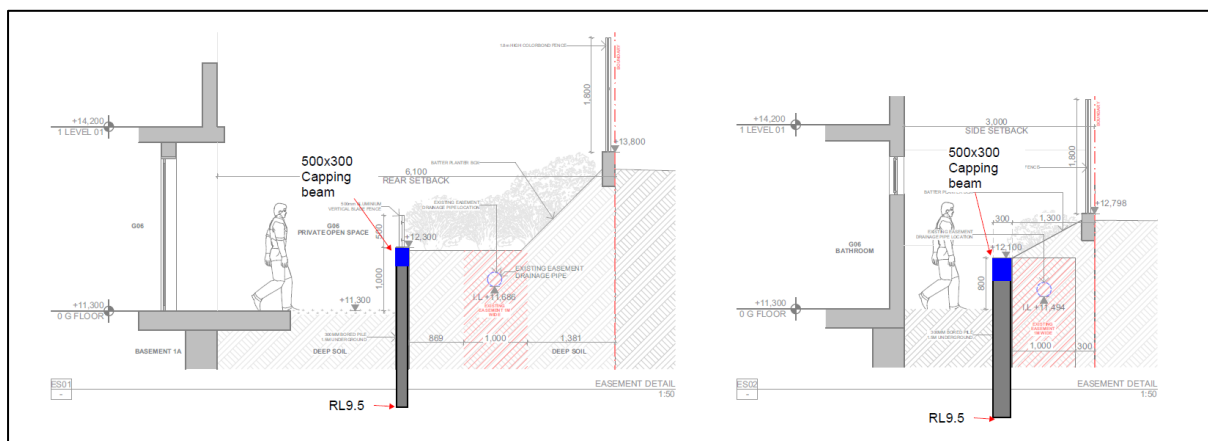


Figure 2: Sections of the rear (left) and southern side (right) showing actual location of stormwater pipe below the surface level

The outlook for rooms facing the rear boundary remains acceptable, including at the ground floor. The retaining wall is integrated with the rear boundary treatment to the private open space for those rooms and is not considered to be visually repressive or harmful to amenity. In fact, it is likely to be an improved amenity outcome compared to the trafficable communal rear yard previously proposed.

State Environmental Planning Policy (Housing) 2021 (Housing SEPP)

There are no changes to any of the Clause 4.6 variation requests and each remains supported.

The raising of the ground level in the rear means this area is no longer accessible as communal open space. As per the SLPP assessment report, inaccessible landscaped areas can be counted as communal open space (as anticipated by the Apartment Design Guide definition in lieu of any definition in the Housing SEPP), but only where there is a direct relationship to accessible communal open space. As the raised rear landscaped area is detached from, and does not have any direct relationship to, proposed trafficable communal open space, this area is excluded from the communal open space requirement. While the raised southern planter is also not trafficable, this is contiguous to a trafficable area so can be included.

As per the SLPP request, all acoustic fencing was removed from the roof terrace. Accordingly, this entire area can now be counted as communal open space. The Applicant provided revised calculations on DA008 of the Architectural Plans.

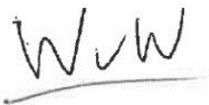
Communal open space is a development standard under Section 68(2)(c) of the Housing SEPP. This requires a minimum of 20% of the lot size with a 3m dimension, which equates to 193.4m². The proposal remains easily compliant, providing 40.63% (392.97m²). There will be no change to landscaped area or deep soil landscaped area.

CONCLUSION

The Applicant submitted amended plans to Council in response to the matters raised above. This Addendum Report provides confirmation that the deferred matter has been appropriately resolved through these revised plans.

Accordingly, having regards to the heads of consideration under Section 4.15 of the EP&A Act 1979, DA 2023/81 is recommended for approval subject to the following conditions being modified from the draft consent originally presented to SLPP on 8 February 2024:

- **Condition 3** – amended to reflect revised and additional plants
- **Condition 19** – amended to include Tree Protection Plan



Signed:

**W van Wyk
Planning Officer**

Date: 29 February 2024

- I confirm that I have assessed the abovementioned DA with the delegations assigned to my position;
- I have reviewed the details of this development application and I also certify that Section 7.11 Contributions are applicable to this development (unchanged since first SLPP report) and have been levied accordingly.

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

1	<p>Co-living housing</p> <p>a. This section applies to development permitted under <i>State Environmental Planning Policy (Housing) 2021</i>, Chapter 3, Part 3.</p> <p>b. It is a condition of the development consent that from the day on which an occupation certificate is issued for the development—</p> <ol style="list-style-type: none"> i. The co-living housing must be managed in accordance with a plan of management by a managing agent who is contactable 24 hours a day, and ii. Notice of a change to the plan of management must be given to the consent authority no later than 3 months after the change, and iii. Private rooms and communal living areas in the co-living housing must contain appropriate furniture and fittings, maintained in a reasonable state of repair, for the use of residents. <p>Condition reason: Prescribed condition under Section 85 of the Environmental Planning and Assessment Regulation 2021.</p>																																																												
2	<p>Fulfilment of BASIX commitments</p> <p>It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled—</p> <ol style="list-style-type: none"> a. BASIX development, b. BASIX optional development, if the development application was accompanied by a BASIX certificate. <p>Condition reason: Prescribed condition under Section 75 of the Environmental Planning and Assessment Regulation 2021.</p>																																																												
3	<p>Approved plans and supporting documentation</p> <p>Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.</p> <table border="1" data-bbox="256 1503 1401 2011"> <thead> <tr> <th colspan="5">Approved plans</th> </tr> <tr> <th>Plan number</th> <th>Revision number</th> <th>Plan title</th> <th>Drawn by</th> <th>Date of plan</th> </tr> </thead> <tbody> <tr> <td>002.1</td> <td>P3</td> <td>Demolition Plan</td> <td>Texco Design</td> <td>19/02/2024</td> </tr> <tr> <td>101</td> <td>P8</td> <td>Basement 02 Plan</td> <td>Texco Design</td> <td>19/02/2024</td> </tr> <tr> <td>102</td> <td>P8</td> <td>Basement 01 Plan</td> <td>Texco Design</td> <td>19/02/2024</td> </tr> <tr> <td>103</td> <td>P10</td> <td>Ground Floor Plan</td> <td>Texco Design</td> <td>19/02/2024</td> </tr> <tr> <td>104</td> <td>P9</td> <td>Level 01 Floor Plan</td> <td>Texco Design</td> <td>19/02/2024</td> </tr> <tr> <td>105</td> <td>P9</td> <td>Level 02 Floor Plan</td> <td>Texco Design</td> <td>19/02/2024</td> </tr> <tr> <td>106</td> <td>P9</td> <td>Level 03 Floor Plan</td> <td>Texco Design</td> <td>19/02/2024</td> </tr> <tr> <td>107</td> <td>P7</td> <td>Roof Plan</td> <td>Texco Design</td> <td>19/02/2024</td> </tr> <tr> <td>201</td> <td>P7</td> <td>East & West Elevation</td> <td>Texco Design</td> <td>19/02/2024</td> </tr> <tr> <td>202</td> <td>P7</td> <td>North & South Elevation</td> <td>Texco Design</td> <td>19/02/2024</td> </tr> </tbody> </table>	Approved plans					Plan number	Revision number	Plan title	Drawn by	Date of plan	002.1	P3	Demolition Plan	Texco Design	19/02/2024	101	P8	Basement 02 Plan	Texco Design	19/02/2024	102	P8	Basement 01 Plan	Texco Design	19/02/2024	103	P10	Ground Floor Plan	Texco Design	19/02/2024	104	P9	Level 01 Floor Plan	Texco Design	19/02/2024	105	P9	Level 02 Floor Plan	Texco Design	19/02/2024	106	P9	Level 03 Floor Plan	Texco Design	19/02/2024	107	P7	Roof Plan	Texco Design	19/02/2024	201	P7	East & West Elevation	Texco Design	19/02/2024	202	P7	North & South Elevation	Texco Design	19/02/2024
Approved plans																																																													
Plan number	Revision number	Plan title	Drawn by	Date of plan																																																									
002.1	P3	Demolition Plan	Texco Design	19/02/2024																																																									
101	P8	Basement 02 Plan	Texco Design	19/02/2024																																																									
102	P8	Basement 01 Plan	Texco Design	19/02/2024																																																									
103	P10	Ground Floor Plan	Texco Design	19/02/2024																																																									
104	P9	Level 01 Floor Plan	Texco Design	19/02/2024																																																									
105	P9	Level 02 Floor Plan	Texco Design	19/02/2024																																																									
106	P9	Level 03 Floor Plan	Texco Design	19/02/2024																																																									
107	P7	Roof Plan	Texco Design	19/02/2024																																																									
201	P7	East & West Elevation	Texco Design	19/02/2024																																																									
202	P7	North & South Elevation	Texco Design	19/02/2024																																																									

301	P8	Section A & B	Texco Design	19/02/2024
302	P5	Section C & D	Texco Design	19/02/2024
401	P5	Material Schedule – East and West Elevation	Texco Design	19/02/2024
402	P5	Material Schedule – North & South Elevation	Texco Design	19/02/2024
601	P2	Typical Kitchen Layout	Texco Design	19/02/2024
602	P2	Glazing Schedule	Texco Design	19/02/2024
LPDA 23 – 213/1	H	Hardscape Plan	Conzept Landscape Architects	23/02/2024
LPDA 23 – 213/2	H	Landscape Plan (Ground Level)	Conzept Landscape Architects	23/02/2024
LPDA 23 – 213/3	H	Landscape Plan (Level 1)	Conzept Landscape Architects	23/02/2024
LPDA 23 – 213/4	H	Landscape Plan (Level 2)	Conzept Landscape Architects	23/02/2024
LPDA 23 – 213/5	H	Landscape Plan (Level 3)	Conzept Landscape Architects	23/02/2024
LPDA 23 – 213/6	H	Hardscape Plan (Level 3)	Conzept Landscape Architects	23/02/2024
LPDA 23 – 213/7	H	Details	Conzept Landscape Architects	23/02/2024
LPDA 23 – 213/8	H	Details	Conzept Landscape Architects	23/02/2024
DA-SW200	3	Stormwater Concept Design – Basement 2 Plan	JCO Consultants	08/01/2024
DA-SW201	3	Stormwater Concept Design – Basement 1 Plan	JCO Consultants	08/01/2024
DA-SW202	3	Stormwater Concept Design – Ground Floor Plan	JCO Consultants	08/01/2024
DA-SW300	3	Stormwater Concept Design – Details Sheet – Sheet 1 of 2	JCO Consultants	08/01/2024
DA-SW301	3	Stormwater Concept Design – Details Sheet – Sheet 1 of 2	JCO Consultants	08/01/2024
DA-SW600	3	Erosion and Sediment Control Plan & Details	JCO Consultants	08/01/2024
SK1	1	Proposed Batter Planter Box Plan	Stronghold Engineering	21/02/2024
SK2	1	Proposed Batter Planter Box Details	Stronghold Engineering	21/02/2024
Approved documents				
Document title		Version number	Prepared by	Date of document
Plan of Management		-	Planning Ingenuity	February 2024
Proposed Residential Redevelopment Detailed Site Investigation Report		0	Stantec Australia	29 September 2023

	BCA Response	-	Incert	19 October 2023
	Arborist Impact Statement	A	NSW Tree Services	19 October 2023
	Arboricultural Impact Assessment and Root Mapping Investigation	-	Arbor Express	17 November 2023
	Statement of Compliance - Access for People with a Disability - Proposed Boarding House	-	Accessible Building Solutions	09/06/2023
	Construction & Demolition Waste Management Plan	A	Elephants Foot Consulting	18/04/2023
	Operational Waste Management Plan	C	Elephants Foot Consulting	08/01/2024
	Geotechnical Report	0	Geo-Environmental Engineering	20 April 2023
	Traffic Impact Assessment	02	PDC Consultants	14/06/2023
	Traffic Impact Assessment Addendum #1	02	PDC Consultants	11/01/2024
	NCC 2022 Section J DTS Report	-	AENEC	09/01/2024
	In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.			
	Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.			
4	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:			
	<ol style="list-style-type: none"> a. Placing or storing materials or equipment. b. Placing or storing waste containers or skip bins. c. Erecting a structure or carrying out work d. Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like. e. Pumping concrete from a public road. f. Pumping water from the site into the public road. g. Constructing a vehicular crossing or footpath. h. Establishing a “works zone”. i. Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers); j. Stormwater & ancillary works in the road reserve; and k. Stormwater & ancillary to public infrastructure on private land l. If any excavation is to be supported using below ground (cable) anchors that are constructed under Council’s roadways/footways. 			

	<p>These separate activity approvals must be obtained, and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.</p> <p>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.</p> <p>Condition Reason: To ensure the protection of existing public infrastructure and adjoining properties.</p>
5	<p>Vehicular crossing – Major development</p> <p>The following vehicular crossing and road frontage works will be required to facilitate access to and from the proposed development site:</p> <ol style="list-style-type: none"> a. Construct a 1.8 metre wide footpath for the full length of the frontage of the site in Courallie Avenue 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. d. Construct new kerb and gutter to the new alignment across the site frontage in accordance with Council's Specifications applying at the time construction approval is sought. <p>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.</p> <p>Condition Reason: To ensure appropriate access to the site can be achieved.</p>
6	<p>Road Opening Permit</p> <p>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.</p> <p>Condition Reason: To protect Council roads and footpaths and to ensure any works are to the relevant standards.</p>
7	<p>Building – Hoarding Application</p> <p>Prior to demolition of the buildings on 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.</p> <p>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.</p> <p>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.</p>

	<ul style="list-style-type: none"> a. A site and location plan of the hoarding with detailed elevation, dimensions, setbacks, heights, entry and exit points to and 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.
	<p>Condition Reason: Statutory requirement and safety and protection of the public.</p>
8	<p>Below ground anchors – Information to be submitted with s68 Application under Local Government Act 1993 and s136 Application under Roads Act 1993</p> <p>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 Roadways or 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 included as part of the application.</p> <ul style="list-style-type: none"> 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. e. The guarantee will not be released until a certificate is provided to Council from a suitably qualified structural engineer at the time that the cables are stress released, verifying that the cables have been stress released to the satisfaction of Council's Engineer. f. That in the event of any works taking place on Council's roadways or footways adjoining the property while the anchors are still stressed, all costs associated with overcoming the difficulties or impacts caused by the presence of the 'live' anchors will be borne by the applicant.
	<p>Condition Reason: To protect Council assets and ensure safety of the public.</p>
9	<p>Erection of signs</p> <ul style="list-style-type: none"> a. This section applies to a development consent for development involving building work, subdivision work or demolition work. b. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out— <ul style="list-style-type: none"> i. showing the name, address and telephone number of the principal certifier for the work, and

	<ul style="list-style-type: none"> ii. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and iii. stating that unauthorised entry to the work site is prohibited. <p>c. The sign must be—</p> <ul style="list-style-type: none"> i. maintained while the building work, subdivision work or demolition work is being carried out, and ii. removed when the work has been completed. <p>d. This section does not apply in relation to—</p> <ul style="list-style-type: none"> i. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or ii. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.
	<p>Condition Reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</p>
10	<p>Compliance with Building Code of Australia and insurance under Home Building Act 1989</p> <ul style="list-style-type: none"> a. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia. b. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences. c. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia. d. In subsection (a), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made. e. In subsection (c), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made. f. This section does not apply— <ul style="list-style-type: none"> i. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or ii. to the erection of a temporary building, other than a temporary structure to which subsection (c) applies.
	<p>Condition Reason: Prescribed condition under Section 69 of the Environmental Planning and Assessment Regulation 2021.</p>
11	<p>Notification of Home Building Act 1989 requirements</p> <ul style="list-style-type: none"> a. This section applies to a development consent for development involving residential building work if the principal certifier is not the council. b. It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following— <ul style="list-style-type: none"> i. for work that requires a principal contractor to be appointed—

	<ul style="list-style-type: none"> a. the name and licence number of the principal contractor, and b. the name of the insurer of the work under the Home Building Act 1989, Part 6, ii. for work to be carried out by an owner-builder— <ul style="list-style-type: none"> a. the name of the owner-builder, and b. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit. c. If the information notified under subsection (b) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information. d. This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6. 														
	<p>Condition Reason: Prescribed condition under Section 71 of the Environmental Planning and Assessment Regulation 2021.</p>														
12	<p>Infrastructure development contributions</p> <p>Council has identified that the development will be subject to the imposition of Development Contributions. In accordance with Council's relevant Contributions Plan, the following monetary contributions are required.</p> <table border="1" data-bbox="260 972 1265 1417"> <thead> <tr> <th colspan="2">DEVELOPMENT CONTRIBUTIONS</th> </tr> </thead> <tbody> <tr> <td>Strathfield Section 94 Development Contributions - Roads and Traffic Management</td> <td>\$23,084.58</td> </tr> <tr> <td>Strathfield Section 94 Development Contributions – Local Open Space</td> <td>\$151,116.73</td> </tr> <tr> <td>Strathfield Section 94 Development Contributions – Major Open Space</td> <td>\$357,244.84</td> </tr> <tr> <td>Strathfield Section 94 Development Contributions – Community Facilities</td> <td>\$78,520.52</td> </tr> <tr> <td>Strathfield Section 94 Development Contributions - Administration</td> <td>\$7,196.03</td> </tr> <tr> <td>TOTAL CONTRIBUTIONS</td> <td>\$617,162.69</td> </tr> </tbody> </table> <p><u>Indexation</u> The above contributions will be indexed at the time of payment to reflect inflation, in accordance with the indices provided by the relevant Development Contributions Plan.</p> <p>Please contact council prior to the payment of Section 7.11 or 7.12 Contributions to confirm the indexed contribution payable and the form of payment that will be accepted by Council.</p> <p><u>Timing of Payment</u> The contribution must be paid and receipted by Council prior to the issue of the Construction Certificate.</p> <p>A copy of the current Development Contributions Plans may be viewed on Council's website www.strathfield.nsw.gov.au.</p>	DEVELOPMENT CONTRIBUTIONS		Strathfield Section 94 Development Contributions - Roads and Traffic Management	\$23,084.58	Strathfield Section 94 Development Contributions – Local Open Space	\$151,116.73	Strathfield Section 94 Development Contributions – Major Open Space	\$357,244.84	Strathfield Section 94 Development Contributions – Community Facilities	\$78,520.52	Strathfield Section 94 Development Contributions - Administration	\$7,196.03	TOTAL CONTRIBUTIONS	\$617,162.69
DEVELOPMENT CONTRIBUTIONS															
Strathfield Section 94 Development Contributions - Roads and Traffic Management	\$23,084.58														
Strathfield Section 94 Development Contributions – Local Open Space	\$151,116.73														
Strathfield Section 94 Development Contributions – Major Open Space	\$357,244.84														
Strathfield Section 94 Development Contributions – Community Facilities	\$78,520.52														
Strathfield Section 94 Development Contributions - Administration	\$7,196.03														
TOTAL CONTRIBUTIONS	\$617,162.69														

Condition Reason: To enable the provision of public amenities and services required and anticipated as a consequence of increased demand resulting from the development.

**BUILDING WORK
BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

13	<p>Erosion and Sediment Control Plan</p> <p>Erosion and sediment controls must be provided to ensure:</p> <ol style="list-style-type: none"> a. Compliance with the approved Erosion & Sediment Control Plan b. Removal or disturbance of vegetation and topsoil 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. <p>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.</p> <p>Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.</p>
14	<p>Long Service Levy</p> <p>Before the issue of a Construction Certificate, the long service levy of \$12,154.12, as calculated at the date of this consent, must be paid to the Long Service Corporation under the Building and Construction industry Long Service Payments Act 1986, section 34, and evidence of the payment is to be provided to the certifier or Council (where a certifier is not required).</p> <p>Condition reason: To ensure the long service levy is paid.</p>
15	<p>Payment of security deposits</p> <p>In order to insure against damage to Council property the following is required:</p> <ol style="list-style-type: none"> 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: \$25,200.00 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: \$137.00 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. <p>At the completion of work Council will review the dilapidation report and the Works-As-Executed Drawings (if applicable) and inspect the public works.</p>

	<p>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.</p>
	<p>Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.</p>
16	<p>Utilities and services</p>
	<p>Before the issue of a Construction Certificate, written evidence of the following service provider requirements must be provided to the certifier or Council (where a certifier is not required):</p> <ol style="list-style-type: none"> a. A letter from AUSGRID demonstrating that satisfactory arrangements can be made for the installation and supply of electricity; b. A response from Sydney Water as to whether the stamped plans would affect any Sydney Water infrastructure, and whether further requirements need to be met; c. Other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, the changes that are required to make the development satisfactory to them.
	<p>Condition reason: To ensure relevant utility and service providers' requirements are provided to the certifier.</p>
17	<p>Waste Management Plan</p>
	<p>A 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.</p> <p>WMP should also indicate 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.</p> <p>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.</p>
	<p>Condition reason: To ensure resource recovery is promoted and local amenity protected during construction.</p>
18	<p>Waste, recycling and bulky storage rooms</p>
	<p>The waste storage area shall not be visible from the street. The waste storage area shall be located within the lot/building in accordance with the approved plans.</p> <p>The waste storage area shall be large enough to accommodate the following number of bins for the developments ongoing residential waste and recycling:</p> <ul style="list-style-type: none"> • Domestic Waste – 8 x 660L mobile bins • Domestic Recycling – 8 x 660L mobile bins <p>At a minimum rate of 1.1m² per 240L bin, 2.03m² per 660L bin, 2.7m² per 1100L bin and located in an area to suitably facilitate servicing on waste collection day.</p>

	<p>The layout of the waste and recycling storage room must allow easy unobstructed access to all bins (stacked bin arrangements are not acceptable) and allow the bins to be easily removed for servicing purposes.</p> <p>Arrangements must be in place regarding the regular maintenance and cleaning of waste management facilities.</p> <p>A caretaker or individual(s) shall be nominated as being responsible for transferring the bins to the collection point and back into the waste storage room/area.</p> <p>Detailed plans of waste and recycling storage rooms must be submitted along with Waste Management Plan and Waste and Recycling Storage Room/Area Design Checklist.</p> <p>Details of any specialised waste disposal equipment to be used in the development such as compactors (carousel and linear), bin tugs, chutes, crushers, bunding, oil water separators (coalescing plate separators), etc. to be provided to Council for approval.</p> <p>Bulk collection area must be provided at a rate of 4m² per 10 rooms and should be located adjacent to waste and recycling storage rooms.</p>
	<p>Condition Reason: To ensure appropriate management of waste.</p>
19	<p>Design amendments</p>
	<p>Before the issue of a construction certificate, the Principal Certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:</p> <ol style="list-style-type: none"> a. All bathrooms to have mechanical ventilation and exhaust as required by BCA. b. 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. 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, as applying at the time construction approval is sought. d. The street verge is to be re-aligned to match the kerb and gutter as at the adjoining properties. e. The Arboricultural Impact Statement is to be updated to include the southern street tree. f. For all proposed planting on slab, provide soil depths and volumes in accordance with Apartment Design Guide, Part 4, Section 4P Planting on structures. g. A Tree Protection Plan is to be prepared by an AQF 5 or higher qualified arborist. The Plan shall cover both street trees at the front of the site and address the depth limitations on driveway construction arising from the results of the root mapping investigation to ensure no significant structural roots are severed.
	<p>Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.</p>
20	<p>Basix commitments</p>
	<p>The approved BASIX Certificate must be submitted to the Principal Certifier with the application for a Construction Certificate.</p>

	<p>All measures and commitments as detailed in the BASIX Certificate No. 1399344M_02 must be implemented on the plans lodged with the application for the Construction Certificate.</p> <p>Condition reason: To comply with statutory requirements.</p>
21	<p>Dial before you dig</p> <p>The applicant must contact Home Before You Dig Australia (BYDA) to obtain a Service Diagram prior to the issuing of the Construction Certificate. The sequence number obtained from “Dial Before You Dig” must be forwarded to Council’s Engineers for their records.</p> <p>The Dilapidation Report must be prepared by a professional engineer. The report must be provided to the Certifier, and a copy provided to the Council. The report is to be supplied in electronic format in Word or PDF. Photographs are to be in colour, digital and date stamped.</p> <p>Condition reason: To ensure the protection of services and utility.</p>
22	<p>Driveway Construction Plan details</p> <p>Detailed engineering plans for the driveway must be submitted with the Construction Certificate application for approval by the Principal Certifier that show:</p> <ol style="list-style-type: none"> Longitudinal and cross sections, gradients, access onto the proposed lots, type of construction materials designed in accordance with Council’s Subdivision standards and AS/NZS2890.1-2004. Suitable underground provision for the supply of all relevant services to the proposed lots (proposed position of pipes and conduits). The full length of the driveway designed with a minimum 150mm thick reinforced concrete and minimum of 2.7m wide pavement from kerb face to kerb face width, and a non-slip surface. <p>Condition reason: To ensure newly create allotments have adequate vehicular access.</p>
23	<p>Geotechnical Report</p> <p>The applicant must comply with the Geotechnical Investigation Report, prepared by Geo-environmental Engineering dated 20/09/2022.</p> <p>Condition reason: To ensure structural safety and integrity of adjoining properties.</p>
24	<p>On site detention</p> <p>The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system, prepared by a suitably qualified professional engineer specialising in hydraulic engineering, must be submitted for approval by the Principal Certifier with the Construction Certificate.</p> <p>An on site detention (OSD) facility must be designed and approved by a suitably qualified professional engineer who specialises in Hydraulic Engineering. 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:</p> <ol style="list-style-type: none"> Peak flow rates from the site are to be restricted to a permissible site discharge (PSD) equivalent to the discharge when assuming the site contained a single dwelling, garage, lawn and garden. At Annual Recurrence Intervals for 2 years, 10 years and 100 years. <p>The OSD facility must be designed to meet all legislated safety requirements and childproof safety fencing around the facility must be provided where the OSD facility is</p>

	<p>open or above ground when the design peak storage depth is greater than 300mm. A durable metal plate or similar sign must be placed at the OSD facility and must bear the words:</p> <p style="padding-left: 40px;">“BEWARE: This is an on-side detention basin/tank for rainwater which could overflow during heavy storms.”</p> <p>Full details must accompany the application for the Construction Certificate.</p> <p>Condition reason: To ensure the on-site detention system is designed to comply with the relevant criteria and legislation.</p>
25	<p>Onsite Waste Collection</p> <p>Development for the purposes of multi-unit housing, residential flat buildings, serviced apartments, boarding houses, mixed use and commercial developments must provide an area for the onsite underground or at-grade collection of waste, which must comply with the requirements contained within Part H of Strathfield Consolidated Development Control Plan 2005.</p> <p>Waste servicing and collection arrangements must be clearly depicted and annotated on architectural drawings, which should indicate adequate turning circles to allow collection vehicles to enter and exit the stie in a forward direction.</p> <p>Condition reason: To ensure appropriate management of waste.</p>
26	<p>Commercial and industrial waste</p> <p>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 Consolidated Development Control Plan 2005 – Appendix B.</p> <p>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.</p> <p>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.</p> <p>Waste education must be provided through signs in common areas indicating how to avoid, reduce, reuse and recycle waste.</p> <p>Note: Refer to the EPA’s Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities.</p> <p>Condition Reason: To ensure the appropriate management of waste through the separation of commercial and residential waste.</p>
27	<p>Co-living development</p> <p>Co-living development must provide onsite collection of waste. The Waste Management Plan 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</p>

	<p>waste, recycling and bulky goods), and that the size and location of the storage room is suitable for the frequency of the waste collections.</p> <p>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.</p> <p>Waste education must be provided through signs in common areas indicating how to avoid, reduce, reuse and recycle waste.</p> <p>Litter management plan must be included in Waste Management Plan when applicable. The occupant or person in control of the premises must take all practicable steps to ensure that the area of public footpath or public area adjacent to the premises is maintained in a clean and tidy condition. Litter management plan must include:</p> <ul style="list-style-type: none"> • All steps being taken to prevent, reduce and collect any litter produced by the site • Measures such as cleaner to conduct litter collection within a 50m radius to be included. <p>Note: Refer to the EPA's Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities.</p>
	<p>Condition Reason: To ensure appropriate management of waste and waste collection.</p>
28	<p>Pump-out system design for stormwater disposal</p> <p>The design of the pump-out system for stormwater disposal will be permitted for drainage of basement areas only, and must be designed in accordance with the following criteria:</p> <ol style="list-style-type: none"> a. The pump system must consist of two pumps, connected in parallel, with each pump being capable of emptying the holding tank at the rate equal to the rate of inflow for the one-hour duration storm. The holding tank must be capable of holding four hour's runoff from a one-hour duration storm of the 1 in 100 year storm; b. The pump system must be regularly maintained and serviced, every six months; and c. Any drainage disposal to the street gutter from a pump system must have a stilling sump provided at the property line, connected to the street gutter by a suitable gravity line. <p>Details and certification of compliance from a suitably qualified professional engineer specialising in hydraulic engineering must be provided to the Principal Certifier for approval with the Construction Certificate application.</p>
29	<p>Tree bond</p> <p>A tree bond (calculated in accordance with Council's adopted Fees and Charges) must be paid to Council, prior to the issue of a Construction Certificate.</p> <ol style="list-style-type: none"> a. Lophostemon confertus: \$10,658.00 b. Lophostemon confertus: \$10,658.00

	<p>c. Administration Fee: \$137.00</p> <p>The deposit is required as security against any damage to existing trees to be retained on Council's Road reserve, during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development.</p> <p>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.</p> <p>Payment may be accepted in the form of a bank cheque, credit card or bank guarantee. An administration fee applies to all bonds in accordance with Council's adopted Fees and Charges.</p> <p>A request for refund of the Tree Bond must be made in writing.</p> <p>Tree Bonds may be forfeited if a tree is dead, made dangerous or has been terminally damaged, or will be held until tree/s have fully recovered from the construction damage or were replacement/planted trees have become fully established and are over 6 metres in height.</p> <p>Condition reason: To ensure the protection of trees to be retained on Council's Road Reserve.</p>
30	<p>Tree protection and retention</p> <p>Details of tree protection measures in the form of a Tree Protection Plan are to be prepared by a qualified arborist (AQF5) and lodged with the Construction Certificate application for approval. The Tree Protection Plan shall be in accordance with Section 4 - <i>Australian Standard AS 4970-2009: Protection of trees on development sites</i> and shall include all street trees and trees adjoining the site on neighbouring properties.</p> <p>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.</p> <p>No services shall be installed within the Tree Protection Zone (TPZ) of the tree unless approved by Council. Tree protection fencing 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.</p> <p>Where the 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.</p> <p>A protective fence consisting of a fully supported chainmesh fence 1.8 metres height x 2 metres clear of the base of the tree at any one point must be erected around the street trees T1, T2, T5 & T6 unless otherwise specified in AS4970-2009. The fence is to extend up to the back of the kerb and to the edge of the footpath. No soil, fill, building materials or waste should be placed or disposed of within the protection area.</p> <p>Should replacement or repair of the public footpath or vehicle crossing within the TPZ area of a street tree be required, Council's Tree Management Officer is to be notified (with minimum 24hrs notice) of the intent to undertake the works and is to attend a site</p>

	<p>inspection after the existing footpath has been lifted but prior to any preparation works for laying of the new path. No street tree roots are to be cut without the approval of Council. Failure to comply with this condition may result in the forfeiting of the Tree Bond should the street tree's health or structure be compromised.</p> <p>Condition reason: To ensure the protection of trees to be retained on the site.</p>
31	<p>Tree removal / pruning prohibited</p> <p>The removal or pruning (branches or roots) of any trees on the subject property (excluding those approved for removal in these conditions or species on Council's exempt species list), Council's public footway, public reserves or on neighbouring properties must not be undertaken other than in accordance with the express provisions of this consent.</p> <p>Condition Reason: To ensure tree preservation and environmental amenity.</p>
32	<p>Trade Waste Agreements – Sydney Water</p> <p>A Trade Waste Agreement with Sydney Water may be required. Evidence of a Trade Waste Agreement and any works required to comply with the agreement must be detailed and submitted with 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.</p> <p>Condition Reason: To ensure suitable disposal of wastewater.</p>
33	<p>Notice of requirements for a Section 73 Certificate – Prior to commencement of work</p> <p>A Notice of Requirements must be obtained from Sydney Water Corporation outlining the works required for a certificate under Section 73 Sydney Water Act 1994 No 88 - NSW Legislation to be issued. The application must be made through an unauthorised Water Servicing Co-ordinator.</p> <p>The Notice of requirements must be submitted prior to the commencement of any work. A Section 73 Compliance Certificate will be required at the completion of development prior to the issue of any occupation or subdivision certificate.</p> <p>Condition Reason: To comply with the statutory requirements of Sydney Water.</p>
34	<p>Fire safety measures</p> <p>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 must be submitted to the Principal Certifier. Such list must also specify the minimum standard of performance for each essential fire safety measure included in the list.</p> <p>Condition Reason: Fire safety and statutory requirements.</p>
35	<p>Structural details</p> <p>Engineer's details for all reinforced concrete work, structural beams, columns & other structural members must be prepared by a suitably qualified practising Structural Engineer. These details are to be submitted to the Principal Certifier for approval.</p> <p>A copy must be forwarded to Council where Council is not the Principal Certifier.</p> <p>Condition Reason: To ensure works are structurally sound.</p>
36	<p>Access for persons with a disability</p> <p>Access and sanitary facilities for persons with disabilities must be provided to the premises 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 by the Principal Certifier.</p>

	<p>Condition Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.</p>
37	<p>Commonwealth Disability (Access to Premises) Standard</p> <p>The new building must comply with the Access Premises Standards, the Building Code of Australia and AS 1428. Details must be submitted with the Construction Certificate Application for approval by the Principal Certifier.</p> <p>Condition Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.</p>
38	<p>Off street parking – Compliance with AS2890</p> <p>All driveways, access ramps, vehicular crossings and car parking spaces must 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).</p> <p>Condition Reason: To ensure adequate vehicular access can be achieved and complies with relevant standards.</p>
39	<p>Construction Site Management Plan</p> <p>A Site Management Plan must be submitted with the application for a Construction Certificate, and include the following:</p> <ol style="list-style-type: none"> 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. <p>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.</p> <p>Condition Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
40	<p>Stormwater system</p> <p>The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system in accordance with Council's Stormwater Management Code and AS/NZS 3500.3: 2015 (as amended), prepared by a suitably qualified professional engineer specialising in hydraulic engineering, must be submitted for approval to the Principal Certifier with the Construction Certificate.</p> <p>Condition Reason: To ensure stormwater drainage system is adequately designed.</p>

BEFORE BUILDING WORK COMMENCES

41	<p>Dilapidation Report</p> <p>A professional engineer specialising in structural or geotechnical engineering shall prepare a Pre-Construction Dilapidation Report detailing the current structural condition of adjoining premises including but not limited to:</p> <ol style="list-style-type: none"> a. All neighbouring buildings likely to be affected by the excavation as determined by the consulting engineer. b. 28 Courallie Avenue, Homebush West c. 34-36 Courallie Avenue, Homebush West <p>The report shall be prepared at the expense of the applicant and submitted to the satisfaction of the Principal Certifier prior to the issue of the Construction Certificate. A copy of the pre-construction dilapidation report is to be provided to the adjoining properties (subject of the dilapidation report), a minimum of 5 working days prior to the commencement of work. Evidence confirming that a copy of the pre-construction dilapidation report was delivered to the adjoining properties must be provided to the Certifier.</p> <p>Should the owners of properties (or their agents) refuse access to carry out inspections, after being given reasonable written notice, this shall be reported to Council to obtain Council's agreement to complete the report without access. Reasonable notice is a request for access in no sooner than 14 days between 8.00am-6.00pm.</p> <p>Condition Reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and Council are provided with the dilapidation report.</p>
42	<p>AUSGRID – Underground cables in the vicinity of the development</p> <p>Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways.</p> <p>It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Dial Before You Dig (DBYD).</p> <p>In addition to DBYD the proponent should refer to the following documents to support safety in design and construction:</p> <ul style="list-style-type: none"> • SafeWork Australia – Excavation Code of Practice. • Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables. <p>The following points should also be taken into consideration.</p> <p>Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed.</p> <p>Should ground anchors be required in the vicinity of Ausgrid 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.</p> <p>Condition Reason: To ensure safety.</p>

43	<p>AUSGRID – Overhead powerlines in the vicinity of the development</p>
	<p>The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase.</p> <p>Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site.</p> <p>The “as constructed” minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website at www.ausgrid.com.au.</p> <p>It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer’s cost.</p> <p>Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances “Working Near Ausgrid Assets - Clearances”. This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries</p>
	<p>Condition reason: To ensure construction does not interfere with electricity connection.</p>
44	<p>AUSGRID – Relocating pole</p>
	<p>Ausgrid’s Asset Relocation process will need to be followed to move the Ausgrid pole in accordance with the link below: https://www.ausgrid.com.au/Connections/Connection-types/moving-poles-and-assets</p> <p>The funding of the relocation (including undergrounding if required) of Ausgrid’s network assets shall be in accordance with the Ausgrid Network Asset Relocation and Undergrounding Policy Guidelines. This generally requires that if Ausgrid network assets are to be relocated then the proponent is responsible for the cost of that relocation.</p> <p>The design will need to ensure compliance with Ausgrid Network Standard NS 167 with regard to clearances from power poles to driveways.</p>
	<p>Condition Reason: To ensure safety and protect Ausgrid assets.</p>
45	<p>Utility arrangements</p>
	<p>Arrangements must be made with utility authorities in respect to the services applied those authorities to the development. The cost associated with the provision or adjustment of services within the road and footway areas will be at the applicant’s expense.</p>
	<p>Condition Reason: To ensure adequate provision of services is available.</p>
46	<p>Site Audit Report and Site Audit Statement</p>
	<p>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</p>

	<p>Statement must be submitted to Council. These documents must clearly state that the site is suitable for the proposed use.</p> <p>The Applicant must comply with all relevant provisions of the State Environmental Planning Policy (Resilience and Hazards) 2021 - NSW Legislation.</p> <p>Condition Reason: To ensure compliance with statutory requirements in relation to site remediation works.</p>
47	<p>Structural Engineers details – Supporting Council road and footway</p> <p>Prior to the commencement of work in connection with the excavation of the site associated with the basement carpark, structural engineer's details of the method of supporting Council's roadways and footways, prepared by a suitably qualified structural engineer, must be submitted to the satisfaction of Council.</p> <p>Condition Reason: To protect Council's assets and public safety.</p>

DURING BUILDING WORK

48	<p>Waste management</p> <p>While site work is being carried out:</p> <ol style="list-style-type: none"> a. All waste management must be undertaken in accordance with the waste management plan; and b. Upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier or Council (where a principal certifier is not required), detailing the following: <ol style="list-style-type: none"> i. The contact details of the person(s) who removed the waste; ii. The waste carrier vehicle registration; iii. The date and time of waste collection; iv. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill; v. The address of the disposal location(s) where the waste was taken; vi. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. <p>If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council.</p> <p>Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.</p>
49	<p>Hours of work</p> <p>Site work must only be carried out between the following times-</p> <p>For building construction and delivery of machinery and materials from 7:00am to 5:00pm on Monday to Saturday (excluding Public Holidays)</p> <p>For demolition, excavation and/or construction works that involve heavy machinery, noisy trades, or the like from 7:00am to 5:00pm on Monday to Friday (excluding Public Holidays)</p> <p>Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>

50	<p>Construction Traffic Management Plan</p> <p>The builder must ensure that the approved Construction Traffic Management Plan is to be strictly complied with and kept on site at all times during construction works.</p> <p>Condition reason: To provide safe access to and from the site and protection of public infrastructure and the environment.</p>
51	<p>Obstruction of road or footpath</p> <p>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 under Section 68 of the Local Government Act 1993. Penalty infringement Notices may be issued for any offences and severe penalties apply.</p> <p>Condition reason: To maintain public safety.</p>
52	<p>Procedure for critical stage inspections</p> <p>While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p> <p>Condition Reason: To require approval to proceed with building work following each critical stage inspection.</p>
53	<p>Tree removal on private land</p> <p>The trees identified as 'to be removed/pruned' on the approved plans or by conditions of this consent must be removed in accordance with AS4373 -2007 and the Amenity Tree Industry Code of Practice (SafeWork NSW, August 1998).</p> <p>Condition Reason: To ensure tree preservation and pruning is undertaken in accordance with AS4373:2007.</p>

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

54	<p>Consolidation of site</p> <p>The site must be consolidated into one allotment by a Plan of Consolidation being prepared by a Registered Surveyor. This Plan must be registered at the NSW Land Registry Services (LRS) prior to the issue of a final Occupation Certificate.</p> <p>Condition reason: Orderly management of land.</p>
55	<p>Restriction to user and positive covenant for on-site detention facility</p> <p>Prior to the issue of any Occupation Certificate, the applicant must 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.).</p> <p>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 must register an easement no less than 1200mm wide over the proposed drainage line or service concurrently with any subdivision registration.</p> <p>The wording on the Section 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.</p> <p>Condition reason: To ensure the approved stormwater disposal system is maintained to an appropriate operational standard.</p>

56	<p>Works as executed and certification of stormwater works</p> <p>Prior to the issue of any 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 provided to the Principal Certifier and Council, from a suitably qualified professional engineer specialising in hydraulic engineering.</p> <p>This Plan and Certification must 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.</p> <p>The works-as-executed drainage plan must be prepared by a suitably qualified professional engineer specialising in hydraulic engineering in conjunction with a Registered Surveyor and must include the following details (as applicable):</p> <ol style="list-style-type: none"> a. The location of any detention basin/s with finished surface levels; b. Finished site contours at 0.2 metre intervals 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).
<p>Condition reason: To ensure appropriate provision have been made for the disposal and management of stormwater generated by the development.</p>	
57	<p>Surveys by a Registered Surveyor</p> <p>While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier:</p> <ol style="list-style-type: none"> a. All footings / foundations in relation to the site boundaries and any registered and proposed easements b. At other stages of construction – any marks that are required by the principal certifier.
<p>Condition Reason: To ensure buildings are sited and positioned in the approved location.</p>	
58	<p>Slip resistance</p> <p>At the 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 or 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 any Occupation Certificate for approval.</p>
<p>Condition Reason: Public health and safety.</p>	
59	<p>Positive covenant for mechanical parking installations</p> <p>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 mechanical parking installations (vehicle turntables, car lifts, ramp traffic signal system, car stackers, etc.). On completion of construction</p>

	<p>work, mechanical parking installations are to be certified by a professional engineer with works-as-executed drawings supplied to the Principal Certifier detailing:</p> <ol style="list-style-type: none"> a. Compliance with conditions of development consent relating to mechanical parking installations including vehicle turntables, car lifts, ramp traffic signal systems, and car stackers. b. That the works have been constructed in accordance with the approved design. c. Binding the owners and future owners to be responsible for ongoing maintenance required in terms of the mechanical parking installations. <p>Condition Reason: To ensure the mechanical parking installations are maintained to an appropriate operational standard.</p>
60	<p>Section 73 Compliance Certificate</p> <p>A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be submitted to the Principal Certifier prior to the issue of any Occupation.</p> <p>Condition Reason: To comply with the statutory requirements of Sydney Water.</p>
61	<p>Fire safety before occupation or use</p> <p>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 any Occupation Certificate, the owner must cause the issue of a Final Fire Safety Certificate in accordance with Clause 83 of that 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. Additionally, 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 must state:</p> <ol style="list-style-type: none"> a. That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so. b. That as at the date of the assessment the measure was found to be capable of functioning at a standard not less than that required by the Schedule. <p>A copy of the certificate must 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.</p> <p>Condition Reason: Fire safety and statutory requirement.</p>
62	<p>Vehicular crossing and frontage work – Major development</p> <p>The following road frontage works must 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 Design Division:</p> <p>Construct the vehicular crossing in accordance with Council's Specifications for vehicular crossings.</p> <ol style="list-style-type: none"> a. Construct a new concrete kerb and gutter for the full frontage(s) of the site in Courallie Avenue in accordance with Council's Specifications for kerb and guttering. b. Any existing vehicular crossing and/or laybacks which are redundant must be removed. The kerb and gutter, any other footpath and turf areas must be restored at the expense of the applicant and in accordance with Council's Specification for Vehicular Crossings and Associated Works.

	<p>A private contractor must carry out the above work, at the expense of the applicant and in accordance with Council's Specification for Vehicular Crossings and Associated Works.</p> <p>The driveway and road frontage works must be completed before the issue of any Occupation Certificate.</p> <p>Condition Reason: To ensure appropriate access to the site is achieved.</p>
63	<p>Completion of landscape works and tree works</p> <p>At the completion of all works and prior to the issue of any occupation certificate, a certificate is to be submitted to the Principal Certifier from a suitably qualified Landscape 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.</p> <p>Condition Reason: To ensure compliance with the minimum landscape area requirements.</p>

OCCUPATION AND ONGOING USE

64	<p>Release of securities</p> <p>After Council receives an Occupation Certificate, an application may be lodged to release the securities held in accordance with Council's relevant policy.</p> <p>Condition reason: To allow release of securities where the terms and conditions for the securities have been met to Council's satisfaction.</p>
65	<p>Amenity of the neighbourhood</p> <p>The implementation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or response of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products.</p> <p>Condition Reason: To protect the amenity of surrounding development and protect public safety.</p>
66	<p>Noise control</p> <p>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.</p> <p>Condition reason: Protect the environmental amenity of the adjoining properties.</p>
67	<p>Outdoor lighting</p> <p>To avoid nuisance to the occupants of adjoining premises or glare to motorists on nearby roads, outdoor lighting must comply with AS 4282-1997: Control of the obtrusive effects of outdoor lighting.</p> <p>Condition reason: To protect the amenity of surrounding development and protect public safety.</p>
68	<p>Lighting – General nuisance</p> <p>Any lighting on the site must be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill or glare.</p> <p>Flashing, moving or intermittent lights or signs are prohibited.</p> <p>Condition Reason: To protect the amenity of surrounding development and protect public safety.</p>

69	Maintenance of sound attenuation
	Sound attenuation must be maintained in accordance with the Acoustic Report submitted by PKA Acoustic Consulting titled Courallie Avenue (30-32) Homebush West dated 8 June 2023, except for the acoustic fence as updated by the stamped architectural plans.
	Condition reason: Maintain acoustic amenity.
70	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: <ul style="list-style-type: none"> a. Within 12 months after the date on which the fire safety certificate was received. b. Subsequent annual fire safety statements must be given within 12 months after the last such statement was given. c. An annual fire safety statement must 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 must be given to the Commissioner of Fire & Rescue NSW, and a further copy is to be prominently displayed in the building.
	Condition Reason: Fire safety and statutory requirements.
71	Loading & unloading of vehicles
	All loading and unloading of vehicles in relation to the use of the premises must take place wholly within a dedicated loading dock area.
	Condition Reason: Compliance and mitigate traffic impacts on the surrounding area.
72	Entering and exiting of vehicles
	All vehicles must enter and exit the premises in a forward direction.
	Condition Reason: Safety and traffic management.
73	Maximum vehicle size
	The maximum size of truck using the proposed development must be limited to Small Rigid Vehicle as denoted in AS2890.2-2018: Parking Facilities – Off-street commercial vehicle facilities.
	Condition Reason: Safety and traffic management.
74	Resident Parking Permits
	The owner, occupier and visitors of the development are not eligible for a resident or visitor parking permit, under any existing or future residential parking schemes.
	Condition Reason: To reduce parking impacts on the neighborhood.
75	Maintenance of landscaping
	All trees and plants forming part of the landscaping must be maintained. Maintenance includes watering, weeding, removal of rubbish from tree bases, fertilising, pest and disease control, replacement of dead or drying plants and any other operations required to maintain healthy trees, plants and turfed areas.
	Condition Reason: To ensure the amenity of landscaping is maintained.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Strathfield Municipal Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Strathfield Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,

- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.